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# *Review Essay*

## Negotiation Lessons from the Under Secretary for Thugs

*Jeswald W. Salacuse*

**Bill Richardson** with **Kevin Bleyer**. *How to Sweet-Talk a Shark: Strategies and Stories from a Master Negotiator*. New York: Rodale Books, 2013. 256 pages. \$26.99 (hardcover), ISBN: 1623360579.

### **Introduction**

Bill Richardson has had a remarkable career. He has been an eight-term member of Congress, United States ambassador to the United Nations, United States secretary of energy, and a two-term governor of New Mexico, becoming along the way a force within the Democratic Party, a leading Hispanic American politician, and a presidential hopeful in 2008. In the course of that career, he has developed a particular professional sideline — negotiating with international adversaries of the United States, a rogue’s gallery that has included Fidel Castro, Hugo Chavez, Saddam Hussein, two generations of North Korean Kims, and two Congolese Kabilas — both father and son — as well as an assortment of warlords and tribal leaders. Often the subject of those negotiations was the release of hostages and political prisoners, a task at which Richardson has been surprisingly successful, leading one wag within President Bill Clinton’s administration to label him “the Under Secretary for Thugs.” But “thugs” is not the word that Richardson uses to describe his negotiating counterparts — he chooses to call them “sharks” instead, a perhaps more apt and somewhat less pejorative term. Sharks, after all, are forces of nature that must feed their hunger or die. The people with whom Richardson negotiated also had a hunger that needed to be fed — a hunger for power. Sharks, as Richardson reminds us, are to be found not only in the waters of the Third World, but also in both houses of Congress, the White House, state capitals, town halls, and sometimes even our own homes.

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Although this book, as its subtitle indicates, is filled with stories about Richardson's negotiations, his goal is to do more than tell a story. He actively seeks to draw lessons about negotiation from his encounters with his sharks, something that many successful negotiators surprisingly are unable or unwilling to do. In that regard, the book provides a useful compendium of examples that negotiation scholars and teachers may draw on to illustrate the concepts about which they write and teach. As Richardson says, "each story has within it countless pivotal moments — teachable moments — about how humans behave in negotiations, about what we demand of each other, and about what we are willing to give up to get what we want" (p. xiii). But he does not oversimplify his topic. He does not boil down negotiation to seven elements or even five things to remember. He recognizes that negotiations are as complex and as diverse as the people who engage in them. As he wryly notes, his book is about "how to negotiate in a million easy steps" (p. xii).

## **Negotiating with a Great White Shark**

Each chapter in the book is built around Richardson's negotiations with a particular shark. He begins with the person some political insiders call "the Big Dog," but who might just as aptly be known as "the Great White Shark" — President Bill Clinton. Clinton and Richardson had a close relationship for many years. It was Clinton who sent Richardson on negotiations abroad, who appointed him ambassador to the United Nations, who made him a member of his cabinet as secretary of energy, and who would regularly reach out to Richardson in the late-night phone calls for which the former president is famous, calls in which he would effusively thank Richardson for his support: "I love you, Billy," he would say. "I love you, man" (p. 6).

Their loving relationship would come to a crashing end in 2008 during the primary campaign for the Democratic Party's presidential nomination. In January, shortly after Richardson, who was then governor of New Mexico, ended his own bid for the nomination, Clinton began to pressure him hard to endorse his wife, Senator Hillary Clinton, who was then in a tight race with Senator Barack Obama for the Democratic presidential nomination.

In the face of Richardson's resistance, Bill Clinton insisted on flying to Santa Fe on Super Bowl Sunday so that the two of them could watch the game together in the governor's mansion. Hoping to secure Richardson's endorsement during the first half of the game, Clinton arrived with reporters in tow and scheduled a press conference for half time. A consummate negotiator, Clinton apparently orchestrated the press conference to create an environment in which Richardson couldn't say no. But the New Mexico governor withheld his support from Hillary, and the prearranged press conference at half time turned out to be a pointless and painful event for both men.

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After the game, Clinton flew home and the friendship between the two men ended. Despite several attempts by Richardson, Clinton stopped all communication with him, and the two men seem not to have spoken since that fateful Super Bowl Sunday in 2008. No more late-night calls, no more professions of devoted friendship. The message was as plain as the lyrics of a country-and-western ballad: "Billy, I don't love you anymore."

The break with Clinton has been painful for Richardson, and he regrets that it happened. But as a man who seems to see all of life as a negotiation, he looks back on the cause of the break as a "damn rookie" negotiating mistake. The cause, according to Richardson, was not Clinton's famous hot temper, nor his feeling that an ungrateful friend had betrayed him. No, the rupture happened because in their negotiation over the endorsement for Hillary, Bill Richardson had *embarrassed* Bill Clinton.

