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Anchoring in integrative negotiations

Why negotiators should refrain from using it.

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Research seems to suggest that making an informed first offer leads to competitive success in distributive negotiation. However, not all negotiations are one-issue distributive affairs. Would you recommend using anchoring in nondistributive negotiation?

Introduction

Negotiations are everywhere. Every day, everyone negotiates. Knowing when to use a widely spread technique such as “anchoring” and when to refrain from its use can turn out to be crucial for the success of a negotiation. Research suggests that making an informed first offer leads to competitive success. However, as we will see, most of the conducted studies supporting this finding were set in one issue distributive settings. Many negotiations though, are not merely one issue distributive but rather involve many aspects and are integrative in nature. In fact, most negotiations in life have multiple facets. They include dimensions like relationship, reputation, legitimate basic human needs such as security, recognition, sense of belonging and control over one’s life¹. They offer the possibility to reach a “win-win” outcome in an integrative negotiation. Yet, despite integrative negotiations arguably representing most of every day’s negotiations and anchoring being a widely used technique in negotiations, there seems to be a lack of research combining both. In fact, with few exceptions², the phenomenon of anchoring and its consequences particularly on integrative negotiations has not intensively been researched.

In this essay, after defining the main terms (B.) I will outline some conceivable advantages (C.) of using anchoring in integrative negotiations. Ultimately though, I will argue that anchoring brings three main disadvantages (D.) to the integrative approach, as it does not contribute to a principled negotiation, hurts the relationship between the negotiating parties and is inefficient. Therefore, I recommend not using anchoring in integrative negotiations. I conclude (E.) by recalling the main take away points and limitations of the essay but suggest a future study to be conducted.

Defining the main terms

Distributive negotiations

A one-issue distributive negotiation is a type of negotiation where the involved parties attempt to divide a fixed number of resources, the famous “fixed pie”. Distributive negotiations are therefore often referred to as “conflictual”, “competitive”, “zero-sum”, “win-lose” and “positional bargaining negotiations”³, as any gain by one side is matched by a corresponding loss on the other side. In these types of negotiations secrecy, a lack of transparent communication and distrust are common.

¹Roger Fisher, William Ury and Bruce Patton, *Getting to Yes: Negotiating Agreement without Giving In* (2nd ed, Penguin Books 1991) 48.

²Ashleigh Shelby Rosette, Shirli Kopelman and JeAnna Lanza Abbott, ‘Good Grief! Anxiety Sours the Economic Benefits of First Offers’ (2014) 23 *Group Decision and Negotiation* 629, 629.

³Ole Elgström and Christer Jönsson, ‘Negotiation in the European Union: Bargaining or Problem-Solving?’ (2000) 7 *Journal of European Public Policy* 684; Fisher, Ury and Patton (n 1); David A Lax and James K Sebenius, *3-D Negotiation: Powerful Tools to Change the Game in Your Most Important Deals* (Harvard Business School Press 2006).

As summarized by *Frenhoff Larsén and Khorana*⁴ “withholding a certain amount of information is deemed necessary not to reveal your bottom line and avoid exploitation by the other party, which might try to gain distributional advantages at your expense. This approach of keeping one’s cards close to the chest is clearly less conducive to trust building”. Simply put, the goal of distributive negotiation is to maximize one's own gain while minimizing the gain of the other party. A typical example would be a bargaining situation over the price of a used car, in which the seller seeks the highest price possible and the buyer naturally the lowest price possible.

Non-distributive or Integrative Negotiations

On the “other polar end of the negotiation spectrum”⁵ one can find an integrative approach to negotiations. Commonly referred to as ‘problem-solving’, ‘non-distributive’, ‘collaborative’, ‘win-win’ or ‘principled negotiation’⁶, integrative negotiations focus on finding solutions that meet the interests of all parties involved. Integrative negotiators approach a negotiation in an open and transparent way with a strong focus on identifying interests rather than positions, whereby interests are underlying desires, needs, concerns and fears⁷. As *Larsén and Khorana*⁸ put it, “Negotiators are willing to share information about their true interests with each other, thus increasing the chances of identifying agreements that benefit both parties”. The maintenance of trust and long-term relationship has high priority for negotiations following an integrative approach⁹.

