

Extending and testing a five factor model of ethical and unethical bargaining tactics: introducing the SINS scale

ROBERT J. ROBINSON^{1*}, ROY J. LEWICKI²
AND EILEEN M. DONAHUE³

¹*Harvard Business School, Boston, U.S.A.*

²*Max Fisher College of Business, The Ohio State University, Columbus, U.S.A.*

³*Department of Psychology, Wellesley College, U.S.A.*

Summary

Using a questionnaire derived from previous research, MBA students in a semester-long negotiation course rated 30 deceptive negotiation tactics on a 7-point appropriate–inappropriate scale. Factor analysis of these ratings yielded five primary factors (replicating previous findings) representing a lay model of unethical tactics in negotiation contexts. The emergent factors are: I, traditional competitive bargaining; II, attacking an opponent's network; III, misrepresentation/lying; IV, misuse of information; and V, false promises. The five factors may be reliably measured using a 16-item questionnaire, introduced here, called the 'Self-reported Inappropriate Negotiation Strategies Scale', (or SINS scale). Analyses of scale ratings by participant demographics yielded some interesting results including: a tendency for women to be more averse to questionable tactics than men; a greater willingness for self-rated 'competitive' individuals to endorse such tactics; and differences in willingness to endorse tactics according to variables such as undergraduate major, years of work experience, and nationality. Willingness to endorse less ethical tactics did not directly relate to actual negotiation performance. Directions for future research, and further uses of the SINS scale, are discussed. Copyright © 2000 John Wiley & Sons, Ltd.

Introduction

Lax and Sebenius (1986) define negotiation as 'a process of potentially opportunistic interaction by which two or more parties, with some apparent conflict, seek to do better through jointly decided action than they could otherwise' (p. 11). While volumes of research have been conducted on the ways that negotiating parties manage the conflict dynamics and process of 'jointly decided action', less emphasis has been given to the 'potentially opportunistic' component of the negotiation process. Many authors on negotiation (e.g., Pruitt, 1981; Fisher and Ury, 1981)

* Correspondence to: Robert Robinson, Harvard Business School, Baker West 286, Soldiers Field, Boston, MA 02163, U.S.A.
E-mail: RRobinson@HBS.edu

seek to frame negotiation as a cooperative, integrative process. However, other research (e.g., Thompson and Hastie, 1990) shows that parties consistently approach negotiation expecting the interests of the other to be completely opposed to their own. Given the presumption of opposition of interests, it is not surprising that many negotiators will attempt to seek whatever 'opportunistic' advantage may be available. Since information is a major source of power in negotiation (Lewicki *et al.*, 1994), control (and manipulation) of information may give the negotiator this significant opportunistic advantage. This paper reports on further efforts to determine how negotiators view unethical negotiating tactics—particularly tactics employing deception—as appropriate vehicles for gaining opportunistic advantage.

This paper will pursue four objectives. First, we will summarize the earlier work of Lewicki and Start (1996) and Lewicki and Robinson (1998) and their efforts to understand how negotiators view unethical tactics, and the dominant 'clusters' of tactics that have emerged from their analyses. We extend this work by introducing a repertoire of marginally ethical tactics that builds on the most recent writing in negotiator ethics and is significantly more expansive and comprehensive than earlier lists. Second, we report the results of our efforts to test the conceptual integrity and validity of this expanded repertoire, and compare it to the five-factor model of ethical behavior in negotiation reported in earlier research. Third, we will describe the abbreviated 16-item scale obtained by this process, which we have called the 'Self-reported Inappropriate Negotiation Strategies scale', (or SINS scale), and report on its psychometric properties, including reliability data. Finally, we will describe how the SINS scale differentiates between our sample with regard to demographic and personal variables, and report on the effectiveness of the instrument in predicting actual negotiator performance in a series of scorable negotiation simulations.

Evolution of the SINS scale

Lewicki (1983) proposed five categories of lying in negotiation: (1) misrepresentation of position to the opponent (the negotiator lies about his or her preferred settlement point or resistance point); (2) bluffing (the negotiator falsely states intentions to commit an action); (3) falsification (erroneous and factually incorrect information is introduced as though it were true); (4) deception (a collection of arguments are made that lead the opponent to draw an incorrect conclusion or deduction); and (5) misrepresentation to constituencies (partial truths, or complete untruths, are told in representing other parties in the negotiating relationship). These categories were inductively developed from earlier works on the ethics of deception (e.g., Sissela Bok's *Lying*, 1978), several early empirical studies on deception in negotiation (e.g., Chertkoff and Baird, 1971), case studies on deceptive practices (e.g., the Harvard Business School case *Devon Industries*¹) and interviews conducted with students and executives about the types of deception and misrepresentation that had occurred in managerial negotiations. In a study designed to explore the conceptual validity of these categories, Anton (1990) demonstrated that they were indeed perceived differently, and that age, gender and occupational differences led to different perceptions of the categories. However, considerably more sophisticated empirical work was necessary. Based on different types of lying and deception that had been reported in both research and trade literatures, and self-reports of students and executives, an 18-item questionnaire was developed. The purpose of this questionnaire was to determine the perceived appropriateness of marginally ethical tactics in a 'neutral' negotiating context, and the willingness of respondents to

¹ HBS Case reference no. 9-175-247 and 9-175-248.

