

CHAPTER 29

Negotiation and Mediation

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Knowledge about negotiation and mediation comes primarily from laboratory experiments. The question asked in this chapter is what value is added by experiments for understanding processes of elite bargaining? This question is addressed in the following sections. After describing the international negotiation context, I provide a brief overview of the experimental approach. Then, key studies on distributive and integrative bargaining are reviewed, as well as examples of experiments that capture complexity without forfeiting the advantages of experimental control. The chapter concludes with a discussion of the value added by experiments.

The Context

Negotiating in the international context takes several forms. It occurs from a distance and face to face; deals with multiple complex issues; and includes bilateral, multilateral, and global participation. National leaders often make demands or exchange proposals from a distance. Well-known examples include the bilateral exchanges between the United

States and the Soviet Union over the 1948–49 blockade of Berlin, between Kennedy and Khrushchev in 1962 over Soviet missile bases in Cuba, and between Carter and Khomeini concerning American hostages in Iran in 1979–80. Leaders and their representatives also confront each other face to face to discuss their interests over security, monetary and trade, or environmental issues. These meetings may take the form of summits, such as the 1986 meeting between Reagan and Gorbachev in Reykjavik, or more protracted meetings, such as the long series of talks between their countries' representatives over arms control, beginning with the Strategic Arms Limitations Talks and winding up with the Strategic Arms Reduction Talks.

Many negotiations occur among more than two nations. They may occur between blocs, such as the North Atlantic Treaty Organization–Warsaw Pact discussions in the 1970s over mutual and balanced force reductions. They may take the form of three- or four-party discussions at which simultaneous bilateral negotiations take place. One example is the discussion among Iceland,

Norway, Russia, and the Faroe Islands over fishing rights in the North Atlantic. Although Icelandic negotiators rejected the Russo-Norwegian offer, they reached an agreement with the Faroes; the Norwegians protested this agreement. Other examples of simultaneous bilateral talks come from the area of free trade such as the North American Free Trade Agreement (Canada, the United States, and Mexico) and between Singapore, Australia, and the United States. From the area of security comes the example of the 1962–63 partial nuclear test ban talks between the United States, Great Britain, and the Soviet Union. Negotiations also occur in multilateral settings, where representatives from many nations gather for discussions of regional, continental, and global issues. Notable examples are the Uruguay Round of the General Agreements on Tariffs and Trade, the negotiations establishing the European Community (the Single European Act), the ongoing discussions among members of the Organization for Security and Cooperation in Europe and among members of the UN Security Council, the talks that led to the Montreal Protocol on ozone depletion, and the discussions that resulted in the Rio Declaration on Environment and Development.

These examples share a number of features, including high-stakes and high-drama, multilevel bargaining at the intersection between intra- and international actors; the need to manage complexity; accountability to national constituencies; implications for national foreign policies; experienced negotiators; ratification (for treaties); and concern for proper implementation of agreements. Many of these features are captured by detailed case studies of particular negotiations. They are difficult to study in experiments, even when attempts are made to simulate real-world settings. What then can experiments offer? This question is addressed by showing that experiments provide added value to the contributions made by case studies. Knowledge gained from experiments is presented following a discussion of the relevance of the experimental method to the study of elite bargaining.

1. The Experimental Method

Most elite bargainers are career professionals.¹ They differ in many ways from the subjects who serve as role players in negotiation experiments. Among the differences are experience, stakes, issue-area expertise, actors in bureaucratic politics, implementation challenges, and accountability to government agencies or to international organizations. However, there are some similarities: similar bargaining choice dilemmas, decision-making processes, tactical options, and intrateam or coalition dynamics. A question is whether we emphasize the differences or the similarities. The case for differences is made by Singer and Ray (1966), who pointed out several "critical" dimensions of difference that exist between the small group laboratory where decision-making experiments are conducted and the more complex bureaucracies in which policy-making decisions are made. The argument for similarities was made by Bobrow (1972): "We should move rapidly toward treating phenomena that cross national lines as instances of phenomena that occur in several types of social units. Accordingly, alliances become coalitions; negotiations between nations become bargaining; foreign policy choices become decision making" (55). Both arguments have merit. An emphasis on differences is reflected in the case study tradition of research. Similarities are assumed when experimentalists argue for relevance of their findings to the settings being simulated. In this chapter, I discuss implications of experimental research to elite bargaining in the international setting. The value added by this research reinforces the "similarities" perspective. It does not, however, diminish the importance of the differences listed previously. I have argued elsewhere for striking a balance between the respective strengths of case-oriented and experimental

1 The career professional designation would apply to civil servants or foreign service officers, but not to political appointees. The latter are usually appointed for relatively brief stints as special envoys or ambassadors. Their term in office typically ends when administrations change.

research on negotiation, and I return to this idea in later sections.

