CHECKLIST FOR ANALYZING NEGOTIATION CASES

The primary purpose in analyzing a negotiation case is to explain the relative effectiveness (success) or ineffectiveness (failure) of the negotiation. Three general questions guide such an analysis:

1. WHAT HAPPENED? What was the process of the negotiation? What transpired between the parties? How did the dynamics shift over time? What were the consequences for negotiators, constituencies, bystanders, and other interested parties?

2. WHY? What variables affected the course of negotiation? Why did the parties behave the way they did? What factors contributed to positive and negative consequences?

3. HOW COULD IT BE BETTER? What, if anything, could the parties have done to enhance the process and/or the outcomes of the negotiation? What advice would you give?

In addressing these questions, a wide range of possible variables can be considered. Many (but not all) of these are presented in the checklist that follows. Since every negotiation is somewhat unique, different variables will be more or less salient and important in explaining different negotiations. The idea is not to apply every variable. Instead, the goal is to identify the most potent factors that affected the actual course and outcome of the particular negotiation, as well as those that could have (at least hypothetically) resulted in better outcomes.

1. THE PARTIES (principals, agents, constituencies, bystanders, interested others)
   ✓ goals, needs, stakes, issues, and interests (both tangible and intangible)
   ✓ resources
   ✓ competencies & skills
   ✓ biased perceptions
   ✓ personalities
   ✓ gender
   ✓ culture
   ✓ BATNAs

2. RELATIONSHIPS AMONG PARTIES
   ✓ relational history
   ✓ anticipated/desired future relationship
   ✓ power & authority structure
   ✓ network structure
   ✓ coalitions
   ✓ affiliation/liking
   ✓ loyalty
   ✓ trust
3. THE COMMUNICATION PROCESS
   ✓ styles, strategies, tactics
   ✓ interlocking temporal patterns
   ✓ timing
   ✓ credibility
   ✓ ethics
   ✓ fairness
   ✓ forms of influence and advocacy
   ✓ information revealed and concealed
   ✓ expression of emotions
   ✓ firmness and flexibility
   ✓ facework and impression management
   ✓ relationship building & maintenance

4. THE CONTEXT OF NEGOTIATING
   ✓ prior agreements
   ✓ cultural influences
   ✓ physical environment
   ✓ social or institutional norms
   ✓ organizational networks
   ✓ bargaining mix (complexity, compatibility)
   ✓ political structures or pressures
   ✓ legal ramifications
   ✓ time constraints
   ✓ resource constraints
   ✓ presence of constituencies or audiences

5. OUTCOMES
   ✓ tangible and intangible
   ✓ intended and unintended
   ✓ gains & losses
   ✓ fairness
   ✓ effects on relationships
   ✓ effects on reputations
   ✓ precedents established