Table 1. Comparison of 'Categories' of dishonesty in negotiation

Lewicki (1983)	Anton (1990)	Lewicki and Stark (1996) Lewicki and Robinson (1998)
Misrepresentation of value to opponent	Misrepresentation of value	Traditional competitive bargaining
Bluffing	Bluffing	Bluffing
Falsification	Falsehood	Misrepresentation to opponent
Deception	Deception	
Misrepresentation to constituencies		Misrepresentation to constituency Misrepresentation to opponent's network Inappropriate information gathering

use those tactics. Results from various studies that have employed this questionnaire can be found in Lewicki and Spencer (1991, paper presented at the Academy of Management, Miami, August); Lewicki and Stark, 1996; and Lewicki and Robinson, 1998. In the second and third papers, data from 1100 respondents permitted the authors to propose five key factors which paralleled (but differed from) the Lewicki (1983) categories, and effectively accounted for the items in a coherent and useful manner. These factors were: (1) misrepresentation; (2) traditional competitive bargaining; (3) bluffing; (4) misrepresentation to opponent's network (telling lies about one's opponent to superiors, co-workers, friends, etc.); and (5) inappropriate information collection (trying to get hold of information one is not entitled to). (See Table 1 for a comparison of the Lewicki (1983) categories with these factors.)

Recent writing by philosophers on negotiator ethics (e.g., Dees and Crampton, 1991; Carson, 1993; Crampton and Dees, 1993) pointed to other, more subtle forms of deception, and led us to question the comprehensiveness of the 18 items that served as the basis of the five factor solution. Based on a number of more subtle and discernible types of deceptive tactics discussed by these authors which were not specifically addressed in our 18-item scale, we decided to test the viability of our own framework with an expanded, more inclusive list of tactics. Combining our earlier work with theirs, we generated ten general 'categories' of deceptive tactics.² Using our existing items where possible and adding new items as necessary, we generated three items per category to yield a new 30-item scale, shown in Appendix 1 (original items from the 18-item questionnaire are also noted). The primary purpose of this exercise was to explore the underlying factor structure of this 30-item scale and compare it with the previous factor structure.

Method

Overview

The questionnaire was administered to students enrolled in a required first-year course on negotiation analysis, prior to any in-class discussion or negotiation simulation. Participants rated

² Selective disclosure/exaggeration, misrepresentation of bottom line/position to opponent, bluffing, false promises, false threats, deception, falsification, inappropriate information gathering, misrepresentation to constituency, manipulation of opponent's network, and direct infliction of harm.

each tactic on its perceived appropriateness for use in an upcoming negotiation in an unspecified context. Statistical analyses were performed on the data, including factor-analysis of the items. Demographic and other personal information was also collected from participants, and used as independent variables in analyses described below.

Participants

Participants were 762 first-year MBA students enrolled in nine sections of a required course on negotiation analysis. The average age of our sample was 26.5 years, and they had on average 4.2 years work experience (no participant had less than two years of work experience). They were asked to complete the questionnaire described below on the first day of class, prior to any negotiation experience in the course.³

Materials and procedure

Participants provided demographic information (age, gender, ethnicity, nationality) and other personal details (educational background, work experience, prior negotiation experience). Participants were also asked to rate themselves on two separate 7-point Likert scales with regard to their belief about their personal predisposition in negotiations in terms of how 'cooperative' and how 'competitive' they believed there were (1 = not at all, 7 = extremely). Having completed these introductory sections, participants then rated each negotiation tactic on a 7-point Likert scale, indicating how appropriate they believed each tactic was to use in a negotiation (1 = not at all appropriate, 7 = very appropriate).

Negotiator performance

During the course, students participated in eight different scorable negotiation simulations. In these simulations, students were given instructions to maximize their own personal outcomes.⁴ A direct comparison of individual ethical preferences and actual performance in the simulated negotiations was thus possible.

Analyses

- Responses were analysed by factor analysis, using the Varimax procedure, in order to determine the underlying factor structure and optimal number of factors (e.g., Rummel, 1970). In addition, background and demographic data were used as independent variables, in tests for any differences in response tendencies based on variables such as gender or self-rated competitiveness and cooperativeness. Described below, between-group comparisons were performed using *t*-tests, or one-way ANOVAS. Finally, the participants' actual performance on the negotiation simulations were correlated with the emergent factors.

³ The surveys were not anonymous, but were identified only by student ID number, and students were explicitly told that under no circumstances would individual results be looked at, but that the experimenters' only interest was in aggregate data.

