

STRATEGY AND COLLECTIVE BARGAINING NEGOTIATION. By Carl M. Stevens. [New York: McGraw-Hill Book Company. 1963. xiii + 192 pp. \$6.95].

A BEHAVIORAL THEORY OF LABOR NEGOTIATIONS. By Richard E. Walton and Robert B. McKersie. [New York: McGraw-Hill Book Company. 1965. xiv + 437 pp. \$8.95].

Both *Strategy and Collective Bargaining Negotiation* and *A Behavioral Theory of Labor Negotiations* make significant contributions to the growing field of collective bargaining negotiation theory. And, as the analysis in each compliments and inter-relates with the other, they are usefully read together. Professor Stevens in *Strategy* develops a relatively abstract analysis derived from game theory, utility theory and intrapersonal conflict-choice theory. Professors Walton and McKersie operate from a conflict-resolution orientation also but with a wider perspective and with more empirical illustration. Together, the books provide a sophisticated analysis of collective bargaining negotiations and one with which both students and practitioners of industrial relations will want to have a thorough appreciation.

The focus of *Strategy and Collective Bargaining Negotiation* is on the negotiations between trade unions and management organizations which precede agreements as to the terms and conditions of employment of workers and in particular it deals

with the strategies, tactics and moves involved therein. Following an introductory chapter, Professor Stevens develops a model of negotiations based upon conflict-choice theory of the avoidance-avoidance type. That is, the parties to the negotiations are viewed as being faced with two alternative goals both of which are undesirable. The theory of conflict-choice in the avoidance-avoidance situation suggests that if there is some compromise or strategy available other than choosing one or the other of the undesirable goals that the party will choose it.

Upon establishing the theoretical model to be used, Stevens then proceeds to postulate the "rules for play of the negotiation game." These he classifies as The Rule for Beginning Each Play of the Negotiation Game; Impending Expiration of the Existing Collective Agreement; The "Large" Initial Bargaining Demand Rule; The Agenda Rule; Agenda Set By Initial Demand and Counterproposal; The Bargaining Strike (Lockout) Rule; The Rule For Termination By Agreement; and The Statutory Rules For Play and "Good Faith".

Chapters IV, V, and VI contain an analysis and classification of the tactics available to the parties involved in negotiations. These tactics, such as "persuasion", "coercion", "rationalization", "bluff" and "notbluff", are examined in detail within the context of the negotiation cycle beginning with the early stages of negotiations and culminating in the later stages just prior and up to a strike deadline. Viewed in this sequence, the problems of negotiations such as the difficulties of communication and "coming clean without prejudice" are seen as changing in relation to the proximity of the strike deadline.

The final chapter of *Strategy* provides a theoretical analysis of mediation based on the preceding analysis of labor negotiations. Stevens defines mediation as "the intervention of a third party in collective bargaining negotiation before or after a strike or lockout" having the objective of securing an agreement. After briefly examining the personal attributes of a "good" mediator Professor Stevens examines the types of problems that face mediators. These are in his terminology, "No Contract Zone The Major Problem: The Straightforward Case"; "No Contract Zone The Major Problem: Failure of Coercive Commitment"; "No Contract Zone Not The Major Problem"; and "Mediation As A Way To 'Come Clean' Without Prejudice".

Professors Walton and MacKersie in *A Behavioral Theory Of Labor Negotiations* attempt a broader analysis of collective bargaining negotiations. They too deal with negotiations as part of a "fixed-sum" game, that is one in which one person's gain is the other's loss, but not exclusively. To them, this aspect is only one of four inter-related processes which taken together comprise labor negotiations. Labor Negotiations are seen as an instance of social negotiations and as "composed of four systems of activity, each with its own function for the interacting parties, its own internal logics, and its own identifiable set of instrumental acts or tactics." These four systems or subprocesses, termed "distributive bargaining", "integrative bargaining", "attitudinal structuring" and "intraorganizational bargaining", form the main outlines of the book.

Distributive bargaining embraces the "fixed-sum" aspect of collective bargaining negotiation, the aspect dealt with in *Strategy*. Integrative bargaining, the second subprocess, sets out the elements of the relationship where there are possibilities of mutual gain to be achieved through negotiation as, for example, in the area of job security and management flexibility. Attitudinal structuring, which is social-psychological in orientation, deals with the maintenance and reconstructing of the attitudes of the participants toward each other. And finally, intraorganizational bargaining deals with the internal organizational problems of the parties relevant to negotiations, their effect on the conducting of negotiations and the tactics available to the negotiator in dealing with his own organization.

Each of these subprocesses is dealt with in basically the same manner. In each case, the authors first construct a model and then they analyze the tactics and strategies involved. The final part of the book attempts a synthesis of the four subprocesses and then, in conclusion, labor negotiations are compared with two other instances of social negotiations, international relations and civil rights negotiations.

As mentioned earlier, these two studies make significant contributions to the growing field of collective bargaining theory. For the first time rational analysis of the behavior of parties to labor negotiations has been attempted. As well as being of great value to academics in the field, the studies should benefit even experienced

negotiators and mediators in labor relations. And, they will be of particular interest to those connected with the administration of the industrial relations legislation in in Singapore and Malaysia.

Singapore's Industrial Relations Ordinance and its counterpart in Malaysia have as their main purpose the promotion and fostering of a regime of collective bargaining. As well, the legislation in both nations provide for arbitration of contract disputes. How the two processes affect each other and in particular how a system of arbitration can operate without undermining collective bargaining negotiations is critical to the system of industrial relations in both countries. By providing a thorough analysis of the phenomenon "labor negotiations" the effect of arbitration thereon is more readily assessed. Indeed since these books have been published, Professor Stevens has published an article drawing attention directly to the inter-relationship of collective bargaining and compulsory arbitration and postulating the types of arbitration that are compatible with collective bargaining (Stevens, *Is Compulsory Arbitration Compatible With Bargaining?* 5 I.R. 38 (1966)).

Finally, the two volumes spark insights into the process of settlement of disputes generally and the analysis developed by the authors would seem to be applicable to a great many of the conflict situations traditionally faced by lawyers. The settlement of personal injury actions immediately comes to mind. In that field the role of the court, the jury, the question of costs, payments into court and the various procedural tactics available to the parties would seem to be ripe for investigation and analysis along the lines of that found in *Strategy And Collective Bargaining Negotiation* and *A Behavioral Theory Of Labor Negotiations*. Such legal processes as the judicial process, the administrative process, and the legislative process have undergone systematic study but the "settlement process" has been singularly neglected. Here are new horizons for the legal behaviorist.