

# Negotiation Strategic Plan

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## Introduction

In this essay, we illustrate a hypothetical negotiation between government officials and a group of decentralized drug dealers to arrive at an optimal drug policy satisfying the interests of both.

We first consider the interests of the government, one of which is itself to represent the interests of its citizens - addicts and non-addicts. The simplest are the addicts, who, in wanting their addiction to be safely treated and their image less socially stigmatized, will be for the decriminalization and/or regulated legalization of hard drugs. The non-addicts, however, are primarily concerned with social safety - the prevention of drug-related harm of innocent citizens and impressionable children. Thus they may be for the criminalization of hard drugs and the decriminalization of soft drugs. By representing the above interests, the government is incentivized to maintain power by obtaining re-election votes, and to money through taxation. Because of the number of dynamic interests to represent, the government is not strongly in favor of any one policy per se but on behalf of the people <sup>1</sup>.

Conversely, the interests of the drug dealers - which we will represent in this essay - entails the adoption of a rather unexpected position at the negotiating table.

Consider the primary effect of legalizing controlled substances - addicts will start doing regulated, legal drugs. Secondarily, they will be less stigmatized as criminals and seen as victims, and be provided rehabilitation. This equates to strengthening ties between addicted and non-addicted civilians while severing connections to drug dealers by eliminating their demand. Tertiarily, drug dealers will be forced out of the illegal business, and must either set up legal dealerships or switch to other illegal industries. Contrariwise, a harsher

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<sup>1</sup>#multipleagents: We effectively evaluate the complex system - the behavior of the government by decomposing it as part of 3 way interaction - interests of the government to take care of its citizens, both addicts and non-addicts, the responsibility to facilitate healthy interaction between nonaddicts and addicts, and to listen to its citizens, and interests to maintain its power which can at times be in conflict with each other.

stance on drugs will primarily force addicts to fuel their addiction illegally, secondarily encourage drug dealers to set monopoly prices, and tertiary allow for deregulated yet lucrative practices, e.g. adulterating hard drugs with dangerous cutting agents, which, for the unscrupulous drug dealer, is more beneficial and preferable (Associated Press, 2010) <sup>2</sup>.

## Strategy

Therefore the BATNA of the drug dealers is to maintain the status quo, since criminalization is the norm. This BATNA must be well hidden; if it were known the government may seek to legalize/decriminalize drugs at our business' expense. Accordingly, the negotiation can and should be terminated before the discussion for legalization arises. A true success equates to a consensus on complete criminalization, a moderate success to breakdown of negotiation, and a failure to a consensus on nuanced legalization/decriminalization.<sup>3</sup>

Once the end goal is clear, strengths and weaknesses on both sides can be analyzed to evaluate options. The government is seemingly the diametrically opposed party; their main objective is to protect its citizens (addicts and non-addicts) from drug dealers, and their strength is having the final say on which policy will be implemented. However, governments are subject to public pressure which is often superficial, emotionally biased, and therefore manipulatable to our cause.<sup>4</sup>

## Negotiation

To convince the government to be harder on drugs than they already are, we can, in bad faith, pretend to hold a principled bargaining position. To not appear overly suspi-

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<sup>2</sup>#networks: We effectively evaluate the primary, secondary and tertiary effects of nuanced legalization versus the primary, secondary and tertiary effects of mass criminalization to consider which is more beneficial. The effects of both policies ripple through the nodes (between drug addicts, to citizens), which we as drug dealers can exploit.

<sup>3</sup>#BATNA: We propose a BATNA that is even potentially better than negotiation in that there is no great risk of policymakers coming to the realization that nuanced legalization is what is best for society. This BATNA allows for creative approaches to the negotiation - because we have such a powerful leverage, we can adopt high-risk, high-reward strategies such as by attempting to manipulate the government and adopting a principled bargaining attitude in bad faith.

