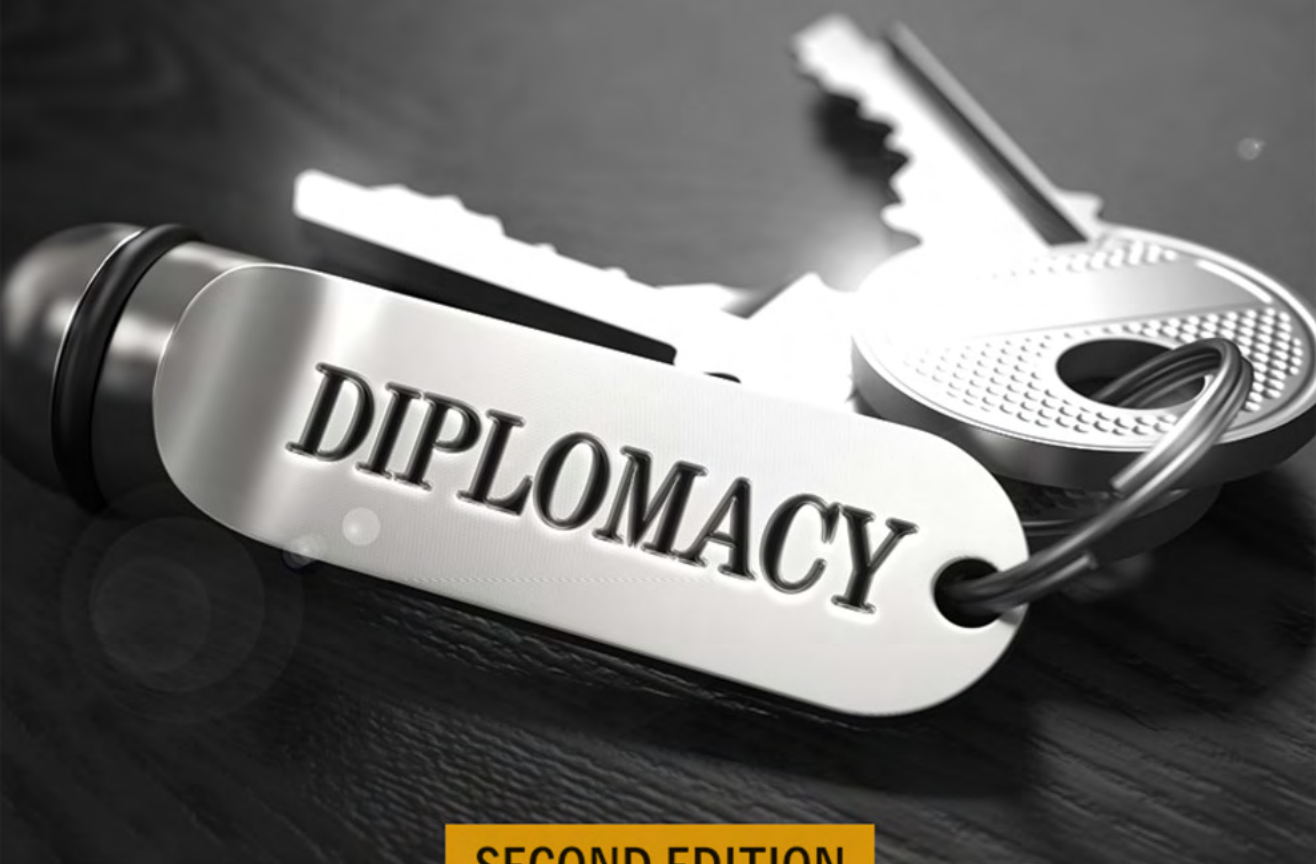


Understanding International Diplomacy

Theory, Practice and Ethics



SECOND EDITION

Corneliu Bjola and
Markus Kornprobst

ROUTLEDGE

Understanding International Diplomacy

This book provides a comprehensive introduction to the study of international diplomacy, covering both theory and practice. This second edition has been revised and updated, with new material on such key contemporary issues as Syria, Ukraine, migration and the South China Sea.

The text summarizes and discusses the major trends in the field of diplomacy, providing an innovative theoretical approach to understanding diplomacy not as a collection of practices or a set of historical traditions, but as a form of institutionalized communication through which authorized representatives produce, manage and distribute public goods. The book:

- Traces the evolution of diplomacy from its beginnings in ancient Egypt, Greece and China to our current age of global diplomacy.
- Examines theoretical explanations about how diplomats take decisions, make relations and shape the world.
- Discusses normative approaches to how diplomacy ought to adapt itself to the twenty-first century, help re-make states and assist the peaceful evolution of international order.

In sum, *Understanding International Diplomacy* provides an up-to-date, accessible and authoritative overview of how diplomacy works and, indeed, ought to work in a globalized world.

This textbook will be essential reading for students of international diplomacy, and is highly recommended for students of crisis negotiation, international organizations, foreign policy and IR in general.

Corneliu Bjola is Associate Professor in Diplomatic Studies at the University of Oxford, UK. He has authored or edited six books, including the recent co-edited volumes *Countering Online Propaganda and Violent Extremism* (with James Pamment, 2018), *Secret Diplomacy* (with Stuart Murray, 2016) and *Digital Diplomacy* (with Marcus Holmes, 2015).

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‘Writing with clarity, authority and insight, Bjola and Kornprobst deliver the essential introduction to the study and practice of diplomacy. The welcome second edition includes new scholarship and tackles the emerging issues that are defining our time including migration and the crises in Syria and Ukraine. No less significantly, the volume also considers new techniques of diplomacy from social media to the emergence of cities as foreign policy actors. This book is an invaluable guide to a vital field.’

*Nicholas J. Cull, Professor of Public Diplomacy,
University of Southern California, USA*

‘In many ways superior to the original, the revised edition updates the evolution and transformation of diplomacy, more balanced in theory and practice, wide in scope and succinct in narration, a rich menu for both students and practitioners of diplomacy.’

*Zhang Qingmin, Professor and Chair,
Department of Diplomacy, Peking University, China*

‘Adopting a broad understanding of diplomacy and taking us on an exciting tour – from foreign policy implementation to ethics, from bilateral engagements to plurilateral and paradiplomatic ones, from traditional channels to new forms of diplomatic communication – *Understanding International Diplomacy* is a welcome and valuable addition to the expanding field of diplomatic studies. It provides an excellent introduction and essential textbook for both the reflexive practitioner and the intellectually curious student of diplomacy.’

*Costas M. Constantinou, Professor of International Relations,
University of Cyprus, Cyprus*

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**Corneliu Bjola and
Markus Kornprobst**

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Abbreviations

ANC	African National Congress
APEC	Asia-Pacific Cooperation
ASEAN	Association of Southeast Asian Nations
AU	African Union
AU PSC	Peace and Security Council (Africa Union)
CCP	Common Commercial Policy
CD	Conference for Disarmament
CFSP	Common Foreign and Security Policy
CPCC	Civilian Planning and Conduct Capability
CSDP	Common Security and Defence Policy (CSDP)
CTBTO	Preparatory Commission for a Comprehensive Nuclear-Test-Ban Treaty Organization
DDR	Demobilization, Disarmament and Reintegration
ECCC	The Extraordinary Chambers in the Courts of Cambodia
EEAS	European External Action Service
EFSF	European Financial Stability Facility
EFSM	European Financial Stabilisation Mechanism
EPC	European Political Co-operation
EPLF	Eritrean People's Liberation Front
EU	European Union
EUMC	European Union Military Committee
EUMS	European Union Military Staff
EU PSC	Political and Security Committee (European Union)
ExComm	Executive Committee
FAO	Food and Agriculture Organization of the United Nations
FPA	Foreign Policy Analysis
Frelimo	Frente de Libertação de Moçambique
GATT	General Agreement on Tariffs and Trade
GMG	Global Migration Group
HR	High Representative of the Union for Foreign Affairs and Security Policy
IAEA	International Atomic Energy Agency
ICBL	International Campaign to Ban Landmines
ICEM	Intergovernmental Committee for European Migration
IFAD	International Fund for Agricultural Development
IFP	Inkatha Freedom Party
ILC	International Law Commission
ILO	International Labour Organization
IMF	International Monetary Fund

IOM	International Organization for Migration
IPCC	Intergovernmental Panel on Climate Change
IR	International Relations
IRO	International Refugee Organization
IUCN	International Union for Conservation of Nature
MPLA	Movimento Popular de Libertação de Angola
NATO	North-Atlantic Treaty Organization
NGO	Nongovernmental organization
NP	National Party
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
OAS	Organization of American States
OECD	Organization for Economic Co-operation and Development
ONUC	United Nations Operation in the Congo
OPCW	Organization for the Prohibition of Chemical Weapons
OSS	Sahara and Sahel Observatory
PBSO	Peacebuilding Support Office
PDFJ	People's Front for Democracy and Justice
Renamo	Resistência Nacional Mocambicana
SAARC	South Asian Association for Regional Cooperation
SSR	Security Sector Reform
SU	Soviet Union
SWAC	Sahel and West Africa Club
TEC	Treaty establishing the European Community
TPLF	Tigray People's Liberation Front
TPP	Trans-Pacific Partnership
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNCCD	Permanent Secretariat of the United Nations Convention to Combat Desertification
UNCTAD	UN Conference on Trade and Development
UNDESA	UN Department of Economic and Social
UNDP	United Nations Development Programme
UNEP	United Nations Environment Program
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
UNFPA	United Nations Population Fund
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNITA	União Nacional para Independência Total de Angola
UNITAR	United Nations Institute for Training and Research
UNODC	United Nations Office on Drugs and Crime
UNPBC	United Nations Peacebuilding Commission
UNRRA	UN Relief and Rehabilitation Administration
UNSC	United Nations Security Council
U.S.	United States
WFP	World Food Programme
WHO	World Health Organization
WTO	World Trade Organization

Preface

Diplomacy is a centuries-old institution, and the first edition of this book was published only five years ago. Nevertheless, this is a thoroughly revised second edition. Why did we embark on this endeavour? Why a second edition now?

There are three reasons for writing this second edition. First, the world does not stand still. Territorial disputes such as the Russo-Ukrainian Conflict or the South China Sea tensions, civil wars such as in Syria, international terrorism, economic sanctions exchanged between the European Union and Russia, increasing numbers of migrants to the European Union and the United States, combating Ebola and Zika in West Africa and Latin America, respectively, and many other issues added to the agenda to be dealt with by diplomats. Alerted by the rise of populist leaders, parties and movements in various parts of the world, there have been more and more scholarly workshops and conferences questioning whether diplomatic encounters will succeed in preserving our current world order and regional orders. Despite this scepticism, we should not forget that there were a number of diplomatic breakthroughs, ranging from the Paris Agreement to counter climate change to the Iranian nuclear deal, and from the Sustainable Development Goals to the New York Declaration on migrants. When we worked in failures and successes of diplomacy to rise up to global and regional challenges in the last five years, we paid close attention to novel modes of diplomatic communication. Digital diplomacy will never be able to replace face-to-face diplomacy. But digital communication channels do reconfigure the institution of diplomacy to a considerable extent. Diplomacy adapts to the digital age.

Second, the study of diplomacy continues to experience a great renaissance. Gone are the days in which the predominance of heavily structural and material accounts on international relations belittled the agency of diplomatic actors. Research on diplomacy gained further momentum. In the discipline of International Relations, insights into diplomatic interactions have found their way into International Relations Theory. Geopolitics and the practice turn, for example, are closely linked to studies on diplomacy. Likewise, inquiries into diplomacy have refined prevailing understandings of communication in International Relations. In other disciplines, too, research on diplomacy has had a broader impact. Research on public diplomacy, for example, has found its way into more generic theories in the field of Communications. Changes in the publication landscape are telling when it comes to this increasing interest in studying diplomacy. Since we published the first edition, numerous new publishing outlets have been created such as the Routledge New Diplomacy Studies Series, the Brill Research Perspectives in Diplomacy and Foreign Policy and Global Affairs. This new edition provides an overview of these new research developments.

Third, we made our own new experiences while dealing with diplomacy. In the last five years, we were engaged in research projects on secret diplomacy, digital diplomacy, nuclear diplomacy and crisis diplomacy. We taught students, trained diplomats and advised foreign ministries in several countries in Africa, Asia and Europe. This was always a two-way communication process. We learnt a lot from our encounters with colleagues, students and diplomats. These experiences, we hope, make this second edition somewhat more 'global' in outlook. For this reason, we are delighted that Peking University Press took the initiative to publish the previous edition in Mandarin.

Our overriding aim, however, remained the same. This book, no matter which edition, is supposed to provide a broad introduction to (the study of) diplomacy. It is supposed to deliver the nuts and bolts of diplomacy, for instance by identifying key provisions in diplomatic law. It is to discuss contending ways of making sense of what diplomats do. It is to address the ethics involved in doing diplomacy. And, most of all, we hope that this book helps readers to arrive at novel insights into the workings of this ancient and utterly important institution.

Corneliu Bjola and Markus Kornprobst
31 July 2017

Part I

Introduction



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1 Why and how to study diplomacy

Why study diplomacy?

There are many very good reasons to study diplomacy right now. The outstanding economic progress of China, increasingly also India, in recent decades makes scholars and policy makers alike investigate the question whether the potential redistribution of power from the West to the East would lead to regional and global stability or instability. Diplomacy will have a lot to do with the trajectory of these changes. The Middle East is in turmoil. The breakdown of state authority in Libya, the fragile statehood in Iraq, regional rivalries such as the one between Iran and Saudi Arabia, civil wars in Syria and Yemen, and the long-standing Israeli-Palestinian Conflict pose serious challenges. Coping with these challenges requires skilful diplomacy. The Paris Agreement remains a landmark agreement for countering climate change. Yet Washington's announcement to opt out of the agreement as well as a plethora of implementation issues will keep diplomats busy for some time to come. In the wake of the process that led to the Sustainable Development Goals, African states have agreed to specify their developmental goals in the Agenda 2063. Making progress towards these goals requires, among other things, negotiation and renegotiation – in other words, diplomacy. This list could be extended almost indefinitely. There are innumerable challenges, pertaining to conflict and peace, economics and development, health, migration, disaster relief and many others, that states cannot address appropriately without sending their representatives onto the diplomatic stage.

The forces of globalization, and with it the need to steer these forces into warranted directions, underpin many of these challenges. We seem to be situated in an 'in-between era', where international politics – and with it diplomacy – needs fresh ideas and new initiatives of diplomatic engagement to engage with a changing world. The need for such a re-orientation is nothing particularly new. Diplomacy has a history of adapting and re-inventing itself to changing political conditions. However, the challenge for diplomats has surprisingly remained similar throughout different historical ages: how to properly recognize, interpret and project relevant forms of power by communicating with one another? In other words, what exactly is there to understand about diplomacy and how can we make sense of it? This book does not aim to provide *the* answer to this question, but to explore how this question can be addressed from a variety of perspectives: historical, legal, cognitive, social and ethical. In so doing, we hope to convince the readers that diplomacy represents a unique, multi-faceted, effective and highly relevant instrument for managing relationships of estrangement between political communities, while retaining their institutional, ideological and social differences.

4 Introduction

As a way of unpacking these arguments, this chapter will proceed in four steps. The first section will discuss the reasons for the continuing relevance of diplomacy in the twenty-first century. The second part will explain the centrality of communication to the diplomatic practice. The third section will explain why and how we plan to broaden the toolbox available for studying diplomacy by drawing on insights from related disciplines. The chapter will conclude with an overview of the themes to be covered in each chapter of the book.

Does diplomacy (still) matter?

“States receive so much benefit from uninterrupted foreign negotiations”, Cardinal Richelieu, the founder of the first-ever professional diplomatic service, once argued, but the nature of the much praised “benefit” has not always been clear.

As argued elsewhere (Bjola, 2013), diplomacy, at its core, is about relationship management and maintaining international order. At the micro-level, this translates into diplomats building and managing relations of friendship. At the macro-level, diplomacy contributes through its core functions of representation, communication and negotiation to producing and distributing global public goods (security, development, sustainable environment, etc.). Diplomatic success is therefore arguably an equal matter of maximizing the number of allies and friends and reducing that of enemies and rivals on the one hand, and of creating a stable and self-sustainable international order, on the other. However, what is less clear is how diplomats can actually accomplish these worthy undertakings. What exactly do they need to do in order to live up to these expectations, especially since their profession is going through some critical transformations with respect to the nature of the actors, issue areas, and methods of diplomatic engagement? Put differently, what is the value of diplomacy in the twenty-first century?

Actors

We are witnessing a multiplication of diplomatic actors in Europe as well as worldwide. The field of diplomacy is no longer populated just by representatives of foreign services, but also by representatives of other ministries, multinational corporations, civil society organizations, and even influential individuals who do not represent a particular state, organization or corporation. As insightfully noted by the authors of the *Futures for Diplomacy* report (Hocking et al., 2012), the nature of the national diplomatic environment is changing from one which privileges the role of the Ministry of Foreign Affairs (MFA) to one which places it within a broader construct – that of the national diplomatic system (NDS), which covers the complex network of governmental and non-governmental institutions that inform and shape a country’s international policy objectives. Assessing the value of diplomacy in this context is no longer an issue of measuring solely MFA performance. It has to involve a more sophisticated analysis of mapping and comparing NDS configurations that prove most conducive to addressing and managing core files of foreign policy. The European refugee crisis has shown, for instance, how important it is for MFAs to collaborate with local NGOs, charities, international institutions (such as the UNHCR), aid agencies and industry groups in order to make sure that countries’ immigration policies and their humanitarian commitments remain reasonably aligned with each other.

Issue areas

Diplomacy, on the one hand, and regional and global governance, on the other, are inextricably intertwined. As a key mechanism of regional and global ordering, diplomacy increasingly gets involved in issue areas that, until quite recently, had been primarily dealt with at the domestic level (economics, environment, health, migration). Most critically, many of these issue areas mutually influence each other, and, consequently, they are often discussed in the same breath in international fora (e.g. migration and security, environment and trade, economics and health, etc.). What this means is that the value of diplomacy may not be properly captured by sector-specific measures, but rather by compact-sensitive tools that take into account the complementary and added value of integrated issues areas. For example, the 3D concept (Diplomacy, Development, and Defense) put forward by the U.S. State Department in collaboration with USAID and the Department of Defense recognizes the mutually reinforcing capacity of the three dimensions and seeks to leverage their joint potential through combined strategic planning. One could probably add “Digital” as the fourth logical extension of this approach (4D), as digital technologies are becoming indispensable tools for conducting diplomacy, promoting development and boosting defence.

What needs to change is our method of assessing the mechanisms by which these objectives can be reached.