Richardson writes: "I didn't just disappoint Bill Clinton when he came to watch the Super Bowl with me; I embarrassed him. By letting him attempt such a photo op, I exposed him to the possibility that he would fail, and fail publicly. He wanted to come and I let him. He invited cameras, and I let them in. He put his reputation for getting what he wants on the line, and I let him hang there" (p. 12). More accurately, Richardson had allowed Clinton to *embarrass himself*. Richardson feels responsible for the mistake because, knowing that he was not going to endorse Hillary, he should have done more to prevent the embarrassing situation from happening. He should have made it clear to Clinton that there would be no endorsement on Super Bowl Sunday, should have told the ex-president not to come to Santa Fe, and surely should have prevented the press conference from taking place. As he says, "I simply was not candid with my friend from the outset. If anything, friends owe friends complete honesty" (p. 13).

This story has an important lesson for negotiators. Not only should you not embarrass your negotiating counterparts, but you should actively seek to *protect them* from embarrassment, no matter how satisfying it may feel to see a shark or a thug experience a little public pain. The lesson is particularly important and yet difficult to follow in international negotiations where, because of cultural differences, what is or is not potentially embarrassing or insulting to your counterpart may not be readily apparent to you.

Richardson himself made another rookie mistake in a negotiation with Saddam Hussein in Baghdad when, after crossing his legs, he showed the sole of his shoe to the Iraqi dictator, a grave insult in some Arab cultures. Without a word, Saddam Hussein stormed out of the room in anger and stopped the negotiation dead in its tracks. Like a defensive driver, experienced negotiators learn to spot the opportunities for embarrassment and insults and to negotiate carefully away from them. One way is to learn in advance about the culture you are trying to navigate, something that Bill Richardson wishes he had done before he sat down for the first time with Saddam Hussein.

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Failure to be alert to the perils of insults and embarrassment in a negotiation risks dangers beyond mere injured feelings. It can result in real costs for the negotiator in three particular ways. First, unintentional embarrassments and insults can slow a negotiation, as Richardson's first encounter with Saddam Hussein illustrates, or end it or an important relationship, as his experience with Bill Clinton clearly shows. Second, even if an incident of embarrassment or insult does not prevent closing the deal, it may become an obstacle to its implementation as the embarrassed or insulted negotiator dwells on the experience and concludes that you are somehow responsible. And finally, because sharks often lead long lives and have good memories, you may find yourself negotiating with that same shark at some future time on another deal, and the memory of the uncomfortable time he or she associates with you will negatively affect your future dealings together, unless you can figure out some way to alleviate the discomfort.

And if the shark passes on to his maritime, if not celestial, reward, you may find that you have to negotiate with the dynasty he created — as Richardson did, when he negotiated first with Laurent Kabila and later his son Joseph in Congo and with Kim Jong-il's regime and after his death with Kim Jong-un's government in North Korea. You should also remember that parents' intent on building a political dynasty share with their children their observations about their negotiations. When Richardson met with Joseph Kabila, he asked whether Kabila's deceased father, Laurent, ever talked about him. "Yes," the president of the Democratic Republic of Congo replied, "He would often tell me you were always very stubborn" (p. 135).

## **Negotiating with the Shark's Wife**

The Clinton political dynasty is also very much on Richardson's mind. He begins his book discussing his dealings with Bill but ends it musing over his later negotiations with Hillary, which also teach important negotiation lessons, especially about opening moves.

When Richardson ended his campaign for the Democratic Party's presidential nomination on January 10, 2008, each of the two remaining leading candidates, Senator Barack Obama and Senator Hillary Clinton, made strong efforts to secure his endorsement during the next two and a half months. Both candidates conducted these negotiations largely by telephone, but their approaches to Richardson differed significantly. For one thing, their openings were markedly different. Obama made his weekly call directly to Richardson's cell phone, saying "Hey man, it's O-Ba-Ma," continuing a little game on Obama's name that Richardson had begun on the campaign trail. Hillary Clinton's calls also began with a standard, but certainly less personal, routine: one of her assistants would open by saying "Please hold for Senator Clinton." While not necessarily a decisive factor in the decision that led Richardson to endorse Obama, Clinton's opening move in those negotiations clearly rankled Richardson. As he writes in his

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book, "From a negotiating standpoint, she was misfiring. She was 'playing status,' subtly implying her time was more valuable than mine. In a negotiation, when you want something, it's never a good idea to start each negotiation session with them resenting you, even on the smallest matters" (p. 193).