⁴ Simulations varied in design. Some were explicitly distributive/win-lose in nature, while in others individual gains could only be maximized by pursuing joint gains.

Results

Factor analyses of the 30-item questionnaire

Principal components factor analysis of the 30-item set yielded seven factors with eigen values greater than 1.0. The scree plot, however, indicated that a five-factor solution might be more appropriate. Varimax rotations of five-, six- and seven-factor solutions were compared on the basis of conceptual interpretability.

The five-factor solution as the most easily interpretable from the content of items, and produced factors that were similar, although not identical, to the factors reported in previous research (Lewicki and Robinson, 1998) on the 18-item set. The five-factor solution generated the following factors: 1, traditional competitive bargaining; 2, attacking an opponent's network; 3, misrepresentation/lying; 4, misuse of information; and 5, false promises.⁵

Factor analyses of the reduced item set

The analyses of the 30-item questionnaire suggested that a handful of problematic items (primarily from the misuse of information factor) might be compromising the integrity and robustness of even the five-factor solution. Therefore, two criteria were used to eliminate items. First, each item with a communality less than 0.30 was deleted, because these items were not well-represented by any of the factors. Second, items for which the primary loadings were on different factors in the five-, six- and seven-factor solutions were eliminated, except where they constituted a clear subfactor of one of the original five factors. A principal components factor analysis of the remaining 23 items yielded five factors with eigen values greater than 1, and the scree test likewise indicated that a five-factor solution was appropriate. The Varimax-rotated factors can be summarized by the labels used for the five-factor rotation of the full 30 item set, although the relative size (and therefore the order) of factors changed in the analysis of the reduced set. In order, the new factors were: 1, traditional competitive bargaining; 2, attacking an opponent's network; 3, false promises; 4, misrepresentation/lying; 5, misuse of information.

Two equally sized, randomly divided subsets of the sample were formed to test the cross-replicability of the five factors. Separate factor analyses of the two subsets each clearly yielded five factors, under both the eigen value and scree plot tests.

Scale construction

Brief scales were constructed to represent the five factors. A preliminary item pool was selected on the basis of the factor analysis of the 23-item set in the full sample. For those factors marked by primary loadings of four or more items, the four highest-loading items for each factor were selected for further item analysis. Two factors were each marked by the primary loadings of only three items, so all three items were retained for the corresponding scales. No factor was

⁵ The 6- and 7-factor solutions were quite similar to the five-factor solution. In the 6-factor solution, the items in factors 1, 3 and 5 replicated perfectly, and factor 2 almost perfectly. From the items that previously marked factor 4, two smaller factors were formed, interpretable as inappropriate information gathering, and use of erroneous information. Two factor 4 items produced primary loadings on factor 2, but retained secondary loadings on one or both of the two new factors. In the 7-factor solution, the items that previously formed factor 1 split into two factors; however, the resulting factors could not be interpreted as conceptually distinct. Of seven items that previously loaded on factor 4, five formed two new factors (conceptually indistinguishable), one loaded on factor 2, and another on factor 3.

represented by more than one item that carried a secondary loading greater than 0.30 on any other factor. Internal consistency analyses revealed that three items were sufficient to represent each factor except misuse of information, which was better represented by four items, resulting in a total of 16 items representing all five factors. It should be noted that the factors were somewhat more broad, because the scales necessarily represent only the central core of the original factors. Cronbach's alpha coefficients for the resulting scales were: 0.73 for traditional competitive bargaining (items 12, 13, 22); 0.69 for attacking opponent's network (items 8, 15, 19); 0.67 for false promises (items 4, 14, 24); 0.68 for misrepresentation (items 6, 9, 16, 17); and 0.57 for inappropriate information gathering (items 10, 20, and 29).⁶

The five scales are conceptually distinct, but empirically correlated across individuals, pairwise correlations of scales ranged from 0.12 between traditional competitive bargaining and false promises, to 0.44 between attacking opponent's network and inappropriate information gathering. The mean interscale correlation was 0.31.

A factor analysis yielded the expected five factors, which together accounted for 59.9 per cent of the variance in the 16-item set. Every item had its highest loading on the expected factor, and no secondary loading exceeded 0.30 in magnitude. The sample was again randomly divided into two new, equally sized, subsamples for cross-validation. Separate factor analyses of the two subsamples each yielded five factors, with every item having its highest loading on the expected factor.

The results of this extensive factor analysis, scale construction, and reliability testing are summarized in Table 2, which shows the 16 items and their primary loadings in the five-factor solution of the 16-item set for the complete sample of subjects. Table 3 summarizes the means and standard deviations for each factor scale, and Table 4 gives the interscale correlations.