Methods

The multiplication of actors and issue areas also changes the ways diplomats do their work. It changes both their daily practices and their methods for handling international negotiations, public engagements and situations of international crisis. The 2015 Quadrennial Diplomacy and Development Review (QDDR) calls attention, for instance, to the fact that the fluid nature of global events requires the U.S. State Department to respond quickly and to deploy expertise whenever and wherever it is needed (U.S. State Department, 2015: 68). The twentieth-century mantra of diplomats being able to excel in their work as long as they had a strong sense of history and a good grasp of general economic, political and international issues is no longer sufficient. Rather, professional aspects of diplomacy can be found in a range of different occupational roles requiring multiple competences and trans-professional skills (strong leadership qualities, good analytical intuitions in economics and data science, proven negotiation abilities, deep know-how of organizational management, etc.). Good diplomatic performance is therefore not only an issue of suitably linking capacities to outcomes, but also of demonstrating the capacity and talent to do this in a way that embraces multi-tasking, welcomes improvisation, controls uncertainty and complexity, and maximizes real-time impact. In short, the method of evaluating diplomatic performance must take note of the hybridity of professional competences required to function efficiently in the diplomatic environment of the twenty-first century.

To sum up, the core mission of diplomacy to manage relationships and maintain international order has hardly changed in the twenty-first century. What needs to change is our method of assessing the mechanisms by which these objectives can be reached. A stronger focus on the strength and efficiency of national diplomatic systems, on the added value and degree of compactness of integrated issues areas, and

on the level of hybridity of professional competences and skills required for delivering results in a dynamic environment, could offer a more balanced perspective to understanding the value of contemporary diplomacy.

How to define diplomacy

What distinct insights does diplomacy offer to us for understanding how the world “hangs together”? What ontological boundaries (→ glossary: ontology) delineate the field of diplomatic inquiry and how helpful are they in assisting scholars to theorize about conditions of conflict and cooperation in world politics or about considerations of power, authority and legitimacy as constitutive frameworks of international conduct? In short, what turns diplomacy into a core analytical and practical method of international engagement? The answer we provide in this book is that diplomacy cannot be understood without taking seriously the role of communication as an ontological anchor of diplomatic interaction.

Diplomacy is the institutionalized communication among internationally recognized representatives of internationally recognized entities through which these representatives produce, manage and distribute public goods.

This definition has three key features. First, diplomacy is, on its most fundamental level, about *communication*. More precisely, it is about a peculiar form of communication that is highly *institutionalized*. There are a plethora of rules and norms that diplomats become socialized into and these rules and norms govern the communication among diplomats. On the one hand, therefore, our definition is not far removed from Adam Watson’s (1982) highly influential claim that diplomacy revolves around dialogue. He, too, wrote about diplomacy as an institution and, choosing the term ‘dialogue’, he also put communication centre stage in his writings on diplomacy. On the other hand, we use the term communication more broadly. There is a wide variety of diplomatic communication, ranging from dialogue on the one hand to coercive diplomacy (Schelling, 1966) on the other. Note also that we do not subscribe to a celebratory view of diplomatic communication. While diplomacy has plenty of potential to resolve conflicts peacefully, it is not always innocent. Declaring war, for instance, is as much a diplomatic act – very much an institutionalized communicative act – as mediation and negotiation of peaceful resolution of conflicts. So are attempts to build coalitions with other states to go to war.

Second, processes of *double recognition* make an individual an actor in the diplomatic field. These processes are very straightforward when it comes to an ambassador representing a state. States are recognized as entities on the diplomatic stage, for instance through the UN Charter and the 1961 Vienna Convention on Diplomatic Relations. The latter also codifies the accreditation process (→ glossary) through which a host state recognizes the ambassador of a sending state. Some books on diplomacy put this much simpler. Watson, for instance, writes only about states (1982). Yet this is, in our view, a bit too simple, especially in our global age. Of course, states are still key entities in the diplomatic game. To this very day, diplomacy privileges states. It is, for example, states that hold membership of the UN. But this does not mean that we can understand today’s diplomacy by looking only at states. The UN Secretariat, for example, is oftentimes recognized as a diplomatic player in its own right. Its representatives, above

all the Secretary-General but also his Under-Secretary Generals, are recognized to act on behalf of this recognized international entity. In similar ways, the chairpersons and other high-ranking representatives of, say, Amnesty International and Greenpeace, are diplomatic actors (although they may not necessarily self-identify as such). Diplomacy, in other words, has a lot to do with recognition. Who is recognized changes over time. Thus, our definition stays open regarding who is recognized. This enables us to discuss changes from, say, Richelieu's times to our global age of diplomacy.

Third, diplomacy is about *producing, managing and distributing public goods*, that is, goods that are important for the well-being of a community and where the use by some members of the community does not reduce the availability of the public good to others. Traditionally, diplomacy has been primarily about engaging in communication for the purpose of achieving a particular type of public good: the protection of the state against external interventions (i.e. security). In the twentieth century, diplomatic communication has expanded to address a growing number of other public goods, including economic welfare, development, environmental protection, health safety and migration control. More recently, it has become increasingly evident that many of these public goods are interrelated and hence diplomats need to be proficient in how to juggle competing priorities of public goods. Equally important, globalization is redefining some of these public goods into global public goods, that is, goods that are important for the well-being of multiple political communities. Issues that have traditionally been merely national are now global because they are beyond the grasp of any single nation (e.g. environment, health, peace, justice). This transformation introduces a new set of challenges for how diplomats manage public goods and may even lead to the end of diplomacy as we know it today.

Broadening horizons for studying diplomacy

The purpose of this book is not to argue for the one perspective or the other. It is also not to arrive at a new one. Instead, it is to *introduce the reader to different compartments of the toolbox available for making sense of diplomacy*. It is up to the reader to choose from the material we provide and make sense of diplomacy, both in terms of how diplomacy works and how it ought to work. Very much in the spirit of broadening the toolbox available for studying diplomacy, we also encourage the reader to go beyond the material we have selected for this book, for example by listing recommended further readings.

Some of these compartments are taken from the literature on diplomacy. In this way, this book bears resemblance with other textbooks on diplomacy. It summarizes the state of the art. Yet most of these compartments are borrowed from literature that does not deal with diplomacy in much depth or does not explicitly address the phenomenon at all. Thus, we want to reach out further than existing books on diplomacy. Outside of the discipline of International Relations (IR), we borrow insights from a number of disciplines, including Economics, History, Law, Philosophy (especially Political Theory), Psychology and Sociology. Many of the authors whose works we discuss have never written anything on diplomacy. But their arguments help us understand aspects of diplomacy that remain otherwise under-appreciated. Given the multi-faceted nature of diplomacy, we seek to introduce the reader to a multi-faceted way of studying diplomacy. Crossing disciplinary and sub-disciplinary boundaries is our means for achieving this end.

Our multi-perspectival *Leitmotiv* also finds expression in how we deal with research that addresses fields of study that are often seen as competitors of research on diplomacy. We explore criss-crossings between the study of diplomacy on the one hand and literature on global governance, foreign policy analysis (FPA) and IR theory, on the other. Global governance is not the same as diplomacy. The manner in which communication is institutionalized in the diplomatic field gives rise to distinct interaction patterns. The recognition of actors, for instance, is much narrower in the field of diplomacy than the literature on global governance conceives of actorness. But there is a lot to be learnt from writings on global governance. In the age of global diplomacy, diplomats must stand their ground in processes of global governance. They have to act in multiple policy fields and with multiple actors, some inside and some outside the diplomatic realm. Thus, engaging with the literature on global governance helps us understand today's diplomacy.

To some extent, we concur with attempts to delineate diplomacy studies from FPA. Diplomacy and FPA are not the same. While the latter focuses on the making of foreign policy in a domestic setting, the former deals more with how political entities, once they have formulated their foreign policies, pursue these policies on the international level. Yet these foci are a matter of degree. There is no absolute boundary. Studies of diplomacy gain from an understanding of how policies are formulated, no matter whether this formulation takes place on the domestic level only or whether there is input from the international level as well. Hedley Bull had it exactly right when he argued that the study of diplomacy should pay attention to policy formation (Bull, 1995).

Finally, we also explore overlaps between IR, and especially International Relations Theory, and diplomatic studies. It is especially approaches that take agency seriously and explore the complex processes through which agents are shaped by structures and, vice versa, agents shape structures, that are of major relevance for the study of diplomacy. The latter, no question about it, are agency-focused. Studies of diplomacy foreground the work of the diplomat. But diplomats are embedded in context, some of which is very much their own making, and this context enables and constrains their actions.

Overview

This book is organized as follows: Part I introduces the topic and explains the volume's approach to the study of diplomacy. Part II traces the evolution of diplomacy from its beginnings in ancient Egypt, Greece and China to our current age of global diplomacy. Chapter 2 traces the institutionalization of diplomacy in the ancient world and discusses the further evolution of this institutionalization up until World War I. Starting with Wilson's visions for a New Diplomacy and leading up to twenty-first-century diplomacy, Chapter 3 addresses the addition of the multilateral layer to diplomacy. Chapter 4 deals with today's widening of the diplomatic field, i.e. the multiplication of issue areas and actors.

Part III maps the diplomatic field. It identifies two building blocks for analysing diplomacy: context and tasks. The context enables and constrains diplomacy to perform its tasks, and, vice versa, the performance of these tasks shapes the context that constitutes diplomacy. Looking at diplomatic contexts in depth, Chapter 5 discusses international public law (especially the 1961 Vienna Convention on Diplomatic

Relations) as well as deeper backgrounds, i.e. ideas constituting diplomacy that actors take so much for granted that they do not reflect upon them anymore. Chapter 6 details the doings of the diplomat. It distinguishes four clusters of practices: messaging, negotiation, mediation and talk.

Part IV builds on the previous part by discussing explanations of diplomatic outcomes. Chapter 7 is concerned with the making of decisions: How do diplomats make decisions? In our answer, we focus on four different logics of action: consequences, appropriateness, argumentation and practice. Chapter 8 addresses the making of relations: How do diplomats make relations among the entities they represent? We offer different sets of prescriptions of relationship-making based on three competing schools of thought, Realism, Liberalism and Constructivism. Chapter 9, focusing on the deeper background, asks an even more profound question: How do diplomats make the world that we inhabit? The answer, we argue, lies with the role that diplomats play as makers of geopolitical architectures, cultures of anarchy and international deontologies.

Part V switches from explanation to a normative mode. Striking a balance between analytical and normative understandings of diplomacy is a delicate but critical endeavour. Diplomacy is full of normative problems and moral conundrums. We deal with three of them, each located at a different level of analysis. Foregrounding the individual level, Chapter 10 examines how diplomatic representation should be conducted, what forms of power are appropriate to use in diplomatic relations, and what forms of diplomatic training and expertise are more suitable for the twenty-first-century diplomat. Moving to the state level, Chapter 11 asks questions about diplomacy's recent involvements in re-making domestic institutions (especially peacebuilding). Should diplomacy get involved in building peace in other states; if so, how? Chapter 12 is dedicated to re-making global institutions, more precisely the key puzzle of diplomacy: How ought diplomacy to safeguard peaceful change in world politics? We investigate the strengths and limitations of two important instruments, preventive diplomacy and international criminal justice, that may assist diplomats in their mission to generate peaceful change.

Finally, the conclusion in Part VI summarizes the main analytical and normative contributions of the book to understanding how diplomacy works or ought to work, examines the neglected relationship between gender and diplomacy, discusses the usefulness of the concept of anti-diplomacy for grasping the limits of diplomatic conduct, and explains why and how new forms of diplomacies may assist diplomats in coping with future challenges.



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Part II

Tracing diplomacy



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2 Historical evolution

Chapter objectives

- To offer readers a concise overview of the historical evolution of diplomacy from the 3rd millennium BCE up until World War I.
- To highlight the key transformative moments of the diplomatic practice.
- To introduce readers to the main contributions and limitations of diplomacy in facilitating international peace and cooperation.

Introduction

The word ‘diplomacy’ is rooted in Greek (*diploma*: double-folded document; letter of recommendation or conveying a licence or privilege). Historically, the origins of diplomacy lay with the first decisions of human communities to reach an understanding with their neighbours about the limits of their hunting territories and the identity boundaries they formed by engaging with and reacting to each other (Carrió-Invernizzi, 2014: 607). As with other human customs, diplomatic practice had to be invented and as such, has not necessarily characterized a shared tradition among all peoples. Even though early diplomatic exchanges allowed for the establishment of some basic rules of representation, communication and conflict management, they did not result in the creation of any permanent institutions. At this time, diplomatic interaction was not sufficiently frequent or important and hence, it lacked the incentives required to develop complex institutional relations. Since the 3rd millennium BCE – the time period in which international relations and diplomacy as they are known today are believed to have been born (Cohen, 2001a) – the development of diplomatic practice around the world has been characterized by a lack of uniformity. Different areas of the world have had (and still have) differing perceptions of the role of their diplomats within their governing systems. The objectives, methods employed, responsibilities, influence and power of diplomats have therefore been far from universal. Their relative importance to international affairs has contracted and expanded throughout history (Hare, 2015: xix). Diplomatic practice is therefore both historically and geographically situated. Its arrangements and agreements are provisional, problems are often recurring and the diplomatic climate volatile.

Since the first stages of interaction, diplomatic practice has changed significantly. These changes will be systematically treated in this chapter, in which developments are described in three distinct diplomatic periods – ancient, medieval and modern – both inside and outside of the Western world (up until World War I). This task will be accomplished according to three sub-themes: (1) representation procedures – in which the roles, characteristics and perceptions of the diplomat are examined; (2) communication methods – in which the key developments and procedures of diplomatic engagement are traced; and (3) conflict management – in which the evolution of various instruments for resolving international disputes are described. Diplomatic developments on the European continent will form the basis of the discussion of each of the eras under review, as this is where the modern institutionalization of diplomatic practice occurred. This analysis will be complemented by non-Western examples in order to highlight global contrasts.

Ancient diplomacy

Diplomatic practice emerged in close association with the development of writing and urban culture in the Ancient Near East, in the 3rd millennium BCE (Cohen, 2001a: 23; Malchow, 2016: 103). Already at that time, elements of diplomatic tradition as they are known today, were established. A ritualized system, consisting of elaborate diplomatic norms, practices and processes was drawn up as a reaction to the needs of various kingdoms becoming increasingly interconnected by common concerns spanning the dynastic, religious, commercial as well as strategic interests. Becoming an activity propagated by governing bodies, diplomatic practice was systematized and institutionalized to a certain extent; though it did however rest largely on the interpretation of reciprocal impressions and acts, comprehensible only through their ad hoc nature (Sofer, 2013: 4). Furthermore, diplomatic practice at this time was primarily conducted between ‘Great Kings’, whose willingness to negotiate and cooperate with one another through diplomatic representation, signalled the acknowledgement and acceptance of the other as an equal. ‘Great Kings’ ruled extensive territories, had numerous vassals at their disposal, possessed sufficient wealth as well as military might to maintain domestic control and order, as well as keep outside threats at bay. Principalities considered of inferior status were not afforded the luxury of having their diplomatic agents received by the ‘Great Kings’ and had to pay significant tribute (Cohen, 1996: 13–14).

The practice of diplomacy was transmitted from the Ancient Near East by the cuneiform civilizations out of Akkadian Mesopotamia to Assyria and Babylon, and further on to Achaemenid Persia, classical Greece as well as to the Italian Region (Cohen, 2001a; Lafont, 2001; Malchow, 2016). Ancient proto-diplomatic systems involved ad hoc missions, taking place as circumstances arose. Patterns of diplomatic representation, communication and conflict management developed by ancient states were largely influenced by the perceived levels of power asymmetry. Among the small but independent Greek city-states, for example, no single city was powerful enough to rule over the others, neither were the city-states overwhelmed from the outside. The cities thus diplomatically engaged with each other as equals. By contrast, the Egyptian, Roman, Persian and Chinese diplomatic methods primarily served to assert, establish and maintain their alleged political, religious or military superiority over neighbours or any other groups with which they interacted.

Representation procedures

In the civilizations of the Ancient Near East, envoys travelled between ‘Great Kings’, transmitting the message of their rulers. While they stayed for a period of time in their host region, their appointment had a strict and specific purpose and, once completed, they returned home. While these envoys were usually of high standing and suitably qualified, no conclusive evidence indicates that they were privy to the immunities granted to diplomats of later periods. Passage to and from their host countries was often dangerous with little or no guarantee of protection. Diplomatic envoys were subject to kidnapping, imprisonment, and even assassination. Their stay in the receiving country was almost completely defined by the terms of the hosting sovereign who could dictate on a whim the length of the envoy’s stay, their access and freedom of movement as well as when they were in their right to leave and return home. In other words, diplomats of this period faced unpredictable impediments to conducting and completing their assigned duties abroad (Sofer, 2013: 3).

In the ancient Greek system, three types of diplomatic representation were recognized. First and foremost, the *angelos* or *presbys* (messenger and elder, respectively) were diplomatic envoys sent for ‘brief and highly specific missions’. The second type, the *keryx* (herald), had special rights of personal safety. And the third was the *proxenos* (→ glossary), who would “act . . . for another state while remaining resident in his own state” out of a general sympathy for the political system or culture of another state (Hamilton and Langhorne, 1995: 9–10). *Angelos* and *presbys* were supposed to perform well oratorically before the city-state council of the host state. This meant that they were often chosen by the assembly of the city for their ‘known respectability’, ‘reputed wisdom’ and for their maturity (Nicolson, 1988: 6). However, the suaveness or negotiation skills of the Greek ambassadors were not necessarily the crucial selection factors, as their diplomatic strategies were often publicly – and rather restrictively – determined by the people of the sending state. Indeed, instructions given to *angelos* were “irksomely strict and elaborate” (Murray, 1855: 9).

In contrast, *proxenos* played a facilitating role in the handling of inter-state negotiation. In bad times, their main duties consisted of offering hospitality and assistance to visitors from the relevant state. And at times, they would be asked to give advice on the domestic situation in the state they represented. But in good times, the *proxenos* could play a more influential role in shaping public policy, specifically in commerce, culture and politics. They were expected to protect their nationals located in the receiving-state, handle their legal administration, and promote trade and commerce between the two states in general. It is important to note that many current concepts of diplomacy found no place in Greek language and practice. For example, no theory of diplomatic immunity prevailed at the time, as envoys relied on the traditional codes of religion and hospitality in their movements.

The Romans inherited from the Greeks the lack of a formal structure for dealing with matters of foreign policy, but also the appreciation for the talent of speaking fluently in public and the ability to persuade by argument. The similarities between the two diplomatic methods nevertheless stop here. In view of the fact that formally the Senate had the ultimate authority on matter of foreign policy, Roman envoys – called either *nuntii* or *oratores* – were appointed from within senatorial ranks. They were provided with credentials and instructions, which were supposed to be closely followed. Their main task was to find someone worthwhile to talk to and then report

back to the Senate, which would sanction or decline to accept the results of their negotiation. With the expansion of the empire, the decision-making power on diplomatic matters gradually transferred into the hands of the emperor. The emperor often relied on his governors to deal with foreign embassies and execute diplomatic decisions, but his personal involvement in diplomacy remained strong and motivated by the desire to present the public with a façade of Roman control of international negotiations.