Anchoring

Finally, the negotiation technique called “anchoring” refers to a situation where one of the parties, mostly the party putting forward the first offer, lays down an “anchor”. An anchor in that respect is a first grounding offer from which the responding party adjusts to formulate its counteroffer¹⁰. Numerous studies have shown that anchoring influences the other party's perception of the value or importance of a particular item or issue and thus serves as a reference point for further negotiation. Evidence suggests that the influencing effect is in favour of the party presenting the first offer¹¹.

As concisely summarized by *Maaravi et alia.*¹², anchoring effects have been tested and replicated in many different settings and contexts such as general knowledge questions such as the percentage of African countries in the United Nations¹³, real estate evaluations¹⁴, judicial verdicts¹⁵ and negotiations¹⁶.

⁴‘Negotiating Brexit: A Clash of Approaches?’ (2020) 18 *Comparative European Politics* 858, 871.

⁵ibid 859.

⁶Max H Bazerman, Thomas Magliozzi and Margaret A Neale, ‘Integrative Bargaining in a Competitive Market’ (1985) 35 *Organizational Behavior and Human Decision Processes* 294; Fisher, Ury and Patton (n 1); Frenhoff Larsén and Khorana (n 4); Lax and Sebenius (n 3).

⁷Fisher, Ury and Patton (n 1) 40.

⁸(n 4) 860.

⁹ibid 860.

¹⁰Yossi Maaravi, Asya Pazy and Yoav Ganzach, ‘Winning a Battle but Losing the War: On the Drawbacks of Using the Anchoring Tactic in Distributive Negotiations.’ (2014) 9 *Judgment and Decision Making* 548, 548.

¹¹Amos Tversky and Daniel Kahneman, ‘Judgment under Uncertainty: Heuristics and Biases: Biases in Judgments Reveal Some Heuristics of Thinking under Uncertainty.’ (1974) 185 *Science* 1124, 1128.

¹²(n 10) 548.

¹³Tversky and Kahneman (n 11).

¹⁴Gregory B Northcraft and Margaret A Neale, ‘Experts, Amateurs, and Real Estate: An Anchoring-and-Adjustment Perspective on Property Pricing Decisions’ (1987) 39 *Organizational Behavior and Human Decision Processes* 84.

¹⁵Birte English, Thomas Mussweiler and Fritz Strack, ‘Playing Dice With Criminal Sentences: The Influence of Irrelevant Anchors on Experts’ Judicial Decision Making’ (2006) 32 *Personality and Social Psychology Bulletin* 188; Birte English and Thomas Mussweiler, ‘Sentencing Under Uncertainty: Anchoring Effects in the Courtroom1’ (2001) 31 *Journal of Applied Social Psychology* 1535; Piotr Bystranowski and others, ‘Anchoring Effect in Legal Decision-Making: A Meta-Analysis.’ (2021) 45 *Law and Human Behavior* 1.

¹⁶Adam D Galinsky and Thomas Mussweiler, ‘First Offers as Anchors: The Role of Perspective-Taking and Negotiator Focus.’ (2001) 81 *Journal of Personality and Social Psychology* 657.

Anchoring has been found to be robust and pervasive¹⁷. Hence, one might want to use anchoring to influence the negotiation in one's favour. It could also be used to establish a frame for the negotiation as such, when one's counterpart is helplessly uninformed or inexperienced¹⁸. It comes to no surprise that in distributive negotiations, negotiators are actually advised to make the first offer and to make it as extreme as possible, while still in the "reasonable range"¹⁹. These studies, however, have mostly been conducted in distributive settings: "how much can I get for this real estate? How many years of prison should the criminal get? How many African countries are there in the United Nations?". One either gets a high number/value/price or a low one without necessarily considering other interests or needs. Most negotiations though, have multiple underlying interests and thus are not one-issue distributive but integrative.

The following sections will therefore explore the advantages and disadvantages of anchoring in integrative negotiations.

Advantages of anchoring in integrative negotiations

Wise anchoring could help setting a cooperative tone for an integrative negotiation

As we will see in greater depth later, making an anchored offer that is far from what the other party is expecting or estimates the issue to be valued, may send a non-cooperative message. In other words, the tone struck from the very beginning of the negotiation might be perceived as confrontational leading to tensions amongst negotiators. On the other hand, if the initiating party wisely anchors closer to an objective value that would satisfy both parties, this could set a collaborative tone. It could send a message of cooperation. It could signal one's willingness to find a mutually beneficial agreement which would be fruitful for all parties. Indeed, cooperation and collaborative messages are key for a strong trust building relationship on which an integrative outcome can be reached.