To be fair, Clinton may not have been playing a status game, but rather trying to complete numerous calls in a busy day as efficiently as possible. Nonetheless, Richardson's reaction teaches an important lesson. Skilled negotiators should try to shape their opening moves in a negotiation not only to satisfy their own interests, but should also anticipate how their counterparts will perceive those same moves. An action that one side sees as efficient may appear to the other side as arrogant, insensitive, or competitive. Too often, negotiators don't think hard enough about their opening moves, as if they don't matter. Opening moves, however, can orient the talks in positive or negative ways and can leave a lasting impression on your negotiating counterparts. Moreover, they may send unintended negative signals to your counterparts about you, about your attitudes and intentions toward them, and about your relationship with them. So Clinton's opening was impersonal while Obama's was personal. From Richardson's point of view, Clinton's opening move also implied that a senator from New York politically trumped a governor from New Mexico. Obama's, on the other hand, emphasized the equality of friendship.

Once past opening moves, Clinton's and Obama's styles of negotiation were also different. Hillary Clinton was direct and transactional. She made it clear that she wanted Richardson's endorsement, and her principal argument was that Obama "can't win." Barack Obama's style, on the other hand, was indirect and relational. His early calls asked about how Richardson was doing and what he thought about current events, without ever directly asking for Richardson's endorsement. Those calls were intended to strengthen the relationship that had developed between the two men during Richardson's campaign for the nomination. It was only after several calls that Obama finally said, "Hey man, we can make history. Let's make some history together. You, me, and Teddy" (p. 193). "Teddy," of course, referred to Senator Edward Kennedy, the icon of the Democratic Party, who was strongly supporting Obama. It was also a way of saying that this campaign was not just about *me*, as Hillary Clinton seemed to be implying, but it is about *us*, about a shared endeavor that you, Bill Richardson, are very much part of. Clinton asked for his endorsement, but Obama invited Richardson to embark with him on a historic mission.

On March 21, 2008, at a major rally in Portland, Oregon, Bill Richardson made a rousing speech endorsing Barak Obama for the Democratic nomination and at the same time seems to have permanently ruptured his relationship with the Clintons. That speech also appears to have marked

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the end of his two-decade career as a high-visibility negotiator with international thugs — at least for the time being.

## **It All Began in North Korea**

Bill Richardson's career as a moonlighting international negotiator began in 1994 when, as a member of Congress, he visited North Korea to see the consequences of the Framework Agreement signed by President Clinton two months before. The agreement was intended to induce North Korea to dismantle its nuclear weapons capability in return for some desperately needed economic assistance.

When Richardson arrived at the Pyongyang airport, he was greeted by reporters asking what he was going to do about the U.S. helicopter that the North Koreans had just shot down with two American army pilots on board. Richardson didn't know anything about the helicopter or the two men, and neither did anyone in the delegation he was traveling with. Before he could respond, his North Korean hosts hustled him into a waiting car to take him to the first of his scheduled meetings. In the car, the deputy foreign minister said that the two Americans were being held in custody as spies and that their custody was "a military matter."

When the official tried to change the subject, Richardson, who had not yet had a chance to contact the State Department for instructions, declared that his mission to North Korea was now changed and that he would not be leaving the country without the two pilots. At meetings the next day, he sought to learn about the physical condition of one of the two men but was met with steadfast silence. Finally, using that wise-guy wit for which he is known, he asked: "Well, can you at least tell me if he still has his finger nails?" (p. 38). Unfortunately, he soon learned that one of the pilots had died from injuries sustained in the crash.

His steadfast negotiating position the whole of his time in North Korea was: "I'm not leaving the country without the two Americans." To show that he was serious, he refused to attend meetings and receptions that had been planned for him. And when the foreign minister came to take him to the airport for his scheduled departure, Richardson abruptly said that he was not leaving, to which the minister responded, equally testily, "Fine, then you should plan to stay for weeks!" (p. 32). Ultimately, the minister, sensing that the stand-off between the lone congressman and the Democratic Peoples' Republic of Korea was not playing well in the international press, convinced the military to release the remains of the dead pilot to Richardson and to allow the survivor to return to the U.S. after paying a "hotel fee" of five thousand dollars.

Richardson arrived in North Korea as a visiting dignitary but left it an international negotiator. In his first encounter with the sharks of North Korea, he achieved his negotiating goal. Over the next fifteen years, he made seven more trips to Pyongyang with varying degrees of success. In the

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process, he became the go-to guy for administrations and organizations that wanted to negotiate deals with the North Koreans.