<sup>4</sup>#strategize: We notice one major strength of the government - they have the final say in the country's policies, and one major weakness - they have to answer to the will of the people, which tends to be capricious, superficial, and emotionally biased, meaning that we can at times focus less on the merits of our arguments and more on how it appears. Later in the essay we propose that the government legalize drugs, which if they do, appears like the government is bending to the will of the drug dealers, so they are unlikely to do that.

cious (because drug dealers are not usually thought of as wanting to help the government), we must convince other parties that we are pushing for some believable win-win situation <sup>5</sup>.

We will adopt the position that citizens should be allowed to own their bodies and do to it as they please. Prohibition does not work because what is considered a drug-caused societal problem is actually a drug-addict caused societal problem; drug addicts choose to irresponsibly abuse their drugs no different to how alcoholics abuse theirs. Drug addicts have no self control and choose to commit crimes against innocent citizens, abuse the welfare system when they belong in jail, and then blame drug dealers, who are simply merchants who should be allowed to participate in a free market <sup>6</sup>.

The above argument is sufficiently nuanced that a drug dealer would plausibly believe it, and sufficiently weak that the government will find it unconvincing. Some citizens beyond the negotiation room may even see it as a transparent attempt to harm their children, and get citizens to lobby governments to further criminalize drugs (Wofford, 2014) <sup>7</sup>.

Interestingly, this situation is objectively win-win, but may be perceived as win-lose in different ways by both parties (the government thinks they have prevented drug dealers from causing harm while dealers believe they have manipulated the government), or may even be conspiratorially acknowledged as a mutual *negotiation to fail*; the government claims to have successfully protected its citizens and receives votes for being hard on drugs, and the dealers claim to have failed in their negotiation attempt but actually benefit from more desperate addicts flooding the market. The true losers are the citizens: addicts - who are punished instead of rehabilitated- and by extension non-addicts, who face more danger when using recreational but illicit drugs (from the substance itself and from the law) (Veiras, 2016).

Note that the most probable way the above negotiation will fail for us is if an empathetic view of drug addicts is convincingly made at the negotiation table, which will lead

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<sup>5</sup>#motivation: While we have multiple motivations, such as making money as well as having legal/physical protection, the money motivation outweighs all other motivations. We identify the strength of this motivation as being one that the government will reject, and thus we must pretend to adopt some other motivation to interact effectively with the government. We will overtly overemphasize our need for legal and physical protection and keeping the primary need covert, but do so convincingly.

<sup>6</sup>#negotiate: We use the stages of negotiation in a creative, novel setting, first by bringing in the concept of "reactance" from psychology by getting the government to reject our unconvincing argument. Furthermore, we create a negotiation that is highly beneficial to both us and the government, though in a way that the government does not realize.

<sup>7</sup>#nudge: we because what we have said during the negotiation, the choices that the government can take is now structured as follows: Either legalize drugs in some form, which will be seen as being soft on drugs, and worse, been in cahoots with the drug dealers who are known as the public enemy, or to criminalize drugs even more, which will gain them votes for being hard on drugs, but is actually what we wanted all this time.

to a policy of nuanced legalization that will destroy our profits. If any party seems to hold this view, we may consider offering them a bribe and an enforceable threat to keep silent outside the negotiation room. Thus, we can dictate the frame of the negotiation more than would be expected.

## Conclusion

In this essay, we considered how we as drug dealers could approach a negotiation with a government, given the context of the government being an agent in a complex social system that answers to and is responsible for other subagents. By keeping our powerful BATNA hidden, and using the strategy of reverse psychology to get the government to reject our claim for legalization, we ultimately achieve the goal of mass criminalization and prohibition of drugs and demonstrate how, in the real world, efforts to achieve an optimal drug policy can be jeopardized by both well-intentioned and deliberately manipulative efforts.

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## Contributions

- Jacob: Brainstorming, helped with formatting and editing and keeping things concise, and wrote the Negotiation section.
- Margarita: Brainstorming, wrote the Strategy section, especially in coming up with the BATNAs, wrote references.
- Rita: Brainstorming, wrote the Introduction section.
- Brian: Brainstorming, helped with the Negotiation section.

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