

# Negotiation and Bargaining

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Negotiation among states and other actors remains one of the most central recurring processes of international relations. This chapter takes stock of the most important theoretical ideas that have been proposed for understanding it. The central conclusion will be that scholars are making interesting headway in several directions, yet many questions have yet to be answered satisfactorily. Researchers divide into vigorous networks that still operate largely independently of one another, like communities on different islands.<sup>1</sup> Those who prefer the same theories and methods have tended to cluster together. Each tradition has established significant knowledge while not taking the others' ideas into account very much. Fascinating opportunities for new research, within schools and blending them, are calling for attention.

One tradition, described as negotiation analysis, blends ideas about the individual-level process from several disciplines; much of it originates outside political science. Within political science, game theorists have generated different ideas relevant for this process. International relations (IR) constructivists also have begun to apply their ideas to it. After considering these three schools of thought, we will zoom out from

the micro-process to consider insights about the contexts surrounding the international negotiator.

This essay uses *negotiation* as the primary and more encompassing term. Negotiation is a sequence of actions in which two or more parties address demands, arguments, and proposals to each other for the ostensible purpose of reaching an agreement (Iklé, 1964: 711; Odell, 2000: 10–11). Some negotiations and some agreements are tacit rather than explicit. Scholars lack consensus about the meaning of *bargaining*, and each section introduces the meaning used by that tradition.

Additional caveats might be helpful. Often commentators ask who won and who lost a particular negotiation, thinking with a sport or military analogy. But negotiation is not limited to manipulative behavior designed to defeat an opponent. The war analogy distracts us from the possibility that the talks will make both better off than they were before.

Neither is negotiation limited to accommodation and win-win agreement.<sup>2</sup> This definition does not say that parties always bargain in good faith, that every outcome makes all parties better off, or that coercion is absent from negotiation by definition. Any time two

parties face unequal alternatives to agreement, the one with the better alternative has an advantage, and normally they press this advantage. In some cases, the other party accepts an agreement that leaves him worse off than before, a win-lose agreement, because under the circumstances, refusing would make the situation even worse. Coercion and influence are matters of degree and both are present to some degree in virtually every encounter of cooperation and conflict. Many negotiations involve both efforts to create joint gain and efforts to claim value from other parties, and the distribution of these efforts in a particular case is a matter for investigation.

Later propositions refer to the individual negotiator. This simplification is not meant to imply that she is always free from influence from the organization, culture, state, and coalition she represents. I assume that the ultimate unit of analysis is the individual agent, but not all studies must focus at that level. Of course, a comprehensive understanding must include structures in which agents operate. The forms and degrees of constraint and the processes of aggregation are also matters for investigation.

Even a long essay cannot mention all relevant studies owing to space constraints. This one highlights many ideas that have been applied empirically and gives references that illustrate these ideas and lead the reader deeper into the subject.<sup>3</sup> It is concerned mainly with state-to-state negotiations but includes ideas generated through the study of business and other negotiations.

## NEGOTIATION ANALYSIS

This tradition is concerned with negotiation in general – from divorce settlements to business deals to world politics. Scholars working together under this banner come from business studies, law, psychology, economics, IR, political science, and other social sciences.<sup>4</sup> This large, long-standing multi-disciplinary

literature has developed our most comprehensive conceptual framework for analyzing the process. This framework is richer theoretically but less parsimonious than those of the following two traditions. Negotiation analysis shares common elements to be identified in a moment, but beyond those elements it is a holding company with some internal diversity, rather than a single deductively unified set of propositions. During the 1980s and 1990s, this tradition became partly institutionalized through the Program on Negotiation headquartered at the Harvard Law School, the Processes of International Negotiation Project based at the International Institute of Applied Systems Analysis near Vienna, *Negotiation Journal*, and *International Negotiation*. This tradition occupies the largest share of this essay, since it has elaborated the dynamic micro-process more fully than others, yet it is the least familiar to IR scholars.

Negotiation analysts share a preference for theorizing about and observing negotiator behavior at the individual or delegation level as directly as possible, especially through case studies in the field and experiments. In the international case study literature, most theoretical elements are concepts and typologies – of negotiation stages, issues, roles, strategies, and tactics. Less frequent here are hypotheses that explain variation across cases and are stated precisely enough to be refuted. Experimentalists, in contrast, have proposed and tested many causal hypotheses. These ideas are presented in an order moving roughly from the face-to-face process, to coalitions, and finally strategy effects.

### **Core concepts**

Negotiation analysts commonly use *bargaining* as a synonym for *negotiation*, following the dictionary. The framework focuses first on two parties bargaining over one issue. Complexity is then recognized by adding multiple issues, multiple parties, divisions inside parties, and variable negotiation contexts. Some studies use rationalist premises,

many build on cognitivist or ideational assumptions, and more blend the two.

One seminal blend is Schelling (1960), which proposes that conflict situations like the Korean war and US deterrence of the USSR can be thought of as bargaining situations. The outcome depends on more than which side has the greater arsenal. Schelling is well known in international relations for using early game theory to generate powerful insights (and should be recalled in the following section). He also sought to explain outcomes when the logics of the situation and of mathematics do not suffice (Schelling 1960: 22, 58), and so placed beliefs, expectations, imagination, communication, and tactics near the center of his analysis. We are indebted to Schelling for the concepts of tacit bargaining, the intuitive focal point, commitment tactics, and their credibility.

Another seminal blended framework, less familiar to IR scholars, is given by Walton and McKersie (1965). This book on US labor–management negotiation proposes that the process is best conceived as four subprocesses running simultaneously. Distributive bargaining resolves pure conflicts of interest. Integrative bargaining finds common or complementary interests and solves problems confronting both parties. Attitudinal structuring influences the parties' basic social relationship. Intraorganizational bargaining achieves consensus within each party. This attention to the internal helped inspire Putnam's (1988) metaphor of the two-level game. This classic's most fundamental insight for the novice is that negotiating is more complex than the familiar distributive behavior that was so prominent in the US–Soviet case.

The book identifies different strategies and tactics found to correspond to each analytical subprocess. Concretely for instance, distributive tactics include opening with high demands, refusing to make concessions, exaggerating one's minimum needs and true priorities, manipulating information to others' disadvantage, taking others' issues hostage, worsening their alternatives to agreement,

filing a legal complaint against others, making threats, and actually imposing penalties. A defensive distributive strategy consists of analogous steps to protect against losing value. The distributive model uses the concept of utility but emphasizes that actual utilities are partly subjective and the negotiating process can change them (Iklé and Leites, 1962; Walton and McKersie, 1965: 24, 42).