Two of the more vigorous proponents of the experimental method on bargaining argued that "abstraction and model building are necessary to reduce the problem to manageable proportions. The experimental method can contribute to the process of identifying critical variables and the nature of their roles in conflict situations" (Fouraker and Siegel 1963, 207). It is this heuristic function of experiments that may be most valuable. It tells us where to look – which variable or cluster of variables accounts for negotiation behavior? By the early 1970s, we had already accumulated a storehouse of knowledge about bargaining from the laboratory (see Rubin and Brown 1975). Spurred on by the early accomplishments, bargaining researchers have added additional storehouses to the "property." A steady increase of publications, and the founding of several journals and professional associations dedicated to the topic, has resulted in a cross-disciplinary epistemic community of researchers. The list of variables explored has expanded considerably, frameworks and models abound, and innovative methodologies have emerged. An attempt is made to capture these developments without losing sight of the challenge of relevance to elite bargaining.

The experimental literature is organized into two parts. One, referred to as *distributive bargaining*, reviews the findings from a large number of studies conducted primarily from 1960 to 1980. Another, referred to as *integrative bargaining* or problem solving, discusses a smaller number of experiments conducted more recently. This distinction, suggested originally by Walton and McKersie (1965), has resonated as well with processes of elite bargaining in the international context (Hopmann 1995). Both sections trace the development of research from the earliest experiments, which provided a spark for later studies. Relevance to elite bargaining is demonstrated with results obtained from analyses of distributive and integrative bargaining processes in situ.

2. Distributive Bargaining

Early experiments on negotiation focused primarily on distributive bargaining. This refers to situations in which the interests of the bargainers are in conflict and where each attempts to obtain the largest share of whatever is being contested. These contests often conclude with agreements on outcomes somewhere between the bargainers' opening positions. Bargaining researchers have been concerned with factors that influence 1) whether an agreement will be reached, 2) the amount of time needed to reach an agreement, 3) the type of agreement reached (as equal or unequal concessions), and 4) the bargainers' satisfaction with the agreement and their willingness to implement it.

Offer Strategies

A large number of experiments were conducted in the 1960s, spurred by Siegel and Fouraker's (1960) findings about levels of aspirations or goals. They found that "the bargainer who 1) opens negotiations with a high request, 2) has a small rate of concession, 3) has a high minimum level of expectation, and 4) is very perceptive and quite unyielding, will fare better than his opponent who provides the base upon which these relative evaluations were made" (93). These findings suggest that toughness pays. A question raised is do these results apply to a wide range of bargaining situations? The question of generality was evaluated by a flurry of experiments conducted during the 1960s and 1970s. Many of those experiments examined a bargainer's change in offers made in response to the other's concession strategy.

The bargaining studies did not support the generality of the Siegel-Fouraker (1960) conclusion. They showed that a hard offer strategy works only under certain conditions: when the bargainer does not have information about the opponent's payoffs and when there is substantial time pressure. The chances of a settlement increased when the opponent used a soft or intermediate offer rather than a hard offer strategy. The best

overall strategy for obtaining agreement is matching: it resulted in greater bargainer cooperation than unconditional cooperation, unconditional competition, or partial cooperation (for a review of the findings, see Hamner and Yukl 1977).

These findings support Osgood's (1962) well-known argument that cooperation will be reciprocated rather than exploited. Referred to as *graduated reciprocity in tension reduction* (GRIT), Osgood reasoned that unilateral concessions would remove the main obstacle to an opponent's concession making, which is distrust. The initial concession would set in motion a cycle of reciprocated or matched concessions. Support for this hypothesis was obtained by Pilisuk and Skolnick (1968): they found that the best strategy is one that uses conciliatory moves in the beginning and then switches to matching. Referred to also as "tit for tat," the matching strategy has been effective in producing agreements over the long term (Axelrod 1980). It has been demonstrated by Crow (1963) in an international simulation (without control groups) and in partial nuclear test ban talks, referred to as the "Kennedy experiment" (Etzioni 1967). The test ban case was also used as a setting for hypothesis testing.

The distinction between hard and soft bargaining strategies has informed analyses of simulated and actual international negotiations. Using a coding system referred to as "bargaining process analysis" (BPA), Hopmann and Walcott (1977) showed convergent findings from a simulation and case study of the 1962-63 Eighteen-Nation Disarmament Conference leading to the agreement on the Partial Nuclear Test Ban Treaty. They found that increased tensions in the external environment increased 1) the amount of hostility in mutual perceptions, 2) the proportion of hard relative to soft bargaining strategies, 3) the employment of commitments, 4) the ratio of negative to positive affect, and 5) the ratio of disagreements to agreements in substantive issues under negotiation. The increase in hostile attitudes and the toughening of positions detracted from arriving at agreements. These results provide additional refuting evidence for the Siegel-Fouraker (1960) conclusion

that "toughness pays." More recently, Lytle and Kopelman (2005) showed that better distributive outcomes occurred when bargainers' threats (hard strategy) were combined with friendly overtures (softer strategy).