As can be seen from Table 2, the same fundamental factors observed in Lewicki and Stark (1996) and Lewicki and Robinson (1998) emerged from the present data. By drawing on a larger set of items which explicitly attempted to be more broad in tapping different types of deception, we are now confident that we have obtained a stable five-factor model of the typology used by lay persons in conceptualizing the structure of ethically questionable negotiation tactics. We have called the resultant 16-item inventory the Self-reported Inappropriate Negotiation Strategies (SINS) scale, and present the items in Appendix 2.

As demonstrated in Table 3, participants rated the items in certain factors as being more or less acceptable than others. Given the sensitivity of the scoring of these items to wording and context, it is not appropriate to formally compare the means of the various factor scales, since the precise relationship between the factors will obviously change depending on instance and context: However, we observe that participants rated the items in Factor 1—traditional competitive bargaining—as generally acceptable to use in negotiation (5.5 on a 7-point scale), while the remaining items on the other four factors were seen as somewhat less acceptable—particularly those in Factor 4 (misrepresentation, or lying), mean = 1.91.

SINS scale ratings and demographic and personal data

Although the primary purpose of this paper is to describe the evolution of the SINS scale, demographic and personal data gathered were useful as relevant independent variables.

⁶ Since the time this paper was written, the 16-item SINS questionnaire was administered to an independent sample of MBA students ($N = 615$). Cronbach's alpha coefficients in this sample were 0.69, 0.71, 0.75, 0.69, and 0.63, respectively. The five factors of the inventory replicated as expected.

Table 2. Items and factor loadings for the self-reported inappropriate negotiation strategies (SINS) scale*

	Factor loading
<i>Factor 1: Traditional competitive bargaining</i>	
12. Make an opening demand that is far greater than what you really hope to settle for	0.838
13. Convey a false impression that you are in absolutely no hurry to come to a negotiated agreement, thereby trying to put time pressure on your opponent to concede quickly	0.799
22. Make an opening demand so high/low that it seriously undermines your opponent's confidence in his/her ability to negotiate a satisfactory settlement	0.736
<i>Factor 2: Attacking opponent's network</i>	
8. Attempt to get your opponent fired from his/her position so that a new person will take his/her place	0.752
15. Threaten to make your opponent look weak or foolish in front of a boss or others to whom he/she is accountable, even if you know that you won't actually carry out the threat	0.779
19. Talk directly to the people who your opponent reports to, or is accountable to, and tell them things that will undermine their confidence in your opponent as a negotiator	0.671
<i>Factor 3: False promises</i>	
4. Promise that good things will happen to your opponent if he/she gives you what you want, even if you know that you can't (or won't) deliver these things when the other's cooperation is obtained	0.805
14. In return for concessions from your opponent now, offer to make future concessions which you know you will not follow through on	0.782
24. Guarantee that your constituency will uphold the settlement reached, although you know that they will likely violate the agreement later	0.598
<i>Factor 4: Misrepresentation</i>	
6. Intentionally misrepresent information to your opponent in order to strengthen your negotiating arguments or position	0.673
9. Intentionally misrepresent the nature of negotiations to your constituency in order to protect delicate discussions that have occurred	0.702
16. Deny the validity of information which your opponent has that weakens your negotiating position, even though that information is true and valid	0.621
17. Intentionally misrepresent the progress of negotiations to your constituency in order to make your own position appear stronger	0.684
<i>Factor 5: Inappropriate information gathering</i>	
10. Gain information about an opponent's negotiating position by paying your friends, associates, and contacts to get this information for you	0.582
20. Gain information about an opponent's negotiation position by cultivating his/her friendship through expensive gifts, entertaining or 'personal favors'	0.702
29. Gain information about an opponent's negotiating position by trying to recruit or hire one of your opponent's teammates (on the condition that the teammate bring confidential information with him/her)	0.743

* For future use we suggest ordering the 16 items as currently numbered from lowest to highest, i.e., 4, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 22, 24, 29, as shown (renumbered) in Appendix 2.

Table 3. Means and standard deviations for the five factor scales

	Mean	S.D.
Factor 1: Traditional competitive bargaining	5.50	1.23
Factor 2: Attacking opponent's network	3.03	1.19
Factor 3: False promises	2.06	1.06
Factor 4: Misrepresentation	1.91	0.96
Factor 5: Inappropriate information gathering	2.36	1.24
All factors (16-item average)	2.97	0.77

Means are calculated from 7-point Likert-type scales, where 1 = not at all appropriate, and 7 = very appropriate.

Table 4. Factor scale intercorrelations

	Factor 1	Factor 2	Factor 3	Factor 4
1. Traditional competitive bargaining	1.00	–	–	–
2. Attacking opponent's network	0.365	–	–	–
3. False promises	0.124	0.337	–	–
4. Misrepresentation	0.229	0.390	0.287	–
5. Inappropriate information gathering	0.226	0.328	0.320	0.440

All correlation coefficients are highly significant ($p < 0.01$) due to large sample size ($n = 762$).