Integrative or problem-solving tactics include proposing agenda items likely to benefit both sides, communicating more information, joint research, and imaginative joint searches for unprecedented arrangements outside the parties' opening positions. Integrative does not mean yielding to a demand without compensation; that would redistribute value, not necessarily increase joint gain. Integrative tactics can include ways to benefit the acting party and do not require altruism.

Lax and Sebenius (1986) contribute the core insight they call the negotiator's dilemma. At the tactical level, there is an inherent inconsistency between distributive tactics and integrative tactics. Value-claiming moves tend to discourage the integrative process and the gains it might generate. And value-creating moves open the negotiator to a risk of exploitation and loss of value for her side. This book and others also identify ways negotiators mitigate this dilemma's consequences.

As negotiation research expanded, different authors used core terms with somewhat different meanings. Some recognized that there is no guarantee that all parties to a negotiation will behave the same way. When one party uses an integrative strategy and the other a distributive strategy, can the process as a whole be classified as 'distributive bargaining' or 'integrative bargaining'? Some authors adapted these terms to refer to the individual party in the first instance. Thus, distributive (competitive, value-claiming) refers to a set of actions one side can use, and integrative (or cooperative, problem-solving, value-creating) refers to a different set of

behaviors. Odell (2000) proposes a conceptual continuum of strategies ranging from purely distributive through mixed to purely integrative. Then a particular interaction is described by aggregating whatever mix of behaviors that set of parties exhibits. Still other researchers classify bargaining behaviors as soft or hard. In some cases (Hopmann, 1974) their meanings seem to overlap integrative and distributive, while in others (Dür and Mateo, 2010) they differ.

A subset of this first tradition reduces *bargaining* to mean exclusively distributive behavior by all parties, and contrasts it with *problem solving*, which seems equivalent to integrative bargaining. These studies attempt to classify the behavior of all parties to a negotiation into one of these two categories; they do not allow for the possibility of different strategies by different players (Elgström and Jönsson, 2000).

### *Issues and linkage*

A fundamental dimension of any negotiation is the number and nature of the issues under discussion. Walton and McKersie (1965: 129) find that agenda items involving strictly economic values where one side's gain is the other's loss generate less integrative behavior than qualitative rules that will establish future rights and obligations. Winham (1986: 367) confirms this hypothesis in the 1970s Tokyo round of the General Agreement on Tariffs and Trade (GATT), where talks to set tariff rates exhibited more distributive behavior than talks to write new rules, where behavior was more flexible and exploratory. The nature of the issue is a main feature in Oran Young's model of institutional bargaining, offered to explain the formation of international regimes and based on observations in the environmental domain (1994: ch. 4).

Keohane and Nye (1977: 30–32) suggested the concept of linkage strategy, an attempt by a stronger state to use military power to coerce weaker states to change their policy on issues like oil or exchange rates. They theorized that such strategies will be less effective the more the world approximates

complex interdependence. How this strategy fits into the rest of the negotiation process was not yet clear. Tollison and Willett (1979) called attention to other situations in which issue linkage could promote agreement and expand mutual gain, such as when agreement on issue 1 would distribute most of the gain to A at the expense of B, but a complementary issue 2 would have the opposite distributional effect.

Raiffa (1982) and Sebenius (1983) began to situate issue linkage within a comprehensive understanding of the process. Negotiators sometimes add or subtract issues (and parties) during talks, thus changing the game. Adding an issue to a negotiation can, depending on the issue's properties, lead to one-sided gains for the powerful, widen the zone of agreement, or reduce or destroy a zone of agreement. Linkage is ubiquitous at some level rather than a special strategy. Every international treaty covering more than one point or issue has necessarily involved linkage.

### *The alternative to agreement, the reservation value, and the resistance point*

One of the most common ideas in this tradition is that the party's best alternative to a negotiated agreement (its *batna* or outside option)<sup>5</sup> sets its reservation value inside the talks. The reservation value (Raiffa, 1982) is the value of the best alternative plus or minus transaction costs. The outside alternative is best understood as a course of action by A other than agreement with B. Since the value of that alternative could change, Haskel (1974) and later scholars focus on its net value at a particular time. The no-deal option might be equal to the status quo prior to negotiations, but it can also be worse or better than reversion to that status quo. Typically, a party is not certain of the other's reservation value prior to bargaining. Two parties' reservation values set the limits of the zone of agreement or bargaining range – the set of potential agreements both can accept – on that issue.

More exactly, negotiation analysts assume that the parties' perceptions of the respective outside alternatives will shape their behavior. Here the *resistance point* is the reservation value modified by subjective elements (in contrast to game theory). Some negotiators settle above or below their reservation values (White and Neale, 1991). For example, a developing country views the process as unfair, sets its resistance point above its reservation value, and accepts impasse. The resistance point is the worst deal the party will accept, and it determines behavior.

Furthermore, negotiation analysts do not accept the game-theory assumption that these bargaining limits are fixed. The subjectivity also opens additional opportunities for the negotiation process to work. The international case literature reports many successful efforts during talks to persuade counterparts, explicitly as well as tacitly, to move their resistance points and accept deals they had believed were unacceptable.<sup>6</sup> In this way, the process can change parties' preferences, in negotiation analysis.

Various studies have applied the concept of the alternative to agreement. Pillar (1983: ch. 4) reports that warring states that are negotiating armistice agreements use military escalation to worsen the no-deal option for the adversary and hasten concessions. Moravcsik (1998) uses outside alternatives to explain distributional outcomes of major internal EU negotiations. Odell (2009) proposes that a worsening in a party's perceived outside option will lead the negotiator to shift her strategy in the integrative direction, and vice versa.

Negotiation analysts argue that the perceived alternatives to agreement are a more accurate guide to the outcome than power. Wiggins (1976) illustrates tactics by Malta that dramatically worsened the alternative perceived by Britain and yielded much greater gain for Malta than the huge bilateral power asymmetry had implied.

The *batna* also offers a way out of the circularity that appears in writings about bargaining power. Often, we read that A gained more because it had greater bargaining power.

In this usage, bargaining power is only another description of, not an explanation for, the gain. The gain could be explained if A had a better outside option than B.

### **The outcome**

Every negotiation eventually terminates in an outcome, either in an agreement or an impasse. Replacing agreement with *success* and impasse with *failure* can be misleading, since avoiding an agreement might be the main goal of a weaker party under pressure to give up value.