Anchoring can establish a clear reference point contributing to easier communication

By throwing an anchor, the anchoring party establishes a clearer reference point. In complex negotiations where multiple issues are at stake, such an anchor could help structure the negotiation by clearly communicating what the parties' expectations are and where each party stands. It may also convey a message about which issues are of high importance for the anchoring party and which are not, thus reducing the time and resources spent on finding out what the other parties cherish the most. Hence, anchoring could contribute to a clear communication which is key for any integrative negotiation.

Anchoring might help focus the negotiation

Additionally, anchoring could help reduce the complexity of the negotiation by steering the focus onto one particular issue within a multi-issue negotiation. Where negotiations include multiple issues the flow of the negotiation can easily be side-tracked or distracted by other points of the negotiation. Throwing multiple issues here and there can lead to a chaotic setting where no progress is made. Throwing a deep anchor on one particular issue, however, could help focus the discussion and could lead to step-by-step progress thus making the overall negotiation more efficient.

Whilst wise anchoring could convey a message of cooperation and help structure and focus the negotiation, it still brings major disadvantages to the overall principled negotiating approach.

Disadvantages of anchoring in integrative negotiations

The disadvantages of using anchoring in integrative negotiations can be grouped into three main arguments:

¹⁷Thomas Mussweiler and Fritz Strack, 'The Semantics of Anchoring' (2001) 86 *Organizational Behavior and Human Decision Processes* 234, 234, 238; Maaravi, Pazy and Ganzach (n 10) 548.

¹⁸Lax and Sebenius (n 3); Simone Moran and Ilana Ritov, 'Initial Perceptions in Negotiations: Evaluation and Response to 'Logrolling' Offers' (2002) 15 *Journal of Behavioral Decision Making* 101.

¹⁹Maaravi, Pazy and Ganzach (n 10) 548.

I. Anchoring in integrative negotiations does not contribute to a principled negotiation using objective standards.

II. Anchoring in integrative negotiations hurts the relationship and lastly, III. Anchoring in integrative negotiations is inefficient.

Anchoring in integrative negotiations does not contribute to a principled negotiation

An integrative outcome that meets the interests of all parties involved, is well served when following a principled negotiation. As *Fisher, Ury and Patton*²⁰, a principled negotiation includes a strong focus on interests, not positions, the willingness and ability to invent options for mutual gain, and finally the firm use of objective criteria. Anchoring impedes all these elements.

Back to positional bargaining

Although anchoring gives the parties a reference point, focus and a frame from which the negotiation could start in a timely manner (see section B. I. and II.), it ultimately brings the negotiation back to positional bargaining. When presented with an anchor, the counterparty will – unless they identify the move as an anchor and decide not to play the bargaining game - respond with a counter-anchor. This could trigger a chain reaction of anchoring and counter anchoring which elevates the negotiation to a mere “bargaining tango” losing sight of what really matters: the underlying interests.

Leads to a lack of creativity necessary for mutual gain

Negotiators who find themselves in a purely distributive negotiation, in which there are only fixed resources to be distributed (the famous “fixed pie”) are used to employ anchoring tactics, as they can expect overall better results (see supra in the introduction). Hence, anchoring is arguably strongly assimilated to the setting of a distributive negotiations and the concept of a fixed pie. If a negotiator now uses anchoring in an integrative negotiation, he runs the risk of reactivating his old bargaining habits and reinforces the idea of a fixed pie. Yet, research suggests that multi-issue negotiations often fail to reach integrative agreements because of the “fixed-pie bias” in which negotiators assume that the parties’ interests are diametrically opposed²¹. This bias often prevents parties from finding mutually beneficial tradeoffs²². Simply put, anchoring arguably inhibits creativity as parties’ attention is redirected to the anchor (a number, price, grade etc.) and not to the underlying interest. Once again, a principled and integrative negotiation, however, should do exactly that: find the underlying legitimate interests of all parties concerned.

An anchor is not an objective criterion

Objective criteria contribute to an amicable and fair negotiation. An agreement constructed around objective criteria will be less vulnerable to attack and there is less risk that either negotiator will feel harshly treated or will later try to repudiate the agreement²³. Anchors however are not based on precedents nor are they independent of each side’s will. On the contrary, they are one sided and given by the first offeror, mostly to manipulate his negotiating party. Therefore, as the expression of a subjective as opposed to objective position, they contribute to making the overall agreement more vulnerable to later rejections.