Another example of convergence between findings obtained in the laboratory and from a real-world case is provided by Druckman and Bonoma (1976) and Druckman (1986). The former study was conducted with children bargaining as buyers and sellers. The results showed that disappointed expectations for cooperation led bargainers to adjust their concessions, leading to a deadlock. The latter study was conducted with documentation from a military base rights case and analyzed with the BPA coding categories. The results also showed that negotiators adjusted their offer strategy when expectations for cooperation were disappointed: the time-series analysis revealed a pattern of switching from soft to hard moves when the discrepancy between one's own and others' cooperation increased. The resulting mutual toughness led to an impasse that often produced a turning point in the talks. Referred to as "threshold adjustment," this pattern has been demonstrated in eight cases of international negotiation (Druckman and Harris 1990). The similar findings obtained from a laboratory study with children and from a case study with professional negotiators bolster the argument for generality of negotiation processes. Taken together, the Hopmann-Walcott and Druckman studies underscore the relevance of laboratory research for understanding real-world elite bargaining.

The Bargaining Environment

The early bargaining experiments focused primarily on the other bargainer's concession behavior and such features of the setting as time pressure and atmosphere. Bargaining moves or concessions and outcomes were the key dependent variables. Other independent variables studied during this period were group representation, prenegotiation experience, and orientation. Blake and Mouton's (1961, 1962) Human Relations Training Laboratory served as a venue for experiments

on the impact of representing groups on resolving intergroup disputes. They concluded that the commitments triggered by representation are a strong source of inflexibility in negotiation. Although fraught with problems of inadequate controls, their work stimulated a fruitful line of investigation. These studies showed that representation effects on flexibility are contingent on the stakes: high stakes in the form of payoffs or reputations produce stronger effects than low stakes. However, the pressures can be offset by the setting and by salient outcomes: private negotiations (Organ 1971) and fair solutions (Benton and Druckman 1973) serve to increase a representative's flexibility, leading to agreements rather than impasses.

But it is also the case that other variables have stronger impacts on bargaining behavior than representation. One of these variables is a bargainer's orientation as competitive or cooperative. Particularly strong effects were obtained when the orientation was manipulated in instructions (Summers 1968; Organ 1971). Another was prenegotiation experience. The key distinction is between studying issues (more flexibility) and strategizing (less flexibility) prior to negotiation – whether this activity was done unilaterally (own team members only) or bilaterally (both teams) made little difference (Bass 1966; Druckman 1968). Of the ten independent variables compared in a meta-analysis on compromising behavior, these produced the strongest effect sizes (Druckman 1994). Representation and accountability ranked sixth and seventh, respectively.²

Many of the experimental findings call attention to the importance of reciprocity in bargaining. Regarded as a norm (Gouldner 1960), reciprocal moves reflect a principle distributive principle of equality. Strong support for this principle is found in Deutsch's (1985) experiments on distributive justice. His laboratory subjects showed a strong preference for equal distributions with little variation across subject populations or tasks.

These results were explained in terms of the interdependent structure of the tasks and aspirations for cooperation or solidarity. Similar results were obtained by Druckman and Albin (2010) for outcomes of peace agreements. In their comparative study, equality mediated the relationship between the conflict environment and the durability of the agreements. Thus, again, convergent findings were obtained between laboratory and case analyses.

Summary

The discussion in this section reveals contributions made by experiments to our understanding of distributive bargaining processes. Three contributions are highlighted. One concerns the effects of different bargaining strategies: the best strategy is likely to consist of generous opening moves combined with matching or reciprocating concessions. Another deals with the impact of various features of the bargaining situation: bargaining orientation and prenegotiation have the strongest impact on compromising behavior. A third contribution is to more complex negotiation settings: simulations of international negotiations have demonstrated the deleterious effects of stress, the impasse-producing impact of asymmetric power structures, and opportunities provided by impasses for progress. Relevance of experiments is bolstered further by convergent results obtained from case studies, including the systematic analysis of single cases (Etzioni 1967; Hopmann and Walcott 1977; Beriker and Druckman 1996) and comparative analyses of a relatively large number of cases (Druckman and Harris 1990; Druckman 2001; Druckman and Albin 2010). The convergence between findings obtained on equality in the laboratory and from analyses of peace agreements is particularly striking.

3. Integrative Bargaining

Another perspective on negotiation emerged and influenced experimentation beginning in the 1970s. This perspective, referred to as

² Other variables in the analysis included time pressure, initial position distance, opponent's strategy, large versus small issues, framing, and visibility.

integrative bargaining, describes a situation where parties attempt to jointly enlarge the benefits available to both (or all) so that they may gain a larger value than attained through compromise. The focus is on positive sum rather than nonzero sum (mixed motive) outcomes. Conceived of initially by Follett (1940) and developed further by Walton and McKersie (1965) and Rapoport (1960), the approach gained momentum with the popular writing of Fisher and Ury (1981), the decision-theory approach taken by Raiffa (1982), and Zartman and Berman's (1982) diagnosis-formula-detail perspective. These theoretical contributions have been complemented by experiments designed to provide empirical foundations for the concept.

