



The
Lukaszewski
Group

A Division of 

America's Crisis Guru®
Crisis Management, Leadership
and Organizational Recovery

MANAGING CONTENTION

The Victory Manual Strategies That:

- **Build Relationships**
- **Reduce Anxiety & Arrogance**
- **Encourage Neutrality**
- **Lead to Permission/Agreement**
- **Define Victory, Realistically**



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INTRODUCTION

Democracy is the messiest form of government on our planet. In a democracy, getting things done takes extraordinary effort and commitment. With the advent of the web and “new media” comes the reality that everyone who wants to be heard has a platform, the status of being a journalist, and often, an audience. Gaining success and public permission in the democratic environment has become more complex and, in many ways, considerably tougher.

Having recognized this new dimension, it remains true that the process of securing public permission still requires patterns of activity, public behavior, and sensitivity very similar to those used before this new “Facebook/Twitter Generation.”

The entire process just seems more fractured and contentious.

Five powerful victory axioms remain true:

1. You can win even with significant opposition, angry people, and media criticism.
2. The prerequisite attitudes to win are:
 - Long-term vision and resources
 - Stamina to withstand the contention, exaggeration, and irritation these situations cause
 - Wisdom and persistence to wage peace, make accommodation, be relentless, be positive, and pay constructive attention to even the smallest detail
3. Recognize that while engineering, chemistry, physics, and math have solutions and end points, the public permission process tends to go on forever.
4. Avoid conflict, confrontation, and discrediting the ideas, opinions, and actions of others. Talk like war, act warlike, beat your chest, draw lines in the sand, and war is very likely. War brings victims, casualties, and critics: all of whom live forever, and all of whom are committed to defeating you in any respect they can.
5. The three main goals of your strategy, action, behavior, and communications are to:
 - Reduce the production of critics
 - Strive to help the community be neutral about what you are asking permission to accomplish
 - Apologize promptly when mistakes and foolishness occur; pay the price quickly and move forward

This manual is your communication, behavior, and strategy manifesto. Use it and win where winning possible.

MANAGING CONTENTION: THE VICTORY MANUAL

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I. COMMUNICATING INTENTIONALLY

Over the years, I've developed, teach, coach and advocate a very powerful and helpful communication philosophy. At the same time, this approach defines my ethical approach to life, to work and to trouble. I call these "intentions" because this is how I seek to operate my life every day, and to teach others to do the same. These behaviors build trust.

1. ***Candor – Truth with an attitude, delivered now (the foundation blocks of trust).***
 - Disclose, announce early.
 - Explain reasoning and reasons.
 - Discuss options, alternatives considered.
 - Provide unsolicited helpful information.
2. ***Openness, accessibility – Be available for the disasters as well as the ribbon cuttings.***
 - Be available.
 - Be willing to respond.
3. ***Truthfulness – Truth is 15% facts and data, 85% emotion and point-of-reference.***
 - Point of reference matters more than facts.
 - Factual overload victimizes people and makes them feel stupid, therefore angrier.
 - Unconditional honesty, from the start.
 - Get good at handling emotional situations, subjects and people
4. ***Empathy – Action always speaks louder than words.***
 - Action illustrates concern, sensitivity, and compassion.
 - Act as though it was happening to you or someone you care about.
 - It is literally impossible to put yourself in someone else's shoes in any meaningful way, from the victim's perspective.
5. ***Responsiveness – Answering questions relentlessly in every situation validates your integrity.***
 - Every concern or question, regardless of the source, is legitimate and must be addressed.
 - Answer every question; avoid judging the questioner.
 - Avoid taking any question personally.
 - Build followers and be nice, even in the face of anger or aggressive negativity. Anger and arrogance create plaintiffs.
6. ***Transparency – No secrets (because important things and stupid stuff always come out.)***
 - Our behavior, our attitude, our plans, even our strategic discussions are unchallengeable, positive, and explainable.

- Our families would be comfortable reading about our actions, decisions, and discussions on the front page of tomorrow's newspaper.
7. ***Engagement – Face-to-face is the communications approach desired by just about everyone and every victim.***
- Take aggressive positive interaction with those who challenge us.
 - Our base and those who give us permission to operate expect us to deal with unconvinceables and victims.
 - Prompt direct interactive response, even negotiation, empowers the initiator.
8. ***Destiny Management – It's your destiny, which only you can manage in your own best interest.***
- Manage your own destiny, or you'll find someone waiting on the sidelines to do it for you.
 - Relentlessly correct and clarify the record.
 - Prompt, positive, constructive elaboration of the facts preempts critics and empowers employees, supporters and those who give us permission to operate.
9. ***Apology – The atomic energy of empathy. Apologies stop just about everything, including litigation.***
- Acknowledge personal responsibility for having injured, insulted, failed, or wronged another.
 - Explain what happened and the known reasons for the circumstance.
 - Talk about what you and your organization have learned that will help prevent it from ever happening again.
 - Humbly ask for forgiveness in exchange for more appropriate future behavior and to make amends.
 - Make restitution

You can call this anything you like: communications policy, guidelines or manifesto. I like the word intentions because it signifies that we are fully engaged in communicating in the most effective, honest, empathetic and open manner possible, all the time.

By publically professing these intentions you will set a standard to which you can be held accountable. This behavior can lead to an extraordinarily interesting, useful and trustworthy life and besides, you sleep better at night.

II. DEALING WITH CONTENTION

Public and internal meetings – where emotions run high and opposing views will be vigorously expressed – are potentially flammable situations. Survival means maximizing what you learn from every confrontation, structuring your participation to maintain control but also to maximize communication. Focus on what you say; say everything on purpose; have a purpose before saying anything. Understand the dynamics of what is going on. Clearly assess the future consequences of what you and others say during the meeting. The attendance preparation and management process outlined here will help you and the participants obtain the highest value from the contentious meeting experience.

The Seven Key Steps

Step 1: Pre-meeting Preparation/Briefing

- Beyond the normal presentational preparation, those attending the meeting and those presenting should thoroughly plan how participation will be organized. The two fundamental rules are these:
 - Every leader from New Milford Hospital who attends will have a role to play and a job to do; and
 - Any leader from New Milford Hospital who is not speaking or presenting is staffing those who are.

Develop a plan for working through the various elements of the meeting.

- Develop a list of killer questions and a list of questions you would love to respond to. Also develop the two or three substantial elements for the answers to these questions.
- Develop positive, constructive, direct, useful answers for these questions in 75-150 words.
- When preparation time is limited, focus more on the question and answer process. Rehearse everything you plan to say out loud in front of an audience. This helps help refine and focus the language in positive ways. When possible, the audience for the practice sessions should also ask tough questions.
- Decide on the two or three verbal themes (brief sentences or phrases) you want to get across during the meeting. Develop and practice this language out loud.