A second common meaning of outcome refers to the distribution of gains and losses across the parties, whether these are measured precisely or not. Gains and losses may include intangibles. Reducing all outcomes to successes and failures also loses information that is conserved if outcomes are conceived as varying by degrees of gain and loss.

Any notion of gain implies some reference point, and negotiation analysts use different reference points at different times. One is the value of the status quo prior to bargaining. This concept is attractive for being easier to identify by consensus. But if we expect all negotiators to measure with reference to the prior status quo, we may be surprised in some cases. If after the talks begin, B worsens A's outside option by making a credible threat to impose a serious new cost in the event of no deal, a rational A might accept a deal that makes it worse off than before, if that loss is less than the threat would cost it.

A second common reference point is her no-deal alternative at a given time. A gain by this definition means a situation that will be better for her objectives than what would have prevailed had she chosen the outside option. This concept comes closer to representing the decisions negotiators must make. Its disadvantage is that gains and losses are speculative and more difficult to identify by consensus. It also implies that every agreement represents a gain or at least no loss for

every party, making it impossible to record as a loss an outcome that leaves a party worse off than it began.

### **Phase typologies**

Zartman and Berman (1982) divide the process into three phases. In the diagnostic phase, parties decide to explore the possibility of negotiating, conduct separate preparations, and sound out other parties. In the second phase, they jointly search for and settle on some formula to guide the third phase. UN Security Council resolution 242, intended to promote settlement of the 1967 Arab–Israel war, established the formula of trading security for territory but did not settle the details. In the detail phase, negotiators then work out the particulars of an agreement consistent with the formula. This stage typology contrasts with the image of bargaining as mutual concessions along a single dimension, converging at a point.

Spector and Zartman (2003) focus on the role of negotiation in the evolution of international regimes after establishment, a fourth phase in effect. One conclusion is that the process changes ‘from initial concessional bargaining to problem solving as a basis for governance ... . The members quit competing and vying for advantage’ (277).

Research on the settlement of violent African conflicts leads to the proposition that ‘conflict resolution depends, above all, on the identification of the *ripe moment* in differing patterns of conflict and escalation’ (Zartman, 1989: 263). The ripe moment is defined as a time when both parties believe that neither can win a decisive military victory; they see themselves in a mutually hurting stalemate. This stalemate ‘is as much a matter of perception as of reality for the parties, and as much a subject of persuasion as of timing for the conciliator’ (268). Pugh (2009) applies this idea to explain the 1992 settlement of the conflict in El Salvador.

Druckman (2001) defines the *turning point* and generalizes about the type of precipitant

most likely to generate a turning point in different types of international negotiations. Narlikar (2010) defines the *deadlock* and probes its causes in multilateral talks.

### **Psychology and communications**

Psychological negotiation analysts have rigorously tested many causal hypotheses about the subjective dimensions of the micro-process. They have documented predictable biases that cause negotiator behavior to depart from ideal rationality. It has been reported that about 80% of negotiators assume that the parties’ interests are completely opposed even when opportunities to make both better off are present. Negotiators with this fixed-sum bias tend to place a lower value on a concession framed as coming from an adversary, and they tend not to find mutually beneficial trades (Thompson, 2005: 13).

Each negotiator is a partisan for his or her side, and another set of experiments confirms a general partisan bias. The partisan subject, compared with neutral subjects given the same information, significantly overestimates the value of her outside option (Lax and Sebenius, 1986), underestimates the degree to which the other side’s objectives are compatible with hers (Thompson, 1995), and uses a self-serving definition of fairness (Babcock and Loewenstein, 1997). Partisan bias narrows the zone of agreement from what would exist on objective grounds.

The psychological insight that IR scholarship has recognized the most is prospect theory, the idea that individuals take greater risks to avoid or recoup a loss than to reap a gain of the same magnitude. When negotiators in experiments are instructed to ‘minimize your losses’, they use strategies such as making threats that run a higher risk of breakdown, and they reach significantly fewer agreements than negotiators who have identical interests and information and are told to ‘maximize your gains’ (Bazerman and Neale, 1992: ch. 5). Berejekian (1997) uses this loss-aversion hypothesis to explain

changes in EC behavior during the UN negotiation that created the regime to protect the world's ozone layer. Elms (2006) finds – in a matched pair of US bilateral trade negotiations – that negotiators who perceived a larger loss engaged in more risky and aggressive strategies, and that a mixed-integrative strategy gained more for the US side than a strictly distributive strategy.

Some findings from university experiments are confirmed by others using expert subjects, such as officials playing simulation roles during a WTO training program. Under time pressure, these officials also made tactical decisions by relying on fixed rules of thumb rather than responding to clear new information from others' moves. They too showed evidence of self-serving bias. They found it difficult to tell which aspects of others' actions were valid signals and which were irrelevant. Some convergence toward common knowledge occurred over rounds, but it was not smooth or complete (Dupont et al., 2006). Experiments using expert subjects increase confidence that university findings have external validity.<sup>7</sup>

Psychologists and communication researchers have devoted extensive attention to persuasion and argumentation (Thompson, 2005: ch. 7). In severe conflicts where parties' minds are closed because of distrust and biased information processing, persuasion depends on first opening minds to flexible information processing (Chaiken et al., 2000). B is more likely to be persuaded after A makes unexpected concessions; offers arguments that undermine suspicious expectations; asks questions, especially ones that will elicit disconfirming evidence; and identifies what the other will gain from settlement. Then convergent arguments, a special type created from the positions of other participants, make collaborative problem-solving more likely (Keough, 1992: 117). Axelrod (1978) codes arguments made in three foreign policy settings and concludes that the key to persuasion in these settings is presenting arguments that others have not already taken into account.

Jönsson (1990) is a pioneering attempt to mine communication theory for international negotiation. The book studies how international negotiators attach meanings to ambiguous signals. Language is the first step in signaling; hearers attach different meanings when a speaker describes a political group as 'freedom fighters' or 'terrorists'. Listeners' reactions are also colored by listeners' initial stereotypes and tendencies to devalue possible signals of accommodation by distrusted adversaries.

Few negotiation analysts have studied emotions, but some work has begun to open that door (Barry, 2008). Although the laboratory is limited for studying intense, complex emotions, recent experiments offer evidence that even mildly positive affect in a negotiator leads to greater concession making, more integrative strategy, and improved outcomes. Positive affect may also reverse the familiar finding that negotiators in a loss frame make fewer concessions (Carnevale, 2008). For Mercer (2010), credibility is not a property of the threatener but a belief in the mind of the target's leaders colored by their emotions.