The most compelling argument for integrative bargaining comes from experimental findings. Results obtained across many experiments conducted by Pruitt and his colleagues show that the average correlation between joint profits and distributive (integrative) bargaining behavior is inverse (direct) and statistically significant. Yet, despite these findings, bargainers tend to prefer distributive approaches. Why does this occur? An answer to this question is provided by Pruitt and Lewis (1977). Parties tend to imitate each other's distributive behavior: threats elicit counterthreats, and bargainers are less willing to make concessions to the extent that the other's demands are viewed as being excessive. Thus, bargaining may "gravitate toward a distributive approach because it requires only one party to move the interaction in that direction, while the firm resolve of both parties is needed to avoid such movement" (170). Their experiments explored the strategies that encourage this mutual "resolve."

Integrative Strategies

The key finding is that integrative bargaining (and high joint outcomes) depends on flexible rigidity. This approach consists of remaining relatively rigid with respect to goals but flexible with regard to the strategies used to attain these goals. The research reveals how this approach may be achieved. Two strategies

are shown to be effective. One is referred to as heuristic trial and error (HTE): each bargainer seeks the other's reactions to a variety of proposals and options, known also as trial balloons. Another is information exchange: each bargainer asks for and provides information about needs and values. Both strategies convey flexibility; they contrast to the distributive strategies that convey rigidity in the process of seeking favorable outcomes. Their effectiveness depends, however, on maintaining a problem-solving orientation throughout the bargaining process. They also depend on mutual resolve in maintaining high aspirations, referred to as rigidity with respect to goals.

Each strategy also has limitations. Further experiments revealed the challenges. The effectiveness of HTE depends on either knowing or constructing the integrative options from available information. When these options are not known, bargainers must reconceptualize the issues or try new approaches. This requires some form of information exchange. Discussing values and priorities can provide insight into the joint reward structure, but it can also backfire when the information reveals other incompatibilities. Thus, the new information can either move the process forward or embroil the parties in a continuing impasse. The former consequence is more likely to occur when both bargainers commit to a problem-solving orientation. However, that orientation, which also requires mutual resolve, can result in impasses as well. What then can bargainers do to encourage the positive and discourage the negative impacts of these strategies? Insights come from the results of more recent experiments.

The systematic construction of alternative offer packages has been shown to be an effective HTE strategy. Referred to as multiple equivalent simultaneous offers (MESOs), this strategy consists of presenting the other bargainer with alternative packages of roughly equal perceived value. It has been more beneficial than single package offers. Experimental results showed that 1) more offers were accepted; 2) more satisfaction was expressed with the accepted offers; 3) the presenting

bargainer was viewed as being more flexible; and 4) when both bargainers used MESOs, they were more likely to reach an efficient outcome (Medvec et al. 2005). The *multiple* and *simultaneous* features of MESOs provide an opportunity to compare alternative packages and then choose one from the menu. This is likely to enhance the perceived value of the choice made by an opposing bargainer. The *equivalent* feature assures that each choice provides the same value to the presenting bargainer. This is especially the case when a well-defined scoring system is used. And, because the priorities of both bargainers must be understood prior to constructing the packages, the chosen offer is likely to be an integrative outcome (Medvec and Galinsky 2005).

The process of constructing MESOs includes developing an understanding of both one's own and others' priorities. Different priorities are a basis for trades, known as "logrolling." This is also an element in the information exchange process. However, information exchange goes further. It encourages bargainers to explore each other's underlying interests, values, and needs, which may be regarded as root causes of the conflict. The sensitivities involved in such deep probes can escalate the conflict, as Johnson (1967) discovered in his hypothetical court case experiment and Muney and Deutsch (1968) reported in their social issues simulation. The information received by bargainers in a role-reversing condition revealed incompatibilities that led to impasses. However, the information did produce greater understanding of the other's positions: more attitude and cognitive change occurred in the role reversing than in the self-presentation conditions of their experiments (see also Hammond et al. 1966). These findings suggest that short-term bargaining failures may not impede long-term efforts at resolving conflicts; that is, the insights achieved during the information exchange process may be valuable in diagnosing the other's intentions (Van Kleef et al. 2008). They may also contribute to future workshops designed to reduce hostility and negative stereotypes (Rouhana 2000). The diagnoses and reduced hostility may, in turn,

pave the way for eventual integrative outcomes.

An interesting chicken-and-egg problem emerges from these experimental findings: does reduced conflict depend on achieving integrative agreements, or do integrative agreements depend on a relaxation of tensions? A way around the dilemma of causality is to assume that the problem is circular, that is, that context and process are intertwined.³ Hopmann and Walcott's (1977) simulation findings show that more agreements occur when tensions are reduced. Thus, context influences outcomes. Integrative processes and outcomes have improved relationships in case studies on the durability of peace agreements (Druckman and Albin 2010), computer simulations that model distributive and integrative negotiations (Bartos 1995), and experimental simulations that compare facilitation with fractionation approaches to negotiation (Druckman, Broome, and Korper 1988). Thus, processes and outcomes influence context. These findings suggest that negotiation processes are embedded in contexts. Integrative bargaining is facilitated by amiable relationships between the bargainers. It is also encouraged when negotiators maintain a problem-solving orientation throughout the bargaining process.