Step 2: Set Ground Rules

- If it is *your* meeting, set obviously fair rules for participation. Let others have the floor, with just a few common sense limits agreed to in advance.
- Always set an official start time and end time. Start on time, to the second. End on time.
- If it is *their* meeting and you are invited to participate, suggest some specific ground rules such as:
 - Permitting opening comments from your speaker;
 - Allowing comments between the speakers to clarify and correct;
 - Opportunity to correct misstatements promptly;
 - Permission to interrupt if something is really wrong;
 - Permitting closing comments or a summary from your speaker; and
 - Permission to record and transcribe or create a verbatim record of the meeting.
- Let everyone know what the agenda and ground rules are.

Step 3: Staff the Meeting for Maximum Contact, Learning, and Impact

- Emotional meetings should be attended by at least two people, one who speaks and answers questions and one who will “staff” the presenter by:
 - Listening carefully to what is being talked about “in the background”;
 - Taking careful, conscientious notes, particularly on the questions asked and the substantial elements of the responses given;
 - Paying particular attention to negative language and phrases that may cause headlines or require future responses, and to whom the negative or emotional statements or accusations are directed; and
 - Taking special note of the more negative presenters.
- Avoid over-staffing or too many presenters. One good, well-rehearsed presenter accompanied by one staff person for every 100 attendees is a useful standard.
- Insist (gently) that ground rules be observed.

Step 4: Debrief Immediately Following the Meeting

- For best results, debrief immediately following the meeting. Memories are short; multiple memories degrade rapidly.
 - Go to a neutral site – a coffee shop, restaurant, or conference room.

- Systematically review:
 - The sequence of the meeting;
 - The sequence of speakers;
 - The sequence of questions; and
 - The substance of the responses.
- Determine what needs to be done tomorrow by/with whom.

Step 5: Deliver on What You Promise

- If you agreed to look something up or get additional information, get it and deliver it promptly.
- If you promised to begin developing additional information or to start new processes, get them underway promptly and notify those to whom you made the promise.

Step 6: Manage the Record

- Record and transcribe the meeting. Do this yourself or use a contractor.)
- Post the transcript and the audio on the website. Notify key audiences of availability:
 - Participants;
 - Policy makers;
 - Media; and
 - Anyone requesting notification.
- Those who are actively opposing you will pay far more attention to what you actually say and do than you will, especially to your negative responses and defensive threats. A transcript will confirm what you said, help create understanding, and reduce misunderstanding. And, the transcript will help you know what you have to promptly correct or fix.
- If there are statements or facts that need to be corrected, do it promptly, post them and notify those who care or are directly affected.

Step 7: Get Used to the Dichotomies

- Contentious meetings rarely reveal the truth. This is because the truth is really quite different and unique to each participant. The truth will be based upon each participant's particular point of reference, set of filters, attitudes, and how much they feel like victims – even though the same facts and information are shared with everyone simultaneously. Answer the questions asked, post both. Correct and clarify the statements people make.

- People act differently in public than in private.
 - The meek, mild-mannered housewife sitting in an office pleasantly talking face-to-face with an individual businessperson becomes the teary-eyed, angry activist in public and in front of television cameras, or on the web.
 - The helpful, understanding, inquisitive public official becomes the upset and irritable champion of victimized constituents.
 - The empathetic reporter who only “wants to tell your side of the story” gives the opponents the headline, while you get a shot to the forehead when they quote only your negative statements, and portray you as the enemy or as at least inept.
 - This is the way it is going to be for a while.

These meeting attendance procedures provide a baseline for responding to, accommodating, and overcoming issues and questions that may arise during very intense emotional public settings. Manage the record following the meeting and you will achieve what you intended by sponsoring or attending the meeting.

Sometimes, the more intense the meeting, the more valuable it is to us for answering questions, and demonstrating that we care and are competent.

III. CONTROL YOUR OWN DESTINY: A MANIFESTO

This manifesto is a personal and often publicly declared set of principles, policies, or intentions, for addressing public circumstances and situations, behaving with integrity, honesty, and even good humor. If your mother could teach you the rules for winning in the irritating, aggravating, agitating environment of being under attack in the news media – personally, politically or professionally, here's what she (or most moms) would tell you to do:

1. **Speak only for yourself.** Say less, write less, but make these communications really important.
2. **Answer every question.** Aim for 75-150 word responses; this is 30-60 seconds reading or speaking time, honorable organizations, people, programs, and initiatives can answer any question.
3. **Always let others speak for themselves.** When you try to speak for others, you will always be wrong, and attacked or humiliated for being wrong.
4. **Avoid claiming that you agree with your opponents** on anything, unless they say so first. Once opponents say it, you may quote them saying it, but always say what you believe to be true and back that up.
5. **Avoid saying that you work closely with public agencies,** other organizations, or even individuals related to your situation (even if you believe you do), unless they say so first and you then quote them. Otherwise, they can deny it (especially if controversy arises) or point out, as some may quite quickly, that whatever links exist are rather weak. They will then describe those weaknesses or deny that you have any real influence.

Those who can and may support you in the future (public or private) must have their status preserved for the long run. Drawing them into your discussion could needlessly make them targets of attack. They will have to abandon or, perhaps, denounce or distance themselves from you.

6. **Assume that everyone in the discussion has more credibility than you do.** Your job is to validate your credibility, every time, rather than to discredit others.
7. **Be relentlessly positive** (avoid all negative words) and constructive (avoid criticizing and criticism). Both provide the fuel opponents thrive on.
8. **Focus on the truly important 5%;** forget the rest. Respond to and develop what truly matters.

9. **Let attackers discredit themselves.** Emotional words plus negative, destructive language equals less truth and trustworthiness. Avoid your “friends” and those who suggest this approach. It will always backfire.
10. **Practice laggship.** Speak second but always have the last word.
11. **Be calm.** Critics, agitators, and bullies are energized by anger, emotionalism, whininess, and negative counter attacks.
12. **Silence is always toxic to the accused.** Even your friends will sacrifice or question you after a while.
13. **Apologies are always in order**, provided they contain all of the crucial ingredients of an effective apology. The most constructive structures for apology are in *The Five Languages of Apology*, a book by Gary Chapman and Jennifer Thomas (*The Five Languages of Apology: How to Experience Healing in All Your Relationships*, Gary Chapman and Jennifer Thomas; Northfield Publishing, September 1, 2006; ISBN 1881273571.). Here, with some paraphrasing and modification based on my experiences, are the ingredients of the perfect apology.
 1. **Regret (acknowledgment)** – A verbal acknowledgement by the perpetrator that their wrongful behavior caused unnecessary pain, suffering, and hurt that identifies, specifically, what action or behavior is responsible for the pain.
 2. **Accepting Responsibility (declaration)** – An unconditional declarative statement by the perpetrator recognizing their wrongful behavior and acknowledging that there is no excuse for the behavior.
 3. **Restitution (penance)** – An offer of help or assistance to victims, by the perpetrator; action beyond the words “I’m sorry”; and conduct that assumes the responsibility to make the situation right.
 4. **Repentance (humility)** – Language by the perpetrator acknowledging that this behavior caused pain and suffering for which he/she is genuinely sorry; language by the perpetrator recognizing that serious, unnecessary harm and emotional damage was caused.
 5. **Direct Forgiveness Request** – “I was wrong, I hurt you, and I ask you to forgive me.”