It should be clear that it would be a mistake to confuse negotiation analysis with a narrow version of rational choice that is limited to selfish material incentives and fixed preferences without persuasion.<sup>8</sup> This tradition has always assumed that reality includes the subjective and that the subjective includes more than information. New information is interpreted, and interpretations vary according to values, expectations, biases, emotions, and others' tactics. Negotiation analysis introduced the subjective dimension a decade before game theorists began incorporating incomplete information, and a generation before IR constructivism was invented.

Many IR specialists question the value of psychological ideas and laboratory findings for international relations. Some exclude psychology by assumption for the sake of parsimony. Others find little theoretical interest in case study claims about leaders' idiosyncrasies. Others question how much space there could be for individual negotiator

biases and arguments to make a difference considering the constraints of bureaucracy and constituents.<sup>9</sup> Many doubt the external validity of experimental findings when the subjects are naïve undergraduates facing low stakes, and expect that expert experience will drive out ignorance and biases (Babcock and Loewenstein, 1997). Few negotiation experiments have investigated international variables explicitly.

Defenders respond that external validity is established by replication and triangulation and that negotiation experiments using experienced professionals have confirmed some findings. Learning from experience often reinforces rather than offsetting biases (Babcock and Loewenstein, 1997). 'Experts who have rich models of the system in question' are more susceptible than lay people to overconfidence in judgments and confirmatory bias (Rabin, 1998). Regarding constraints, international case studies find that many delegations have significant autonomy from their capitals.<sup>10</sup> Regarding idiosyncrasies, defenders reply that biases such as partisanship are widespread, and generalizations about their effects have been established. Hardly any skeptics have investigated laboratory findings empirically in international relations and demonstrated that they are useless.<sup>11</sup> Academics who serve a tour in the practical world often return convinced of the importance of the art as well as the science of negotiation and even the value of experimental research (see testimony from game theory pioneer Raiffa, 1982: 3).

### **Coalitions**

The framework increases complexity further by introducing multiple parties and recognizing that a distinguishing feature of multilateral negotiation is coalition formation. A coalition is a set of parties who coordinate explicitly among themselves and defend the same position. A complex strategy includes tactics to build and hold coalitions together and split rivals. Coalitions are used both

to claim value from others and to promote joint-gain deals.

In international institutions, coalition impact varies with the prevailing decision rule. When decisions are made by voting, a coalition reaching the required minimum vote share wins. When the rule is unanimity or consensus, minority coalitions also influence the process, for instance, in the GATT. At the end, however, coalitions find it more difficult to settle as a unit, since settling often requires concessions and trade-offs, and coalition members often have different preferences on particulars (Hamilton and Whalley, 1989).

Under the consensus rule, the coalition's most significant distributive move is the threat to block. Others are more likely to believe the threat the more the members' preferences on the issue are homogeneous, reducing the odds that splitters will manage to fragment the group; the more the coalition includes powerful players who may block even if their allies desert them; and the larger the coalition, provided its members overcome the fragmentation problem. Odell and Sell (2006) illustrate a trade coalition that did so; Narlikar and Odell (2006) describe one that fragmented and gained little.

A consensus seems to be forming behind the proposition that a coalition of developing countries with heterogeneous issue preferences is likely to gain less, even if it is large, than one representing common issue preferences. Evidence comes from the Group of 77 in the UN General Assembly and the UN Conference on Trade and Development (Miles, 1977; Rothstein, 1979) and comparisons of the two types of coalition in the GATT and WTO (Narlikar, 2003, and works cited there).<sup>12</sup>

The sequence in which a coalition builder invites other parties to join can affect the outcome (Sebenius, 1996). Likewise if one element of a proposal will generate a large blocking coalition, delaying that element until the end will be more favorable for agreement than other sequences (Sebenius, 1995).<sup>13</sup>



A complete theory of complex international negotiation would differentiate between propositions explaining the behavior of individuals, delegations, and coalitions, respectively. It would link decisions at different levels and examine the propositions in light of evidence. Present theory falls far short of this ideal, which poses a major goal for future research.

### **Strategy effects**

Some research has assessed the effects of strategies under different conditions. Regarding distributive strategy, Bayard and Elliott (1994) report that US use of threats under trade law section 301 to gain unrequited trade concessions gained more when the target economy was more dependent on the United States, when targeting a tariff or quota rather than a less transparent measure, and when a GATT panel had ruled against the other side except when the target was the EC Common Agricultural Policy.<sup>14</sup>

Regarding mixed-integrative strategy, Walton et al. (1994) show that US business managers who used mixed strategies with labor in the 1980s tended to gain more than those who used strictly distributive strategies. Elms (2006) finds that in a matched pair of bilateral US trade negotiations, a mixed-integrative strategy gained more for the United States than a purely distributive strategy. But we need more careful comparative studies to pin down these effects and conditions that enhance them.

Negotiation analysis, then, has developed a comprehensive set of ideas for analyzing negotiation in general, starting simple and adding much complexity. Relative to the alternatives, this literature has the advantages of theoretical richness, an empirical base in case studies that document the micro-process up close, and rigorous experimental tests of hypotheses. Possible critiques are that it achieves less parsimony and less internal integration overall than other traditions. It needs work to improve theoretical and

methodological rigor in case studies and external validity for international relations in laboratory studies. Few of its hypotheses have been studied in more than a handful of international cases. This first tradition has not made extensive use of insights from the second or third, beyond informal use of concepts from formal bargaining theory.

### **GAME THEORY CONTRIBUTIONS**

A second major tradition presents rationalist political science studies that share a preference for game theory as a method for generating insights. They favor the term *bargaining*, and in this tradition *bargaining theory* is often synonymous with game theory (e.g., Powell, 2002). For Powell, 'Bargaining is about deciding how to divide the gains from joint action' (2). This approach to bargaining is now the most widely seen in political science.

This method permits hypotheses to be proved more conclusively and integrated more tightly than those generated by other traditions. Models assume negotiators are rational decision makers with an unbounded capacity to compute optima, though many models relax the assumption of complete information. All results depend on which bargaining rules and which equilibrium concept the modeler chooses.

Most models assume the players are states and are limited to two unitary states. Game-theoretic work is generally not designed to illuminate explicit negotiator behavior at the micro level, and typical models do not come with nuanced empirical observation at that level. Many models (e.g., Powell, 2007) can, however, be interpreted as simplified representations of tacit bargaining.