Comparisons based on these variables are summarized in Table 5, with the more interesting patterns briefly discussed below.

Gender, ethnicity and nationality

There were a number of between-group differences in self-rated appropriateness of negotiation tactics, as defined by various demographic variables. One of the most striking results was the comparison between men and women. On four of the five-factor scales, women were less accepting of the tactics than are men ($ps < 0.05$). Only on Factor 1—traditional competitive bargaining—was there no difference between the two groups ($t, 780 = -0.69, p = 0.50$). This result is obviously provocative, yet not simple to decipher. The fact that men and women do not differ on Factor 1 (which tends to have higher mean ratings) debunks the simplistic, stereotypical notion that women are less willing to 'bargain hard' than men. However, on the other four dimensions (which tend to have lower mean ratings) women were less willing to endorse these tactics relative to their male colleagues. This result replicates that reported by Lewicki and Robinson (1998), and might be interpreted as suggesting that women have higher thresholds than men in selecting ethically marginal negotiation tactics.

As shown in Table 5, in this sample, there were no significant differences between ethnic groups in their endorsement of tactics comprising any of the five factor scales (all $ps > 0.10$).

Nationality produced a number of interesting results, revealing that different categories of tactics were more or less favoured by participants from disparate parts of the world (all ps discussed here < 0.05). As with gender, there were no significant differences on Factor 1, but a number of differences on other factor scales were observed. In general, as shown in Table 5, subjects from western Europe emerged as more likely to endorse the ethically marginal tactics (on four of the 5 factor scales) than other groups. Subjects from the U.S.A. and Canada, despite the stereotype of the tough 'cowboy' negotiator, were far less willing to endorse tactics than were

Table 5. Comparison of various groups on the five factor scales

Group	<i>N</i> = 762	Factor 1: Trad. compet. bargaining	Factor 2: Attacking opponent's network	Factor 3: False promises	Factor 4: Misrepresentation	Factor 5: Inapprop. info. gathering	All factors: (16 items)
Means							
<i>Gender</i> ‡							
Females	225	5.45	2.82	1.76	1.62	1.93	2.73
Males	557	5.52	3.11*	2.18†	2.02†	2.53†	3.07†
<i>Ethnicity</i> §							
Asian	45	5.59	3.04	2.11	1.99	2.57	3.06
Black	36	5.35	2.80	1.94	1.81	2.13	2.80
Hispanic	25	5.69	3.16	2.08	1.73	2.39	3.03
White	408	5.55	2.99	1.87	1.89	2.23	2.91
<i>Nationality</i>							
Asia: Pacific	58	5.19	2.95 ^a	2.59 ^B	1.97	2.91 ^D	3.11
Asia: Other	34	5.61	2.99	2.50 ^B	2.04	2.44 ^e	3.11
Latin America	44	5.61	3.27	2.37 ^B	2.03	2.42 ^e	3.15
U.S.A. and Canada	492	5.55	2.96 ^a	1.87 ^b	1.83 ^c	2.21 ^d	2.89 ^f
Western Europe	63	5.37	3.42 ^A	2.27 ^B	2.23 ^C	2.80 ^{DE}	3.23 ^F
<i>Undergraduate Major</i>							
Arts	108	4.35 ^a	2.81 ^b	1.72 ^c	1.90	2.07 ^e	2.77 ^g
Business/Economics	316	5.53 ^a	3.02	2.05 ^{Cd}	1.88	2.33 ^f	2.97 ^h
Engineer/Science	175	5.48 ^a	3.16 ^B	2.21 ^C	2.00	2.58 ^E	3.09 ^G
Math/Physics	36	5.91 ^A	3.31	2.37 ^{CD}	2.07	2.75 ^{EF}	3.29 ^{GH}
Social Sciences	75	5.56	3.05	2.06 ^C	1.86	2.29 ^f	2.97 ^h
Correlations							
Age	762	−0.125†	−0.102†	−0.009	−0.111†	0.003	−0.105†
Years work experience	762	−0.118†	−0.100†	−0.032	−0.138†	−0.34	−0.125†
Prior negotiation experience	762	−0.109†	−0.006†	−0.125†	0.038†	0.46	0.025†
Cooperativeness	762	−0.132†	−0.137†	−0.141†	−0.056	−0.078*	−0.167†
Competitiveness	762	0.028	0.052	0.056	0.092*	0.074*	0.087*
Course Z-scores	762	0.049	0.075*	0.012	0.066	0.045	0.073*

* $p < 0.05$; † $p < 0.01$; ‡ Means for all subjects. Using only subjects from the U.S.A. produced the same result pattern; § U.S.A. subjects only. Only groups with large enough *N*s were reported and analyzed (e.g., two subjects reporting themselves as Native American were excluded from this analysis); || Means with uppercase superscripts (e.g., ^A) are significantly larger than means with corresponding lowercase superscripts (e.g., ^a).

participants from other parts of the world, notably western Europe, and to a less marked degree, the Asian Pacific rim. Traditional ethnic and national stereotypes of negotiation behavior emerge, according to these results, as simplistic and misleading (e.g., Graham, 1993). The existence of national differences on the SINS scale indicates that the perception of negotiation tactics is sensitive to cultural differences. However, the specific findings for particular regions of the world should be interpreted with caution; these results might be expected to differ depending on the particular countries representing each region in a sample. Much more work is required to clarify the relationship between national culture, business practices, and ethical behavior in negotiation.