The most difficult and challenging aspects of apologizing are the admission of having done something hurtful, damaging, or wrong, and to request forgiveness. Skip even one step and you fail.

14. **Have courage, and refuse to be distracted** by negativity, friendly pressure, or the agendas of others. They are not in the spotlight, you are. Be especially wary of those who feel that responding empowers others, or that you might look like a sissy for having done it. Either of these outcomes is better than being considered boorish, bullyish, arrogant, or callous.

15. **Discourage others from explaining your situation.** They will get it wrong. You will be blamed, and they will be attacked. They will then have to abandon you altogether, or keep some distance.
16. **Everything that goes around comes back around.** Avoid verbal vegetables, the words phrases, arguments, assertions and statements you write or say that you know you will have to eat some time in the future.
17. **Remember the math of truth:** Truth is 15% facts and data and 85% emotion and perception; 65% of truth is point of reference (my backyard or neighborhood). Facts do matter, but addressing the emotional component of issues and questions immediately, continuously, and constructively is essential for success.
18. **Be strategic.** Say, act, plan, and write with future impact in mind.
19. **Prepare to work alone** and to be abandoned by just about everyone.
20. **Stay at altitude,** keep a distance, avoid taking events or actions personally, and be reasoned, appropriate, and direct. Positive and constructive responses tend to disempower those making the attacks.
21. **Keep the testosterosis under control.** Every bit of negative energy you throw in their direction will multiply by a factor of five to 10, and they will throw it right back at you.
22. **Be preemptive.** Work in real time. Do it now, fix it now, ask it now, correct it now, challenge it now, and answer it now.
23. **Write and speak, simply, sensibly, positively empathetically and constructively.**
24. **Avoid trying to discredit anyone, any argument, any evidence, or any movement.** Such actions stimulate the creation of critics and adversaries; who accumulate, hang around, live forever, and who search relentlessly to exploit your weaknesses, vulnerabilities, and susceptibilities.
25. **Get accustomed to accommodating the long term, relentlessly negative** nature of these situations.
26. **Correct and clarify what matters promptly,** but do it all on your own website. Avoid joining blogs or conversations outside your site. The latter strategy will suck all of your energy into responding to the agendas of others who are having fun and sleeping well, while you are doing neither.
27. **It is your destiny.** Fail to manage it, and someone else is waiting in the wings to do it for you.

IV. ANSWERING TOUGH, TOUCHY, SENSITIVE QUESTIONS AND QUESTIONERS

Emotional questions and emotional responses are most likely when the issues being raised involve health and safety; property values; environmental threats, quality of life issues such as peace of mind, freedom from fear, and pride in community or family heritage, or personal job security. These issues are the most emotionally driven.

The questions themselves may be relatively straightforward. It is the emotionalization of the question and the questioner, or bringing up sensitive topics that leads to presenter discomfort and, perhaps, a feeling of inadequacy, even fear, helplessness, or frustration in dealing with these highly volatile situations. Stay calm. Talk emotional situations through step by step.

A Seven-Step Process

Remember, every question matters. Communication occurs only when someone asks a question and there is an opportunity to answer. Use this seven-step process to respond effectively, humanely, and appropriately to emotionally charged situations. It is a process. The steps impose a purpose, order, and helpful structure for the presenter's answers and, like most process approaches to communication, tend to de-emotionalize the situation.

Step One: Manage the Emotional Dimension First

React to the emotional dimensions of the question first. If questioners are angry, acknowledge their anger; if questioners are fearful, acknowledge their fear; and if questioners are upset, acknowledge their discomfort. Avoid saying, "I know how you feel." How could you?

Examples:

- "That's an important question."
- "We all can understand why you're so concerned."
- "Health issues are among the most important concerns for each of us."
- "I'm sorry you're so uncomfortable; let me see if I can provide some useful information."
- "I've heard this truly important question asked and answered a number of times; let me see if I can be of some help."
- "Let's talk it through."
- "What two issues or problems should I address first?"

Step Two: Give Control to Others

Emphasize restrictions, controls, regulations, laws, monitoring, oversight, and continuous disclosure ahead of other issues and concerns. Avoid the typical corporate self-forgiving, self-

congratulatory language, i.e., “We’re proud,” or “We’re the best in the business,” or “We rarely hear these kinds of questions,” or “These are isolated incidents,” or “You’re blowing this all out of proportion,” or “It is just not that serious.”

Examples:

- “The controls, restrictions, and regulations imposed on our operations are monitored by outside, independent organizations for compliance.”
- “Independent monitoring combined with public disclosure will provide everyone who’s interested with moment-to-moment information.”
- “As time passes, we fully expect even tougher new regulations and even more rigorous restrictions and controls to be imposed.”
- “We welcome these restrictions because they will give the community more confidence in our relationship.”

Examples to avoid: Anything that begins with, “We are proud of,” “The facts are,” “This is the only way,” “There are no alternatives,” “It is only an isolated incident,” “There’s no reason to be fearful,” or “There will be no impact.”

All negative phrases will be considered either intentional deceptions or lies.

Step Three: Find a Few Useful Positive Facts / Obligate Yourself, Beyond the Data

One of the key lessons of managing emotional situations is recognizing that facts are of only limited value. The inclination of most business people and managers is to pile on the data, believing that objectively produced information, which would convince any rational person, will convince someone in an emotional state. The rule is that data is important but only effective when used to balance the emotional component. Yes, facts and data are important but far less so than dealing directly and empathetically with the emotional issues being faced.

An important mistake companies make is to rely almost totally on data. In fact, the use of data, extensively, can be highly inflammatory. Failure to address the emotional components and issues adequately, as well as the questions, makes it appear that the data is being used to cover up far more important issues and questions. Getting the science right is essential. However, the non-science issues will determine how much we actually win in the end.

Examples:

- “There are studies that acknowledge the issue you raise and provide helpful information, here are two examples . . .”
- “Our experts have been telling us . . .”
- “We have really looked into this question deeply, and the information we have developed says . . .”
- “This is independent information that shows . . .”
- “We’re responsible for explaining everything we’ve proposed.”
- “You can count on us because it is our obligation to . . .”
- “When you have questions or issues, we’re just a phone call or visit away.”

- “We will find an answer to your question.”
- “We have met with others who are equally concerned.”

Step Four: State a Useful Positive Benefit, Gently

Emphasize how important your information may be to the individual’s situation and, perhaps, other sources that might help the individual feel better and have more information.

Examples:

- “Questions like yours have triggered enormously helpful and serious research to find answers.”
- “This permit or public decision will be made only after the community is satisfied that it has imposed sufficient restrictions, regulations, oversight, and controls.”
- “We have learned a great deal from this situation, for example . . .”