This school contributes original insights that others interested in the micro-process could also explore. Some models spotlight how a familiar distributive tactic – misrepresenting private information – can lead to an impasse. Fearon (1995), in an influential

contribution to the large literature on military crisis bargaining, theorizes that one reason rational states go to war even when a lower-cost settlement would be acceptable to both is that leaders have an incentive to exaggerate their private information about their military capabilities and willingness to fight, to gain a better deal, in addition to the incentive to save war costs. He reasons that A's leader, knowing that B's leader has this incentive, disregards B's verbal statements as cheap talk and delays concessions (396). Rauchhaus (2006) provides quantitative evidence that mediation targeting parties' asymmetric information about one another's reservation points is an especially effective form of conflict management. Leventoglu and Tarar (2008) object that private information in crisis bargaining need not result in war unless the dissatisfied state is highly impatient. Meanwhile, a different class of rational models proves that asymmetric information can lead to agreement, not delay and breakdown – if, after B rejects A's initial move, A re-estimates its probabilities about B's type and makes a lower demand in a round 2, and if B accepts the second offer (Morrow, 1994: ch. 8).

Insufficient commitment credibility also can block agreement (Fearon 1995). Costly civil wars break out, and some continue for many years because of bargaining failures due to commitment problems as well as information problems, according to Walter (2009). This article is part of a growing rationalist literature on how third parties can help prevent or resolve international conflicts (Kydd, 2010).

As another illustration, Bearce et al. (2009) incorporate states' beliefs about whether an agreement would be enforced into their choices about whether to enter talks in the first place. The main result is that a low discount rate makes the decision to talk more likely, suggesting a reason why negotiations are more frequent on issues such as trade than on territorial disputes.

Putnam (1988) introduced the two-level game. Putnam was inspired partly by negotiation analysis, and he reasons about

individual negotiators. The central insight is that because an international agreement will have to be ratified at home, the negotiator is often engaged simultaneously in an internal as well as an external negotiation. Specifically, the larger the domestic win-set faced by negotiator A, the greater the odds she will reach an international agreement with B, and the smaller the share of the gain she is likely to capture. Evans, Jacobson, and Putnam (1993) further develop this set of insights through paired case studies of economic, human rights, and security negotiations.

Others took up Putnam's challenge to develop formal models of two-level games. Milner (1997 with Rosendorff) concludes that ratified cooperation will be less likely when one government is divided with its branches controlled by different political parties, when no domestic interest group endorses the agreement, and when domestic institutions allow opponents to change the ratification process after an agreement is concluded.

Another related line of research explores implications of domestic audience costs for negotiations. Browne and Dickson (2010) ask why a leader like Israeli Prime Minister Rabin in 1993 would denounce the PLO as unfit for negotiations while secretly negotiating with it in Norway. A novel rational causal mechanism is suggested: the PLO is unwilling to negotiate, so Rabin undertakes a commitment that will incur serious audience costs when its violation becomes public, which credibly reduces Israel's leverage in negotiations somewhat, which induces the PLO to negotiate.

The game-theoretic perspective can also cast fresh light on ideas generated otherwise. It has been suggested that in a stalemate over contentious issue 1, an offer to link issue 2 to issue 1 can lead to mutual gains. During a security crisis with incomplete information, however, according to game theorist Morrow (1992), such a linkage proposal may be interpreted by the other as a signal of weakness, with dangerous consequences. Governments in those situations rarely make such proposals.

One possible critique is that the simplifying assumptions of this approach have prevented it from observing and explaining features of international negotiations and their outcomes that other approaches regard as significant. Also, some empirical studies in this bargaining tradition provide little evidence about bargaining (e.g., Reed et al., 2008; Bearce et al., 2009). While statistical testing with large data sets has important advantages, this method typically misses much of the dynamic process.<sup>15</sup>

Some modelers read case studies of events such as Nixon's 1971 opening to China and build models to account for choices in situations like these (Schultz, 2005). Otherwise, few have incorporated concepts or hypotheses from the first or third traditions. As more do so, researchers in the latter traditions also could consider applying theoretical insights like the strategic implications of negotiators' incomplete information, their discount rates, and the credibility of their commitments in their own research.

## CONSTRUCTIVIST CONTRIBUTIONS

Recently, a number of constructivist political scientists have turned their attention to interstate negotiation as such. This newer tradition tends toward case studies based on documentary records of discourses among states and others rather than field work.

Some propose that the concept of Habermasian communicative action or *arguing* helps explain negotiated agreements. This school of thought identifies certain negotiation activities exclusively with rational choice theories and restricts *bargaining* to describe those activities, and identifies other activities exclusively with constructivist theories and uses *arguing* to describe them (Kotzian, 2007).

... [A]rguing in the sense of reason-giving and justifying one's preferences on the basis of some commonly accepted principles and norms is all pervasive in public as well as in private settings ...

[A]rguing means that the participants in a discourse are open to be persuaded by the better argument. Power and social hierarchies consequently recede in the background ... The goal ... is not to pursue one's fixed preferences, but to seek a reasoned consensus. Actors' interests, preferences, and the perceptions of the situation are not fixed but subject to discursive challenges.... In contrast [to rational choice bargaining], arguing necessarily involves references to a mutually accepted external authority to validate empirical or normative assertions (Risse and Kleine, 2010: 708–11).

Early empirical work found, however, that 'arguing could not be isolated empirically from bargaining' (Deitelhoff and Müller, 2005: 171). The two types of speech occur simultaneously, and it proved impossible to identify the motives behind actions. Research shifted to identifying the institutional conditions that help arguing prevail in multilateral negotiations, which is when a persuasion attempt leads at least one actor to change strategy or preference (Risse and Kleine, 2010).

Ulbert and Risse (2005) find that shared norms shape the negotiation process in an international organization. Taken-for-granted norms differ across organizations and empower certain actors as legitimate in the process, rule certain arguments out of order, and determine which discursive strategy will be effective. Their six case studies find three discursive strategies that were used to make arguments resonate with an organization's established norms. Deitelhoff and Müller (2005), reporting on the same project, suggest several hypotheses about conditions that will raise the odds and effectiveness of arguing:

- when negotiators are members of a common institution and already committed to common norms, approximating a common lifeworld;
- when talks take place in an international institution that gives the weak some authority, approximating the ideal speech situation;
- when the negotiators are free of strong pressures from domestic or international politics; and
- when negotiators are less certain of their interests.

Other constructivist case studies add new evidence on arguments that affected behavior and international outcomes on electronic commerce (Farrell, 2003), the UN convention against torture (Hawkins, 2004), UN sanctions against Libya (Hurd, 2005), and climate change (Steffek, 2005). The latter article suggests a way legal arguments can achieve political effects without persuading others to change their beliefs.