Students often ask how they can become international negotiators. Bill Richardson's example teaches the importance of perceiving an opportunity when it is presented, seizing it, and — with some luck — capitalizing on it. Richardson earned a graduate degree in international relations from Tufts University's Fletcher School of Law and Diplomacy and gained experience on the staff of the Senate Foreign Relations Committee and later with the U.S. State Department before running for Congress, so he was by no means a novice in international affairs when he arrived in North Korea for the first time. His background gave him strong knowledge of how the international system works and of the role that the U.S. plays in that system. Nonetheless, not everyone — with or without a degree in international affairs and experience in the U.S. Congress — would have instinctively taken the position he did when informed of the fate of the pilots, demanding their return and emphatically refusing to leave until his demands were met. Richardson saw the opportunity that the helicopter crash presented, staked out a position forcefully, and through a combination of tenacity, craftiness, and — yes — courage managed to talk the Korean sharks into giving him what he wanted.

Throughout that first encounter, as well as the many meetings he would have over the years with despots and warlords, he also operated on a fundamental premise, which he repeats throughout the book, a premise that reveals his strong faith in the power of negotiation: "It is almost always better to talk, even with our enemies. . . . Talking is better than shunning" (pp. 46–47). Many years later during the campaign for the 2008 Democratic nomination, he and Barack Obama took that same position, arguing that the U.S. should engage its adversaries without preconditions. Hillary Clinton disagreed, saying that a meeting without preconditions "undermines the capacity for us to take the measure of someone like [Cuban President] Raúl Castro" (p. 195). Richardson's response to that is: "How better to take the measure of someone like Raúl Castro than to meet Raúl Castro?" (p. 195).

Not only does this statement reveal Richardson's confidence in negotiation to solve human conflict, but also shows, and most of the book confirms, that he sees an international negotiation, particularly between adversaries, not as a conflict of state forces or a clash of national interests, but essentially a personal encounter between human beings, an encounter in which the personalities of the negotiators matter. This is why the ability to evaluate a counterpart is of the utmost importance, and Richardson believes strongly in his skill at making those estimations accurately. As he writes, "if there is one skill I've refined over the years, it's how to take the measure of a man or woman quickly and to determine from the first handshake how best to set the right mood" (p. 51). As an experienced and skillful politician, he gives us reason to believe that he has the ability he claims.

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He also brings another politician's skill to the negotiating table: the ability to build personal relationships with his counterparts. For him, these relationships are the key to achieving a negotiator's goals. Without a personal relationship with the other side, a negotiator is bound to fail. As he writes, "No relationship? No dialogue? No results" (p. 104). One of his favored techniques for building a relationship is to search for commonalities with counterparts on the other side of the table. "In any negotiation," he writes, "it never hurts to emphasize the similarities between you and your counterparts, even if you fail to agree on even the most fundamental substance of what you are negotiating. The more you have in common, and the more you reinforce and draw attention to those commonalities, rather than let them go unspoken, the more common ground you'll likely be able to reach" (p. 102).

Using this approach, he built strong and useful personal relations with former Cuban President Fidel Castro and former Venezuelan President Hugo Chavez, relying among other things on his Hispanic heritage, his ability to negotiate in Spanish, and a love of baseball that all three men shared. He has demonstrated time after time that he has the ability to set the right tone, to improvise when faced with negotiating obstacles, and to hold to his positions tenaciously in the face of opposition.

On the other hand, stressing commonalities does have its limits. In 1994, at the end of a two-hour meeting with Fidel Castro in Havana in which Richardson was negotiating the release of imprisoned dissidents, Castro agreed to release three. Remembering that civil rights leader and negotiator Reverend Jesse Jackson had convinced Castro to release forty-nine prisoners ten years before, Richardson emphasized his and Castro's common Hispanic heritage in an attempt to increase the number.

Richardson said, "But Fidel, you gave Jesse forty-nine! You're only offering me three? You gave the black guy almost fifty but you're giving the Hispanic guy three? *¿Solamente tres?* You're gonna make me look bad" (p. 103). Castro laughed, but the offer stayed at three.

## More Stories than Strategies

This book is filled with interesting, amusing, and instructive stories, just as the second part of its subtitle claims. One wishes, however, that Richardson offered more in-depth analysis and strategic commentary on his negotiations, the promise of the subtitle's first part. More analysis would make the book especially useful to negotiation scholars and practitioners. For example, Richardson's boast about his ability to take the measure of a counterpart may be true, but the book would have been much more useful if it had told the reader just *how* he made that measurement, what techniques he relied on to evaluate a counterpart, and how he acquired and developed that valuable skill in the first place.



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Similarly, while he recounts his successes and failures at the negotiating table in an engaging way, he does not always probe them in depth to understand the reasons for them. And although he emphasizes the importance of setting the right mood in a negotiation, he does not tell us what the right mood *means*, how he knows what the right mood is for a particular negotiation, and how he recovers when he has wrongly guessed what the right mood should be. With this book, the “Under Secretary for Thugs” has indeed offered readers important lessons in negotiation, but one suspects that greater intensive and critical analysis of Bill Richardson’s two decades of experience with sharks would have yielded many more.