Be very careful with economic supporting evidence. Business organizations routinely promise substantial local economic impact such as jobs, local charitable contributions, infrastructure improvements, and paying taxes at some level. The public cares very little about them. In fact, the public often views these offers as attempts to buy the community’s favor. They are resented. If you can make contributions or changes that reduce the risk to the community, manage uncertainty, or increase direct community benefits, these can be powerful selling points.

Your answers must pass the “straight face test”. If you are getting tax increment financing, the people believe they are the ones who are financing the project, and you are getting a free ride. If you make estimates of employment, look back and see how well your estimates were met in previous jobs and expansions. If there is a slight discrepancy, someone out there will be counting, checking things off, and making sure everyone is aware that you failed to meet previously stated goals.

Viewing the proposal totally from the community's perspective is essential. The community is asking, “What are we going to give up, lose, or see seriously modified, to accommodate what you propose?” You better have some answers.

Step Five: Tell the Truth / State or Acknowledge the Negative

Address the health, environmental, and community issues forthrightly. Talk like a neighbor.

Examples:

- “From our perspective, we are doing everything we can to address the issues you are raising, and the proof will be when we . . .”
- “It is going to take time to resolve this situation and we may make further mistakes, but we will be equally as open and forthright with you should mistakes occur.”

Step Six: Make Only Credible Comparisons (or Avoid Them)

Accommodate personal feelings; try to avoid analogies and metaphors by instead comparing “appropriate” and “like” situations and facts; but better yet, just stick to what you know to be true. Use existing facts and data. Every time we try to explain one circumstance in the terms or appearances of another, it is confusing, misleading, and often make it appear as though we are dodging the answer to the real question that was asked.

Step Seven: Seek Consensus/Solution (Optional)

Consensus is the most challenging goal. It may be that the highest level of relationship is only one of neutrality and tolerance. But striving for consensus, that is, finding mutually beneficial solutions or answers, is a powerful motivating force, mostly because it prevents or at least preempts, for a little while, ideas and approaches that will set you back. Always work toward an acknowledged mutual understanding. At a minimum you will be reducing the number of critics generated, and irritating the one you already have, less.

Examples:

- “Have we responded to the specific issues that were making you uncomfortable?”
- “What was most important issue or question from your perspective?”
- “Is what we have been saying helpful?”
- “Was there anything that you found especially useful?”
- “If we modify X or Y in the manner you suggest, would that help you feel less concerned?”
- “What specifically would resolve your questions or concerns?”

V. BUILDING AND BUSTING TRUST

Often one of the most serious ongoing challenges to building trust and ensuring positive relationships with customers, allies, colleagues, government, and employees is what it takes to establish trust in the first place. It is by far easier to recognize the pattern of those behaviors and attitudes that damage trust, or at least bring credibility into question. Put in a more interesting way, trust is a fragile magical substance like the lignin in trees – it is the glue that holds the fiber of relationships together. Trust is the most fragile and vulnerable agent in a relationship.

First, some important definitions:

- **Candor:** Truth with an attitude, truth plus the facts, truth plus some perspective, truth that reflects that there may be other observations on the same set of circumstances and facts, but from different points of reference.
- **Credibility:** Always conferred by others on those whose past behavior, track record, and accomplishments warrant it.
- **Empathy:** Actions that speak louder than words. If words are necessary, victims look for the ongoing, often continuous verbalization of regret, embarrassment, or personal humiliation, promptly conveyed.
- **Integrity:** The inclination for an organization or individual to do the right thing first and wherever there is a choice.
- **Trust:** Generally the absence of fear, the feeling of reliability and that adverse situations, pain, or mistakes will have less impact or be pre-empted with the aid of a relationship of trust.

Experience demonstrates that a bond of trust, once established, generally makes reestablishing a relationship easier but the bond itself is fragile. What is truly difficult is trying to develop specific behaviors that can “build” trust. It is easier to identify the behaviors and attitudes that fracture the bond of trust. The most commonly seen trust-busting behaviors are listed and described below:

1. **Arrogance:** Taking action without consulting those directly or indirectly affected. Making decisions unilaterally, without important input from key partners. Action without empathy.
2. **Broken Promises:** One of the crucial bases of trust is that each party can rely on the commitments of the other, both implied and explicit. When those commitments are broken without prior notification, understanding, explanation, and warning, the first

element of the relationship to suffer is trust. Losing the safety of commitment can call into question most other elements of the relationship as well.

3. **Chest Beating:** The mindless, needless, and useless flogging of reputational elements, achievements; unwarranted self-congratulatory, self-validating behavior puts distance between those who want to trust and those who need to trust. It is a form of self-deception through self-talking.
4. **Creating Fear:** This usually occurs when something you do damages or threatens to damage someone else without their permission, knowledge, or participation. It could be the appearance of decision; it could be the feeling of unreliability in the relationship.
5. **Deception:** Misleading intentionally through omission, commission, negligence, or incompetence in a relationship creates a feeling of separation and distance. It also creates a sense of disappointment because the individual, product, company, or organization failed to recognize that, at the very least, there should be a sense of candor between the parties no matter what the circumstance.
6. **Denial:** When mistakes are made, errors in judgment occur, a product under performs, or there is a negative surprise, failing to promptly come and forward relate the circumstances candidly with empathy for those who are affected, changes a relationship of trust to one of suspicion and caution.
7. **Disparage the Opposition:** Any time you hear the phrase, “He’s uninformed,” or “They’re just looking to raise money by their actions,” or “It is politically motivated,” or “They just don’t understand,” you immediately suspect that the exact opposite is true, and you’re likely to be right. All opponents have friends elsewhere. Some of those friends are your friends as well. Victory is never achieved through disparagement. Disparagement causes suspicion, damages relationships, and creates permanent critics.
8. **Disrespect:** Even adversaries can trust each other to some extent, provided there is a sense of respect. When the reputation of an individual, product, or organization is minimized, trivialized, or humiliated, there is a sense of uneasiness and discomfort that often leads to frustration, anger, and outwardly negative behavior.
9. **Failure to Seek Forgiveness:** The pattern for avoiding and repairing mistakes is reasonably well known. However, often even the best public and private approaches are diminished in value when either for reasons of arrogance or stubbornness, a direct, overt approach for seeking forgiveness from the party directly harmed or indirectly affected is not taken. Failure to simply say, “We’re sorry,” in a timely fashion leads to loss of trust.
10. **Ducking Responsibility:** In the old days, if there was a major incident or accident, a company’s first response was to send a crew to paint over its company logo and name, so they would not appear in press photos. Sometimes this phenomenon is called “blame shifting.” For example, your product may be perfect in every respect except that it contains a faulty component. Even though the component manufacturer might

have taken the responsibility for its problem, it is your problem too, because the component resides in your product. Failure to take responsibility diminishes customer, client, and partner trust.