Ancient Egyptians both sent and received diplomatic missions. The Pharaoh used to maintain close contact with the rulers of neighbouring powers via special envoys with ambassadorial functions. The common practice in the region was to appoint diplomatic messengers from among the high officers of the administration, who were supposed to be experienced in state affairs and fully cognizant of royal policy. Diplomatic relations between Egypt and other powers in the region, including Babylonia and Assyria, around mid-fourteenth century BCE, are detailed in some thirty-five items of correspondence in the Amarna Letters. In principle, the rulers corresponded on a basis of equality, as 'great kings'. They referred to each other as 'my brother' as opposed to 'sons', which would have indicated the status of the vassal (Munn-Rankin, 2004: 13). In practice though, the Egyptian ruler enjoyed an advantage over his Asiatic counterparts. As the leader of a hegemonic power that was more self-sufficient in prestige goods than the other powers, and enjoyed a near monopoly on the production of gold, the Pharaoh was able to bargain from a position of strength, thus often forcing his counterparts to make humiliating concessions.

In the ancient period various codes of conduct existed. For example, the Sumerian civilization established a legal code around 3000 BCE, and King Hammurabi of Babylon created the Code of Hammurabi in approximately 1750 BCE. Both included ethical issues and how to address them. Around 1500 BCE, the Rigveda of Hinduism and the Ten Commandments of Judaism were also established. That being said, most of the ancient rulers believed themselves to be ordained by God. With this belief, they confided in and sought the guidance of their priests in directing their leadership and decision making. Religion thus played a direct role in shaping and enforcing the ethical boundaries of how sovereigns represented themselves and interacted with their counterparts, and their approach was morally limited only by the applicable religious values.

Communication methods

The development of diplomatic practice in the Ancient Near East was based on access to a common language, individuals trained as scribes to record and transmit that language, as well as mutual familiarity with court protocol and ritual. During this period diplomatic communication often came in the form of formally and ritualistically asserted initiatives and demands, incorporated as a preliminary step before the enactment of force was considered (Malchow, 2016: 103). 'Opulent gifts' and 'glittering ceremonial' were used as means of communicating the level of esteem or importance to which a diplomatic agent was regarded by his host, and indeed vice versa (Cohen, 1996: 14).

The ancient Greek diplomatic system had a number of characteristics that presented a high level of sophistication. They included, for example, the constant flow of

missions, the mutual respect of diplomatic immunities, the treaties and alliances that resulted from diplomatic interaction, and the high standard of public debate. These features allowed diplomats to become increasingly effective in working out regulations that were widely observed such as “defining the position of aliens, the grant of naturalisation, the right of asylum, extradition, and maritime practices” (Nicolson, 1988: 9). On matters of treaties, Greek envoys worked under restrictive instructions. While most treaties were quite simple documents, they were nevertheless concluded after reference to, and approval of, public assemblies. The Spartans eventually introduced the institution of conference diplomacy to address the problem of how to deal with numerous dependent allies after prolonged wars.

The widespread suspicion of diplomats in ancient Greece also meant that missions were often composed of several diplomats. The number of ambassadors involved in a mission could be as many as ten (see Box 2.1). The size of these missions was also intended to increase the weight of the case brought to the other city-state and to facilitate the representation of different opinions that were held by the citizens in the sending state. However, it often had a negative effect on the overall effectiveness of the mission due to personal disagreements between individual ambassadors on the mission. At times, negotiating partners would play upon such internal animosities to divide the mission against itself.

Box 2.1 Greek diplomatic missions

The sophistication of the Greek diplomatic system is illustrated by the fact that diplomatic negotiations were conducted orally and in accordance with some publicly controlled rules: “The several members of an Embassy (there were often as many as ten Ambassadors in a single mission) would each deliver a set speech to a foreign monarch or Assembly, much as happens in the ordered international conferences of today. If the negotiations resulted in a treaty, the terms of that treaty were engraved in a pure attic on a tablet for all to see. Its ratification was accomplished by the public exchange of solemn oaths” (Nicolson, 1988: 7).

One of the most important Roman contributions to the Greek diplomatic legacy was, for instance, the practice of declaring war. According to this practice, any declaration of war had to follow a proper procedure (i.e. the *jus fetiale* proceeding; → glossary), and had to offer a legal justification for the war. The college of *Fetiales* informed the enemy of the grievances of Rome, and if nothing happened after a fixed period, then a declaration of war would be made at the border of the enemy’s territory and a javelin (cornel wood spear) would be cast into his land (Hamilton and Langhorne, 1995: 14). As legal grounds for waging war, the Romans invoked the following: violation of a treaty, truce, or armistice; an offence committed against an ally; violation of neutrality; violation of sanctity of ambassadors; refusal to surrender an ambassador who had violated his neutrality; unjustifiable rejection of an embassy; violation of territorial rights; refusal of a peaceful passage of troops; and refusal to surrender an individual who committed a crime (Ballis, 1973: 25).

Archival documentation of early Chinese diplomatic exchanges indicates a complex dynamic centred on ceremony, status claiming and procedure. The Chinese Empire was considered to be the centre of the world and, as a result, China's influence and its relationship with other 'states' of the region were formalized via a tribute system. Sending diplomatic delegations to pay homage or tribute, China's regional counterparts – today Cambodia, Myanmar, Japan, Korea, Thailand, Vietnam – recognized it as the superior force in the regional hierarchy. In 57 BCE, for example, an emissary from the state of Wa (the ancient name of Japan) travelled to the Han capital to offer tribute, and he received a seal and a ribbon from the emperor. In these early centuries, "a China-centered universe was assumed on both sides . . . and Wa most desired to be accepted as a vassal within that orb" (Fogel, 2009: 9). Princes made court visits which were mainly ceremonial goodwill functions, and they frequently communicated by envoys, sending them on courtesy missions and for preparing interstate agreements. Aside from symbolic value, the actual impact of the tribute system on subordinate powers is open to discussion; it has, however, been argued, "that it provided an important stabilizing influence in a region with no formal mechanisms to manage intra-regional relations" (Beeson, 2014: 26).

Conflict management

In the Ancient Near East arbitration of grievances, the practice of negotiation as well as the sacralization of treaties through religious oaths were not unknown. A form of dynastic diplomacy was undertaken, as ancient rulers considered their equals within the international system as brothers. With this adoptive kinship, "tangible attachments . . . were the only bases for obligation that made sense" (Cohen, 1996: 25). Ancient rulers thus perceived "the international system as an extended family, with all its affections, duties, and rivalries" (ibid.). Diplomatic practice was thus exclusively conducted within a fraternity of great powers. These regimes would often try to strengthen their diplomatic ties through dynastic marriages, building up tangible moral and political obligations which could be called upon in times of conflict. Some of the earliest examples of diplomatic negotiation as well as oaths of allegiance are found in the Sumerian city-states of third millennium BCE Mesopotamia (Malchow, 2016: 103).

Peace agreements in ancient Greece did not necessarily mean what its negotiators wanted it to mean. Often, they were formulated ambiguously in order to allow different states on different occasions to interpret them to their own advantage. Still, these peace agreements mattered, especially when they were reinforced by oaths. For pacific conflict resolution, arbitration was a quite customary device. Indeed, forty-six cases of dispute arbitration had been adjudicated between 300 and 100 BCE (Nicolson, 1988: 8). The designated arbiter was either another state or an individual – often a philosopher of good reputation or even a victor at the Olympic Games. Ambassadors were often entrusted with important communications and they were even required to "decide on the justice of a war . . . and to proclaim and consecrate it according to certain established formalities" (Murray, 1855: 9).

Religion often played a significant role in framing diplomatic practices of conflict resolution. The Greeks believed, for instance, that the conduct of international affairs was governed by "certain divinely ordained principles" (Nicolson, 1988: 9). Being regarded as under the guardianship of Zeus, treaties and allies were ascribed

a divine authority that made it wrong to break them without good reason. The rules of ‘civilized conduct’ developed by ancient Greeks included fair treatment of prisoners, non-use of poisoned weapons and treacherous stratagems, observance of truces and armistices, prohibition of warfare during religious festivals or athletic contests, as well as inviolability of important temples, sanctuaries and embassies (Phillipson, 2001: 182–191). In addition, Greeks developed the first forms of international organizations. Festivals such as the Olympic Games represented “a period of deliberately controlled international relations” (Hamilton and Langhorne, 1995: 11), during which agreements on cooperation were frequently discussed.

Persian kings oftentimes resorted to preventive diplomacy in their interaction with the Greek city-states between the sixth and fourth centuries BCE. In fact, Persians were more successful through diplomacy than they were in war against the Greeks. They aimed to maintain the balance of power (→ glossary) between the Greek city-states by operating as ‘neutral’ treaty brokers in wars fought by the Greeks in the fourth century (Rung, 2008). The strategic objective was to prevent any city-state from becoming powerful enough to challenge the Persian military superiority. In short, the Persian-Greco relations were pragmatic and constantly evolving in response to political circumstances from two sides, whose capacities for direct confrontations were reduced by numerous internal problems.

The Romans had a notable respect for international treaties which were used for establishing peace, building alliances and dividing spoils. By 264 BCE, more than 150 separate treaties had been concluded, which greatly increased Rome’s military strength, since, rather than requesting tribute, Rome demanded contingents of soldiers to supplement its armies (Campbell, 2001: 4). While in the early days of the Republic the Romans had used to conclude agreements on a reciprocal basis, this practice was later drastically changed by the introduction of new forms of treaties “under which the federated parties were constrained to recognize the *maiestas populi romani*, or, in more modern terms, to surrender to the Roman Senate the control of foreign policy and defence” (Nicolson, 1988: 16). The Romans also created the *praetor peregrinus* in 242 BCE, who was expected to settle disputes of a commercial nature between foreigners or between a foreign party and a Roman citizen based on *jus gentium* (the law of nations).

Considering ancient Chinese diplomacy, some authors suggest the heavy influence of Sun Tzu’s *Art of War*, written around 500 BCE, which emphasizes the idea that victory should be ensured by subduing the enemy without fighting. It is a matter of constraining the movement of the enemy and achieving victory by attacking moral and mind through “indirection and the manipulation of the enemy’s perceptions of the structure of the conflict” rather than through physical domination (Johnston, 1998: 26). This has given Chinese strategic behaviour a distinctive “minimally violent character” and this has arguably been the case throughout Chinese history all the way from Sun Tzu’s time (Johnston, 1998: 25). The key characteristics of Chinese strategic culture are outlined in Table 2.1.

Although recognized as having heavily influenced the way in which China has come to interact with its foreign counterparts, other sources of influence aside from Sun Tzu’s work have been acknowledged as contributing. For example, Lao Zi’s doctrine of overcoming hardness through the use of softness, as well as the “Confucian-Mencian emphasis on the ruler’s cultivation of virtue and good government as the basis for security and prosperity of the state” (Johnston, 1998: 63). The

Table 2.1 Chinese strategic culture

Characteristics of Chinese strategic culture

A theoretical practical preference for strategic defence, earthworks, walls, garrisons, static positional defence, accompanied by diplomatic intrigue and alliance building rather than the invasion, subjugation or extermination of the adversary
A preference for limited war, or the restrained application of force for clearly enunciated political ends
An apparently low estimation of the efficacy of violence

Source: Adapted from Johnston, 1998: 25

latter perspective assumes that international politics is highly dependent on domestic conditions; thus for international stability there must be order at domestic levels. If rulers are able to ensure a stable and harmonious society – one in which capable officials are employed, just and sound laws are enforced, a high moral code is upheld, economic burdens on the people are kept to a minimum, there is political order, sound socioeconomic conditions, and members of each level of the social hierarchy are content – then, it is argued, foreign adversaries will not provoke violent conflict but rather peacefully submit to the ruler of this land.

Medieval diplomacy

During the early medieval period, diplomatic relations in both the Western and non-Western world were relatively infrequent, inconsistent and subject to little organic development. In the later part of this period, however, European diplomacy took an institutional leap relative to that in the non-Western world under the impact of two factors. On the one hand, the flourishing of the church and the belief in the unity of Christendom that underlay political thought and activity – *republica christiana* – introduced a level of harmony among the emerging political entities. On the other hand, the legacy of the Roman law joined forces with the evolving body of canon law to establish a universalistic foundation for regulating diplomatic relations. It was at this time that European diplomacy professionalized. “It was the Byzantines who taught diplomacy to Venice; it was the Venetians who set the pattern for Italian cities, for France and Spain, and eventually for all Europe” (Nicolson, 1988: 24–25).

Representation procedures

The main form of diplomatic representation in Europe during the early medieval period was the nuncius (→ glossary), an agent whose main function was to provide a channel of communication between rulers and to explore opportunities for concluding treaties and alliances (see Box 2.2). The practical and legal identification of the nuncius with the principal also meant that the nuncius enjoyed a status of immunity from the harm that could be inflicted upon him. This security of the person – often based on religious grounds – and the special status of the ambassador were mutually understood. Indeed, harm inflicted upon the nuncius was often interpreted as harming his principal. Nuncii would usually carry “consecrated staffs in their hands”, in order to secure their inviolability (Murray, 1855: 13).

Box 2.2 Medieval diplomats

The nuncius was sometimes instructed to engage in propagandizing, fomenting revolts and breaking unfriendly relations. In the formation of the League of Friuli (1384), Venice sent nuncii to Friuli, towns dependent on that city, and the church of Aquileia, urging them to resist foreign encroachment. Even more, a state that felt itself injured could employ nuncii to deliver a protest, an ultimatum or even a declaration of war. They were also sent in times of war to an ally to coordinate efforts against the common enemy (Queller, 2004: 195).

In the later part of the medieval period, the increased complexity of European societies and the growth of diplomatic interaction rendered the employment of nuncii insufficient because of the great delays and potential failures inflicted in their missions. As a result, a new type of official function was established, the procurator, with increased powers of representation and negotiation. Unlike nuncii, procurators were given full powers (*plena potestas*) to enter into private contracts and to negotiate agreements on behalf of their leaders. At times, principals repudiated the actions of procurators that had exceeded their mandates, or they withdrew mandates altogether, after which no procurator could conclude agreements on behalf of the principal (Hamilton and Langhorne, 1995: 27). The diplomatic influence of procurators is also illustrated by the fact that even the most solemn acts, such as contracting a marriage alliance, could be carried out by a procurator by standing in for the bride or the groom as it happened, for instance, in the case of the proxy engagement between the Holy Roman Emperor Frederick II and Isabella of England in 1234 (Queller, 2004: 197).

In parallel with the work of nuncii and procurators, a growth in trade helped to develop the consular system, with most notably French, Italian and Spanish merchants electing consuls to supervise their commerce and adjudicate disputes in the East. In 1223, Marseille establish consuls in Tyre and Beirut. During the fifteenth and sixteenth centuries, the Capitulations treaties between Christians and Muslims further developed the consular functions by granting civil and criminal jurisdiction over nationals in the Byzantine Empire. During the fifteenth century, there were exchanges of consuls between Great Britain, Denmark, Italy, the Netherlands and Sweden. Around this time, China also posted officers in the West that were in effect consuls. The sixteenth century saw significant change; consuls were now appointed by sending states as official representatives, diplomatic functions involved protecting state interest in trade and commerce, and some privileges and immunities were attached (Chatterjee, 2007: 250).

The scope of diplomatic ethics in the early modern period was informed by the degree of loyalty of diplomats to the ruler of the country. Having the prince as the primary object of diplomatic loyalty had an important ethical implication for how medieval diplomats performed their functions. The diplomat built up a personal relationship with his sovereign, acting as a direct representation of him/her while abroad. This connection extended an aura of moral protection as it removed considerations of personal honour on the part of the diplomat, as well as the diplomat's ability to

challenge the authority of his prince. If dishonourable behaviour was sanctioned by the sovereign, then there was no ethical obligation to consider its impact on the part of the diplomat. Remarkably, in the medieval period, the line between loyalty and vice was defended by the aristocratic code of honour that prevailed among diplomats at the time and by professional considerations (Bjola, 2016a: 125).

Communication methods

In the early medieval period, principals used messages to communicate with each other in order to prepare for personal meetings. In this communication process, the nuncius was often described as a 'living letter', because he was supposed to communicate the messages "in a way that was as near a personal exchange as possible" (Hamilton and Langhorne, 1995: 24). The significance of the use of a nuncius instead of a letter lay in the meanings a person could convey beyond the written word. Indeed, his attitude, his actual wording and his responses to questions were of vital importance to the communication between principals. Letters of instructions were particularly important in case of negotiations as they provided specific guidelines and often the exact words the envoy had to use for extracting and making concessions.

Gift-giving was also used as an important means of communication. By conveying political messages through which prestige and honour could be expressed or withheld, gifts were indispensable elements of every diplomatic mission and served to create, preserve and strengthen political bonds. They gained the favour of the gift-receiver, expressed esteem for the diplomatic counterpart, and cleared the way for negotiations. Diplomatic gifts were carefully chosen from a wide range of objects, characterized by costly materials, skilful manufacture, aesthetic value, rarity and a high monetary value (Siebenhiiner, 2013: 532). An example of the importance of diplomatic gift-giving is highlighted by the mission of the Spanish King Philip III, which sent envoy Don Garcia de Silvia y Figueroa to the Safavid court in Persia. Gifts for this mission "had been discussed for over two years and compiled with utmost care" (ibid.). Arms, trappings, vessels, goblets, luxurious textiles, silver boxes, jewelry, Indian spices and 'exotic' pieces of art, some of which were the Spanish king's own property, were given (ibid.). Elaborately crafted furniture with an exceptional artistic design and made with precious materials, robes of honour, animals and gem-studded daggers are further examples of diplomatic gifts presented to foreign counts. Costly gifts were crucial to spur interest and to add authority to a diplomatic request. Gifts were such an important part of diplomatic exchange that bringing an inappropriate gift, or no gift at all, could have serious implications. It could, for example, jeopardize the reputation of the gift-giver and even disgrace nations. Diplomatic gift-giving was (and continues to be) highly contextual and dependent on the cultural, social and political environment in which it is undertaken.

In their diplomatic communications, the Byzantines "adhered to the strategy of the indirect approach, incorporating delays with avoidance of the unnecessary resort to force" (Sofer, 2013: 8). The Empire frequently emphasized its political and military superiority, its longevity, grandeur and the contrasting fates of its enemies. In order to impress and subdue 'barbarians', great attention was paid to diplomatic ceremony, including showing visitors around various majestic palaces and churches or dazzling them with lavish welcoming receptions in the throne room. "The treatment of ambassadors throughout a visit was designed to impress, without allowing them to

associate in any way with other than official persons or to see anything which it was not decided that they should see” (Hamilton and Langhorne, 1995: 16). Diplomacy in Byzantium was thus characterized by an elaborate ceremonial and propaganda system. Furthermore, it was fairly continuous and well-developed. The Byzantium Empire was, perhaps, the first to institutionalize the training of diplomatic envoys, who were recruited and carefully trained to understand and honour manners and customs of their hosts, to observe situations abroad and report back to their sovereign, as well as negotiate terms with their hosts (Sofer, 2013: 8). Bribery, flattery and marriage were tools used to avoid war, and the Byzantines also used information about barbarian potentates and prominent persons of various ranks to build alliances and thwart military invasions (Shepard, 2004).