Problem-Solving Orientation

Recall that a problem-solving orientation increases the effectiveness of integrative strategies and the chances of obtaining favorable joint outcomes (Pruitt and Lewis 1977). A key question is how to sustain this orientation. Experiments have provided some clues, including priming, vigorous cognitive activity, and mediation. Results from a meta-analysis of bargaining experiments showed that primed orientations produced stronger effects on outcomes than unprimed (or selected) orientations. The strongest effects were produced by constituent or supervisor communications to adopt either cooperative or competitive strategies (e.g., Organ 1971).

3 For a discussion of these issues in the area of arms control, see Druckman and Hopmann (1989).

The weakest effects occurred when bargainers were selected on prenegotiation attitudes toward cooperation (negotiation as a problem to be solved) or competition (negotiation as a win-lose contest) (e.g., Lindsfold, Walters, and Koutsourais 1983). Thus, explicit communications or instructions help sustain a problem-solving or competitive bargaining strategy.

A field study conducted by Kressel et al. (1994) compared mediators who used either a problem-solving style (PSS) or a settlement-oriented style (SOS) in child custody cases. The former (PSS) approach emphasizes the value of searching for information that can be used to reach an integrative agreement. The latter (SOS) emphasizes the value of efficient compromise solutions. Although SOS was preferred by most mediators, PSS produced better outcomes. It resulted in more frequent durable settlements as well as a generally more favorable attitude toward the mediation experience. A key difference between the approaches is effort. To be effective, PSS requires vigorous cognitive activity that includes three linked parts: persistent question asking, an analysis of sources of conflict, and a plan for achieving joint benefits. Thus, a structured and vigorous approach by negotiators or mediators is needed to sustain and reap the benefits from problem solving.

Progress toward integrative outcomes also depends on the perceived credibility of the mediator. Suggestions made by mediators are more likely to be taken seriously when the implications for who gives up what are clear and do not favor one bargainer over the other. An experiment by Conlon, Carnevale, and Ross (1994) showed that mediators who suggest compromises (equal concessions by all bargainers) produced more agreements than those who made suggestions that could result in either asymmetric (favoring one party more than another) or integrative (favoring both parties but complex) outcomes. The fair mediator is given latitude to encourage bargainers to take risks, such as avoiding the temptation to agree on the compromise outcome in favor of information exchange toward the more complex integrative agreement. An implication of these findings is that

a mediator's activities can be phased with early suggestions geared toward compromise and later advice oriented toward agreements that provide more joint benefits than a compromise outcome. Thus, a trusted mediator can effectively encourage bargainers to sustain a problem-solving orientation.

The research has provided an answer to the question about the conditions for sustained problem solving. They combine strong communications from constituents or principals with mediator activities that enhance credibility and identify a solution that maximizes joint benefits. However, another question remains: do the laboratory findings correspond to results obtained from studies of real-world negotiations? This section concludes with a discussion of research that addresses this question.

Problem Solving in Situ

In her analyses of thirteen cases of historical negotiations involving the United States, Wagner (2008) found that the sustained use of problem-solving behaviors was strongly correlated with integrative outcomes. This finding corresponds to experimental results showing higher joint profits for bargainers who use problem-solving strategies. But the case data also provided an opportunity to refine this result in two ways. By dividing her cases into six stages, Wagner could examine trends in problem-solving behavior. Although sustained problem solving was needed for integrative outcomes, the best outcomes occurred for cases where these behaviors were frequent during the first two thirds of the talks, particularly in the fourth stage. These outcomes were also facilitated when negotiators developed formulas during the early stages: for example, identifying the terms of exchange to guide bargaining in a 1942 trilateral trade talk between the United States, United Kingdom, and Switzerland, or identifying joint goals for each article in the 1951-52 United States-Japan Administrative Agreement. These refinements extend the experimental results to processes that are less likely to occur in relatively brief laboratory simulations.

Other correspondences to laboratory results were obtained from Wagner's (2008) analyses. The professional negotiators in her cases bargained more than they problem solved; that is, in only one case did the percentages of problem-solving statements exceed forty percent. This finding is echoed by Hopmann's (1995) appraisal of international negotiators' focus on relative gains and competition, and it concurs with results from comparative cases analyses on negotiations to resolve violent conflicts (Irmer and Druckman 2009). It corresponds to Pruitt and Lewis' (1977) observations about preferences for distributive bargaining among laboratory bargainers and to Kressel et al.'s (1994) tabulation of the relative frequencies of SOS (59% of the cases) to PSS (41%). Her finding that negotiators track each other's behavior by responding in kind to the other's moves resonates with process findings from the experiments analyzed in De Dreu, Weingart, and Kwon's (2000) meta-analysis. In both the experiments and cases, many negotiators reciprocated each other's problem-solving behaviors.⁴ This sort of reciprocation by amateurs and professionals was particularly likely for negotiators who understood negotiation strategies. Thus, educating negotiators about strategies – particularly the distinction between distributive and integrative bargaining – may increase their propensity to use approaches that are more likely to lead to better outcomes (see also Odell [2000] on this point).