11. **Holding Back:** The essence of trust is having information or confidence in advance of decisions and circumstances so that no matter what happens, those in the relationship are able to count on the behaviors and attitudes of the others. Deliberately withholding information, withholding support, withholding admiration, withholding cooperation and collaboration, but especially withholding information, weakens the relationship.
12. **Ignore the Killer Questions:** Too often when preparing for adverse situations the very serious questions – those that can kill our reputation and, therefore, destroy trust – are either ignored or sanitized so as to be nearly unrecognizable. The honorable, trustworthy organization or individual prepares for the killer questions first and then determines other information that might be useful and helpful to explain or illustrate.
13. **Ignoring Core Values:** Actions that affect core values of individuals and communities can be the most devastating trust busters of all since those things that people value – what they want protected completely – tend to dominate their lives when adversely affected. The most common core values involve:
 - Personal health and safety
 - Value of possessions and property
 - Environmental threats
 - Quality of life values:
 - Freedom from fear
 - Peace of mind
 - Pride in community
 - Absence of conflict
 - Job security
 - Community threats
14. **Lies:** Often starting with simple misunderstandings, the truth to one individual or organization can seem untruthful to a competitor or competing interest, simply based on the critic's or competitor's point of reference in relation to a given set of facts and information.
15. **Minimizing Danger:** The moment you hear the phrase, "It's just an isolated incident," instinctively you know it is probably just the reverse. The moment you hear the phrase, "It's old news," you instinctively understand that something new and adverse is about to happen, even if it is based on old circumstances. We trust people who appropriately characterize situations.
16. **Negative Surprise:** Taking action out of character, out of sequence, out of selfish opportunity, or simply without advance notice to those directly or indirectly affected can seriously damage the relationship of trust and will cause a loss of confidence in the relationship.

17. **Stall, Delay:** A great source of frustration is when it is obvious that a situation could be resolved easily and quickly, but isn't. Procrastination and denial go hand-in-hand. Keep in mind one of the great axioms of military strategy: timidity, hesitation, and indecision are the basic ingredients of defeat.
18. **Underrate Negative Emotion:** The more we adversely affect other's perceptions, lifestyle, or expectations in negative ways, the more likely they are to react emotionally and negatively. The relationship of trust can mitigate potential damage from negative circumstances.
19. **Overrate Your Preparation:** One of the most serious mistakes in a relationship is the assumption that one is prepared to manage most adverse situations and that everyone else will understand what you are doing. Trust in relationships is often broken because when adverse situations occur, few step forward, most back away from the organizations most directly affected. No matter how well the situation is dealt with, trust repair and maintenance must be key parts of any preparation and remediation process.
20. **Victim Confusion:** Irritable reaction to reporters, employees, angry neighbors, and victims' families when they call asking for help, information, explanation, or apology.

Symptoms include time-wasting explanations of how we've been such a good corporate citizen, how we've contributed to the opera, the little league, the shelter program. "We don't deserve to be treated this badly." "Mistakes can happen, even to the best of companies." "We're only human." "Hey! We're victims too."

When these behaviors don't pass the community, media, or victim straight-face test, or are criticized or laughed at, these are definitive signs that trust is being eroded.

The lesson of these examples is that each is an element in a checklist for preventing loss of trust or relationship damage. Avoiding litigation and promptly responding to these negative circumstances are key elements in the rebuilding of trust once it has been damaged or threatened.

This list also serves as a key starting point for analyzing why relationships break down or suffer unexplained lapses.

There is a reason why trust evaporates or diminishes. The explanation probably lies somewhere in the mix of these behaviors. Maintaining a relationship of trust requires constant analysis of the relationship to identify and eliminate negative behaviors, confusion, negative attitudes, and unexpected outcomes.

VI. SEEKING FORGIVENESS: Nine Steps to Rebuilding and Rehabilitating Trust

Seeking Forgiveness is society's requirement for relationship, trust, and credibility restoration. Adverse situations using this template are remediated faster cost a lot less, are controversial for much shorter periods of time, suffer less litigation, and help the victims come to closure more quickly. Obtaining forgiveness involves completing the nine steps below. To achieve success in the shortest possible time, these steps should be completed as quickly as possible: like start them all today. Skip a step or be insincere and the process will be incomplete and fundamentally fail.

- Step #1 Candor:** Outward recognition, through promptly verbalized public acknowledgement, that a problem exists; that people or groups of people, the environment, or the public trust are affected; and that something will be done to remediate the situation.
- Step #2 Apology:** Verbalized or written statement of personal regret, remorse, and sorrow, acknowledging personal responsibility for having injured, insulted, failed or wronged another, humbly asking for forgiveness in exchange for more appropriate future behavior and to make amends in return.
- Step #3 Explanation** (no matter how silly, stupid, or embarrassing the problem-causing error was): Promptly and briefly explain why the problem occurred and the known underlying reasons or behaviors that led to the situation (even if we have only partial early information).
- Step #4 Affirmation:** Talk about what you've learned from the situation and how it will influence your future behavior. Unconditionally commit to regularly report additional information until it is all out or until no public interest remains.
- Step #5 Declaration:** A public commitment and discussion of specific, positive steps to be taken to conclusively address the issues and resolve the situation.
- Step #6 Contrition:** The continuing verbalization of regret, empathy, sympathy, even embarrassment. Take appropriate responsibility for having allowed the situation to occur in the first place, whether by omission, commission, accident, or negligence.
- Step #7 Consultation:** Promptly ask for help and counsel from "victims," government, the community of origin, independent observers, and even from your opponents. Directly involve and request the participation of those most directly affected to help develop

more permanent solutions, more acceptable behaviors, and to design principles and approaches that will preclude similar problems from re-occurring.

Step #8 Commitment: Publicly set your goals at zero. Zero errors, zero defects, zero dumb decisions, and zero problems. Publicly promise that to the best of your ability situations like this will never occur again.

Step #9 Restitution: Find a way to quickly pay the price. Make or require restitution. Go beyond community and victim expectations, and what would be required under normal circumstances to remediate the problem.

VII. PROFILES IN FAILURE COMMUNICATION STRATEGIES GUARANTEED TO PERPETUATE TROUBLE

When bad things happen, there are seven corrosive behaviors organizations in trouble must plan against. Otherwise, they will quickly multitask themselves into long-term difficulty.

1. **Denial:** Refusal to accept that something bad has happened; that there may be victims or other direct effects that require prompt public acknowledgement. There is denial that it is really serious; denial that the media or public have any real stake or interest in whatever the problem happens to be; denial that it should take anyone's time in the organization except those in top management specifically tasked to deal with it; denial that the problem is of any particular consequence to the organization provided no one talks about it except those directly involved. "Let's not over-react." "Let's keep it to ourselves." "We don't need to tell the people in public affairs and public relations just yet. They'll just blab it all over." "If we don't talk, no one will know."
2. **Victim Confusion:** Irritable reaction to reporters, employees, angry neighbors, and victims' families when they call asking for help, information, explanation, or apology. "Hey! We're victims too."