The European Union (EU) is the most likely international organization in which to find deliberation and persuasion, since its members are more similar and have deeper legal institutionalization than those of any other. A substantial literature on EU negotiations, using constructivist and other analytical perspectives, has been expanding. Scholars have explored negotiation styles and traced variations to EU institutions, national characteristics, and the issues under discussion.<sup>16</sup> Constructivists have explored the possible socialization of EU diplomats into a common European identity (Checkel, Jeffrey T., 2005). Lewis (2005) finds that experience in EU institutions socializes individual national officials into a collective culture, and citing a 1994 case of talks inside the Committee of Permanent Representatives, claims that this socialization explains behavior that negotiation analysis could not have explained.<sup>17</sup>

Niemann (2006) is another rare study that compares ideas from traditions one and three. This case study of internal EU talks to set a common position for WTO negotiations in the 1990s does find Habermasian genuine debate but only in a subcommittee of the Article 113 Committee (state representatives who monitor and work intensively with EU Commission officials) during the early phase of the talks. Later and at higher levels, other behavior identified by negotiation analysis dominated even in the EU.

This third tradition has generated new theory and illuminated international persuasion in new cases. The emphasis on international norms and socialization goes beyond what the first two traditions had contributed.

One possible critique is that otherwise, arguing theory has not yet been shown to be an improvement on multidisciplinary negotiation analysis (including its psychological branch), which had departed from materialist rational choice and fixed preferences years earlier. Arguing toward consensus seems to overlap earlier ideas such as persuasion, arguing from principle and keeping an open mind (Fisher and Ury, 1981), and integrative problem solving. More research comparing these two approaches side by side could clarify the contributions of each.

In addition, attempting to classify all negotiating action as either arguing or bargaining incurs analytical disadvantages. Compared with more comprehensive frameworks, concentrating on modes of communication misses other ways that negotiators act. Also, in this scheme *bargaining* lumps together elements of distributive strategy (such as the threat) and elements of integrative strategy (such as an offer of material reward) and excludes arguments. A distributive strategy can employ some material elements and some arguments, and so can an integrative strategy. A mixed strategy can alternate between common-interest arguments and selfish value-claiming arguments. Using the arguing/bargaining typology instead makes it difficult to see variations between these different strategies and study their effects. Finally, this tradition too has made relatively little use of insights from the others.

## THE NEGOTIATOR'S EXOGENOUS CONTEXTS

A fourth set of insights concerns what can be called the contexts surrounding the international negotiator, elements of the situation that are generally beyond the negotiator's control during talks. In this section, we zoom out to encompass elements surrounding the micro-process, which could be considered causally prior to it. Many studies in this set skip over that micro-process, but they merit

space because they highlight conditions that differ across negotiations, that may exert influence on processes and outcomes, and that some negotiation studies neglect. Some of these insights refer to factors that can be partly endogenous. The ideas grouped here do not constitute a single, self-referential school of thought.

### ***State power distribution***

The state negotiator is situated in an international distribution of power in the familiar sense of slowly-changing state assets such as population, productive and financial capacity, level of development, government capacity, and military forces. One hypothesis holds that a stronger state is more likely to use an expansive (joint gain) strategy and a weaker state, a distributive strategy (Haskel, 1974). But Dür and Mateo (2010) find the opposite in internal EU negotiations.

Some attribute negotiated outcomes directly to the state power distribution. Keohane and Nye (1977) formulate two power structure models for explaining international regime change. Telhami (1990) explains why Egypt decided to sign a peace agreement with Israel at Camp David at the expense of its relations with other Arab states by pointing to prior shifts in the distribution of power globally and in the Middle East. Krasner (1991) contends that the power structure determines who gains how much from communication regimes. Steinberg (2002) attributes the distributional outcomes of multilateral trade negotiations to great power asymmetry.

Others show that power differences alone leave much outcome variance unexplained. Singh (2008) finds that when power is concentrated, negotiations matter less but that when it is diffused, negotiations alter interests and create mutual-gain outcomes. Zartman and Rubin (2000) conclude from nine bilateral episodes that equal power does not generally lead to more effective negotiation than unequal power. Many other case studies of 'the power of the weak' report moves and

relationships that weaker parties have used to mitigate their disadvantage (Habeeb, 1988; Odell, 2010a).

### ***National cultures***

The international negotiator is embedded in a set of national political cultures that are essentially fixed during talks but can vary across cases. A large literature on culture and the micro-process has appeared. One set of studies documents tactics used by one country in many cases and attributes them to culture-specific norms, but does not consider whether the same tactics might be used in many cultures (Faure, 1998). A second set of case studies provides original evidence that cultural differences shape outcomes but without a method for disentangling this claim from alternative interpretations (Albin, 2001; Mingst and Warkentin, 1996).<sup>18</sup>

Experimenters have explored whether representatives of different cultures behave differently when faced with the same situation. Much of this research concentrates on business-to-business talks, much comparing one nationality (e.g., a Japanese negotiating with another Japanese) with other nationalities negotiating intraculturally. Recent research has begun to show that individualistic and collectivistic orientations, the most-studied dimensions and long thought to be mutually exclusive, can occur in the same culture; the same negotiator acts individually in some conditions and collectively in others.<sup>19</sup> Brett et al. (1998) find that some cultures achieve greater joint gains than others. But the key cultural variables are the value the culture places on information sharing, the ability to deal with multiple issues simultaneously, and the motivation to continue working to improve an initial deal, not individualism-collectivism.

Recent research has also questioned the universality of the fixed-sum bias. The great bulk of early research was conducted with North American subjects. Evidence has appeared that Greek subjects manifest less of

this bias, and East Asians tend to show different biases (Morris and Gelfand, 2004).

On inter-cultural negotiations, one experiment explains why Americans and Japanese achieve smaller joint gains when negotiating across cultures than when negotiating within their own group (Brett et al., 1998). One survey of American and Chinese managers of joint ventures in China finds expected differences in their default strategies, but also that greater commitment to the relationship mitigates those tendencies in both cultures (Lin and Miller, 2003).