Anchoring in integrative negotiations hurts the relationship and increases dissatisfaction

Anchoring risks alienating the parties

Once anchoring and counter anchoring starts the relationship between the parties is likely to suffer. Anger, resentment, hostility, frustration, and incomprehension are expected to grow. Depending on the extremity of the anchor, parties might aggressively cry out and ask “Is my work, effort, ‘handcrafted’ product that cheap for you?” or

²⁰(n 1).

²¹Bazerman, Magliozzi and Neale (n 6) 309; Leigh Thompson and Reid Hastie, ‘Social Perception in Negotiation’ (1990) 47 *Organizational Behavior and Human Decision Processes* 98, 117; Moran and Ritov (n 18) 104.

²²Moran and Ritov (n 18) 104.

²³Fisher, Ury and Patton (n 1) 83.

“Do you think I am so stupid as to agree on such extreme and unacceptable prices, positions, proposals etc...?”. Especially, experienced negotiators can easily unveil anchoring as being a manipulative method impeding the trust building process. Bearing in mind that different parties have different values, traditions, customs, backgrounds the risk of offending the negotiation partner and hurting the relationship is not to be underestimated. An extreme first offer hence may insult the other party and / or lead the counter-party to believe no agreement is possible²⁴.

Anchoring delivers an uncooperative communication

A central part of every negotiation is communication. Whilst in distributive negotiation communication can limit itself only to the single issue at stake (for example the price), an integrative approach needs careful communication to build trust for a working relationship in which the principled negotiation can take place. Communication means interpretation and thus ascribing meaning to messages transmitted during the negotiation²⁵. As *Moran and Ritov* point out²⁶, “research has shown that inducing initial expectations for cooperation rather than competition enhances problem solving abilities and cognitive flexibility²⁷.” For *Moran and Ritov* this implies „that interpretation of initial negotiation messages as competitive or cooperative might affect the negotiator’s ability to detect integrative potential and to perceive that trade-offs are possible“. Whilst a wisely dropped anchor close to a mutually acceptable value might convey a message of cooperation (see section B. I), this could turn out to be very risky. For one, it is extremely difficult to know how the receiving party will react. They might react differently to what is expected. For another, most of the time the anchor will be dropped wrongly. Yet, the moment any anchor is dropped the negotiation is framed as a contest of will. A constant battle for dominance that threatens a relationship. The quest for dominance is per se uncooperative.

Bearing in mind that human interactions including negotiation are subject to the norm of reciprocity²⁸ cooperative behavior could induce cooperative answers. Uncooperative behavior, however, would consequently provoke uncooperative behavior. In sum, anchoring may be understood as uncooperative and would in turn, following the rule of reciprocity, result in a uncooperative responses from the counterpart. This does not contribute to an integrative negotiation where cooperation is key.

Logrolling doesn’t help

Now, what if the negotiators chose to concede on low priority issues in exchange for anchoring and thus gaining on higher priority issues? This negotiation technique is referred to as logrolling²⁹. Repeated logrolling could be interpreted as a “signal of cooperation on the part of the initiator” and additionally, provide information on the parties’ different priorities and thus contribute to mutual beneficial trade-offs³⁰. These proposed hypotheses, however, were not supported by research conducted. On the contrary, logrolling offers were not necessarily judged more attractive than distributive ones, and they did not seem to affect the deeply rooted fixed-pie assumption³¹. Research even goes so far as to say that distributive offers were rated as more attractive by their recipients than logrolling ones³².

²⁴John M Oesch and Adam D Galinsky, ‘First Offers in Negotiations: Determinants and Effects’ [2003] SSRN Electronic Journal 143 <<http://www.ssrn.com/abstract=399722>> accessed 17 December 2022.

²⁵Moran and Ritov (n 18) 103.

²⁶ibid 103.

²⁷Peter J Carnevale and Tahira M Probst, ‘Social Values and Social Conflict in Creative Problem Solving and Categorization.’ (1998) 74 Journal of Personality and Social Psychology 1300, 1307.

²⁸Alvin W Gouldner, ‘The Norm of Reciprocity: A Preliminary Statement’ (1960) 25 American Sociological Review 161; James A Wall, ‘Operantly Conditioning a Negotiator’s Concession Making’ (1977) 13 Journal of Experimental Social Psychology 431; Laurie R Weingart and others, ‘TACTICAL BEHAVIOR AND NEGOTIATION OUTCOMES’ (1990) 1 International Journal of Conflict Management 7.