Symptoms include time-wasting explanations of how we've been such a good corporate citizen, how we've contributed to the opera, the little league, the shelter program. "We don't deserve to be treated this badly." "Mistakes can happen, even to the best of companies." "We're only human."

When these behaviors don't pass the community, media, or victim straight face test, or are criticized or laughed at, a stream of defensive threats follows:

- "If the government enforces this regulation, it will destroy our competitiveness."
 - "If we have to close this plant, it is their fault."
 - "It is the only decision we can make."
 - "If this decision stands, many will suffer needlessly."
 - "If we didn't do this, someone else would."
3. **Testosterosis:** Look for ways to hit back rather than to deal with the problem. Refuse to give in; refuse to respect those who may have a difference of opinion or a legitimate issue.

There is extraordinary negative energy inside the executive circle. That's what testosterosis really is . . . an attack of adrenaline. Another definitive indicator, the use

of military terminology – tactics, strategy, enemy, beachhead, attack, retreat, and truce – builds a macho atmosphere. This command and control mentality sets the stage for predictable errors, omissions, and mistakes.

4. **Arrogance:** Reluctance to apologize, express concern or empathy, or to take appropriate responsibility because, “If we do that, we’ll be liable,” or, “We’ll look like sissies,” or, “We’ll set bad precedents,” or, “There’ll be copycats,” or, “We’ll legitimize bad actions or people.” It is contempt for adversaries, sometimes even for victims, and almost always for the news media.
5. **Search for the Guilty:** Dig into the organization to look for traitors, turncoats, troublemakers, those who push back, and the unconvinced to shift the blame to them.
6. **Fear of the Exposure:** As it becomes clear that the problem is at least partly real, the media and the victims begin asking, “What did you know, and when did you know it?” “What have you done, and when did you do it?”, along with other humiliating, embarrassing, and damaging questions.
7. **Management by Whining Around:** When the decision is made to finally move forward, the organization talks only about its own pain, which makes victims, employees, neighbors, government, and the media even angrier.

Use these approaches in any order or quantity, and trouble, serious reputation problems, and brand damage will continue to occur. By the time you recover -- if you do -- there will be career-defining moments and perhaps a new team to replace you and yours.

VIII. CORRECTIONS AND CLARIFICATIONS: A SHORT COURSE

Giving interviews is necessary but can be risky. One of an interviewee's greatest frustrations, especially with print news stories, is what the reporter and editor may do with the answers they receive. With broadcast stories, it is what reporter leaves out that is of most concern. With critics, competitors, and complainers, it is how much confusion, emotion, and allegation they can get into a story about you.

- What if the reporter makes a mistake?
- What if the reporter leaves really important things out of the story?
- If the reporter does make errors and mistakes, how do you effectively correct them? Or should you?
- What do you do about unrelated, confusing, negative, sensational, or competitive ideas that creep into the story?
- What if the story is just plain wrong?

I advocate a web-based technique I call "Corrections & Clarifications" where a print story or the transcript of a broadcast news story is laid out in such a way that it can be effectively corrected and clarified. These corrections and clarifications are then put on a website, and often also e-mailed to key stakeholders and stakeholder groups. This approach allows us to avoid the restrictions that letters to the editor, op-eds, and other media-dominated or controlled response mechanisms tend to place on our ability to have correct information on-the-record and available promptly to the publics we care about. This response technique works equally well with flyers, letters, news releases, video news releases, and white papers from those who oppose us in critical high-profile situations.

Why do this? As neat as this idea is, when first suggested, almost every client wants to know why anyone would put bad stuff, of any kind, up on the web, for any reason. Their question is, "Won't this just make it available to lots more people and critics?" Here are five reasons why you should do this:

1. Your record is your responsibility. The public perception of your record is also your responsibility. This strategy manages both the public perception and the record.
2. Constructive approaches control the tone of debate, discussion, and differences of opinion.
3. Your constituents expect you to do this.
4. Honorable people can, and should, answer any and all questions.
5. The technique tends to script everyone -- constituents, critics, the media, and commentators.

Face it, the media can use very little of what you give them, and they will choose what they want to use. Often the reporter or editor will leave the most important information out of the story. Control your own destiny.

Here's how we implement the technique.

- Step One:** Analyze the article, transcript, or document and highlight the words, phrases, or statements that need correction and clarification.
- Step Two:** Reformat the article, transcript, or document (if you can) so it will appear as a single column of text in paragraph format on the left side of the page or website screen.
- Step Three:** Use a bold typeface to highlight the words, phrases, or statements on the left side of the page that you wish to correct or clarify.
- Step Four:** On the right side of the page, directly across from the words you highlighted on the left, insert approved, corrected, or clarified response language.
- Step Five:** As new issues arise or new subjects appear, develop approved language to clarify and continue the process.

The models that follow are all taken from real-life stories and situations. Careful comparison of article text to the clarification will show you why this dispassionate technique, hammered home again and again, can be so successful in managing difficult, very public situations.

Always follow these general guidelines for all corrections and clarifications:

1. Use positive, declarative language. Avoid or eliminate all negative and emotional words and phrases.
2. Keep your cool. All statements should have a positive, declarative tone. The approach here is to correct and to clarify rather than to debate and counterpunch. This is where our real power comes from.
3. Categorize officially approved statements into specific topic areas. While time consuming and somewhat cumbersome at first, soon you will have more than enough pre-approved positive material to respond quickly to new articles or other information released by the media or those who hope to discredit you.
4. Constantly remember that the primary goal here is to script those who are interested in keeping the record straight with useful, helpful, and correct information.

Keep in mind that the groups most likely to visit your website frequently are reporters, opposing attorneys, your universe of audiences, and other self-appointed, self-anointed outsiders who have an interest in your issue or situation. The largest group of visitors, however, will be your employees and those directly affected by the situation at hand. Experience demonstrates that web placement rarely enlarges an audience base, but does build trust and neutrality in the base audiences you care about.

Three sample “Correction & Clarification” models based on real-life circumstances follow. Most are excerpted from actual documents or websites. They are used here with permission.