### **Gender**

Little research has specialized on the effects of gender in international negotiation (Boyer et al., 2009; Maoz, 2009; Ruane, 2006), even though a substantial literature analyzes gender in international relations generally (see the chapter by Sjöberg and Tickner in this volume). The past decade has, however, brought many studies of gender in workplace negotiations. To illustrate, most of this research treats gender as a stable property of individuals and looks for evidence of individual differences. Findings include that women are less likely than men to ask for a raise or promotion, less likely to initiate negotiations, and likely to feel less confident about their negotiating abilities and to set lower goals. Men achieve larger gains than women in integrative as well as distributive negotiating (Kolb, 2009).

More recent studies introduce the feminist insight that gender can be a property of a system of social practices and expectations in an organization, within which individual talks occur (or do not). A gendered order can shape which issues are negotiable – for instance, a firm assigns the most valuable clients to male executives and considers the assignment of clients to be non-negotiable (Kolb, 2009). When negotiations take place, gender stereotypes impose social costs that men do not face. One stereotype holds that women are nice and sensitive to others'

needs, and when a woman initiates negotiations for greater compensation for herself, men view this behavior negatively (Bowles et al., 2007). Thus, outcomes may depend on more than the individual woman's strengths or deficiencies as a negotiator.

Skeptics may ask how well these findings generalize to professional diplomats and leaders such as Margaret Thatcher or Condoleezza Rice negotiating on behalf of states. It has not been shown, for instance, that female diplomats gain less than male diplomats. Feminists may respond in turn that prominent 'iron ladies' confirm the socializing power of masculine identity models. Future research could investigate gender in international negotiations as well.

### **International institutions**

Existing international institutions form another dimension of the negotiator's environment. Functionalists theorize that states create formal international regimes to make subsequent negotiations among member states more efficient, by helping members overcome transaction costs, information problems, and collective action problems (Keohane, 1984). Martin (1992) provides statistical and case evidence that the presence of an international organization makes issue linkages among the member states more likely.

This tradition has made little effort to study negotiator behavior or transaction costs directly. Some complex multilateral negotiations run for years and cause us to wonder whether alternatives would have been less costly. Moravcsik (1999) objects that states can find information and focal points without international secretariats' help.

Case research has generated additional insights about how institutions shape negotiator behavior within them. Susskind (1994) complains that the way UN environmental talks are organized encourages distributive behavior and long delays, discourages states from engaging in informal coalition building, and discourages integrative behavior such as

creating options for mutual gain. Recent studies have begun to learn about the effects of the chair of a multilateral negotiation on efficiency and the distribution of value (Tallberg, 2006).

The EU may be the most extreme case of an institution that could shape negotiating behavior among members. Elgström and Jönsson (2000) find that day-to-day internal EU negotiations are dominated by problem solving and that the trend is toward institutionalizing this behavior, but that bargaining (distributive and conflictual behavior) occurs under some circumstances.

### ***Domestic political institutions***

The international negotiator also works in the context of national political institutions that are generally fixed during talks. Some political scientists find that democracies cooperate significantly more than non-democracies on average, in avoiding wars, expanding mutual trade, and on other issues. One rationale is that they have an advantage over autocracies in making credible commitments (Schultz, 1999; Lipson, 2003; but see Weeks, 2008). Another hypothesis holds that because democracies share the norm that political competition should exclude violence, they are more likely than autocracies to negotiate peaceful settlements of international disputes with other democracies (Dixon, 1994).

Variable internal institutions in democracies and other states may restrict the positions a negotiator is likely to take and thus the odds of agreement. The domestic ratification requirement has been mentioned. Encarnation and Wells (1985) find that a developing country's gains in negotiating over terms of incoming foreign investment depend on how the government is structured. Jupille (1999) provides evidence that the EU negotiating position is closer to the status quo on issues where the unanimity rule prevails, while qualified majority voting is associated with greater change, and that international outcomes vary accordingly.

### ***Domestic political pressures and changes***

While domestic institutions are constant, other internal political conditions vary. For instance, an international threat is likely to gain less when the threatening government has a freer hand domestically to back down (Martin and Sikkink, 1993), and when it faces greater pressure at home not to implement the threat (Odell, 2000: ch. 6).

Internal politics are not fully exogenous; leaders have some influence over the politics they face. Some case studies have shown that negotiators' tactics vis-à-vis their own constituents have reduced the odds of a ratified agreement. One general dilemma is that tactics functional for claiming value from the foreign party, such as exciting domestic groups to express high demands, may raise expectations so high that constituents will refuse to ratify a deal that is better than the alternative to agreement.<sup>20</sup> But leaders in other cases have increased the odds of agreement by manipulating the information available to their constituents and by other internal means, even in democracies (Zahariadis, 2003). This study also provides evidence that the tactic of claiming one's hands are tied will be more credible in a presidential system with an independent legislature than in a parliamentary institution.

Negotiators employ tactics to influence domestic politics inside other countries. Schoppa (1993) found two, termed participation expansion and alternative specification, in a set of five cases of US negotiation with Japan. When US negotiators used them, they gained more than when they did not.

### ***Markets***

International negotiations over trade, investment, and financial issues differ fundamentally from others in that they are sensitive to changing market conditions. Some propositions take market conditions to be exogenous. For example, industries with greater scale

economies will be more likely than others to lobby for a regional free trade agreement (Chase, 2003). When two states are on the same side of a market (both sellers, for instance), they are more likely to use integrative strategies toward each other than when they are on opposite sides. The better the market alternative to a prospective agreement as viewed by the negotiator, the lower the odds he will enter a negotiation toward that agreement, and if he does, the higher his resistance point and the harder his claiming behavior, and vice versa (Odell, 2000: ch. 3). The outcome of bargaining between multinational firms and host countries over subsidiary ownership will vary with the rate of technological change in the industry, its degree of global integration, and the speed of change in host country technical development (Kobrin, 1987).

Ultimately, markets are endogenous to a political environment, and sometimes negotiators move markets as well as the reverse. This is more likely the shorter the lag between government action and market reaction. Lags are shorter in monetary and financial affairs than in trade. Also, official talks have spurred firms, over the medium term, to generate new market possibilities that in turn enlarge or shrink the government negotiators' possible agreement space (Odell, 2000: ch. 3).

## FUTURE RESEARCH DIRECTIONS

Recent research on the international negotiation process has made substantial headway, building on its foundations in intriguing ways. We have many theoretical ideas relevant for understanding the process plus a growing body of evidence, gathered and analyzed with diverse methods at several levels of analysis. Each sub-literature is continuing to push forward along its track.