On the other side of the globe, the Chinese diplomatic dominance of the Sino-Japanese relations started to be challenged in the seventh century. In 607, the Japanese mission to China tried to establish parity in diplomatic status by referring to the Japanese ruler as “the son of heaven in the land of the rising sun” and to the Chinese ruler as “the son of heaven in the land of the setting sun” (Wan, 2010: 155). The Chinese emperor did not accept the letter. However, shared Confucian values enabled a high degree of mutual acceptance and a reduced sense of threat. Consequently, the Japanese did not think that they should challenge the existing Chinese world order, a fact reinforced by Japan’s economic conditions in which continued commerce with other Asian states was seen as vital. Diplomatic intercourse between China and neighbouring states had both practical and ceremonial aspects. Face-to-face meetings were held out in the open, often in locations considered sacred in nature. “This outdoor element suggests an origin of the custom at an epoch of less confident interstate relations, when rulers dared not open their capitals or cities to other rulers accompanied by retinues” (Britton, 1935: 619). These meetings served to negotiate war, peace, intervention and defence, affirm friendly relations and agree marriage unions.

Conflict management

Religion was the most important source of inspiration for various methods of conflict management throughout the medieval period. As the Catholic Church became a major user of diplomacy during its struggle with the Roman Holy Empire during the thirteenth century, canon law and Roman law combined to form a key instrument for framing and adjudicating diplomatic disputes, up to the time of the Reformation. The canonists determined the (un)justness of war and breakers of peace and they framed rules of diplomatic conduct. The origins of the just war doctrine go back, for instance, to this period and to the writings of St. Augustine, Thomas Aquinas and Hugo Grotius. While many diplomatic relations in the Middle Ages were conducted under the form of private law whereby ratification was not obligatory or even customary, agreements made by nuncii or procurators without full powers could become binding only on formal approval by principals (Queller, 2004: 211), a practice that still resonates today with the process or ratification of international treaties.

The rise of Islam in the sixth century brought about non-Christian understandings of the legal procedures and justifications for conflict management. Written in the ninth century, the Islamic Law of Nations made a clear distinction between Dar al-Islam (the territory of Islam) and Dar al-Harb (territory of war, inhabited by all

those of non-Islamic faith). A state of war was assumed to exist between the two until the former would conquer the latter. Many rulers in the Middle East had ideologies of kingship that asserted the legality and legitimacy of their rule over various – often overlapping – audiences. The Mamluk sultans – who ruled Egypt and Syria from 1250 to 1517 – saw themselves, for instance, as the martial guardians of Islam and Islamic society. These conflicting ideologies introduced intolerance into their – rather frequent – diplomatic exchanges, which was “the most prominent arena both for expressing legitimacy, and for denigrating the claims of rivals” (Broadbridge, 2008: 6). Still, their diplomatic interaction was based on respect for diplomatic immunity and an understanding of the importance of ceremony. Indeed, the amount of food and money spent on the guest ambassador reflected the status of the sender’s embassy and the diplomat’s behaviour during meetings was carefully calculated to project the status of both sides.

Competing religious conceptions of conflict management also emerged in Latin America. In the second quarter of the fifteenth century, the Aztec and Inca were able to conquer vast amounts of territory in a relatively short period of time. These conquests were successful because Aztec and Inca had manipulated traditional religious concepts and rituals in such a way that it gave them decisive advantages over their competitors. For example, Aztec elites were increasingly obsessed with legitimizing their ancestry and emphasized the militaristic cult of war and human sacrifice of their culture. Also, they portrayed their migration history and current occupations in terms of the will of the Mexican patron deity (Conrad and Demarest, 1984: 25–27). Similarly, the Inca used a ‘psychology of submission’ and propaganda to remind the subjects of the empire’s power (Ogburn, 2008: 225).

Modern diplomacy

At the end of the fifteenth century, a series of transformations in Europe combined to trigger a major diplomatic innovation: the establishment of the institution of the resident ambassador (→ glossary). With this, diplomatic practice became continuous in nature as a continent-wide state system was forged in Europe (Hurewitz, 1961: 141; Sofer, 2013: 10). As diplomacy institutionalized, the social status of ambassadors improved significantly and their ability to operate efficiently was enhanced. Key to the success of this structural transformation was the process of religious fragmentation unleashed by the Reformation, which contributed to the erosion of the medieval principle of religious universality, making room for a new territorial-sovereign legitimating principle, the *raison d'état* (→ glossary), to emerge as the dominant doctrine of international conduct. Diplomatic practice became “de-Christianized and de-Europeanized”, finding a new basis in the rules of common sense, thereby allowing it to become increasingly exportable to the non-Western world (Hurewitz, 1961: 141).

Representation procedures

The establishment of the new office of resident ambassador was based on the need of rulers to know as much as could be known about the internal affairs of the neighbouring states (see Box 2.3). The potential instability of the governments of the early sovereign states led them to frantically attempt to prevent subversion “pursued by diplomatic agents plotting with opposition groups” (Hamilton and Langhorne, 1995: 33).

Resident ambassadors were expected to acclimatize themselves to local conditions in order to assess to what extent they could intervene in local political intrigues. In addition, resident ambassadors were expected to watch the safety of their fellow countrymen and to aid them in their business abroad.

Box 2.3 The rise of resident ambassadors in Italy

Italy was the model of what Europe as whole was soon to become. The five large powers, Milan, Venice, Florence, the Papacy and Naples remained in an unstable equilibrium while small states like Lucca, Mantua and Ferrara were protected against aggression only by the mutual jealousies of their powerful neighbours. Resident ambassadors thus proved their usefulness by serving as a check and as a means of raising the diplomatic alarm when any power threatened to upset the balance. Their widespread establishment helped avert crises by making possible rapid realignments in the patterns of alliances (Mattingly, 2004: 222).

The social background of the resident ambassador was not uniform, at least in the early days of the institution, but this had an uneven impact on the quality of diplomacy being carried out. England's residents were typically gentry of modest descent and generally competent; the French were nobles of lower rank with a good sense of seizing strategic opportunities; the Spanish employed high-calibre people of noble origin and were well-reputed for their diplomatic skills; the Venetians were members of leading families who dedicated themselves to voluminous and not always relevant reporting; while the Dutch residents came from all walks of life and allegedly were not excessively effective in the day-to-day management of diplomatic contacts (Carter, 2004). Gradually, it became increasingly plain that the skills of the resident diplomat were a crucial asset. As one observer pointed out, "it would be impossible indeed to estimate such qualities too highly. The fate of nations very often hangs on the judicious conduct of a diplomatist. His success depends almost entirely in the confidence and esteem which he inspires" (Murray, 1855: 43).

These resident ambassadors were therefore required to meet a number of requirements (Nicolson, 1988: 35–36):

He must be a good linguist and above all a master of Latin, which was still the *lingua franca* (→ glossary) of the time. He must realize that all foreigners are regarded with suspicion and must therefore conceal his astuteness and appear as a pleasant man of the world. He must be hospitable and employ an excellent cook. He must be a man of taste and erudition and cultivate the society of writers, artists and scientists. He must be a naturally patient man, willing to spin out negotiations and to emulate the exquisite art of procrastination as perfected in the Vatican. He must be imperturbable, able to receive bad news without manifesting displeasure, or to hear himself maligned and misquoted without the slightest twinge of irritation. His private life must be so ascetic as to give his enemies no

opportunity to spread scandal. He must be tolerant of the ignorance and foolishness of his home government and know how to temper the vehemence of the instructions he receives. Finally, he should remember that overt diplomatic triumphs leave feelings of humiliation behind them and a desire for revenge: no good negotiator should ever threaten, bully or chide.

Failure to follow such prescriptions could lead to serious diplomatic tensions. The refusal to receive ambassadors could be prompted by varied circumstances. First, when an ambassador had any previous misunderstanding at another court, the court to which he was afterwards accredited might refuse to receive him until the matter had been satisfactorily arranged. Second, a sovereign might refuse to receive an ambassador from a desire to avoid some inconvenient ceremony which his arrival or presence would entail. Third, a sovereign may also refuse to receive an ambassador who had given cause of offence or who is personally disagreeable to him (Murray, 1855: 57).

The quest for control over how diplomats exercised their missions and later the introduction of the concept of ‘continuous negotiation’ (→ glossary) by the Cardinal Richelieu, led to the establishment of the first foreign ministry by France in 1626, *Ministère des Affaires Etrangères*, which literally meant the ministry of ‘strange affaires’. Richelieu justified the centralization of diplomacy on two grounds. On the one hand, he believed that:

It is very important to be careful in choosing ambassadors and other representatives, and one cannot be too severe in punishing those who exceed their powers, since by such errors the reputation of rulers and the interests of states are compromised.

(Richelieu, 1947: 355)

On the other hand, he thought negotiations would never be effective unless they were directed by a single authority, especially since ‘continuous negotiation’ multiplied the possibilities of contradiction and misunderstanding.

While the institution of the resident diplomat gradually became common practice in Western Europe, the adoption of this form of diplomatic representation in the rest of the world was slow, fragmentary and varied substantially depending on the actors’ willingness to accept the European diplomatic style cultivated in Europe or their capacity to carry out diplomatic relations in the first place. In the East, for instance, Suleyman the Magnificent was:

[a]nxious to play a role in Europe, yet the [Ottomans] were so convinced of their natural superiority to the rest of the world . . . that they remained for another two centuries unwilling to adopt the European notion of the resident ambassador or venture much beyond the temporary application of military force as the basis of policy.

(Hamilton and Langhorne, 1995: 37)

The interests of Russia – which emerged from the post-Mongol period – were both Asiatic and European. It lasted until 1586 for the first French ambassador to reach Moscow, and Russia did not reciprocate until 1615.

In pre-colonial Africa, diplomatic relations were established for the negotiation of agreements, the delimitation of frontiers, the settlement of past disputes and the resolution of potential crises. Pre-colonial Africa was not *terra nullius* (i.e. ‘empty land’ or ‘land belonging to no one’) before the European colonization (Smith, 1989: 141). It was characterized by coherent and rational international relations of peace and war. African rulers made use of two types of diplomats, ambassadors and messengers, which broadly resembled the roles of medieval procurators and nuncio respectively. The ambassador had the status of a plenipotentiary and could settle a dispute on his own authority. Messengers had no such power as they merely transmitted orders or information and could not engage in negotiation (Irwin, 1975: 93). But with either type of diplomatic interaction, the African rulers insisted that proper respect should be paid to their representatives abroad.

The transformation of the international system from a dynastic- to a territorial-sovereign principle of domestic legitimacy after the Peace of Westphalia (Hall, 1999) shifted the object of diplomatic loyalty from the prince to the state. Ideologically, this move was made possible by the doctrine of *raison d'état*, which was intellectually prepared by Machiavelli's reflections on statesmanship, but was given a coherent structure as a guiding principle of foreign policy by Cardinal Richelieu (Butterfield, 1975: 11). *Raison d'état* transformed diplomatic loyalty from a personal type of relationship between the diplomat and the prince as in the early modern period, into an impersonal mode of affiliation to a collective entity, the state. The diplomat was still serving the sovereign, but from the broader perspective of protecting and enhancing the stature of the state and not of the prince. At the same time, the *raison d'état* made the line between loyalty and vice more difficult to hold. If ethical considerations are deemed irrelevant for the conduct of foreign policy and if everything is permitted in the name of state survival, then what would stop diplomats from using their power to breach international law and to even foment war (Bjola, 2016a: 216)?

Communication methods

The main duty of the resident ambassador was to gather information regarding domestic political conditions in the host state and report back relevant developments to chancelleries at home. To this end, ambassadors were required to build close relationships with the individuals with whom the power rested, form good channels of communication between the two governments and to advise the sending government on the best course of action. Resident ambassadors generally enjoyed a significant degree of discretion in pursuing their missions. They alone could decide at what moment and in what terms their instructions could be best executed, and they could interpret the purposes and motives of one government to the other (Nicolson, 1988: 82–83).

The reports they sent back were “very detailed, seemingly filled with political trivia and endless verbatim accounts of conversations that the resident had” (Hamilton and Langhorne, 1995: 33). This style of reporting was maintained so that the secretaries and clerks in the chancellery could identify important connections that were neglected by the resident ambassador on the spot. However, the ever-growing volume of diplomatic exchanges between diplomatic residents and home chancelleries was not accompanied by the development of an effective and competent bureaucratic

administration. This often had the effect of slowing down the pace of diplomatic relations and of even misplacing texts of treaties. The creation of the foreign affairs ministry spearheaded by Richelieu therefore represented a logical and necessary step for streamlining diplomatic activity.

Much attention was paid to the affirmation of an ambassador's *haute bourgeoisie* background by ceremonial. First, diplomatic ritual was a clear measure of the aspirations and responses to status recognition among the parties (see Box 2.4). The sending state could demonstrate its wealth and power and its rating of the importance of the recipient by the lavishness of the mission and the seniority of its head. The receiver, on the other hand, said something about its standing by the quality of reception offered, the grandeur of accommodation, the nature of celebrations and the value of the gifts. Indeed, "the envoys of powerful or friendly governments enjoyed far more distinguished honors than were granted to others" (Murray, 1855: 36).

Box 2.4 The policy of diplomatic prestige

In the early sixteenth century, the powers in Europe were France, ruled by Francis I, and the Holy Roman Empire, led by Charles V. Henry VIII of England needed desperately to forge an alliance with one of the parties. In 1520, Henry and Francis I agreed on a meeting near Calais, France. In attempting to outshow the other, the kings spared no expense in their displays of wealth. They erected pavilions made with cloth of gold (real filaments of gold sewn with silk to make the fabric), organized jousts and other competitions of skill and strength, banqueted each other lavishly, in all ways trying to outdo and outspend one another. This ostentation earned the meeting the title 'Field of the Cloth of Gold'. The feasting ended abruptly when King Henry challenged King Francis to a wrestling match, which ended in Francis throwing Henry to the ground and besting him. The meeting, which had taken place over three weeks (7–24 June 1520) nearly bankrupted the treasuries of France and England, and was useless politically. Francis and Henry signed no treaty, and a few weeks later Henry signed a treaty of alliance with the Holy Roman Emperor, Charles V. Within a month, the Emperor declared war on Francis, and England had to follow suit (Russell, 1969).

Essential to communication was language. Before the fifteenth century, Latin was the prevailing mode of diplomatic communication both in terms of written treaties and oral exchanges. With the decline of the Holy Roman Empire and the deepening of religious fragmentation, the use of Latin among diplomats became rare and negotiations through interpreters became more common. While French became frequently used by the Russian nobility, by the end of the seventeenth century Russia also had an excellent service of foreign language, which included fifteen translators (*perevodčik*) and fifty interpreters (*tolmach*) of Latin, Italian, Polish, Romanian, English, German, Swedish, Dutch, Greek, Tartar, Persian, Arab, Turkish and Georgian. Most often they were foreigners in Russian service or former prisoners of war (Zonova, 2007: 13). It was only in the eighteenth century that French had grown to be the dominant diplomatic language, a status it retained until the end of World War I when it gradually became replaced by English.

Ambassadors enjoyed certain advantages that facilitated their access to information and communication. Most importantly, they enjoyed diplomatic immunities. These immunities – notably the physical inviolability of ambassadors, the ambassadorial lifting of indictment for civil or criminal offences and the freedom to practise religion in private – were granted to diplomats on the basis of religious, legal and practical sources. First, religious reasons were grounded in the ‘sacred’ attribute of the ambassador, who was perceived to act for the general. Second, Roman law incorporated legal sanctions for diplomatic immunity, the scope of which was subsequently extended by canon law (e.g. to residences) under the threat of excommunication, and later by legal precedents under the doctrine of extraterritoriality (Hamilton and Langhorne, 1995: 41, 45).

Third, practical considerations led states to reciprocally respect the safety of envoys. Indeed, the rulers were generally convinced that diplomatic immunity, granted on a reciprocal basis, was a precondition to overcome the hazards of length and physical dangers that plagued diplomatic missions in the Middle Ages. Mattingly (1955: 48) explains this as follows:

The law was intended to give the ambassador every privilege and immunity necessary for the performance of his office. It was not intended to protect him in the abuse of those privileges and immunities for other ends, any more than it protected the tax collector who practices blackmail.

Another important development was the standardization of matters of payment and accommodation of ambassadors. For a long time, resident ambassadors were provided free accommodation and an allowance by the host government. This practice frequently caused difficulties to diplomats securing necessary funds for obtaining access to information and keeping up “the scale of entertainment which the standing . . . of its principal would suggest” (Mattingly, 1955: 166). From the fifteenth century onwards, the practice of paying resident diplomats by the sending authorities became gradually widespread, rendering them independent of the host with regard to allowances or accommodation (Hamilton and Langhorne, 1995: 57). However, the standardization of payment by the sending state did not mean the end of complaints about financial resources, and quite often potential ambassadors refused to serve on the grounds that they might stand to lose financially by taking up the mission (Roosen, 1973: 136).

Conflict management

The establishment of the Westphalian conception of territorial sovereignty as a constitutive principle of international order helped create a new configuration of hierarchical relations in Europe between great and smaller powers. This order often led to an excessive preoccupation with status recognition and diplomatic precedence (see Box 2.5). Symbolic ceremonial was understood to send precise messages about the relationship between the parties involved and to indicate the significance of the matters discussed. Also, relationships between the several permanent embassies were established through ceremonial, meaning that “each ambassador would struggle for the highest position relative to others on all occasions, but never more so than at formal court functions” (Hamilton and Langhorne, 1995: 64).

Box 2.5 Diplomatic ranking

A dramatic diplomatic incident caused by precedence rivalry happened in London on September 30, 1661, on the occasion of the state entry of the Swedish ambassador. The Spanish ambassador de Watteville sent his coach with a train of about forty armed servants. The coach of the French ambassador, Comte d'Estrades was also on the spot, escorted by 150 men, of whom forty carried firearms. After the Swedish ambassador had landed and taken his place in the royal coach, the French coach tried to go next, and on the Spaniards offering resistance, the Frenchmen fell upon them with drawn swords and poured in shot upon them. On learning of this incident, King Louis XIV sent instructions to his own representative at Madrid to demand redress. In case of a refusal a declaration of war was to be notified. The King of Spain, anxious to avoid a rupture, recalled de Watteville from London and announced that he had prohibited all his ambassadors from engaging in rivalry in the matter of precedence with those of the Most Christian King. The question was finally disposed of by the 'Pacte de Famille' of 15 August, 1761. Article XVII stipulated that at Naples and Parma, where the sovereigns belonged to the Bourbon family, the French ambassador was always to have precedence, but at other courts the relative rank was to be determined by the date of arrival. If both arrived on the same day, then the French ambassador was to have precedence (Satow, 1979: 17).