Education and previous experiences

Variables dealing with the background of the participants also produced a number of striking group contrasts. The educational background of the participants offered some surprises: somewhat in contrast to the noted findings of Frank *et al.* (1993), business and economics majors did not emerge as more amoral or likely to endorse questionable tactics than students of other disciplines.⁷ Instead, math and physics majors, and to a large extent, engineers and other applied scientists, emerged as more likely to endorse the negotiation strategies, particularly when compared to arts, business, and economics majors.⁸

Other aspects of participants' backgrounds also emerged as diagnostic of their attitude toward the acceptability of various tactics. In general, age was negatively correlated with tactic endorsement, as was years of prior work experience. It seems that the older people are (at least for this rather restricted sample of young adults), and the more experience they have had working, the more wary they are of potentially unethical bargaining tactics.

Prior negotiation experience produced an interestingly mixed result. Participants with more prior experience with negotiation (along with older and longer working individuals) tended to score lower on the scale for Factor 1—traditional competitive bargaining ($r = -0.109, p < 0.05$). However, this same set of more experienced individuals also tended to score higher on Factor 3—false promises, ($r = 0.125, p < 0.05$). It is possible that experience had shown this group of individuals that this class of tactic was either less ethically troubling (or more effective, or both), than less experienced individuals might assume.

Cooperative versus competitive disposition

One of the more important distinctions in the negotiation literature over the years dealing with personal orientation toward bargaining has been that of a basically cooperative versus basically competitive approach (e.g., Ruble and Thomas, 1976; Rahim, 1983). Participants completed two separate 7-point Likert-type scales indicating how cooperative and competitive they considered themselves in negotiation contexts. As the correlations in Table 5 show, the tendencies were for more self-rated cooperative individuals to be less willing to endorse tactics, and to a somewhat lesser extent, for more self-rated competitive individuals to be more likely to endorse tactics.

⁷ Frank *et al.* (1993) used a significantly different methodology and comparison procedure (and looked specifically at economics majors, not the combined category of business and economics used here); the present results are thus not intended as a direct comparison, or refutation of their findings.

⁸ Obviously, these participants are business students with backgrounds in various disciplines, and are not career professionals in such disciplines. The results should be reviewed with this in mind.

Endorsement of tactics and negotiation performance

Perhaps the single most important applied question surrounding this line of research is whether or not people who are more willing to engage in questionable negotiation tactics actually enjoy an advantage, as measured by outcome, over individuals who are less willing to employ such tactics. This study allowed a preliminary look at this question. We were unable to systematically match more cooperative subjects with more competitive ones, or more 'moral' individuals with less moral ones, etc., but we were able to compare the performance of students in scorable negotiation simulations with their questionnaire responses. Participants engaged in eight such simulations over the course of the semester; with their scores on each exercise being converted to a *z*-score which was aggregated for all exercises to form a course *z*-score for each subject.

As shown in Table 5, there was very little evidence that willingness to endorse tactics translated into any specific negotiation advantage. While there was a slight positive correlation between the overall willingness to endorse tactics and *z*-scores ($r = 0.073, p < 0.05$), the design limitations of this study make it impossible to make much of this.⁹ Certainly, this is a question which strongly calls for further investigation.

Discussion

The present study culminates one line of research, and opens the door to several new questions. First, we believe that we have soundly established the underlying factor structure of the categories of unethical bargaining tactics, as reported by negotiation students with a fair amount of management experience. Using a large sample, we have replicated the basic five-factor structure observed in earlier studies with somewhat different items. After using an extensive scale construction procedure, we have paired the items required to produce this structure down to 16, having experimented earlier with 18 and 30 items. This result—the SINS scale—discriminates between five categories of negotiation behavior which range from tactics which are perceived as highly appropriate, to those perceived as highly inappropriate.

Second, there clearly is a hierarchy of ethical versus unethical behavior in negotiation. Subjects are apparently comfortable, for the most part, with traditional 'tough but fair' tactics like claiming to have a limited budget, or pretending to have other options. They are less comfortable with other sorts of tactics, especially outright lying, which is deemed to be highly inappropriate. While various tactics will doubtless vary in their absolute acceptability with situation and context, the basic structure of these factors seems extremely robust and pervasive.

