

# How to... Negotiate

#16 in a series of citizens' guides by the  
Western Organization of Resource Councils

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Negotiating is the art of getting what you want from someone who has the power to give it to you. Citizens' groups spend great amounts of time, energy, and resources getting to the point where they can negotiate with a government agency or corporation, but they aren't always ready to negotiate once they get there.

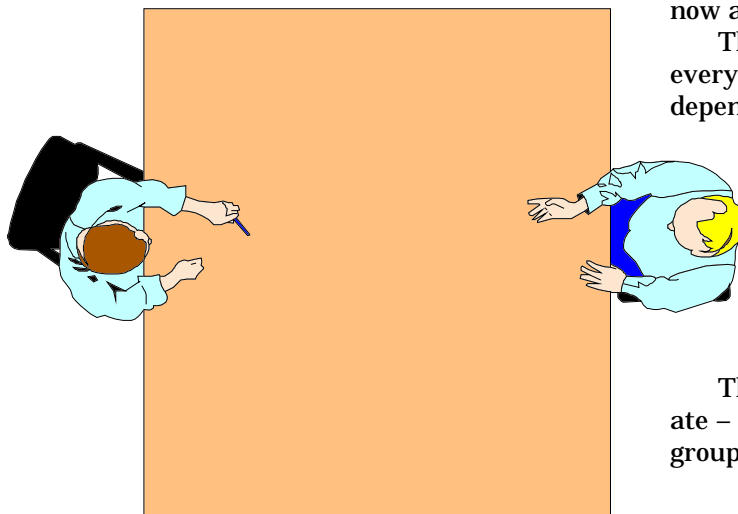
It is easy to miss an opportunity to win significant improvements in people's lives by failing to recognize the need to negotiate. It is easy to confuse negotiating with compromising on principles.

Negotiation *does* involve compromise. Unless you can get the decision maker to want exactly what you want, you will have to compromise – if you want to win anything at all. But you don't have to compromise your principles.

## Why Negotiate?

If your group has built enough power to be able to negotiate with a decision maker, you probably don't feel like "giving anything away." But if you don't sit down to talk, you won't get anything out of all the work you've done to get "to the table" [see box].

That doesn't mean you have to stick with a negotiation no matter what. Anyone who has bought a used car knows you have to be willing to walk away without a deal, if you want to keep your shirt.



*Let us never negotiate out of fear, but let us never fear to negotiate.*

— John F. Kennedy, Inaugural Address, 1961.

Citizens' groups need to be able to recognize when to negotiate, and then to be ready to negotiate. The first step to recognition and readiness is to think ahead: why would we want to negotiate?

The main reason community organizations negotiate is to get some or all of what we want – to get concessions from a decision maker. They negotiate to make a deal.

Sometimes, a decision maker will propose that you and a third party sit down to negotiate: "Your group and the Big Industry Trade Group need to sit down and work this one out." When that happens, you need to know whether it is in your interests to negotiate. Do you have any leverage over the Big Industry Trade Group? Or is your leverage useful only against the decision maker? Will the decision maker "lend" you some of his or her leverage to make the negotiation meaningful? Or is this just a ploy by the decision maker to avoid making hard decisions?

Ask yourselves some really hard questions: Are we 30% ahead if we get 30% of what we want now? Will we get more if we hold off on negotiating until later – or will we end up with nothing? If we can get more later, can we wait that long? Can we take 30% now and still get more later?

The answers to these questions will be different every time you are considering negotiating. They depend on the issue, the strength of your group and of your allies and opponents, the decision maker, and the strategy you've carried out to get here. The answers also depend on making some guesses – educated ones – about the future.

## Define your goals

The next step – before you even agree to negotiate – is to define your goals clearly. Work with your group until you can agree – in writing – on what



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you want, ultimately, and what your “bottom line” would be in a negotiation.

There are many times when community organizations should not negotiate. If you’ve talked things over in your group, and you really don’t want to compromise, even a little bit, then there may be nothing to negotiate.

A more common reason not to negotiate: you don’t have relatively equal bargaining power with the other party in the negotiation. If the other party has nothing at all to fear from you, and no reason to give you anything, the most you can hope for is therapy, not negotiation. In therapy, the other party will tell you what’s going to happen to you, and try to convince you to feel good about it.

Once you’ve decided to negotiate, there are some very important principles to follow in preparing.

### Negotiate from strength

To succeed in a negotiation, your group must have leverage to use in the process. That means building popular support, focusing media attention on the issue over which you are negotiating, harnessing technical expertise to back up your arguments — and building the confidence of your negotiating team. Most important, it means having alternatives to the negotiating process that you are ready and willing to use. If you are negotiating with a corporation, you must be able and willing to go to the legislature, state agencies, the courts, or the streets if necessary. If you have nowhere else to go, good negotiators will sense weakness — and exploit it.

### Know your adversaries – and your allies

Effective citizens’ groups are very good at getting to know and understand people and groups whose interests they share. Knowing what motivates your allies is critical to good negotiations, because your opponents will be trying to divide you from your allies. Just as you need to know what you want out of the negotiation before you even begin, you need to know what your friends want out of the negotiation in order to succeed.