This element of diplomacy was taken very seriously. The Pope tried to settle the issue of diplomatic precedence by producing a memorandum in 1504 in which he placed himself first, followed by the kings of France, Spain, Aragon and Portugal. The memorandum failed to allay diplomatic tensions and continued to be a major source of political irritation and occasionally military brinkmanship for almost two centuries. The Congress of Vienna finally settled the issue in 1815 by establishing precedence among diplomatic envoys according to the date they presented their credentials. The Congress of Aix-la-Chapelle in 1818 further clarified that representatives at conferences must sign treaties in alphabetical order.

Marriages played an important role in managing diplomatic relations by bolstering the legitimacy of new sovereigns, creating durable political alliances and managing crises. Marriage negotiations between Elizabeth I and the Duke of Anjou were framed by both domestic considerations regarding the settlement of the question of the dynastic succession and larger European issues involving England's relationship with Spain (Mears, 2001: 458–459). The Habsburg Empire staked out its claims to European hegemony by actively pursuing a diplomatic strategy of embedding dynastic unions into a web of political alliances, peace treaties and cordial diplomatic relations (Fichtner, 1976: 247). The British attempt in the 1840s to coax the French and Spanish governments into settling the marriage question of Queen Isabella of Spain and her younger sister, the Infanta Luisa Fernanda, in a way that suited London, Paris, Madrid and Vienna was part of the strategy to maintain the precarious diplomatic equilibrium among the main European powers (Guymer, 2010).

The conclusion of secret treaties was the preferred method of protecting or advancing state interests in line with the doctrine of *raison d'état*, but was also a major source of diplomatic tensions. In 1516, Henry VIII of England entered into negotiations with Charles V of Spain directed against Francis I of France, whereupon Charles made a secret treaty with Francis. In 1668, England and the Netherlands made a secret treaty to force Louis XIV of France to make peace with Spain, but that made no impression on him. Louis had already made a secret treaty with the Emperor of Austria by which they were to divide the Spanish dominions on the death of the then king. In 1815, after Napoleon had been banished to Elba, the Allies met in Congress at Vienna to readjust the map. During the Congress, England, France and Austria entered into a secret treaty directed against Russia and Prussia, their putative allies. The secret was so little a secret that the Czar knew of it immediately after the treaty was signed. Napoleon III secretly proposed to Bismarck that France should be given Belgium and Luxembourg as the price of his friendship to the new German Confederation (Low, 1918: 211–212).

In time, great powers increasingly recognized the need for direct meetings to prevent dangerous escalation of diplomatic tensions. Conference diplomacy had its modern origins in the congresses of Osnabrück and Münster that restored peace in Europe through the 1648 Peace of Westphalia after thirty years of religious conflict (see also Chapter 3). This was followed by the congress of Utrecht in 1712–13 that brought together eighty-three plenipotentiaries to resolve the issue of European hegemony brought about by the question of the Spanish succession (Meerts and Beeuwkes, 2008). Most importantly, the Concert of Europe (→ glossary) established in the aftermath of the 1814 Vienna settlement of the Napoleonic Wars introduced the practice of regular face-to-face consultation among the leaders of the Great Powers (Great Britain, Austria, Prussia, Russia and France). The five powers met on forty-one occasions to address a number of thorny diplomatic issues concerning matters in Spain, Greece and Belgium. In so doing, the congress system helped prevent a direct conflict between great powers until the Crimean War in 1856 (see Box 2.6).

Box 2.6 The Concert of Europe in action

The London Conference on Grecian Affairs (1827–32), an ongoing conference at the ambassadorial level and the first of its kind, was set up to solve the Greek Question (preventing the Greek rebellion against the Ottoman rulers descend into a great power war) once and for all. The ambassadors negotiated a French occupation of the Greek mainland, and the constitution, frontiers, population, and even king of the new state. Such a thing – jointly midwifing the birth of a nation-state – had never been done before. On top of that, here it was done deliberatively: proposals were put forward and debated out of the heat and light of high politics. Because the negotiators did not constantly have to keep their eye on Russia they could freely discuss the problem. Moreover, the minutes and final protocols were made public, and were referred to by the Great Powers in the war diplomacy (Mitzen, 2005: 13–14).

An interesting consequence of the nineteenth-century conference diplomacy was the articulation of a rudimentary doctrine of the *raison de système* (→ glossary) that is, the acceptance by states with enough power of the moral obligation to pursue their interests with prudence and restraint, so that serious damage to the functioning of the international society could be avoided. A disgraceful application of this principle was reflected though in the diplomatic support lent by European leaders to the idea of not allowing colonial disputes to unsettle the balance of power on the continent (see Box 2.7). They implemented this doctrine by refraining from providing support to colonial resistance movements and by occasionally engaging in partition by agreement of colonial spoils (Darwin, 2001: 9).

Box 2.7 Colonial partition of Africa

The Berlin West Africa Conference involved a series of negotiations between Nov. 15, 1884 and Feb. 26, 1885, in which the major European nations met to decide all questions connected with the Congo River basin in Central Africa. The conference, proposed by Portugal in pursuance of its special claim to control of the Congo estuary, was necessitated by the jealousy and suspicion with which the great European powers viewed one another's attempts at colonial expansion in Africa. The general act of the Conference of Berlin declared the Congo River basin to be neutral (a fact that in no way deterred the Allies from extending the war into that area in World War I); guaranteed freedom for trade and shipping for all states in the basin; forbade slave trading; and rejected Portugal's claims to the Congo River estuary – thereby making possible the founding of the independent Congo Free State, to which Great Britain, France and Germany had already agreed in principle (Encyclopædia Britannica, 2011).

Summary

- Ancient diplomatic interactions were conducted on an ad hoc basis. The patterns of diplomatic representation, communication and negotiation were largely influenced by the perceived levels of power asymmetry among the various political entities. Imperial powers primarily used diplomacy to establish and maintain their political, religious or military superiority over neighbours or any other groups with which they interacted.
- In Europe, most of diplomatic exchanges during this period were conducted by nuncios and procurators. However, unlike nuncios, procurators were given full powers (*plena potestas*) to enter into private contracts and to negotiate agreements on behalf of their leaders.
- The establishment of the modern institution of the resident ambassador was the result of the rise of the secular sovereign state after the 1648 Peace of Westphalia and the growing need for 'continuous and confidential' negotiation as a means for preventing dangerous diplomatic escalations among Great Powers. The broader discretion that resident ambassadors enjoyed in pursuing their missions was accompanied by a gradual consolidation of their diplomatic immunities first on a religious, then on a legal and practical basis.

Table 2.2 Evolution of diplomacy

	<i>Ancient diplomacy</i>	<i>Medieval diplomacy</i>	<i>Modern diplomacy</i>
Representation procedures	Angelos/proxenos and proxenos	Nuncios and procurators	Resident ambassador
Communication methods	Constant flow of missions; treaties and alliances; ceremony; status claiming and procedure	'Living letter'; ceremony and propaganda; the treatment of ambassadors was used as a means of communicating status, privilege and power	Ambassador as centre of communications, building close relationships with those in power in the host country, advising home government and creating good channels of communication between the sending and receiving states
Conflict management	Peace agreements; arbitration; religion as a frame for diplomatic practices of conflict resolution; festivals; international treaties	Religion played key role in framing diplomatic disputes. In Europe, canon law and Roman law framed conflict resolution; in the Middle East, Islam brought about an understanding of legal procedures and justifications for conflict management; in Latin America competing religious conceptions of conflict management emerged	Sovereign marriage to create durable alliances, secret treaties to protect and enhance interests; conference diplomacy for direct interaction among leaders to prevent dangerous escalation

34 *Tracing diplomacy*

- After the Congress of Vienna, conference diplomacy emerged as an effective method of conflict management in the nineteenth century. By making visible the balance of power to those who constituted it, the Concert of Europe encouraged self-restraint among its members.
- As loyal ministers of their sovereigns, diplomats benefitted from an aura of moral protection in the early modern period; the aristocratic code of honour and professional considerations served as counter-balances to ethical transgressions. *Raison d'état* shifted the object of diplomatic loyalty from the prince to the state; this move offered diplomats a moral anchor for challenging the authority of the ruler, but it also made their position more prone to moral abuse.
- Table 2.2 shows the evolution of diplomacy from ancient through to modern times.

Study questions

- How do ancient Greek, Roman and Egyptian methods of diplomatic representation differ from each other? What factors may explain these differences?
- How did religion shape diplomatic methods of conflict management in the ancient vs. medieval times? What diplomatic contribution did the Concert of Europe make to conflict management in the nineteenth century?
- How has diplomatic ceremony evolved? Which features have remained constant through the development of diplomatic practice? Why so?
- Diplomacy established permanent institutions of representation only at the end of the fifteenth century. What explains this slow development?
- What factors enabled the rise of diplomatic immunity in the modern period? How was the issue addressed in the ancient and medieval periods?
- How important was the issue of diplomatic prestige during the medieval period?
- What challenges did diplomatic communication face in the medieval vs. the modern period?

Recommended further reading

Berridge, Geoff, H. M. A. Keens-Soper, and Thomas G. Otte. 2001. *Diplomatic theory from Machiavelli to Kissinger. Studies in diplomacy*. Basingstoke, UK and New York: Palgrave.

This book offers an introductory guide for students to four centuries of diplomatic thought through the writings of major scholars, statesmen, international lawyers and historians.

Fletcher, Catherine. 2015. *Diplomacy in Renaissance Rome: The rise of the resident ambassador*. Cambridge: Cambridge University Press.

The volume offers an investigation of the envoy's role during the Renaissance, a pivotal period for the development of diplomacy. Drawing on archival sources and insights from social and cultural history, the author argues for the centrality of the papal court – and the city of Rome – in the formation of the modern European diplomatic system.

Hamilton, Keith, and Richard Langhorne. 1995. *The practice of diplomacy: Its evolution, theory, and administration*. London and New York: Routledge.

This volume tracks the historical development of diplomatic relations and methods from the earliest period up to their current transformations in the late twentieth century, showing how they have changed to encompass new technological advances and the needs of modern international environments.

Satow, Ernest Mason. 1979. *Satow's guide to diplomatic practice*. 5th ed. London and New York: Longman.

An international classic, this volume provides a comprehensive survey of the rules, laws and conventions covering the conduct of diplomacy, not only between individual nations but also through international organizations.

Sofer, S. 2013. *The courtiers of civilization: A study of diplomacy*. New York: State University of New York Press.

Blending historical evidence, sociological analysis and political thought, this volume explores the vocational predicament faced by the diplomat, who must play many roles, including negotiator, honourable spy, horse trader, appeaser and bureaucrat, while at the same time manoeuvring in the world of rulers and warriors.

3 Woodrow Wilson and the new diplomacy after World War I

Chapter objectives

- To familiarize readers with the historical justifications for the new diplomacy in the post-World War I period.
- To understand the institutional legacy and limitations of the new diplomatic principles on current methods of international engagement.

Introduction

The patterns of diplomatic engagement among European powers during the eighteenth and nineteenth centuries were described by Harold Nicholson as the ‘old diplomacy’ (→ glossary) on the basis of five characteristics. In the first place, Europe was regarded as the most important of all continents. Indeed, it was generally understood that no war could become a major war if none of the five major European powers was involved. Second, the Great Powers were greater than the Small Powers, since they “possessed a more extended range of interests, wider responsibilities, and, above all, more money and more guns” (Nicholson, 1988: 74). This global hierarchy did, however, imply a third principle, namely that the Great Powers had a common responsibility for the conduct of the smaller powers and the maintenance of peace. A joint intervention by the Great Powers in a small-state conflict was generally accepted to prevent the conflict from developing into a Great-Power crisis.

Fourth, the preservation of peace in the Westphalian international order required a professional diplomatic service of high standards of education and experience. The composition of diplomatic corps during this period was predominantly of aristocratic origin, a fact that allowed diplomats to develop a corporate identity independent of their national identity. Fifth, ‘continuous and confidential’ negotiation was essential for successfully managing relations between the main powers. This was made possible by the fact that the parties generally remained rational and courteous, since public expectations and time pressure had little influence on negotiations. In turn, this resulted in agreements that were “no hasty improvisations or empty formulas, but documents considered and drafted with care” (Nicholson, 1988: 77).

The methods of the ‘old diplomacy’ were gradually exported by European powers all over the world. Throughout the nineteenth century, the network of

international diplomatic relations continued to expand to the extent that by 1914 there were forty-one British missions abroad, nineteen of which were outside of Europe (Hamilton and Langhorne, 1995: 110). As more and more non-Western countries adopted the system, it was gradually modified, growing progressively less European and more global in nature. The expansion of diplomatic relations was, however, often complicated by local or regional political situations. In Asia, and to some extent in Africa, local rulers were often reluctant to open their countries to alien influences, and political structures were sometimes irreconcilable with the Westphalian principle of territorial sovereignty. On the other hand, in the Far East, European powers needed, at times, to employ their superior military capabilities to secure permanent representation.

World War I, which lasted from 1914 until 1918, significantly altered modern diplomacy. Against the backdrop of its alleged role in precipitating the immense devastation brought about by the war, the 'old diplomacy' suffered a huge reputational blow. Critics claimed the root of the problem lay with "the commercial and imperial rivalries of the recent past, the concomitant arms races, the pursuit of balance-of-power policies, [and especially] the secret treaties and conventions which ha[ve] underpinned and buttressed the pre-war alliances and ententes" (Hamilton and Langhorne, 1995: 136). In short, the entire diplomatic profession was blamed for being unable to halt the drift towards war, and strong calls to action were heard for a fundamental revision of diplomatic practices and institutions.

The transition from the old to 'new diplomacy' (→ glossary) was prepared by three other factors. First of all, there was a widespread desire for colonial expansion among the great powers, especially Germany, which significantly affected foreign policy. Even though the balance of power limited this desire – there was a general recognition that acquiring too much would be imprudent and harmful for the diplomatic relations between great powers, territorial expansion and colonial wars put significant strains on diplomatic relations from two different angles. It both intensified rivalry among great powers for colonial acquisitions and boosted claims to self-determination among the colonies.

Second, the rapid increase in the speed of communication exerted a considerable influence on the old methods of diplomatic interaction and negotiation. Before the development of new communication technologies (e.g. the telegraph, telephone), it took many months for messages to be sent, received and answered, and it was common for ambassadors to receive detailed instructions for their missions. Often, this meant that diplomats "missed opportunity after opportunity" because they "spent their time writing brilliant reports on situations that had entirely altered by the time their dispatches arrived" (Nicolson, 1988: 82). The number, urgency and the complexity of issues to be discussed between governments thus demanded more frequent and direct contact between foreign secretaries, hence the growing importance of bilateral or multilateral conferences as a new form of conduct of diplomatic relations.

Third, the rising influence of the United States in global affairs also meant that the rules of diplomatic conduct had to adjust accordingly, especially since Americans were deeply distrustful of the European diplomatic methods. The concept of the 'new diplomacy' actually gained historical importance once introduced by the U.S. President Woodrow Wilson towards the end of World War I. In essence, the U.S. diplomatic creed rested on the "belief that it was possible to apply to the conduct

of *external* affairs, the ideas and practices which, in the conduct of *internal* affairs, had for generations been regarded as the essentials of liberal democracy” (Nicolson, 1988: 84).

Against the backdrop of World War I, these factors came together to facilitate new thinking about the goals and methods of diplomatic interaction. The proponents of the ‘new diplomacy’ argued that foreign policy could not rely upon secrecy and balance of power. They advocated, instead, three new guiding principles of diplomatic conduct that have remained valid to the present day: *public accountability* as a means of ensuring that foreign policy stays anchored in popular consent (especially in the context of democratic states), *self-determination* as an extension at the level of states of the liberal principle of individual rights, and *collective security* as a mechanism for eliminating the arbitrary use of force. This chapter will review the evolution of these three critical features of the new diplomacy, examine their impact on the role of modern diplomats and assess the extent to which the three initial promises have been delivered.

Open covenants of peace: accountable diplomacy

The case for accountability

Wilson placed on top of his famous Fourteen Points (→ glossary) the demand for “open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view” (Wilson, 1918). The emphasis put on transparency and accountability was not accidental as it revealed a deep clash between two important schools of thought, which World War I brought fully to light.

On the European side, transparency was seen as deeply problematic on two accounts. On the one hand, diplomacy traditionally constituted a royal prerogative, one of the last remaining divine attributes of monarchs and hence, the argument went, it could not be subject to public scrutiny, even within constitutional monarchies. On the other hand, the history of war and conflict in Europe shaped among policy makers an understanding of foreign affairs as a self-contained field, largely immune to methods of domestic policy. For this reason, diplomacy, it was argued, required sophisticated management strategies to be effective, which went beyond the comprehension of the common citizen. On this basis, excessive transparency and accountability was perceived to run the risk of crippling diplomatic decision making and of unnecessarily fuelling international tensions.

On the U.S. side, neither argument made much sense, partly because of the more democratic character of the U.S. political system at that time, and partly because of the country’s unique geographical position. In his farewell address, George Washington clearly warned his fellow country people of the dangers of imitating the European diplomatic ambitions and methods: “Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry (sic), interest, humor or caprice? . . . I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy” (Washington, 1924). These principles did not stop Americans from engaging in their own version of expansionist diplomacy in the Western Hemisphere under the authority of the

Monroe doctrine (→ glossary), but congressional oversight of U.S. foreign policy helped consolidate the belief in the validity of democratic constraints on diplomacy.

Deeply rooted in the liberal tradition, the idea that all international treaties should be transparently negotiated and ratified by parliaments like all other domestic laws came thus to be seen as the best protection against war, especially given the context of the breakout of World War I. To what extent would Germany have been willing to support Austria in its dispute with Serbia if the treaty between them had been properly subjected to public and parliamentary scrutiny? Similarly, to what extent would Austria and Germany have stayed determined to go to war had they known about Italy's secret treaty with France, under which Italy agreed to remain neutral should Germany attack France? In the words of a close observer at the time, accountability "would not bring Utopia, but it would make diplomacy honest, straightforward, clean; it would make almost impossible the chicanery, fraud, intrigue that for centuries have deluged Europe in blood and brought misery" (Low, 1918: 220).

By insisting that state actors engage each other in conditions of transparency and accountability, Wilson's call has had an enduring impact on diplomacy and has remained manifest to the present day. At the same time, the original promise that "diplomacy shall proceed always frankly and in the public view" has arguably remained unfulfilled. It is not that diplomatic institutions lack parliamentary oversight – most democratic countries are well advanced in this regard – but rather that diplomatic decision making and scrutiny still take place mainly behind closed doors, with little or only formal input from the public.

Diplomatic practice concerns not only the maintenance of the international system but also its governance. Much of what is promoted by diplomats as national interests is rarely discussed in parliament or by government ministers, and as a consequence, has limited public input. Thus, through their communications, diplomats not only exchange views but they also help produce the position and policies of their countries. They are not simply messengers and custodians of the international society. Rather, diplomats take sides and prevent as well as produce conflicts around the world, proactively managing deepening economic, political and cultural connections (Adler-Nissen, 2015: 27). This highlights a certain 'democratic deficit' in the conduct of international affairs. Wilson himself had to confront this dilemma. Faced with the prospect of a protracted and fruitless peace conference (Kissinger, 1994: 232), Wilson had to backtrack on his promise to have an 'open conference' in Paris and allowed Great Powers to take control of the conference proceedings and conduct all negotiations in closed meetings. The situation aggravated to the point that it prompted a French commentator to lament that "everything took place in darkness . . . The Congress of Vienna was less secret than that in Paris" (Marquardt, 2011: 86). With a lack of accountability, diplomacy conducted behind closed doors or rather secret diplomacy, has had an intimate relationship with illicit activities.