Description

1. Power Plants and Air Pollution
2. North Carolina School of the Arts

Correction & Clarification Model #1

Article Text	Corrections & Clarifications
<p>1 Power Plants and Air Pollution</p> <p>Electric utilities are a major source of air pollutants that affect lung health, including sulfur dioxide, a powerful asthma trigger, and nitrogen oxide, which is a component of ozone smog. Air quality experts nationwide have identified reducing emissions from power plants as a technologically feasible, cost-effective approach to achieving cleaner air.</p>	<p><i>Clean Power</i> is about building new, advanced power plants and reducing emissions from our existing power plants as a result. The expanded Maple Corner units will be equipped with the best modern proven technology and, as a result, the plant will be one of the cleanest of its type in the country.</p> <p>The dramatic and important reductions in emissions, assured by the construction of these new facilities, will help southeastern Tennessee achieve ozone attainment. New, high technology wet scrubber and emission control systems will reduce not only the potential for ozone, but reduce significantly the precursors, which lead to ozone formation.</p> <p>According to the U.S. Environmental Protection Agency’s (EPA) report on ozone, http://www.epa.gov/oar/oaqps/gooduphigh/, the major sources of nitrogen oxide (NO_x) and volatile organic compounds (VOC) include motor vehicle exhaust, industrial emissions, gasoline vapors, and chemical solvents.</p> <p>To break it down further, the major sources of NO_x include motor vehicles (49 percent), utilities (28 percent), industrial / commercial processes (13 percent), and other sources (5 percent). The major sources of VOC include industrial / commercial processes (58 percent), motor vehicles (37 percent), and chemical solvents (5 percent).</p>
<p>2 Electric utilities produce 66% of all sulfur dioxide emissions nationwide. Even brief exposure to relatively low levels of sulfur dioxide has been repeatedly shown to trigger attacks in people with asthma. Sulfur dioxide also contributes to the formation of fine particles, and to acid rain.</p>	<p>The most effective approach to attainment would be to go after the greatest source of sulfur dioxide and nitrogen oxide – cars and diesel trucks.</p> <p>The generating units at the Maple Corner Power Plant will be among the cleanest of their type in the country, and will remove 95 percent of sulfur dioxide. By 2015, our system-wide emissions of sulfur dioxide will be reduced by more than 65 percent.</p>
<p>3 Power plants are also the source of 29% of nitrogen oxide (NO_x) emissions. NO_x is a major component of ozone smog and fine particulate matter, which affect the health of millions of Americans across wide areas of the country.</p>	<p>The generating units at the Maple Corner Power Plant will also remove 85 percent of nitrogen oxide. By 2015, our system-wide emissions of nitrogen oxides will be reduced by more than 65 percent.</p> <p>According to the EPA, the major sources of NO_x include motor vehicles (49 percent), utilities (28 percent), industrial / commercial processes (13 percent), and other sources (5 percent).</p>

Correction & Clarification Model #2

<http://www.ncarts.edu> – North Carolina School of the Arts

The screenshot displays the website for the North Carolina School of the Arts. At the top, there is a banner with the school's name and a navigation menu including 'NCSA ADMINISTRATION & SERVICES', 'APPLY', 'SEARCH', and 'NCSAHOME'. Below the banner, the page title reads 'NORTH CAROLINA SCHOOL OF THE ARTS Audit'. The main heading is 'Statement from NC School of the Arts Chancellor Wade Hobgood'. The text of the statement begins with: 'The State Auditor today issued a Special Review of the NC School of the Arts. Before I get to my remarks, I want to be clear about three items:'. It then lists three points: 1. Accepting responsibility and ensuring actions from the review; 2. Returning misallocated Foundation money; 3. Reorganizing financial operations. The statement concludes with a response to findings and a list of two more points: 1. Regretting findings and taking steps to prevent recurrence; 2. Apologizing for a primary error of allocating money without the Foundation's knowledge.

IX. DAMAGING STRATEGIES: SOUND LIKE A LAWYER, ATTACK THE PRESS

It is a pity I have but four pages to cover this crucial topic. To best use your time, I'll demonstrate how to calculate the damage this approach can cause. I've selected two examples hoping that analyzing this approach will be valuable to communicators in dissuading the use of these techniques in favor of developing serious, sensible, and sincere strategies.

Figure 1: The Attack Letter:

<i>Article/Letter</i>	<i>Collateral Damage Analysis</i>
<p>Dear Producer:</p> <p>Your news segment this morning (Month, Day, Date, Year at 8:11 a.m. EST) was full of errors and defamatory. It is incredible that a story about a common, non-life threatening ailment can be transformed into one about terrorism and contaminated food and water.</p> <p>We cannot understand how a respected news show can publicize baseless statements, which would clearly scare the public and damage the reputation of a respected corporation like XYZ. It was obvious that your reporter had made no effort to study the issue he was asked to comment on. One can only assume that your network had not tried to determine whether your reporter knew what he was talking about or, in the alternative, that you are as reckless with the truth as is your reporter.</p>	<p>This is the typical negative, vacuous, accusatory language that is completely nonspecific, ineffective, and offensive. Words like <i>defamatory</i>, <i>incredible</i>, <i>reckless</i>, and others are personal, professional button pushing words between attorneys.</p> <p style="text-align: center;">Avoid this technique, because it prolongs litigation; makes the people we want to settle and resolve issues with angry; creates more victims; and fails to address the real problem or issue, or what is at stake.</p> <p>Here again we have legally insignificant, yet inflammatory, allegations designed to start a fight, do some "mouth smashing," rather than being explicit, clear, and specific about the points of disagreement. Attacking the integrity of reporters, news networks, or outlets is a waste of time. Besides, media believe that attacks like these are to be viewed as confirmation that there is a story present, or even worse than the reporters first thought. Media organizations don't have to have integrity; they have the First Amendment. When accusations like these are made, it is the</p>

You need, first, to stop making these errors, second and equally important, find a way to correct them. At XYZ Corporation we have provided useful and helpful data and correct numbers throughout this highly visible problem.

To help you make the necessary corrections, we have analyzed the transcript of the news segment, which is attached. Your story appears on the left-hand column. Our clarifications and corrections, where appropriate, are on the right-hand side.

We leave it to you to find an appropriate and prompt way to get this information into the news stream, so that two things can happen: 1) Your viewers can have confidence in the numbers and information you are providing, and 2) Your errors can stop being propagated by many other news outlets. Because this is such a high-profile issue, you have the added obligation of trying to correct these errors as widely and as broadly as possible.

It is essential that you take action to correct these errors at the earliest possible time. You have already caused damage to our reputation and business. Your failure to correct the record will only exacerbate those damages.

We trust you will take immediate steps to address this.

non-media accuser whose integrity is called into question.

Attorney on both sides are standing on their hind legs screaming at each other. We all know this has to stop in order to get matters settled. **Your strategy needs to wage “nice” from the start.**

Now the letter gets down to business and is quite helpful in inferring responsibility for the errors where it belongs, on the news media. A process for repairing those errors is suggested.

The writer now demonstrates the benefits for the medium to act, correct itself, or, at least, to be more careful in the future.

Here we have an observation of damage that passes the Straight Face Test, where the sense of damage and harm is referred to in context where it can have meaning, and perhaps some weight, in getting resolution to occur.