Third, attitudes on the SINS scale demonstrate intriguing relationships to differences in demographic categories of respondents, such as gender, background and national origin. For example, while this study generally replicated earlier results on gender and background from Lewicki and Robinson (1998), that paper noted differences in item ratings between MBA students from Harvard and Ohio State Universities. Further research should secure more balanced samples of men and women, different populations, and representatives of different cultures, to more thoroughly probe these differences, and to tie these results to literature which

⁹ A correlation of 0.073 is only significant here due to the very large sample size. In terms of effect size, this is at best a negligible finding. The *z*-scores for each of the eight individual exercises were also similarly analyzed, with none producing a correlation higher than 0.073, and only one being significant at the 0.05 level. There was also no observable order or learning effect such as, for example, those exercises at the beginning of the semester showing a higher correlation between negotiation performance and endorsement of tactics.

explores the impact of gender, occupation and culture differences on ethical orientations and judgments.

Fourth, in this study, willingness to endorse tactics is apparently unrelated to actual negotiation performance. A great deal of additional work needs to be done to pursue the validity of this finding. First, further analysis of the current data base may discover specific relationships between certain item ratings and performance in specific simulations. Second, experimental simulations may need to be developed which measure the use and effectiveness of employing specific tactics. Third, experimental parameters in those simulations can be varied, to determine whether differences in power between the parties, or who uses the tactics first, or the social context in which the problem is framed, tend to drive tactic use. A scenario to enable testing of these contextual differences is now in preparation. Indeed, the issue of context is critical, since different 'types' of negotiations likely make different tactics more or less acceptable. It may well be that there are identifiable dimensions along which negotiation types vary, leading to a predictive, and prescriptive, model as to what sorts of tactics are likely to be perceived as acceptable or unethical in any given situation.

Finally, while the SINS scale is a strong vehicle for research, it also has clear pedagogical value. The more intriguing research findings presented here call for further investigation, but may also be highly effective in promoting discussion of the thorny issue of ethics in negotiation in the classroom. For example, the persistent finding that women and men score very similarly on traditional competitive bargaining, but that women are markedly less accepting of all other classes of tactics, could serve as an enticing topic for classroom discussion. Similarly, the cross-national differences in perspective which exist offer interesting ways of thinking about, and discussing the slippery question of how cultural differences may really affect actual negotiation behavior (see Weiss, 1994, for an excellent review of this work).

Beyond the further surveying of attitudes however, even more basic work within the field of ethics in negotiating awaits. The five factors identified by the SINS scale may be a powerful tool for coding actual behavior in negotiation situations, and for developing a more complete understanding of how it is that certain behaviors come to be seen as misrepresentation or lying, while others are judged less reprehensible, such as withholding or slanting of information. The mediating variables affecting this underlying set of factors must also be examined: for example, do so-called 'social accounts' (Bies, 1989) affect the degree to which certain behaviors are deemed to be less or more moral? Indeed, the actual correspondence of the attitude-based factors discussed here with actual behavior in the highly interactive context of negotiation is an area which appears to offer fruitful avenues for further investigation.

References

- Anton RJ. 1990. Drawing the line: an exploratory test of ethical behavior in negotiation. *The International Journal of Conflict Management* 1: 265–280.
- Bies R. 1989. Managing conflict before it happens: the role of accounts. *Managing Conflict: An Interdisciplinary Approach*, Rahim MA (ed.). Praeger: New York; 89–91.
- Bok SL. 1978. *Lying: Moral Choice in Public and Private Life*. Pantheon: New York.
- Carson T. 1993. Second thoughts about bluffing. *Business Ethics Quarterly* 3: .
- Chertkoff JM, Baird SL. 1971. Applicability of the big lie technique and the last clear chance doctrine in bargaining. *Journal of Personality and Social Psychology* 20: 298–303.

- Crampton PC, Dees GJ. 1993. Promoting honesty in negotiation: an exercise in practical ethics. *Business Ethics Quarterly* 3: 359–394.
- Dees GJ, Crampton PC. 1991. Shrewd bargaining on the moral frontier: toward a theory of morality in practice. *Business Ethics Quarterly* 1: 135–167.
- Fisher R, Ury W. 1981. *Getting to Yes*. Houghton Mifflin: Boston.
- Frank RH, Gilovich T, Regan DT. 1993. Does studying economics inhibit cooperation? *Journal of Economic Perspectives* 7: 159–171.
- Graham J. 1993. The Japanese negotiating style: characteristics of a distinct approach. *Negotiation Journal* 9: 123–140.
- Lax DA, Sebenius JK. 1986. *The Manager as Negotiator*. Free Press: New York.
- Lewicki RJ. 1983. Lying and deception: a behavioral model. *Negotiating in Organizations*, Bazerman MH, Lewicki RJ (eds). Sage Publications: Beverly Hills, CA.
- Lewicki RJ, Litterer J, Minton J, Saunders D. 1994. *Negotiation*, 2nd edn. Richard D. Irwin: Burr Ridge, IL.
- Lewicki RJ, Robinson R. 1998. A factor analysis study of ethical and unethical bargaining tactics. *Journal of Business Ethics* 18: 211–228.
- Lewicki RJ, Stark N. 1996. What's ethically appropriate in negotiations: an empirical examination of bargaining tactics. *Social Justice Research* 9: 69–95.
- Pruitt D. 1981. *Negotiation Behavior*. Academic Press: New York.
- Rahim A. 1983. A measure of styles of handling interpersonal conflict. *Academy of Management Journal* 26: 368–376.
- Ruble T, Thomas K. 1976. Support for a two-dimensional model of conflict behavior. *Organizational Behavior and Human Performance* 16: 143–155.
- Rummel RJ. 1970. *Applied Factor Analysis*. Northwestern University Press: Evanston, IL.
- Thompson L, Hastie R. 1990. Social perception in negotiation. *Organizational Behavior and Human Decision Processes* 47: 98–123.
- Weiss S. 1994. Negotiating with Romans—Part 1. *Sloan Management Review* 35: 51–61.