That being said, diplomacy and intelligence have a long-standing relationship that extends to over two millennia. As Stempel points out, "beginning with the Achaemenid Persians between the sixth and fourth centuries B.C., the organization of intelligence as part of government was developed to a very high degree, and copied by Arabs, Turks, Afghans, Mongols, and Hindus over the following centuries" (2007: 122). In the early period, functions were not sufficiently differentiated, and clandestine operations were common practice in the conduct of international relations.

Behind the whole conception of secret diplomacy – carrying on governmental affairs in secret until action has been decided upon and can be changed only at great loss or peril to the people – is a basic distrust of the common people . . . Leaders are afraid that if the people know what . . . [their] day-to-day actions and contemplations . . . are, and figure out . . . [their] underlying motives, the people will not support . . . [them] but . . . [rather] criticise and eventually discard them – by vote or revolution.

(Punke, 1956: 84)

The Treaty of Vienna concluded at the end of the Napoleonic Wars in 1815 included the principles that diplomats are not to interfere in the internal affairs of states, and an outright condemnation of espionage. With this, a differentiation between professionalized espionage and the diplomatic service was created. Although a separate intelligence service was formed, secrecy within diplomatic practice did not disappear, however. Diplomatic practice continues to be conducted with varying degrees of secrecy, depending on the sensitivity of the item of negotiation. This raises the question of whether or not the utilization of secret diplomacy is justifiable and, if so, when it is normatively appropriate and in fact, necessary for diplomatic practice to be effective (Bjola, 2014: 85). It can be argued that a certain degree of ‘democratic deficit’ can in some cases be considered essential, as public disclosure of all reports involving diplomatic negotiations and relations may actually undermine their effectiveness.

Agreements concluded as a result of secret diplomacy may address some immediate problems for the parties, but they may have long historical shadows, sometimes with a tragic impact. For example, the Sykes-Picot Agreement of 1916 was a secret treaty agreed between Great Britain and France. In the nineteenth century, the Middle East had gained global importance due to its geopolitical significance to the Great Powers of Europe. With the disintegration of the Ottoman Empire in the early twentieth century, Great Britain and France took it upon themselves to divide the Arab provinces of the Empire into various forms of British and French control, ranging from direct rule to ‘spheres of influence’ and ‘economic zones’ (Simon and Tejirian, 2004: 11, 96). The agreement created the structure of Middle Eastern states as they are known today. However as cultural, ethnic and religious diversities of the region were not factored into the agreement, and the populations were not even consulted, these states have since struggled forming coherent national identities and developing themselves into sovereign and democratic states (Sicker, 2001: 3).

On a more positive note, secret diplomacy helped deliver the U.S.-China Joint Announcement on Climate Change. It was released on 12 November 2014 in the run-up to the 2015 Conference of the Parties (COP), widely regarded as the last chance to secure an international agreement with the ability to effectively manage climate change within reasonable limits. Throughout the years, the United States has refused to take proactive measures without parallel action from the Chinese government, as both have been responsible for a substantial amount of total global greenhouse gas emissions. This has stalled significant progress at the annual COPs, as China has consistently invoked its right to develop as the primary policy priority. The sudden release of the Joint Agreement indicated a will to compromise on both sides, and was perceived as a massive step towards producing what has been deemed a successful outcome at the 2015 COP. While the Joint Announcement may soon become moot following the decision of the Trump Administration to withdraw from the Paris Climate Accord, it can nevertheless be argued that in this case secret diplomacy

helped advance the climate negotiations agenda and determined China to throw its weight behind the ensuing agreement.

Since Wilson's time, the principle of diplomatic accountability has become firmly institutionalized in many countries, but the fundamental question still persists: Where should the line be drawn between diplomatic accountability and effectiveness? This trade-off has been addressed by the United States, the EU and Iran in different ways, to be discussed further later.

Parliamentary oversight

The United States

The United States has one of the strongest systems of parliamentary oversight of the executive branch in foreign policy making. Indeed, the U.S. Congress can control foreign policy through two specialized committees: the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs. These committees oversee the foreign policy decisions of the U.S. President and they authorize the U.S. State Department's budget. The Senate Committee on Foreign Relations is responsible, for instance, for overseeing the foreign policy agencies of the U.S. government, including the Department of State, the U.S. Agency for International Development, the Millennium Challenge Corporation, and the Peace Corps. The Committee also reviews and considers all diplomatic nominations and international treaties, as well as any piece of legislation relating to U.S. foreign policy. For this purpose, it organizes regular hearings and publishes reports on special issues (U.S. Senate Committee on Foreign Relations, 2015).

In addition to these two specialized committees, the Congress exercises oversight over foreign policy through a few other bodies. The Select Intelligence Committees monitor the activities of the CIA and other intelligence agencies, the House National Security Committee and the Senate Armed Services Committees deal with defence matters, the House Ways and Means Committee and the Senate Finance Committee give advice on matters related to international trade, while the Appropriation Committees of the House and Senate frequently have legislation reviewed pertaining to foreign aid. The requirement for the executive branch to report all its commitments abroad, the sixty-day time limit on how long the U.S. president may deploy military forces abroad without congressional authorization, the budgetary restrictions on foreign policy funding and the committee oversight system are powerful instruments of congressional control of the U.S. diplomatic agenda, but their relevance must not be overstated. Congressional authority in foreign affairs is often weakened by the use of legislative 'escape clauses' by the President in the name of national security, the ideological divisions between the two main parties, and the advantage the executive branch enjoys in taking the initiative in foreign policy (McCormick, 2005: 330–331).

The EU

Under the direction of the High Representative of the Union for Foreign Affairs and Security Policy (HR), the European External Action Service (EEAS) acts as a body functionally autonomous from the Commission and the Council that is nevertheless accountable, through various forms, to the European Parliament (EP) and the European Commission, as well as to Member States through the Foreign

Affairs Council. The latter operates autonomously in day-to-day management of foreign affairs but, from a legal perspective, prepares and implements decisions which are taken by the institutions in accordance with the rules governing the policy field concerned. For example, when Common Security and Defence Policy (CSDP) is concerned, the Council retains decision-making authority. The policies enacted by the EEAS are formulated in part by the Foreign Affairs Council which, while chaired by the HR, provides the mandate for his/her work. Despite her chairmanship role, she must, as a matter of legal principle, remain silent. There is, however, much leeway as to how silent the HR must in fact remain in the decision-making process.

Though the EP only held a formally consultative role in the drafting of the EEAS establishing mandate, the EP exerts influence over the EEAS through budgetary control, access to confidential information, and high-level personnel vetting – an institutional architecture which suggests a gradual empowerment of the EP in determining the EU's external relations. First, the EP and Commission maintain full budgetary control of the EEAS, over operational and administrative budgets, established through the newly created role of a Chief Operating Officer for administrative and budgetary questions who internally oversees the expenses, costs and organization of the EEAS. The European Commission is in charge of the operational expenditures of the budget and these remain within the Commission section of the budget. Indeed, as declared in the Council Decision 2010/427/EU, the Foreign Affairs Committee and the Budgets Committee bureaus have stronger scrutiny rights over Common Foreign and Security Policy (CFSP) missions financed out of the EU budget (Council of the European Union, 2010).

Second, the EP is involved in evaluating, falling short of formally approving, high-ranking diplomatic personnel in EU delegations around the world. The auditions of diplomatic personnel by the EP are only allowed after their appointment and before their deployment (EU High Representative, 2010: para 5). The European Commission President has acquired a new prerogative, through the Lisbon Treaty changes, of dismissal of members of the Commission, which includes the HR. This prerogative endows some basic influence to the executive body of the EU and by extension to the EP. Third, the EP has the right to be informed on CFSP and CSDP developments. Indeed, written into the HR's mandate, and in accordance with Article 36 of the Treaty on European Union (TEU), is "to regularly consult the European Parliament on the main aspects and basic choices of the CFSP" and to "ensure that the views of the European Parliament are duly taken into consideration" (Council of the European Union, 2010: Preamble para 6).

In sum, parliamentary oversight remains strongest at the budgetary level and rather weak at the substantive policy-making level. As noted, the EP does not hold strong sway over high-level appointments, the EP's requests for briefings by appointed representatives must not necessarily be granted, the HR maintains control over the sharing of confidential information with MEPs, and many substantive policy directives come from other bodies.

Iran

In the Iranian theocratic system, the Supreme Leader of the Islamic Revolution retains the final word on foreign policy, but several major officers are responsible

for foreign policy drafting: the Supreme Leader, the President as chair of the High Council for National Security (HCNS), the Head of the Expediency Council and the Foreign Minister. With the HCNS serving as “the nerve centre of policymaking in Iran and the key body in which foreign policy is debated”, the President has “undoubted primacy” for the direction of foreign policy (Jones, 2009: 99). Parliamentary oversight on foreign policy making remains rather weak, with most policy being formulated in these bodies of the executive branch and ultimately decided upon by the Supreme Leader. One mechanism of parliamentary involvement is the participation of the Speaker of Parliament in the High Council for National Security, which formulates the foreign, military and security policies of Iran.

More substantially, the Parliament, known as the Majlis, serves as a forum for the discussion of foreign policy issues and seeks to indirectly affect the executive policy, especially through committees such as the Foreign Affairs Committee. For example, the Majlis can formally request clarification relating to the executive diplomatic actions and, according to a constitutional clause, has the authority to approve or reject international treaties, memoranda of understanding and contracts entered into by the executive. Parliament does retain the authority to summon the President or the Foreign Minister, though this power is rarely used and its ramifications are limited. In an unprecedented request since the establishment of the Islamic republic in 1979, the former Iranian President Ahmadinejad was questioned in March 2012 by Parliament on his foreign and domestic policies, facing accusations of challenging the authority of the Supreme Leader.

In June 2011, in response to the Foreign Minister Ali Akbar Salehi’s making a controversial nomination as his deputy, thirty-three Iranian legislators petitioned the speaker of the Majlis for the Minister’s impeachment. The parliamentary impeachment process was cancelled only when Salehi’s nominee submitted his resignation (Bozorgmehr, 2011). Finally, the Council of Guardians, which consists of six theologians appointed by the Supreme Leader and six jurists nominated by the judiciary and approved by Parliament, remains the most influential decision-making body on domestic matters but plays only an indirect, supporting role in the shaping of foreign policy. Its role is limited to formally ensuring that the President’s diplomatic initiatives do not contradict the constitution and the laws of Islam. In practice, the Council powers are “usually of a technical nature and largely deal with Iran’s bilateral agreements with other countries” (Jones, 2009: 100).

Self-determination: equality and democracy

The case for self-determination

Woodrow Wilson’s vision of the post-war order outlined in a series of addresses to the U.S. Congress drew on two related principles, both deeply rooted in the U.S. liberal tradition of political egalitarianism and democratic rights. The first stated that all sovereign entities constituted, small nations and great powers alike, should be entitled to the same treatment and rights in their relations with each other, while the second contended that political institutions, whether national or international, should be based on the “consent of the governed” (see Box 3.1).

Box 3.1 The Wilsonian concept of self-determination

The equality of nations upon which peace must be founded if it is to last must be an equality of rights; the guarantees exchanged must neither recognize nor imply a difference between big nations and small, between those that are powerful and those that are weak. Right must be based upon the common strength, not upon the individual strength, of the nations upon whose concert peace will depend . . . And there is a deeper thing involved than even equality of right among organized nations. No peace can last, or ought to last, which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property (Wilson, 1917).

Wilson's call was nothing less than revolutionary for diplomacy. On the one hand, he drew a clear line against colonial and imperial forms of government by insisting that no state could claim sovereign authority over any other state. On the other, he implied that foreign policy should concern itself not only with traditional matters of inter-state negotiation, but it should also aim to reach deeper and foster 'regime change' (a term, which he, of course, did not use at the time) when the rights of the people are abused. To be sure, neither the equality nor the democratic version of the self-determination principle was thoroughly pursued at the end of the war. Not only did the United States decline to stay engaged in European affairs through the newly established League of Nations, but the inherent tensions and contradictions of the principle also proved difficult to handle. The principle of sovereign equality risked, for instance, putting the United States on a diplomatic collision course with its European allies, especially Britain and France, who were predictably very protective of their colonial empires.

The diplomatic compromise was to restrict the application of the principle to Europe, especially to the territories of the Austro-Hungarian Empire. The latter's disintegration led to the rise of four new states in Central Europe (Austria, Hungary, Czechoslovakia and Yugoslavia) in addition to the five already established following the withdrawal of Russia from the war (Estonia, Latvia, Lithuania, Finland and Poland). Self-determination for non-European peoples was temporarily "entrusted to nations who by reason of their resources, their experience or their geographical position [could] best undertake this responsibility", that is, to prepare the former colonies for self-government (League of Nations, 1924: Art. 22).

Olaniyan illustrates this point through his case study concerning the evolution of Nigerian diplomacy. He argues that colonial inheritances, internal political structures and institutions, economic dependence as well as outside influences have impinged upon the diplomatic responses and behaviour of Nigeria. As a result of colonization, Nigeria's political relations with other countries were pre-determined upon its attainment of independence. Having been a British colony and navigating the Cold War landscape, Nigeria's immediate alliances were with the Western block and other Commonwealth nations. For a very long time, relations with the East were

looked upon with disapproval. The first set of Nigerian diplomats were trained at the University of Oxford and had practical attachment training in the British Foreign Office and in British diplomatic missions in Washington, DC, Ottawa and Rio de Janeiro. Furthermore, it was assumed:

[t]hat for some time after independence, Nigerian interests in some countries would have to be looked after by British diplomats in those places as Nigeria would not be able to afford the cost of maintaining diplomatic missions in all the places where it had any form of interests.

(Olaniyan, 1996: 6)

The translation of the principle of self-determination from a theoretical construct into a diplomatic strategy revealed three major limitations. First, if strictly applied, self-determination could lead to endless political fragmentation as no partition formula would likely be able to accommodate the variety of claims to be potentially raised in territories with entrenched ethnic or religious divisions. The Kurdish population provides a relevant example. Consisting of approximately 30 to 40 million people (the fourth largest ethnicity in Western Asia), and having been left stateless as a result of the state-building era of nineteenth- and early twentieth-century Europe (Sulkunen, 2015: 27), the Kurdish people currently occupy a territory that stretches across Turkey, Syria, Iran and Iraq. Achieving independence would require the political alignment not only of the four states across which the population is spread, but also of international powers with interests in the region.

Second, self-determination might also prove a recipe for regional instability by fuelling irredentist claims, stirring regional rivalries and offering great powers cheap diplomatic opportunities to exploit internal divisions as happened with Nazi Germany in the late 1930s, which invoked the claim of self-determination of peoples to demand and achieve annexation – without war – of the 3.5 million Sudeten Germans in Czechoslovakia (see also the case study in Chapter 9). Similar tactics have been used more recently during the Ukraine crisis where Russia annexed Crimea on the basis of protecting the rights and self-determination of the territory's Russian population.

Third, if the 'consent of the governed' is a principle of great relevance not only for domestic but also international politics, does the international community have a responsibility to implement it in countries where the principle is lacking or it is deficient? Eighty-seven years after Wilson's Fourteen Points Declaration, the Responsibility to Protect doctrine was conceived at the UN World Summit in 2005. As a result, the international community gained the right to intervene in domestic affairs deemed contra to international norms. Effectively, states are no longer protected by their sovereignty if they fail to protect their citizens from genocide, war crimes, ethnic cleansing and crimes against humanity (UN General Assembly, 2005).

Legal formulations

In an attempt to address these tensions, the international community has since adopted a set of legal measures that aim to clarify the scope of the right to self-determination and to limit possible abuses. Art. 2.1 and Art. 55 of the UN Charter give, for instance, full recognition to "the principle of equal rights and self-determination of peoples" (UN, 1945). The 1970 Declaration of Principles of International Law

Concerning Friendly Relations is generally viewed as the most authoritative document on the matter as it not only recognizes self-determination as a basic principle of international law, but it also specifies acceptable methods for its achievement such as “the establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people” (UN General Assembly, 1970). The self-determination principle now informs or complements other principles of international law, and hence it has to be read in conjunction with the principle of non-intervention, prohibition of the use of force, and equality of states and equality of peoples within a state (Brownlie, 2003: 555).

The diplomatic response to the question of secession has embraced three different forms. The potential risks of border revisions for regional stability prompted, for instance, the Organization of African Unity to adopt a pragmatic resolution in 1964, which urged for the protection of the integrity of colonial borders, regardless of ethnic divisions, based on the *uti possidetis* principle (→ glossary). For others, secession without constitutional authorization is only a remedial right, a last resort measure against large-scale and persistent violations of basic human rights, hence the humanitarian intervention (→ glossary) in Kosovo. Finally, ‘de facto’ independence is not the same as ‘de facto’ sovereign statehood, as the latter implies “a legal status attaching to a certain state of affairs by virtue of certain rules” (Crawford, 2006: 5). In other words, the right to self-determination by secession is insolubly linked to conditions of collective recognition of statehood.

The latter point brings back Wilson’s indirect reference to the necessity of promoting democracy as a long-term solution to achieving international peace. Wilson recognized the potential risks of this approach by making plain that, whereas self-determination was a universal principle, the same did not necessarily apply to democracy: “I am not fighting for democracy except for the peoples that want democracy . . . If they don’t want it, that is none of my business” (quoted in Thompson, 2010: 35). The notion of ‘regime change’ stayed relatively dormant until the end of the Cold War, but it has since strongly resurfaced through the U.S. commitment to spreading democracy worldwide either by peaceful or military means. For example, the Iraq Liberation Act of 1998, enacted by the Senate and the House of Representatives, stated that “it should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime” (U.S. Congress, 1998). The test for diplomats and policy makers alike remains nevertheless the same as in the time of Wilson: how can the notion of the democratic peace turning into a ‘democratic war’ (→ glossary) under the ideological guise of liberal-expansionist policies be avoided?

Conference diplomacy

Another important consequence of the self-determination principle has been the rise of conference diplomacy. To be sure, these forms of diplomatic engagement had been around long before World War I (see the case of the Congress of Europe in Chapter 2). However, transportation, financial and security issues limited the use of conference diplomacy in the ancient and medieval period primarily to issues of post-conflict settlement. The number of international conferences steadily increased in

Table 3.1 Number of international conferences by decade, 1840–1939

	<i>Number of conferences</i>
1840–1849	5
1850–1859	22
1860–1869	75
1870–1879	149
1880–1889	284
1890–1899	469
1900–1909	1,082
1910–1919 (World War I)	974
1920–1929	2,913
1930–1939	3,655

Source: Leguey-Feilleux, 2009: 275

the nineteenth century, but they really exploded after World War I (see Table 3.1). This was partially the result of the growing number of actors and an increased level of interconnectivity, resulting in more and more issues that required diplomatic resolution becoming internationalized beyond two states. Issues ranging from the territorial delimitation of new states to the mitigation of concerns regarding post-war reparations, the negotiation of issues of naval disarmament, climate change, health and international security. Contemporary examples include the UNFCCC negotiations on climate change, the meetings of the World Trade Organization as well as the six-party talks aimed at dismantling North Korea's nuclear program.