This area also faces important challenges and opportunities. The first is addressing its theoretical weaknesses. As long as this

literature is apparently confused about the meanings of such core concepts as bargaining and strategy, knowledge accumulation and influence on other scholars and practitioners will naturally be impeded. In case-based work, there is a need to continue the move from typologies to falsifiable propositions. Research concentrating on the micro-process needs to specify and differentiate propositions that apply to individual negotiators, states, and coalitions, respectively, and explore links among them.

Related is a gap between theory about micro-processes and theory from macro conditions. How do constant background features – such as whether the states are democratic or authoritarian or the formal properties of the international institution – fit together with dynamic individual processes documented by experiments and case studies – to determine outcomes? Can political scientists thinking primarily about cooperation theorize more about negotiator behavior inside international institutions? Can experimentalists introduce hypotheses about how international institutional differences (as conceived by either rationalists or constructivists) affect individual negotiator behavior? Can our theory generalize using the two levels jointly?

A second major challenge is methodological. International negotiations are typically secret, and much of the process is informal and not recorded in official documents. The case study allows the researcher to investigate the complex process, including the informal elements, more fully. But future case studies can attempt to improve on those that are not disciplined by considering what evidence would count against their main claims and by alternative interpretations. Statistical hypothesis testers can consider moving beyond regressing outcomes on initial conditions and proxies, to the creation of valid quantitative data capturing the process itself. This is a thorny problem, however, discussed along with a range of other methods in three special issues of *International Negotiation* (7: 1, 9: 3, 10: 1).



A third major challenge is empirical. Many experimental findings need corroboration from observational studies in international relations. Many other ideas have been applied in only a few countries, periods, and international institutions. This literature severely under-represents the experience of developing, socialist, and transition countries. We do not know how widely present ideas apply or what novel perspectives might develop in other domains.

Probably the most obvious implication of this review is the great opportunity for contributions that better integrate the insights generated in our separated negotiation and bargaining literatures. Bracketing only certain ideas for study can be a productive strategy initially, but in time these self-imposed limits become obstacles to progress. None of these rival approaches has proved sufficient by itself, as usual in social science. Integration is more likely if researchers focus on developing the best possible middle-range theory grounded in evidence, regardless of which 'ism' or method suggested an insight. Integration sometimes advances from the bottom up, as empirical projects weave in ideas from two or three traditions simultaneously.

For example, negotiation analysts might incorporate process ideas from contemporary game theorists or institutional hypotheses from Section 4, say by comparing strategies used by delegations from democratic and authoritarian states when facing similar issues and situations. Or do differences in international organizations' designs lead states to use more or fewer integrative strategies? Experimenters could focus more on properties of international institutions and relations. Game theorists and negotiation analysts could consider taking off from novel constructivist insights about arguing.

For political scientists, the largest underexploited opportunity is to explore negotiation analysis. The game theorist might generate a novel model by searching those case studies and experiments for insights about micro-processes. The constructivist will find in the first tradition a more comprehensive

foundation on which to build, possibly even improving constructivist theories' micro-foundations (Checkel, Jeffrey T., 1998; Odell, 2002).

These are only a few examples from a fascinating multitude of possibilities. Our knowledge could and probably will become much fuller and better integrated than it is today. That future body of knowledge would be even more respected, useful, and influential.

## NOTES

1 Jönsson (2002). Earlier reviews are found in Young (1975) and Zartman (1977). Also see related essays in this volume on security cooperation and international organizations. The present chapter draws on Odell (2010b). I am grateful to Mariano Bertucci, Andreas Dür, Eric Hamilton, Amrita Narlikar, Brian Rathbun, Thomas Risse, and Beth Simmons for helpful comments on an earlier draft.

2 For a win-win tilt, see Zartman (1977) and Fisher and Ury (1981).

3 The Economic Negotiation Network, [www.usc.edu/enn](http://www.usc.edu/enn) monitors new research on international economic negotiations. For introductions to research on diplomacy see Sharp (2010), Jönsson (2002), and the *Hague Journal of Diplomacy*.

4 Sebenius (1992) gives it this label and reviews the early phase of a line of research that makes informal use of game theoretic concepts, pioneered by Schelling (1960), Walton and McKersie (1965), and Raiffa (1982). The latter two attempt to identify all key dimensions of a negotiation. Lax and Sebenius (1986) and Odell (2000) build further on those foundations. Sebenius uses *negotiation analysis* to mean a prescriptive endeavor based on accurate description of how others behave. But much of this literature aims to explain the process using theoretical ideas and evidence. The label is used here to refer to explanatory works.

5 This concept has deep roots in the economics of bargaining and negotiation analysis: Zeuthen (1930); Fisher and Ury (1981).

6 E.g. Iklé (1964) on Western negotiations with Stalin; Wriggins (1976) on military base negotiations; Odell (2009) on WTO talks.

7 Other experiments have used experts such as realtors on the job (Northcraft and Neale, 1987) and experienced salesmen and women attending executive education programs.

8 Ulbert and Risse (2005:353) write: 'Studies on international bargaining have overwhelmingly focused on the material context of negotiations.'

9 Comment at a panel, annual convention of the International Studies Association, San Diego, March 2006.

10 For example, research in Brussels on delegates to the EU (Lewis, 2005). My field work in Geneva finds that many developing country capitals give their ambassadors only the most general instructions on WTO issues (Odell, 2009).

11 An exception is Levy (1997), which notes several problems in applying prospect theory rigorously in international relations.

12 Narlikar notes, however, that the transaction costs of operating in several issue-based coalitions at the same time may be prohibitive for many small and poor states. Lida (1988) also presents 4 hypotheses for explaining and predicting an increase in group solidarity.

13 For related work analyzing international mediation, see the special issue of *International Negotiation* 12, no. 2 (June 2007) and Bercovitch and Rubin (1992).

14 Research on economic sanctions' effectiveness in influencing other governments (Baldwin, 1985; Hufbauer et al., 2007) overlaps negotiation analysis, yet little effort has been made to explore this intersection.

15 This extensive rationalist bargaining literature could fill much more space. See the chapter on rational choice, Zagare and Slantchev (2010), Danilovic and Clare (2010), Kydd 2010, and Powell 2002.

16 See special 2010 issue of the *Journal of European Public Policy* (17:5), Panke (2010), and Elgström and Jönsson (2005). Other examples are found in other sections of this essay.

17 This article defines negotiation analysis as a view that expects only distributive behavior; integrative behavior is omitted.

18 See Sebenius (2002) for cautions about emphasizing culture.

19 This section draws on Weiss (2006).

20 Walton and McKersie (1965: chap. 9) identify the dilemma; Odell (2000: chap. 5) illustrates it with an international negotiation between Mexico and the United States.

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