**Categories of Negotiating Power**

Roger Fisher has identified six categories of negotiating power that are not military or economic in nature.

**The first of these is the power of skill and knowledge**. Negotiating skills can greatly add to the negotiator’s power by improving their ability to interact with people, relate to their concerns and to empathize. Analytic and organizational skills also add to the negotiator’s power by increasing their ability to assess information and organize ideas. Knowledge of procedures and precedents is power as well. Knowledge about the people involved, and their underlying interests as well as the facts of the dispute further add to the negotiator’s power. Skills and knowledge are acquirable through preparation and study, making this source of power one that any negotiator can take advantage of.

**The second category is the power of a good relationship**. The two components of a good relationship are trust and effective communication. While trust is critical to successful negotiation, and is reciprocal, a negotiator’s power depends upon the ability of the other side to trust him. This trust allows the negotiator to effectively influence the other side, and therefore improve the negotiation outcome. Communication is also critical to both parties’ ability to avoid misunderstanding and, therefore, reach a more beneficial outcome that serves their key interests. Even in cases where the two parties’ interests clash, good communication can help them achieve a mutually satisfactory outcome. In the case of communication, power for one side equals power for the other side as well, since good communication helps both sides simultaneously.

**The third category is the power of a good alternative to negotiation**. Depending upon your BATNA (Best Alternative to Negotiated Agreement), you may have the power to walk away, thus compelling your adversary to compromise in your favor. This dynamic works two ways. A negotiator’s power is enhanced by the extent to which the other side’s BATNA is unattractive. Further, power is also enhanced when your own BATNA is well-developed and offers a good alternative.

**The fourth category is the power of an elegant solution**. A negotiator’s power is substantially increased when they are able to invent a creative solution to a conflict that does a good job reconciling the parties’ conflicting interests. The more complicated the problem, the more difficult it is to resolve, and the more power that will therefore be generated by a solution that not only serves the interests of the negotiator, but also of the other side.

**The fifth category is the power of legitimacy**. When your position is consistent with the law, with precedent, or with some other objective criteria, that position can be seen as legitimate. Legitimacy confers a certain power over the negotiations because it is persuasive. Nonetheless, there are usually a few specific outcomes that could fall within what reasonable people could interpret as consistent with those criteria. A negotiator’s power is, therefore, enhanced when he is able to persuade the other side of the legitimacy of his position.

**The sixth is the power of commitment**. Affirmative commitments include offers of what the negotiator is willing to do, and negative commitments include promises of what the negotiator is willing to refuse to do. A negotiator’s power is enhanced to the extent that he is able to craft commitments that integrate and maximize the other five categories of power outlined above. While many negotiators understand the ability to credibly threaten sanctions or the use of force is equivalent to negotiating power, Fisher argues that superior military and economic power are not sufficient to force a relatively weaker party to accept an agreement that clearly harms their interests. Instead of relying upon your ability to coerce others, effective negotiators will instead seek to build up their negotiating power by focusing on the six categories outlined above.

From Roger Fisher, “Negotiating Power: Getting and Using Influence,” in J. William Breslin and Jeffrey Z. Rubin, eds., Negotiation Theory and Practice (Cambridge: Program on Negotiation at Harvard Law School, 1991), pp. 127-140.