Furthermore, many leaders held the belief that international conflict was essentially the result of communication failure, which could be avoided if those ultimately responsible for making foreign policy decisions would tackle the issues in face-to-face meetings rather than indirectly through diplomats. This attitude reinforced confidence in the value of conference diplomacy as an instrument of crisis management, especially since a number of great powers such as the United States, the Soviet Union and later Germany did not take part, at the time, in multilateral institutional frameworks such as the League of Nations (→ glossary). These direct dealings between national leaders has led to what Ish-Shalom (2015) has termed King or Executive Diplomacy. Ish-Shalom (2015: 10) argues that the division of labour between diplomats and national leaders is deteriorating, “resulting in a collapse of routine into perpetual crisis and a shaken public mind”. He argues that the erosion of this division of labour is creating new forms of diplomacy; namely “the spreading phenomenon of heads of the executive branch assuming responsibility for the routine, every day, personal (and public) diplomacy of their country” (Ish-Shalom, 2015: 11). National leaders are taking on all aspects of diplomatic practice and by doing so they create a “‘criticized routine’, a state of perpetual crisis: a socio-political condition in which routine collapses into crisis” (Ish-Shalom, 2015: 13). By doing so, leaders overstretch themselves, normal diplomates lose their responsibilities and the public mind is shaken.

Aside from *crisis management*, which has distinctly remained its core function – as illustrated, for instance, by the multitude of summits held by EU leaders during the eurozone or refugee crises in 2010–13 and 2015–16 respectively – conference diplomacy has evolved to cover other important aspects of diplomatic activity. From a

consultative perspective, conference diplomacy often serves as a forum for exchange of information and general discussion of issues of common interest. For example, the Nuclear Security Summits held every two years since 2010 brought together global leaders to discuss a working plan for improving global nuclear security. From a *negotiating* perspective, conference diplomacy allows parties to review progress under an agreement concluded earlier or to prepare a new draft treaty. The annual Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC) provides, for instance, a forum of discussion and negotiation, to about 1,000 delegates from over eighty countries to review progress in implementing the provisions of the 1997 Kyoto Protocol during its first (2008–12) and second (2013–20) commitment periods, as well as to negotiate the recently agreed Paris Agreement.

The benefit of multilateral inclusiveness of conference diplomacy does, however, come at a price. Keeping large numbers of delegations together is expensive and may lead to serious logistical complications. This is why multilateral conferences are by necessity short-term events, and this often results in the issue under discussion being left undecided. The Law of the Sea Conference, for instance, took nine years to complete its work, while the WTO Doha negotiation round failed to make progress more than a decade after its launch. In addition, in the age of media saturation, multilateral conferences are prone to politicization. They may increase expectations for leaders to achieve spectacular results, oftentimes in blatant disregard of the advice of professional diplomats. Shimazu (2014: 225) furthermore argues that the publicity of multilateral conferences risks turning the negotiations into a theatrical performance where leaders play to the public imagination. At the same time, the publicity generated by these conferences may invite attempts by various groups to hijack the conferences by bringing up highly divisive and ideological issues that are mostly irrelevant for the topic of the conference.

What are the factors that make conference diplomacy a success or a failure? First of all, preparation is essential, especially for world conferences which generally require three or four years of preparatory work. The parties convening a conference usually establish a preparatory committee which is supposed to write and negotiate a preliminary draft, put together a detailed conference agenda and make sure all relevant stakeholders, including NGOs or international organizations, are duly consulted (Leguey-Feilleux, 2009: 281). Cultural and ideological compatibility may also play an important role, especially during top-level summits between heads of state and government, by potentially reinforcing misperceptions and raising unwarranted expectations. The failure of President Kennedy's encounter with the Soviet leader Nikita Khrushchev in Vienna in June 1961, for instance, has been largely credited to the inability of the two leaders to overcome their ideological differences.

The effectiveness of conference diplomacy also lies in the degree to which the parties involved possess the critical capacity necessary to translate the conference decisions into concrete policies. The G20 has recently emerged, for instance, as a key diplomatic forum of global negotiations, largely because its flexible institutional structure and strong joint economic capacity allows it to deliver good results, currently on financial matters and perhaps on environmental issues as well in the future. Despite lacking a permanent institutional structure and formal competences, the

G7 is nevertheless able to exercise strong leadership in global governance by often delegating the implementation of its decisions to a network of key international institutions (IMF, World Bank, OECD, etc.) that are controlled by the G7 members (Gstöhl, 2007). Finally, while broader participation in conference diplomacy may amplify coordination problems and reduce consensus opportunities, heterogeneous and autonomous representation of the main stakeholders may nevertheless prove essential in overcoming resistance in the implementation phase (Carr and Norman, 2008).

Collective security: the power of law and deliberation

The case for collective security

The last of Wilson's Fourteen Points called for the establishment of a "general association of nations . . . for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike" (Wilson, 1918). This was supposed to build on and reinforce the other two diplomatic components of the new diplomacy. At the individual level, public scrutiny of diplomacy served to restrain risky behaviour of diplomatic elites by making foreign policy decision making more transparent and accountable. At the domestic level, self-determination took aim at removing sources of political oppression, which were seen as a major cause of war. Finally, at the systemic level, collective security pledged to prevent military competition between states by facilitating mutual trust, international cooperation and peaceful settlements of international disputes. While the first two components have since taken solid roots in diplomatic practice, collective security still remains a work in progress despite two bold attempts to institutionalize it, first through the League of Nations and after World War II through the UN.

Ironically, the idea of a collective security organization emerged in Britain, the long-standing defender of balance-of-power politics, mainly because the British government wanted to secure America's entry into World War I. In America's view it was not the absence of a balance of power (→ glossary) that undermined international order but the pursuit of it. For Wilson, the security of the world called not for the defence of national interest or Realpolitik (→ glossary: *raison d'état*) but rather of peace as a legal concept (Kissinger, 1994: 222–223). Although the idea evoked little enthusiasm from professional diplomats, Wilson's determination to have his way, the desire of the British to retain U.S. goodwill, and the hopes of the French that such an organization would prove effective in policing Germany and maintaining the security of France, ensured the triumph of the league idea (Hamilton and Langhorne, 1995: 158). The League of Nations was created to facilitate the peaceful resolution of disputes by disallowing member states to go to war with each other until they had exhausted the League's procedures for arbitration and conciliation.

The Covenant of the League of Nations established a number of procedures by which disputes "likely to lead to a rupture" would be submitted by the signatories "either to arbitration or judicial settlement or to enquiry by the [League] Council" (League of Nations, 1924). The members agreed "not to go to war with any party to the dispute which complies with the recommendations of the [Council] report"

(Art. 15), and “to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League” (Art. 10). The Covenant also introduced a major qualification to the customary right to war: the right of conquest no longer existed! The use of force was considered legitimate only for self-defence, and even then, only under limited conditions. Recourse to war was left open in two circumstances: if the Council of the League failed to reach a unanimous decision concerning the matter under dispute or if one of the parties failed to comply with the decision taken by the Council (Art. 15). Member states that ignored those rules were deemed to be subject to economic sanctions and threats by the military might of the remainder of the membership.

The League’s gradual inability to enforce its rules led eventually to its demise (see Box 3.2), but its key provisions were revived after World War II by the UN Charter. Art. 2(4) of the Charter establishes, for instance, a general prohibition not only on the use of force, but also on the threat to use force. The Charter makes reference to only two exceptions to Art. 2(4): individual or collective self-defence (Art. 51), and collective security (chapter VII). In both cases, the use of force is considered legitimate as long as the objective of the intervention is “to conserve and defend values already enjoyed” not “to attack and acquire values held by another” (McDougal and Feliciano, 1994: 18–19).

Box 3.2 The Abyssinia crisis

The Italian invasion of Abyssinia (Ethiopia) in 1935, in open defiance of the League of Nations’ covenant, forced a difficult choice upon France and Britain between supporting the League and alienating Italy, or allowing the League to be flouted and depriving it of any future role in international politics in order to maintain Italian friendship. The attempt of the French and British diplomatic services to compromise in order to preserve both the League of Nations as a body potentially capable of imposing collective punishment, and Italy as a significant opponent of Nazi expansionist plans over Austria and the Balkans, ended in the worst of all possible outcomes: the League destroyed and Italy on Germany’s side. The League did impose arms and trade sanctions against Italy, but they lasted only seven months and did not include severe restrictions on materials required for the military campaign (Ristuccia, 2000).

In other words, the Charter puts emphasis on the *preservation* not on the *transformation* of the existing territorial and political arrangements (e.g. the upholding of the Westphalian principle of sovereignty). Art. 51 thus acknowledges the right of states to defend themselves against an armed attack, individually or collectively, but this recognition is not absolute. In fact, the right of self-defence has a residual character since all UN member states are supposed to be protected by the shield of collective security. Under Art. 51, the occurrence of an ‘armed attack’ is a mandatory requirement for the legitimate exercise of the right of self-defence. According to this logic,

no pre-emptive action against a potential threat can be considered lawful under the UN Charter. Nevertheless, customary international law appears to be more generous on this issue: anticipatory self-defence (→ glossary) could be legitimately invoked as long as it meets two conditions – of necessity and proportionality. In other words, a state contemplating a pre-emptive action will need to demonstrate that the threat of an armed attack by another state is imminent, and that the response will be proportional to the threat.

Diplomatic challenges

The interpretation and enforcement of the Charter's provisions has been entrusted to the Security Council, the main UN executive organ. The structure of the Council reflects the international distribution of power at the end of World War II, a situation that is being increasingly resented by a number of established or emerging powers including India, Brazil and Japan. Five permanent seats of the Security Council belong to the winning powers (United States, Britain, France, Soviet Union/Russia and China), while the rest of ten seats are assigned by rotation to other members of the UN. The five permanent members also granted themselves the right to veto decisions considered by the Council as per Art. 27 of the Charter (UN, 1945). These two features of the Security Council were meant to address one of the major weaknesses of the League of Nations: the alienation or exclusion of a major power from the decision-making body responsible for setting and implementing rules of international conduct.

From a diplomatic perspective, collective security raises two important challenges. First, how to convince great powers to go along with it and second, what to do in case they refuse. Formal equality and participation in the debates of the League of Nations did not render the power factor irrelevant. In fact, the League's procedure for settling disputes was rather a "system of detours, all of which led to one or other of the following two issues: agreement or disagreement between Great Britain, Italy, France and Germany" (Carr, 2001: 98). The veto system (→ glossary) introduced by the UN Charter addressed this limitation by offering major powers strong incentives to stay engaged in the system. On the negative side, it allows them to block any resolution perceived as detrimental to their interests, or to their allies. This is one of the main reasons why the list of violations of the UN Charter framework by the permanent members and their allies used to be so extensive during the Cold War.

Current debates concerning the extension of the concept of collective security to matters involving pre-emptive action and humanitarian intervention reinforce the point that power cannot be easily tamed by institutional frameworks. Ultimately, it may matter less whether the Security Council will have the legal power to authorize pre-emptive or humanitarian interventions in accordance with Articles 41 and 42 (see Box 3.3), but rather whether the decision will satisfy the interests of the permanent five members of the Security Council. In all fairness, diplomats at the UN should act cautiously in asking great powers to take on responsibilities for which they do not seem to be prepared. The real test of diplomatic skill is not to achieve laborious but inapplicable legal frameworks, but to diligently build coalitions inside and outside the Security Council that can deliver results.

Box 3.3 Recommendations of the UN High Level Panel on Threats, Challenges, and Change for authorizing the use of force

- Seriousness of threat: Is the threatened harm to state or human security of a kind, and sufficiently clear and serious, to justify *prima facie* the use of military force? In the case of internal threats, does it involve genocide and other large-scale killing, ethnic cleansing or serious violations of international humanitarian law, actual or imminently apprehended?
- Proper purpose: Is it clear that the primary purpose of the proposed military action is to halt or avert the threat in question, whatever other purposes or motives may be involved?
- Last resort: Has every non-military option for meeting the threat in question been explored, with reasonable grounds for believing that other measures will not succeed?
- Proportional means: Are the scale, duration and intensity of the proposed military action the minimum necessary to meet the threat in question?
- Balance of consequences: Is there a reasonable chance of the military action being successful in meeting the threat in question, with the consequences of action not likely to be worse than the consequences of inaction? (UN, 2004: para. 207)

The solution to the conundrum therefore rests with diplomats building the strongest case possible in favour or against the legitimacy of the collective security action. This would involve three steps. First, the decision has to be anchored on firm *legal foundations* drawing on the most relevant legal standards in the UN Charter and customary international law. Second, the justification for or against the intervention has to meet the highest *moral standards* of the international community with respect to the use of force, such as the guidelines defined by the UN High Level Panel on Threats, Challenges, and Change. Third and most critically, diplomats have to make sure their arguments are thoroughly persuasive by meeting conditions of *deliberative legitimacy* (Bjola, 2005) (→ glossary). This implies the facts supporting their case are truthful and complete, as informed by the best evidence available; all affected parties are allowed to participate in the debate with equal rights to present an argument or to challenge a validity claim; and finally, participating actors show genuine interest in using argumentative reasoning for reaching an understanding on the decision to use force (Bjola, 2009: 76). This diplomatic approach may not be able to override the interests of great powers all the time, but it could make it much more difficult for them to justify their actions purely in terms of national interest.

From an ethical perspective, diplomats therefore struggle to bridge their role as the custodians of the international society (Bull, 1995: 176) with the domestic pressure to pursue narrowly defined national interests. Guarding state interests while defending international norms is a challenging task that invites suspicion and even disregard. As Sharp insightfully remarks, it renders diplomats into “professional strangers” (Sharp, 2009: 100) who cannot comfortably walk the line between loyalty

and vice in confidence that their professionalism will never be called into question. This tension cannot be reconciled unless the principle of “Loyalty to the Prince” that keeps the object of diplomatic loyalty at the personal level, and “Loyalty to the State” that favours the group as discussed in Chapter 2, is complemented by the concept of “Loyalty to People”, which extends concerns of diplomatic concerns to humankind (Bjola, 2016a).

Summary

- The new diplomacy emerged from the ashes of World War I and drew inspiration from three principles: *public accountability* as a means of ensuring that foreign policy stays anchored in popular consent, *self-determination* as the extension at the level of states of the liberal principle of individual rights, and *collective security* as a mechanism for restricting the arbitrary use of force.
- The demand for public accountability has translated into the requirement for governments to make frequent statements on foreign policy, submit all treaties and diplomatic engagements to parliament, accept rigorous oversight of foreign affairs by specialized parliamentary committees and to promote competitive recruitment for the selection of the diplomatic personnel.
- Self-determination introduced the principle of sovereign equality according to which no state could claim sovereign authority over any other state. At the same time, it planted the idea that foreign policy should concern itself not only with traditional matters of inter-state negotiation, but should also aim to reach deeper and foster ‘regime change’ when the rights of the people are abused.
- Designed as a diplomatic alternative to the balance of power politics, collective security serves to prevent military competition between states by facilitating mutual trust, international cooperation and peaceful settlements of international disputes. Originally designed to deal with violations of state sovereignty, the concept of collective security is currently under pressure to accommodate concerns of pre-emptive action and humanitarian intervention.
- The principle of “Loyalty to People” extends concerns of diplomatic ethics to humankind. As custodians of the international society, diplomats face suspicions of divided loyalties, but they also help create and reproduce the norms that make international cooperation possible.

Study questions

- What factors facilitated the transition from the old to the new diplomacy?
- What trade-offs take place between democratic accountability and secret diplomacy?
- What are the two components of the Wilsonian principle of self-determination and what challenges have both raised for diplomatic practice?
- How does conference diplomacy in the twentieth century differ from that of the Concert of Europe?

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- What is collective security supposed to achieve, what diplomatic limitations does the principle face and what can be done to make it more effective?
- What does the principle of “Loyalty to People” mean and to what extent can it bridge the ethical demands on diplomats of guarding state interests while defending international norms?

Recommended further reading

Nicholson, Harold. 1988. *The evolution of diplomatic method, Cassell history*. London: Cassell. This is a classic text which includes four insightful lectures of an eminent British diplomat and historian dealing with diplomacy in Greece and Rome, Renaissance Italy, seventeenth-century France, and the twentieth century.

Ikenberry, G. John (ed.). 2009. *The crisis of American foreign policy: Wilsonianism in the twenty-first century*. Princeton, NJ: Princeton University Press. This provocative collection examines the traditions of liberal internationalism that have dominated U.S. foreign policy since the end of World War II.

Bjola, Corneliu. 2009. *Legitimising the use of force in international politics: Kosovo, Iraq and the ethics of intervention*. London and New York: Routledge. This book examines the conditions under which the decision to use force can be reckoned as legitimate in International Relations. Drawing on communicative action theory, it provides a provocative answer to the hotly contested question of how to understand the legitimacy of the use of force in international politics.

Carr, Edward Hallett. 2001. *The twenty years' crisis, 1919–1939: An introduction to the study of international relations*. Basingstoke, UK and New York: Palgrave. This is a classic work in International Relations which provides a powerful critique of the application of the new diplomacy to European affairs before World War II.

Crawford, James. 2006. *The creation of states in international law*. 2nd ed. Oxford: Oxford University Press. Addressing such questions as the unification of Germany, the status of Israel and Palestine, and the continuing pressure from non-State groups to attain statehood, even in cases like Chechnya or Tibet, against the presumptive rights of existing States, this book discusses the relation between statehood and diplomatic recognition as it has developed since the eighteenth century.

Housden, Martyn. 2011. *The League of Nations and the organization of peace*. London: Longman. This book illustrates how an understanding of the League of Nations, its achievements and its ultimate failure to stop World War II, is central to our understanding of diplomacy and international relations in the inter-war period.

4 Multiplicities of global diplomacy

Chapter objectives

- Discuss key features of global diplomacy: multiplication of issue areas and actors.
- Provide an overview of the issue areas in which diplomacy gets involved.
- Identify traditional and non-traditional diplomatic actors.
- Describe how diplomatic interaction in these issue areas contributes to the making of system-defining principles.

Introduction

This chapter continues to trace diplomacy from its beginnings to the global age. The last chapter already started dealing with an important post-World War II development, i.e. the increasing number of actors (→ glossary) and issues they get involved in. This chapter will elaborate on these observations. The multiplication of actors and the multiplication of issue areas amount to the key features of today's global diplomacy.