Figure 2: Do the Letter Yourself the Way You Think the Boss Would Like It:

<i>Article/Letter</i>	<i>Collateral Damage Analysis</i>
<p>Once again, your rag has chosen the “path of least resistance” by printing a biased, unbalanced report of a small meeting held this week in support of shutting down our operation. Your source is a professional witness and anti-corporate activist, who crisscrosses the globe looking for opportunities to shut down the world’s global companies. You have given his “road show of fear” an unopposed, undeserved spotlight.</p> <p>The article did not include a quote from anyone else other than Mr. “fear monger.” It listed him as an “expert” but did not include any data. There are outlandish and unsubstantiated assertions as well as unrectified topographical errors. Yet, when you write articles about us, including the recently published corporate profile on the company, you sought out opposing opinions, even on subjects that didn’t call for any criticism.</p> <p>This is a double standard you apply only to those our company and those who support us. You do a tremendous disservice to your readers by denying them access to arguments based upon facts. As your coverage continues on this issue, this bias is becoming more apparent and blatant.</p>	<p>This is an actual letter disguised for industry and writer. A very competent practitioner signed it. It is amazing what we will do to make the boss happy.</p> <p>Accusing or labeling a news source we don’t like is as useless as lawyers shouting legal epithets at each other. The accused may be a professional witness, but who cares? Specifically, where are you right and where could the witness be more correct?</p> <p>This is an opportunity to make your case rather than name calling or whining, which are never effective strategies.</p> <p>Since when do the media have any obligation whatsoever to quote other sources? Judging by the tone of this letter and perhaps the relationship the company already has with this particular news organization, there may be some reason, not evident from the letter, that the reporter couldn’t get a comment from the writer. The attitude of this writer (who’s a very senior communications person) is so aggressive that the critic he demeans comes off as sane as rational.</p> <p>Double-standard, triple-standard, quadruple-standard, the press can apply whatever standard it wants. It has the power of the Constitution behind it. Victory or at least sympathy is more likely from a posture that is simple, sensible, and sincere.</p>

This is being objective? |

Recently I had a client, who was involved in national class-action litigation, tell a reporter that many of the victims had no concept of the right numbers or the real nature of their situation. The victims were “misguided,” “mistaken,” and “tools of a legal system that was killing America.” This spokesperson, a very competent attorney, knew better but was just having a “lawyer’s bad day.” When he asked me about the impact of these statements (he was accurately quoted in the newspaper), I suggested three potential outcomes: First, perhaps another hundred victims will now join the class-action litigation, maybe even more; second, several months have probably been added to the resolution of the case (which will be settled and never get to trial); and third, several zeros have been added to the ultimate settlement cost.

Language Detoxification

My approach is to subject all statements, scripts, legal documents, and explanations to a five-step strategic communications analysis:

- Step 1:** Eliminate all negative words . . . they’re gone.
- Step 2:** Delete every fifth word, except verbs.
- Step 3:** Fix the damage done by steps one and two.
- Step 4:** Understand and evaluate the questions the document answers.
- Step 5:** Identify those questions the document opens and decide which ones to answer and which to leave open.

Here’s how it works, a classic legalistic/angry approach to responding to an expected adversarial attack:

XYZ Corporation categorically denies the baseless allegations set forth in Mr. Smith’s counterclaims. XYZ did the correct thing by taking swift, decisive, and appropriate action in terminating Mr. Smith for cause under the terms of his employment agreement. XYZ complied with its employment contract with Mr. Smith and will vigorously pursue the litigation we have initiated to its rightful conclusion.

Mr. Smith appears to be following a self-destructive path. His counterclaims have no factual support. Moreover, they raise issues that are totally irrelevant to the issue before the court, which is whether XYZ was within its contractual rights in terminating Mr. Smith’s employment under these circumstances.

It appears that Mr. Smith is trying to embarrass, intimidate, and publicly humiliate XYZ. We will not tolerate this kind of behavior. We have been victimized by Mr. Smith’s conduct and statements, and are prepared to take the strong, appropriate legal measures required to protect the outstanding reputation and trust we have built with all of our constituencies over the 100 years we have served American families, businesses and government agencies.

Here's the same statement, after detoxification:

XYZ acted correctly by taking swift, clear, and appropriate action in terminating Mr. Smith for cause under the terms of his employment agreement. A trial will demonstrate decisively that XYZ complied with its employment contract with Mr. Smith. XYZ's vigorous pursuit through litigation of its rightful action will ultimately expose and confirm exactly why Mr. Smith was terminated.

Mr. Smith's attempts to embarrass and intimidate XYZ will be met with the appropriate and aggressive legal measures necessary to protect the outstanding reputation and trust we have built with all of our constituencies over the 100 years we have served American families.

Bad news, bad behavior, and bad language have a tendency to cause very serious and expensive problems. **Simple, sensitive, sensible, sincere, and positive language is the strategy to choose when you write or speak, even if you're dealing with your greatest adversary.** The power to control, manage, win, and avoid career-defining moments is the approach taken by honorable, trustworthy, and credible organizations interested in preserving their reputation, credibility, and trustworthiness.

X. SOME GENERAL THOUGHTS

1. **Focus Forward:** Answer every question as though it was the first time you have heard it, even if you just answered the same question a few minutes before. Rather than directing people back to the content of your presentation or remarks, treat the question as if it were brand new and answer it from the stand point of now, and what's next. This will help avoid the use of negative language, and is seen as courteous and caring.
2. **Stay Positive:** The greatest emotional trigger in adversarial situations is the use of negative language or negative responses such as:
 - “That’s not true,”
 - “I never said that,”
 - “That’s not what I meant,”
 - “You weren’t listening,”
 - “That’s not our fault,”
 - “We didn’t mean it that way,”
 - “That couldn’t happen,” and
 - “We would never do that.”
 - “You are intentionally taking what I said out of context.”

Find the positive alternative in every case, or you stoke the fires of emotion and antagonism.

3. **Put Yourself in Their Shoes Every Time:** The ability to have this level of empathetic response is one of the most important aspects of moving through any emotional questioning situation.
4. **Control Your Own Emotions:** Avoid taking inflammatory language and emotionally charged words, such as “ashamed,” “bully” “embarrassed,” “humiliated,” “insulting” “lying,” “bad people,” “ugly,” “weird,” “worried,” and “scum,” personally. They are just words. Instead, move to answer the question and counteract your own emotional reaction by focusing on a positive declarative response.
5. **The Time to Worry is When They Throw Sticks and Stones:** Words rarely hurt unless you let them.
6. **Defuse the Situation:**
 - “Let’s talk it through.”
 - “Let’s look at the situation step-by-step.”
 - “Let’s examine your question systematically, one element at a time.”

7. **Process Responses Tend to De-emotionalize Information and Situations:** Appropriate adjectives such as “parts,” “pieces,” “elements,” “phases,” “stages,” and “ingredients,” using a small number with each adjective (usually three or smaller) can make a very powerful, easily understood statement. Use timelines to explain complicated events. Timelines and chronologies are two of the greatest and most powerful constructive idea simplifiers we can use. The process can reduce emotionalization. Get used to dividing up the most complicated, emotional subjects in these simple, positive, constructive ways.

Examples:

- “There are three elements to your situation. Let’s walk through each one . . .”
- “The issue you’re talking about is going through three major phases. Let me be specific about each one . . .”
- “Every few weeks, another element of your situation will be examined and resolved.”