It’s just as important to know as much as you can about your adversaries in the negotiation. What divides them? What do they want out of the negotiation? Who has reasons to give you some or all of what you want?

### The Power Ladder



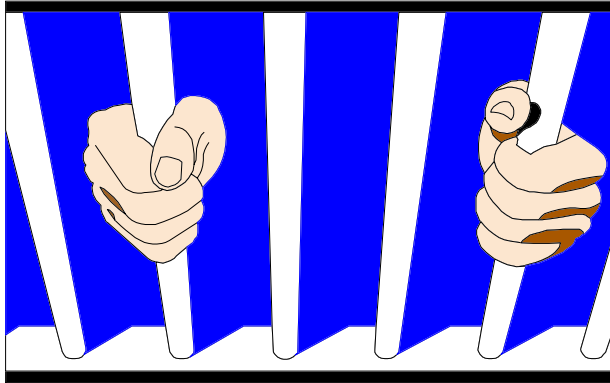
*Community organizations develop issue campaign strategies — a series of actions to build pressure on a decision maker to give them what they want.*

*As an organization builds power in a campaign, it climbs this “power ladder” — moving from powerlessness at the beginning, towards the ultimate goal of governance — control over the decisions you care about.*

*To negotiate, you have to have more than just recognition of your group by a decision maker. You need enough power that the decision maker will sit down “at the table” with you to discuss how to resolve the conflict.*

*Only free men can negotiate. Prisoners cannot enter into contracts.*

— Nelson Mandela



### Plan your strategy

Success in any negotiation depends on planning your strategy ahead of time, with everyone who will be on your side of the table. What strategies will you use? One of the most familiar – and effective – is the “good cop, bad cop” strategy, in which one member of your team takes a very hard line. Then, after a while, another member jumps in with a proposal that seems moderate – a bigger compromise – by comparison. There are lots of other possibilities, but use a similar approach, in which one member of the team carries the stick (or makes threats), and another offers the “carrots”.

It's important to be prepared with the facts. Facts and logic are not enough to win – if they were, negotiation would be a matter of debate, not leveraging power. But you have an edge up if you can establish early on that you know what you are talking about, and that you stick to what you can defend.

Another reason to prepare with allies is to make sure you don't undercut your allies' position in the negotiation – and that they don't undercut yours. At the same time, you want to plan ways to get your negotiating adversaries to undercut each other.

### Work on easy things first

Start negotiations with things you can agree to early and easily, even if they are relatively simple or symbolic instead of substantive. Swap these for things that are relatively easy for your opponent to

give to your side. Successfully negotiating these easy things early on defines your group as reasonable, and willing to work with others of opposing views. It also gives some momentum to the negotiations.

### Don't fear a standoff

Like the car-buyer dealing with the used car salesman, you have to be able to stand it when things are going nowhere. Don't offer something for nothing just to break the deadlock. Let the other side sweat – remember, they're at the table because they want something from you, too. Don't cut off negotiations – it makes you look bad. But if you make an offer to break a deadlock, make it a fair trade, not a surrender.

### Meet outside the negotiating process

The more you get to know and understand the people around a negotiating table – your allies and your adversaries – the more likely you are to find a compromise that's good for your side. Breakthroughs often happen when negotiators get away from the pressure and the spotlight of the official negotiation.

### Disarm with charm

Just because you disagree on policy positions does not mean your adversaries are inhuman. You'll get further if you respect them, and try to close the gap between you and them. They probably expect you to be angry about everything they say or do, so being polite, smiling, and sharing a joke or friendly small talk will surprise them – and make it harder for them to be hard on you.

*Compromise is a key and beautiful word. It is making the deal, getting that vital breather, usually the victory. If you start with nothing, demand 100%, then compromise for 30%, you're 30% ahead.*

*A free and open society is an ongoing conflict, interrupted periodically by compromises.*

— Saul Alinsky, Rules for Radicals.

### Have fun

If you're at the negotiating table with representatives of a large corporation or a government agency, you've come a long way, and there is a lot at stake for your group. You need to take it seriously by planning your strategy carefully, and working to win as much as you can. But you also need to have fun.

If you're having fun, you will be more relaxed, creative, and effective. Acting like you're having fun is a good strategy, too. Your adversaries will expect you to be deadly earnest. If you look like comfortable, like you've done this before – smiling, sharing knowing looks with other people on your side – you will confuse them.

### For more on Negotiation:

**Advanced Leadership and Staff Development**, a community organizing workshop held each year by WORC.

**How to Develop a Winning Strategy**, #10 in this series of citizens' guides to community organizing.

*Getting to Yes: Negotiating Agreement Without Giving in*, by Roger Fisher & William Ury, a bestselling "bible for negotiators".

#### More How-To's:

**How to Deal With Intimidation**

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Let us know when you use these How-to's. Give us suggestions for improving and updating them.

### More about WORC:

The Western Organization of Resource Councils (WORC) is a association of six grass-roots organizations with 6,000 members and 42 community-based groups, united to advance the vision of a democratic, sustainable and just society through collective action. Find out more about WORC, and hear our award winning radio program, the High Plains News Service, on the World Wide Web: <http://www.worc.org>.

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