Appendix 1: Negotiation Tactic Categories forming 30-item questionnaire¹⁰

Selective disclosure/exaggeration

1. Attempt to strengthen your position by overemphasizing the positive aspects of your position to your opponent.
2. Do not disclose any negative consequences of your position to your opponent unless he/she brings them up first.
3. Exaggerate the degree to which your proposal will benefit your opponent of his/her constituency.
4. Do not disclose information which you know might strengthen your opponent's position.

Misrepresentation of bottom line/position to opponent

1. Hide your real bottom line from your opponent (item 4).
2. Make an opening demand that is far greater than what one really hopes to settle for (item 5).
3. Make an opening demand so high/low that it seriously undermines your opponent's confidence in his/her own ability to negotiate a satisfactory settlement (item 10).

¹⁰ This is not the order that the items were presented in. Table 2 shows the items relevant to the five-factor solution discussed in the Results section, with the item numbers indicating their order in the 30-item questionnaire.

Bluffing: false promises

1. Promise that good things will happen to your opponent if he/she gives you what you want, even if you know that you can't (or won't) deliver them when the other's cooperation is obtained (item 2).
2. In return for concessions from your opponent now, offer to make future concessions which you know you will not follow through on.
3. Guarantee that your constituency will uphold the settlement reached, although you know that they will likely break the agreement later.

Bluffing: false threats

1. Threaten to harm your opponent if he/she doesn't give you what you want, even if you know that you will never follow through to carry out that threat (item 1).
2. Threaten to make your opponent look weak or foolish in front of a boss or others to whom he/she is accountable, even if you know that you won't actually do so (item 14 modified).
3. Threaten to leave the negotiations entirely unless your opponent offers some concessions, when in fact you are not at liberty to leave entirely.

Deception

1. Lead the other negotiator to believe that they can only get what they want by negotiating with you when in fact they could go elsewhere and get what they want cheaper or faster (item 3).
2. Convey a false impression that you are in absolutely no hurry to come to a negotiation agreement, thereby trying to put more time pressure on your opponent to concede quickly (item 13).
3. Present your opponent with factual, but misleading information which may lead your opponent to erroneous conclusions about your position.

Falsification

1. Intentionally misrepresent factual information to your opponent in order to support your negotiating arguments or position (item 15).
2. Lie about factual information your opponent has which weakens your negotiating position so that he/she doesn't use the information against you.
3. Allow your opponent to have access to erroneous/false information which makes your negotiation position seem more beneficial to your opponent than it really is.

Misrepresentation to constituency

1. Intentionally misrepresent the nature of negotiations to your constituency in order to protect delicate discussions that have occurred (item 16).
2. Intentionally misrepresent the progress of negotiations to your constituency in order to make your own position or point of view appear stronger.

Inflicting direct and intentional harm

1. Attempt to get your opponent fired from his/her position so that a new person will take their place.
2. Acquire negative personal information about your opponent and use that information to force them to give you what you want.

Manipulation of opponent's network

1. Talk directly to the people who your opponent reports to, or is accountable to, and try to encourage them to defect to your side (item 12).
2. Talk directly to the people who your opponent reports to, or is accountable to, and tell them things that will undermine their confidence in your opponent as a negotiator (item 11).
3. Attempt to create dissension within your opponent's constituency by giving them information which contradicts what your opponent has told them.

Inappropriate information gathering

1. Gain information about an opponent's negotiating position by paying friends, associates, and contacts to get this information for you (item 7).
2. Gain information about an opponent's negotiating position by cultivating his/her friendship through expensive gifts, entertaining or 'personal favors' (item 9).
3. Gain information about an opponent's negotiating position by trying to recruit or hire one of your opponent's key subordinates (on the condition that the key subordinate bring confidential information with him/her) (item 8).