²⁹Moran and Ritov (n 18) 101.

³⁰ibid.

³¹ibid.

³²ibid 110.

Anchoring could damage reputation

The repeated use of anchoring can influence one's reputation of being a distributive negotiator. In multi-issue negotiations however, the counter-party naturally wants to avoid a distributive approach. They mostly aim for a cooperative and integrative negotiation which has integrative negotiators at its centre. If one is known to be a distributive negotiator, this could easily prevent the other negotiating party to start an integrative negotiation. At a minimum, it makes trusting each other more difficult, which is not a good sign for an integrative negotiation. In fact, research shows that parties, whose counterparts had a distributive reputation judged these counterparts' intentions in a more negative light and used more distributive and fewer integrative tactics than the control group novices. This resulted in lower joint gains in the distributive reputation condition than in the control condition. Notably, more experienced negotiators were able to extract more individual value from the deal, but not when they had a reputation for being distributive. In other words, the fictitious distributive reputation prevented participants from capitalizing on their real negotiation expertise advantage³³.

Anchoring in integrative negotiations is inefficient and a waste of time

Dancing tango is nice, but inefficient

As shown, anchoring risks elevating the negotiation back to a bargaining state where anchors and counter anchors are proposed. Although I personally like dancing tango – both the actual and the metaphorical dance – going back and forth is time consuming. The more extreme the opening positions and the smaller the concessions, the more time and effort it takes to discover whether or not agreement is possible³⁴. Moreover, rebuilding a working relationship after having partially damaged it by anchoring is not easy either. In fact, this too takes time. As *Fisher et alia*. rightly point out, it is far easier (and thus arguably more efficient) to deal with people when having a good relationship and when both have agreed on objective standards³⁵.

Anchoring Multi party negotiation

Agreeing with your partner where to eat is relatively simple. “Yes? No! Maybe. Okay, let's go for this one”. Agreeing with your partner and your partner's family and friends and then doing the same on your side, however, is almost an impossible task. Not only do interests and positions vary, but there are many of them. As in the United Nations conference example given by *Fisher et alia*.³⁶, in these situations parties tend to form coalitions. Once a coalition is formed and has agreed on a specific value, price, position or restaurant (which in itself again is not an easy task), any moves become ever more difficult to undertake during a negotiation with the other party's coalition. The same applies to anchoring in multi-party situations. What is the common bottom line? What anchor should the coalition set? Should concessions be allowed and if so to what extent? Instead of bringing all the parties together around a table and resolving the issue in a principled manner based on objective criteria and interests, time goes by without significant result leaving all parties disappointed at the end of the day. Unfortunately, one gets the impression that this is an everyday practice in international relations.

Conclusion

This essay aimed at showing why anchoring in integrative negotiations should not be used. The main take away points are that anchoring in an integrative setting does not contribute to a principled negotiation as it brings back positional bargaining, impedes creativity for mutual gains, and does not constitute as such an objective criterion. Furthermore, anchoring has a negative impact on one's reputation and on the relationship of the negotiating parties as it may convey a message of non-cooperation. Logrolling does not change anything to that. Finally, anchoring is seen to be inefficient in integrative negotiations. These disadvantages rebuff the given advantages to anchoring in an integrative negotiation.

³³Catherine H Tinsley, Kathleen M O'Connor and Brandon A Sullivan, 'Tough Guys Finish Last: The Perils of a Distributive Reputation' (2002) 88 *Organizational Behavior and Human Decision Processes* 621, 621.

³⁴Fisher, Ury and Patton (n 1) 6.

³⁵ibid 83.

³⁶ibid 7.

This essay tried to tackle the gap of in-depth research with regards to the use anchoring in integrative settings. In practical terms, it can help negotiators understand when and why to refrain from using the anchoring technique. The limitations of the paper are evidently the lack of own studies and data. However, this endeavour was explicitly not to be undergone. Yet, I suggest a study to be undertaken. Particularly, a situation in which negotiating partner have both have negotiated in an integrative manner without anchoring until the end and have come to a principled agreement but in which one of the negotiating partners last minute asks for “one small, last thing” in which he then uses an extreme anchor. It would be of great interest to see whether the counterparty accepts it in the spirit of “ok, let’s get this done with in good faith”, or if such a last-minute anchor leaves a lasting impression which would negatively influence future relations which may play an important role in integrative negotiations.

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