Summary

The discussion in this section highlights contributions made by experiments to our understanding of integrative bargaining. A challenge for both negotiators and mediators is to resist the temptation to engage in distributive bargaining. Early experiments showed that two strategies are likely to be effective. One, referred to as HTE, consists of seeking the other's reaction to a variety of alter-

native proposals. Effectiveness is increased when this process is done systematically in the form of MESOs. Another strategy, referred to as information exchange, consists of asking for and providing information about values and needs. Effectiveness depends on the extent to which the new information facilitates the search for integrative solutions; it is reduced when the information reveals additional incompatibilities between negotiators. The effectiveness of these strategies also depend on relationships between the negotiators, their willingness to sustain a problem-solving orientation throughout the process, and the perceived credibility of mediators. These findings come from experiments. They correspond to results obtained from analyses of complex, real-world negotiations. Those analyses also refine the experimental results by capturing trends in problem-solving behavior through stages and calling attention to the usefulness of formulae as guides to bargaining.

4. Capturing Complexity in the Laboratory

The correspondences obtained between laboratory and case findings on distributive and integrative bargaining suggest that these are general processes that occur in a variety of negotiating situations. An example is the importance of a sustained problem-solving orientation throughout the bargaining process: sustained problem solving led to integrative agreements. An advantage of the laboratory is to provide a platform for causal analysis. These analyses do not, however, reveal details of processes that occur in particular real-world negotiations. An advantage of case studies is that they provide an opportunity to record – often through the lens of content analysis categories – the details. Conclusions from these analyses may take the form of such statements because an increased prevalence of problem-solving behavior in the middle stages (as compared to early and late stages) occurred in cases that resulted in integrative agreements. A challenge for analysts is to find a way of combining the advantages

⁴ This finding corresponds to the preference for distributive equality obtained in experiments by Deutsch (1985) and in case analyses by Druckman and Albin (2010). These studies were discussed previously.

of the experimental laboratory with those of detailed case studies. The discussion in this section addresses that challenge.

The challenge is met by incorporating complexity in laboratory environments without forfeiting the key advantages of experimental design, namely, random assignment and controls. An attempt to address this issue was made by the early research on the international simulation (INS). This ambitious program of research encompassed a wide variety of studies ranging from abstract models (e.g., Chadwick 1970) to simulation experiments (e.g., Bonham 1971). Yet, despite this variety, researchers shared the goal of producing a valid corpus of knowledge about international relations. Their collective success was documented by ratings of correspondence among INS findings and other sources of data, including anecdotal reports, experiments, and field studies: The results were mixed (Guetzkow and Valadez 1981).⁵ More relevant perhaps for this chapter were the efforts made by the INS researchers to design complex laboratory environments that permitted detailed data collections and analyses. These environments are examples of how complexity can be incorporated in laboratory settings. They served as models for the systematic comparisons performed with negotiation simulations.

Frameworks

Frameworks have been constructed to organize the various influences and processes of international negotiation. These include preconditions, issues, background factors, conditions, processes, outcomes, and implemen-

5 Among the strongest correspondences was the arousal of identification with the fictitious nations. Role players identified with their laboratory groups in a manner similar to decisions makers in the system being simulated. These findings bolster the case for external validity of laboratory studies. They also arbitrated between alternative theories of ethnocentrism. However, it is also the case that these results may be due to the role players' theories about how they may be expected to behave. Referred to as demand characteristics, the role expectations of simulation participants is an alternative explanation for the correspondences obtained between simulation and field findings (Janda in press).

tation of agreements (Sawyer and Guetzkow 1965; Randolph 1966). The frameworks have been useful for organizing literature reviews (Druckman 1973), chapters in edited books on negotiation (Druckman 1977), case studies (Ramberg 1978), scenario construction (Bonham 1971), and teaching and training courses (Druckman 1996, 2006), as well as guides for web-based, computer-generated advice on impasse resolution (Druckman, Harris, and Ramberg 2002). As organizing devices, these frameworks are primarily synthetic or integrative. The question of interest is how to bridge the gap between frameworks, which capture complexity, and experiments, which investigate causal relations among a few variables. This question is addressed by research on the situational levers of negotiating flexibility.

Situational Levers

This project was an attempt to reproduce the dynamics of actual cases in a randomized experimental design. Key variables from the Sawyer-Guetzkow framework – sixteen in all – were incorporated in each of four stages (prenegotiation planning, setting the stage, the give and take, and the endgame) of a conference referred to as “Cooperative Measures to Reduce the Depletion of the Ozone Layer.”⁶ Drawing on previous studies, hypotheses were developed about the timing and effects of each variable on negotiating behavior: for example, issue positions were linked or not linked to political ideologies in the prenegotiation stage, and a deadline did or did not exist in the endgame. Three experimental conditions were compared: 1) all variables in each stage were geared toward hypothesized flexibility (issues not linked to ideologies, deadline), 2) all variables geared toward inflexibility (issues linked to ideologies, no deadline), and 3) a mixed condition proceeding from hypothesized inflexibility in the early stages (issues linked to ideologies) to hypothesized flexibility in later stages

6 This simulation was modeled on the 1992 global environmental declaration on environment and development negotiated in Rio de Janeiro.

(a deadline). This was a 3 (flexibility condition) \times 4 (stages) experimental design. The simulation was replicated with two samples: environmental scientists at a Vienna-based international organization and diplomats at the Vienna Academy of Diplomacy (Druckman 1993). By bringing elite bargainers into the laboratory, the relevance of the findings for international negotiation is increased.

The analytical challenge presented by this project was to unpack the set of variables in each stage. By situating a negotiation process in a complex setting where many variables operate simultaneously, it is difficult to distinguish among them in terms of their relative impact on negotiating behavior. In technical terms, manipulated variables within the stages are not orthogonal to each other. The design is suited to evaluate the main effects of alternative types of packages and stages, including the interaction between them. Thus, it was necessary to use another analysis strategy. Turning to an earlier literature on psychological scaling, the method of pair comparisons, discussed by Guilford (1950), was appropriate. This method was adapted to the task of comparing pairs of variables in each negotiating stage with regard to their impact on flexibility. The judgment took the form of does having an ideology make you more or less flexible than being your nation's primary representative? A set of computations results in weights for the set of variables in each stage and experimental condition. The weighted variables are then arranged in trajectories, showing the key factors that operated in each negotiating stage and experimental condition by sample (scientists or diplomats).

Similar results were obtained for the scientist and diplomat samples. They suggest the conditions likely to produce flexibility or intransigence. Flexibility is more likely during the early stages when negotiators are in the role of delegate advisors rather than primary representatives for the delegation. They are likely to be flexible in later stages when the talks are not exposed to media attention and when they have unattractive alternatives. Intransigence was more likely in the early stages when they prepared strate-

gies rather than studying the issues. It was likely in later stages when wide media coverage occurred and when attractive alternatives were available (see also Druckman and Druckman 1996).

Additional experiments provided insights into the timing of moves and the role of mediation (Druckman 1995). Negotiators reached agreement more often when their opponent showed flexibility following a period of intransigence. This finding adds the variable of timing to the idea of firm but flexible behavior (Pruitt and Lewis 1977). Early firmness followed by later flexibility worked best. Suggestions made by mediators had less impact on flexibility than other factors designed into the situation (e.g., media coverage, alternatives). Thus, a mediator's advice may be a weaker lever than other aspects of the designed situation.⁷ It may, however, be the case that advice has more impact when combined with diagnosis and analysis, as shown in the next section.

Electronic Mediation

A three-part model of mediation was evaluated in the context of electronic mediation. Referred to as negotiator assistant (NA), the web-based mediator implements three functions – diagnosing the negotiating situation, analyzing causes of impasses, and providing advice to resolve the impasse (Druckman et al. 2002). It was used in conjunction with a simulated negotiation that captured the issues leading to the 2003 war in Iraq. Student role players negotiated seven issues involving weapons inspection, border troops, and terrorism. Three experimental comparisons were performed to assess the impact of NA: compared to no mediation (experiment 1), advice only (experiment 2), and a live mediator (experiment 3). Results showed that

7 Stress may, however, play a larger role in real-world negotiation. Results obtained from a random design field experiment conducted at the Washington, DC, small claims court showed that contesting parties did not respond to such manipulated aspects of the situation as the configuration of furniture or orientation instructions. These findings were interpreted in terms of the overwhelming effects of emotions on decisions.

significantly more agreements were obtained in each experiment when negotiators had access to NA between rounds (Druckman, Druckman, and Arai 2004). The e-mediator produced more agreements than a scripted live mediator despite an expressed preference for the latter. These results demonstrate the value of electronic tools for supporting complex negotiations. The study also demonstrates the value of embedding experiments in complex simulations that resemble the types of real-world cases described in the opening section of this chapter. Whether these tools help resolve impasses in those cases remains to be evaluated.⁸

5. Comparing Simulations with Cases

Explicit comparisons of data obtained from simulation and cases were performed by Hopmann and Walcott (1977) and Beriker and Druckman (1996). Results obtained in the former study showed that stress produced similar dysfunctional effects in a laboratory simulation of the partial nuclear test ban talks and in the actual negotiation. Real world simulation correspondences were also obtained in the latter study on power asymmetries in the Lausanne Peace negotiations (1922–23). Content analyses of processes recorded in transcripts and generated by simulation role players showed both similarities and some dissimilarities. Both studies support the relevance of laboratory experiments for understanding real-world negotiations. Further support comes from two research streams on other negotiation processes.

Research on the interplay between interests and values illustrates complementary strengths of experiments and case studies. The studies were intended to evaluate propositions derived from the literature on the sociology of conflict (Druckman and

Zechmeister 1973). Various experimental simulations (political decision making, prison reform, internal conflict resembling Cyprus, ecumenical councils) were used to evaluate some of the propositions: namely, concerning the link between values and interests (Druckman et al. 1988) and divisions on values within negotiating teams (Jacobson 1981). These propositions described static relationships between variables. Other propositions captured process dynamics and were demonstrated with a case of failed negotiation in the Philippines: namely, converging and diverging values through time (Druckman and Green 1995). The case study complemented the experiments; together, the methods provided a comprehensive assessment of the theory-derived propositions.

More recent research on turning points illustrates the difference between retrospective and prospective analysis. A set of cases was used to trace processes leading toward and away from critical departures in each of thirty-four completed negotiations on security, trade, and the environment (Druckman 2001). A key finding is that crises trigger turning points. This and other findings provided insight into the way that turning points emerged in past cases of elite bargaining. The findings were less informative with regard to predicting their occurrence. Thus, we designed two experiments to learn about the conditions for producing turning points. Both experiments showed that the social climate (perceptions of trust and power) of the negotiation moderated the effects of precipitating factors on outcomes. The impact of crises on turning points depends on the climate surrounding the negotiation. The experiments identified an important contingency in the emergence of turning points (Druckman, Olekalns, and Smith 2009).

These lines of research demonstrate the value of multimethods. They highlight complementarities between experiments and case studies. Used together, the methods provide the dual advantages of hypothesis testing and contextual interpretation, as well as the strengths of both prospective causal analysis and retrospective comparisons.

8 Evidence for convergent validity of the NA diagnostic function was provided by comparisons of predicted with actual outcomes obtained in nine cases. Computed diagnosed outcomes corresponded to actual outcomes in eight of the nine international negotiations (Druckman et al. 2002).

Simulations and Cases in Training

Another contribution made by experiments is to skills training for elite negotiators, including diplomats and foreign service officers. The training procedures emphasize a connection between research and practice. This is done 1) by presenting the research-based knowledge in the form of narratives, and 2) by conducting a sequence of exercises that are linked to the knowledge. The narratives are summaries of findings on each of sixteen themes (e.g., emotions, culture, experience, flexibility). Key insights are highlighted, with special attention paid to counterintuitive findings and prescriptions for practice. For example, quick agreements are often suboptimal; thus, discourage rapid concession exchanges, particularly in negotiations between friends.

The exercises represent each of four negotiating roles: analyst, strategist, performer, and designer. In their roles of analyst and strategist, trainees apply relevant narratives to such real work cases as Panama Canal and the Korean Joggers. In their role as performer, they participate in the security issues simulation described previously in the section on e-mediation. As designers, they construct their own scenarios for training exercises.⁹ The training has been conducted across four continents and may have subtly infused experimental knowledge into professional negotiating practices.¹⁰

6. Conclusion: Experiments as Value-Added Knowledge

A salient finding obtained across negotiating domains is that bargainers prefer to compete for relative gains rather than problem solve for joint gains. This preference was

observed in laboratory experiments (Pruitt and Lewis 1977), field studies of mediated child custody cases (Kressel et al. 1994), and both historic (Wagner 2008) and more recent (Hopmann 1995) cases of international negotiation. Interestingly, it also occurred in cross-cultural bargaining experiments with children, even when higher payoffs would be obtained from cooperative strategies than maximizing differences strategies (McClintock and Nuttin 1969). An important question is how to change preferences from less to more optimal bargaining strategies. Answers are provided from experimental findings, but they are also relevant for negotiating in real-world settings.

Two approaches, based on the idea of flexible rigidity, have been evaluated. One, referred to as HTE, consists of gauging the other's reactions to a variety of proposals and options. When this is done systematically, in the form of MESOs, it is often effective. Another, referred to as information exchange, consists of asking for and providing information about needs and values. When guided by a credible mediator, the exchange process is often effective, particularly when the information revealed helps direct the talks toward integrative outcomes. It is also the case, however, that the effectiveness of both approaches depends on maintaining a problem-solving orientation throughout the negotiation. Sustained problem solving has been important in the laboratory and in situ.

Convergent findings about problem solving attest to the value of experiments as platforms for producing generalized knowledge. They do not, however, attest to their value in capturing context-specific knowledge. Case analyses provided additional information about the frequency of problem solving during different stages and about the value of formulae. A question of interest is whether this sort of contextual detail would be discovered in more complex laboratory simulations. An answer is found in the research on situational levers of flexibility and electronic mediation.

The complex environmental negotiation used to study situational levers provided more specific results on staged processes than

⁹ Recent findings show that designers learn more about negotiation concepts than classmates who role-play those designs (Druckman and Ebner 2008). Learning advantages occur as well for students exposed to the original journal articles used for the narrative summaries (Druckman and Robinson 1998).

¹⁰ The complete training package with evaluation results is presented in Druckman and Robinson (1998) and Druckman (2006).

other, less complex, experimental platforms. The security issues simulation used to study electronic mediation allowed role players to experience electronic and live mediator functions. Both studies show that a balance can be struck between rigor and relevance. Furthermore, complementary advantages of experiments and cases were evident in the work on turning points, where both retrospective and prospective analyses were performed, and in the work on values and interests, where both hypothesis testing and holistic approaches were used. Thus, experimental knowledge adds to our understanding of the case examples described at the beginning of the chapter. More compelling perhaps are training applications. The gap between experiments with students and cases with professionals is bridged by the use of experimental knowledge in diplomatic training programs. To the extent that these programs influence the way that diplomats negotiate, experimental findings contribute directly to elite bargaining.

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