Whereas diplomacy traditionally dealt primarily with matters of war and peace, as well as, to a considerable extent, with economics, it now deals with *many issue areas that were previously considered domestic policy fields* only (e.g. health), or were not even regarded as policy fields of much significance at all (e.g. environment). The proliferation of issue areas goes hand in hand with the *proliferation of actors on the diplomatic stage*. Diplomacy is no longer reserved to the foreign services of states. The latter get competition from within the state, such as ministries of finance, economics or environment ministries, who tend to have easier access to specialized knowledge. In a similar vein, international civil servants – working, for instance, for a specialized UN agency or the World Bank – sometimes have a grasp of the details of an issue area that is difficult to match for foreign services, especially the ones of smaller states. The proliferation of issue areas also provides opportunities for non-governmental organizations (NGOs) and activists to leave a mark. They can do so, for instance, by providing detailed knowledge to a broader public. Amnesty International's and Human Rights Watch's reports on human rights abuses are a good example of this mechanism.

This chapter discusses the six major issue areas of global diplomacy: war and peace, economics, development, environment, health and migration. The discussion of each issue area follows the same pattern. We identify key actors, instruments and challenges in these fields.

War and peace

Since the end of World War II, there have been at least three major clusters of security challenges. First, there is the problem of inter-state conflicts. In the post-World War II era, these conflicts are much less likely to escalate into war than previously. Nonetheless, inter-state conflicts continue to threaten international stability. This applies in particular to *territorial disputes*, which are more likely to lead to military confrontation than other kinds of inter-state conflicts (Vasquez, 2009). Some of these disputes, such as the ones between North Korea and South Korea, China and Taiwan, India and Pakistan (Jammu and Kashmir), China and Japan (Senkaku/Daiyou islands), and between Palestine and Israel have been intractable for a long time.¹ Others, by contrast, are more recent. The quarrel between Armenia and Azerbaijan over Nagorno-Karabach originated with the break-up of the Soviet Union. Territorial disputes in the South China Sea, involving Brunei, China, Indonesia, Malaysia, Taiwan, the Philippines and Vietnam, are fuelled by supposed oil and gas reserves. The conflict between Russia and the Ukraine over the Crimean Peninsula as well as the Donbass was triggered when a political revolution ousted the Moscow-friendly government in 2014.

Second, there is the problem of intra-state conflicts. There have been many more intra-state disputes since the end of World War II, and these have been much more destructive than inter-state disputes. To list only the deadliest ones between 1945 and 2000, the civil war in Bangladesh in 1971 cost 1.5 million people their lives (of which a million were civilians). Just the first three years (1998–2000) of the war in the Democratic Republic of the Congo alone left 1.5 million people dead. The war that Cambodia's Pol Pot regime waged against its own people killed 1.8 million civilians. Intra-state fighting in the Sudan killed 2 million people between 1983 and 2000 alone. The staggering number of casualties during the Chinese civil war – only for the years of 1946 to 1950 – stands at 6.2 million (5 million civilians). Several internal conflicts killed a million people, again mostly civilians: Ethiopia (1962–89), Nigeria (1967–70), Angola (1980–95), and Afghanistan (1990 and 2000) (Leitenberg, 2006). Ongoing intra-state conflicts have not reached this enormous potential yet. Furthermore, amidst internal strife, international terrorism and factional warfare, the civilian populations in countries such as Afghanistan, Iraq and Syria have suffered enormously. In Syria, approximately 400,000 civilians had lost their lives by the end of 2016. Iraq and Afghanistan have become anything but stable countries since the U.S.-led regime changes that both states experienced. From 2009 to 2016, monthly civilian casualty numbers in Iraq have oscillated between 89 (November 2009) and 1,775 (June 2014). These figures are somewhat lower for Afghanistan but on the increase (UN News Agency, 2017).

Third, the challenges posed by international terrorism have made themselves felt more and more in the post-Cold War era. Much diplomatic attention to counter terrorism focuses on Jihadist terrorism. In 1992, a bomb exploded in the Gold Mohur

Hotel in Yemen, targeting U.S. soldiers. Al Qaeda claimed responsibility for this attack. More bombings followed. In East Africa, the U.S. embassies in Nairobi and Dar es Salaam were bombed in 1998. By September 2001, international terrorism had reached the United States, when Al Qaeda terrorists hijacked four commercial aircraft and crashed them into the World Trade Center and the Pentagon. Since then, international terrorism has developed a broader and broader reach. The Islamic State of Iraq and the Levant (ISIL) or Daesh greatly destabilized already war-torn countries such as Afghanistan, Iraq and Syria, and waged war against members of the global coalition against international terrorism, including Belgium, France, Germany and the UK. Al Shabaab targets states in East Africa, while Boko Haram's terror has prompted an alliance of West African states (Benin, Cameroon, Chad, Niger, Nigeria) against it.

What does diplomacy do to address international crises? The UN Charter lays down the institutional architecture for the maintenance of international peace and security. It endorses what amounts to the paramount norm in international affairs and provides mechanisms to safeguard it. The norm is state sovereignty. The principal instruments to safeguard it are measures for the pacific settlement of disputes (Chapter 6) and enforcement measures (Chapter 7). The latter is supposed to contain the 'teeth' of the UN system, i.e. a system of collective security. The Security Council (→ glossary) is the primary organ on matters of security. It is only the Security Council that has the authority to decide upon enforcement measures. There are five permanent members, who have a veto power: China, France, Russia, the UK and the United States (P5). There are also ten non-permanent members, each of whom is elected for two years.

Within this overall architecture, many more institutional arrangements have been put in place to deal with security issues. As far as territorial disputes are concerned, the 1975 Helsinki Final Act is particularly noteworthy. It codified a territorial status quo norm in Europe, which greatly facilitated the resolution of long-standing territorial disputes, such as between Germany and Poland, as well as between Germany and the Soviet Union. In other regions, too, a notable agreement on the territorial status quo emerged, at least between governments. Considering the arbitrariness of its state borders, Africa has been successful in keeping border disputes at bay. There is even the encouraging development that states sometimes submit their quarrels to the International Court of Justice for arbitration. The long-standing dispute between Cameroun and Nigeria over the Barkassi Peninsula, for example, was resolved in this way in 2008.

International institutions are themselves diplomatic outcomes. As such, they reflect the era in which they were concluded. The diplomatic resolve at the Dumberton Oaks and San Francisco Conferences, which agreed upon the UN system in the 1940s, to defend state sovereignty has to be understood in the context of its times. World politics had just experienced two world wars. Making the repetition of such a tragedy impossible in the future was taken to be the primary objective of the UN. Likewise, the Helsinki Final Act has to be understood in terms of historical experiences and the context of the Cold War. From the late 1890s onwards, border disputes in Europe started to proliferate. Attempts to make the boundaries of the nation and the borders of the state congruent fuelled a series of wars, including two world wars. During the Cold War, leaders from East and West agreed to stabilize Europe by recognizing existing state borders, attempting to make sure that (at least some) ghosts from the past would stay in the past.

These institutions, of course, are no panacea. There are at least three sets of problems. First, these institutions were designed with certain purposes in mind. The UN Charter was meant as a vehicle to manage inter-state disputes and not intra-state conflicts. Indeed, the sovereignty principle sits quite uneasily with interventions into the domestic affairs of a state, even if a civil war ravages this state. The Syrian government's war on its own population, including the use of chemical weapons, is yet another example of this problem. The government invites an external power – Russia – to help wage its war. This is fully in line with the sovereignty norm. When an external power that is not invited, such as the United States, strikes against military targets after yet another employment of chemical weapons, the government and the invited power can dub this a violation of the sovereignty principle and, thus, international law.

Second, international institutions – above all the UN Security Council but also regional security communities – demand from states that they co-manage international crises. They ought to manage crises together, for example the permanent members of the Security Council. Since 2014, half a dozen states have participated in attempts to co-manage the Russo-Ukrainian Crisis. By 2015, the number of states struggling to co-manage the Syria Crisis has expanded to almost twenty. Making co-management work beyond a lowest common denominator, however, is a major challenge. In the case of the Russo-Ukrainian Crisis, co-management could not even prevent the first annexation of territory (Crimea) since the aftermath of World War II. In the case of Syria, it could not even prevent the use of chemical weapons.

Third, the world never stands still. This puts the onus on diplomacy to find suitable answers to new threats to international security. Diplomacy's track record in doing so is chequered. In the 1990s, the break-down of the Soviet Union and Yugoslavia put several serious territorial disputes on the diplomatic table again that had lain dormant for decades or, as in the case of Kosovo, escalated more than ever before in modern times. Diplomatic efforts to address these conflicts did not always shy away from endorsing forceful territorial change. Again, Kosovo is an early example of this tendency. These doings contributed to weakening the territorial status quo norm.

In 2005, the World Summit Outcome (see Box 4.1), which was adapted by the General Assembly (→ glossary), attempted to formalize humanitarian reasons for intervention when it defines the principle of responsibility to protect. In the context of this principle, sovereignty is not an absolute privilege, but its exercise is linked to a state's responsibility to protect its own population. If a state is not able to protect its population, it is the responsibility of the international community to help this state. If the state is itself the perpetrator of crimes such as genocide, war crimes, ethnic cleansing and crimes against humanity, the international community has the responsibility to intervene, if necessary with Chapter VII measures.

This sounds like a far-reaching qualification of the sovereignty norm. But the usage of the responsibility to protect principle in diplomatic speeches and international documents has decreased markedly in the 2010s. When the Security Council adopted UNSC/1973(2011), it authorized UN member states to “take all necessary measures to protect civilians” in Libya. Yet this agreement proved to be short-lived when Western powers – above all France, the UK and the United States – interpreted this mandate very broadly and toppled Muammar al-Gaddafi from power.

Box 4.1 2005 World Summit outcome: responsibility to protect

The World Summit postulates the responsibility to protect in two paragraphs: “138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the UN in establishing an early warning capability.

139. The international community, through the UN, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out” (United Nations General Assembly, 24 October 2005).

Perhaps the most well-known piece of art in front of the UN Headquarters in New York is the sculpture entitled *Non-Violence* by Fredrik Reuterswård. It depicts a giant gun with an equally giant knot in the barrel. The sculpture serves as a reminder that diplomacy ought to be about preventing violence and armed conflict. *Arms control* has been an important field of diplomacy, inside and outside the UN, since the end of World War II. Weapons of mass destruction are a particular focus of attempts to reduce and even eliminate entire categories of weapons. In current parlance, weapons of mass destruction are often referred to as CBRN: chemical, biological, radiological (‘dirty bomb’) and nuclear. With the exception of radiological weapons, there is a fairly dense institutional framework helping diplomacy to govern these categories of weapons. Just to highlight some of these institutions, there is the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction (or just Biological Weapons Convention), which was signed in April 1972. There is the Convention on the Prohibition of

the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention) and the Organization for the Prohibition of Chemical Weapons (OPCW) based in The Hague. And there is the Treaty on the Non-Proliferation of Nuclear Weapons (Nuclear Non-Proliferation Treaty), whose implementation is linked to the International Atomic Energy Agency (IAEA) and the Preparatory Commission for a Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) in Vienna. Additionally, all of these arms control regimes are connected to the Conference for Disarmament (CD) in Geneva.

Diplomacy brought these arms control institutions into being and does make use of them. Yet plenty of contestation remains on how to interpret legal obligations. Since the late 2000s, nuclear arms control has been especially contested. On the one hand, many non-nuclear weapons states outside of NATO are dissatisfied with the lack of disarmament progress by nuclear weapons states. Linking up to transnational advocacy networks, including the International Committee of the Red Cross, Mayors for Peace, and the International Campaign to Abolish Nuclear Weapons, these states joined the Humanitarian Initiative. Similarly to successful earlier campaigns on banning landmines and cluster munition, this initiative takes human security and not state security as the reference point. Nuclear weapons are a major threat to human security and they are incompatible with existing humanitarian law, most notably the distinction between combatants and non-combatants. Thus, they ought to be banned. In July 2017, about two-thirds of UN member states agreed to a Treaty on the Prohibition of Nuclear Weapons. No nuclear weapons state, however, is among those states who agreed.

On the other hand, nuclear weapons states attempt to tighten the non-proliferation side of nuclear arms control. U.S. President Barack Obama institutionalized the Nuclear Security Summit. Since 2010, the Summit has taken place every two years. It is especially concerned with securing nuclear materials that could be used for building radiological weapons. The 2015 Iranian nuclear deal, too, is about non-proliferation. Iran agreed to refrain from a degree of uranium enrichment that would make the building of nuclear weapons possible. It also agreed to detailed inspections by the IAEA (Additional Protocol). In return, the P5, Germany and the EU agreed to a timetable for lifting the economic sanctions imposed on Iran.

Economics

Economics is another diplomatic issue area that has been around for a very long time. While it was usually relegated to a clear-cut second place behind war and peace in the past, economic issues have become as important, in routine diplomatic interactions even more important, than matters of war and peace.

Some of the architecture of our current economic system goes back to U.S.-led efforts to re-organize the international economic system in the 1940s. The 1944 Bretton Woods Conference created the International Bank for Reconstruction and Development (usually simply referred to as the World Bank) and the International Monetary Fund (IMF). It was also agreed to set up an International Trade Organization. With the U.S. Congress not ratifying the agreement, the General Agreement on Tariffs and Trade (GATT) came into being as a substitute. Yet the global economic architecture evolved considerably over time. International

organizations (→ glossary) such as the World Bank became important actors on the diplomatic scene as opposed to mere arenas in which state diplomacy takes place (St Clair, 2006). Diplomacy negotiated new international organizations into being, such as the World Trade Organization (WTO). It also institutionalized less formalized fora designed to discuss and decide about how to develop international economic institutions further. Most importantly, what started as an informal G5 meeting at the library of the White House with delegations from the United States, Germany, the UK, France and Japan, has moved via the G6 (+Italy) to the G7 (+Canada), and temporarily further to the G8 (+Russia). In the aftermath of Moscow's annexation of the Crimean Peninsula, the G7 reconstituted itself again without Russia. Parallel to these developments, the G20 has become an important diplomatic forum. It has more members than the G7 (+Russia, South Africa, Mexico, Argentina, Brazil, China, South Korea, India, Indonesia, Saudi Arabia, Turkey, Australia and the EU). Additionally, a number of top international civil servants, most from the IMF and World Bank, participate at these meetings and it has become a practice that host states of the annual summits invite a limited number of non-member states.

The evolution of the G20 shows very well that the diplomatic architecture in the field of economics is *more flexible* than in the field of war and peace. It is not that it is much more egalitarian. The G20 (and the G7 even more so) still amounts to an exclusive club and, within it, some members have much more clout than others. But still, more easily amendable rules of membership and decision making make for a steering mechanism that is more easily adaptable than, say, the UN Security Council where the permanent seats and the veto powers are carved into stone. In this context, it is also noteworthy that traditional state diplomacy has reached out to international business. The Global Compact, for instance, introduced at the 1999 World Economic Forum in Davos, is an attempt to link the UN and international business. It is guided by principles for business activities that are derived from broad UN goals, such as human rights and development. The World Social Forum, the annual counter-event to the World Economic Forum sessions in January each year, has also assumed an important place in the international political economy, although it understands itself very much as a counter-movement to what is going on in established fora and organizations. It is an important opportunity for NGOs to debate with one another and to infuse their ideas to a global audience. These ideas, if NGOs are successful in mobilizing public opinion, do not stop at the gates of 'official' international political economy. If NGOs, for example, would not have been as adamant about the eradication of poverty as they have been, a firmly established international organization such as the World Bank may not have moved its practices into this direction the way it has done since the late 2000s.

This overview of actors already shows that sovereignty, while still being a foundational principle, does not shape the international political economy the way it puts its stamp on matters of war and peace. The reason for this is fairly straightforward. Economic issues such as international trade and finance do not at all stop at the gates of the nation-state. Indeed, globalization (→ glossary) has put the nation-state increasingly on the defensive with economic flows transcending borders and pressuring state capitals to re-act rather than act. Note, for instance, that more than half of the 100 biggest economies in the world are firms and not states, and this economic power leaves its mark on the international system (Kaplan, 2000; Dicken, 2007: 38; Mander, 2014: 8).

Let us have a look at global trade and finance in a bit more depth. International trade has always been an important sub-field of economics, and, historically, it generated a number of innovations in diplomacy. Perhaps most notably, diplomatic attempts to facilitate trade led to the creation of what is now often seen as the first international organization, i.e. the Central Commission for Navigation of the Rhine. The organization was created by the Congress of Vienna in 1815 (and is still in operation). Another important development growing out of trade has been the establishment of free trade zones and regional organizations. The European unification effort has been at the forefront of this development for some time, but regional cooperation and integration schemes are now found virtually everywhere in the world. In some world regions, there is considerable competition among regional groupings. Take Asia, for example. There is the Association of Southeast Asian Nations (ASEAN), but there is also the South Asian Association for Regional Cooperation (SAARC), and the Asia-Pacific Cooperation (APEC). To some extent, these organizations can simply be seen as sub-regional groupings. But the boundaries between these groupings are very much a political issue. India and China in particular carry out diplomatic skirmishes about who participates in what organization. Extra-regional powers are of importance, too.

Trade is a *major regionalizing force*. Almost three-quarters of the merchandise exports of European states is bound for another European state. In Asia, more than half of merchandise exports are intra-regional. North America comes close to this number as well. Yet trade is also a globalizing force. When it comes to Europe, Asia and North America, the remainder of these exports goes to other regions. The share of inter-regional trade in other regions, especially Africa and the Middle East, is much higher (World Trade Organization, 2015). This, too, has led to important diplomatic innovations. The WTO's 1994 Understanding on Rules and Procedures Governing the Settlement of Disputes is a case in point. By international standards, this arrangement makes for a very effective tool of conflict resolution. At the request of a complaining party, the Dispute Settlement Body, composed of representatives of all WTO members, establishes a panel to deal with the matter in dispute unless there is unanimity for refraining from doing so. The panel, to be composed by impartial experts, is to be accepted by the parties to the dispute unless there are 'compelling reasons' to the contrary (Article 8). The panel's report is accepted unless the Dispute Settlement Body decides against it with unanimity or one of the parties to the dispute appeals against it. In the case of an appeal, the Appellate Body, which represents WTO membership, revisits the legal interpretations by the panel. There is no possibility to appeal against the decision by the Appellate Body and there are several provisions that facilitate implementation, such as the possibility to appoint an arbitrator.

While global and regional trade patterns make for functional pressures for more cooperation, it is actually up to political and diplomatic dynamics whether or not more cooperation and integration happen. The EU, once the posterchild of regional integration, has found itself struggling amidst sovereign debt crises, high unemployment rates and the influx of refugees in recent years. The Brexit referendum in the UK, as well as the rise of EU critical populist movements, are likely to cause challenges for the EU for some time to come. Elsewhere, plans for ambitious free trade agreements are blocked by the lack of political will. In 2016, Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Singapore, Peru, the United States and Vietnam signed the Trans-Pacific Partnership (TPP) agreement. A year later, U.S. President Donald Trump, vowing to put 'America first', announced that Washington would not ratify the deal.

While the post-World War II increase of global commercial trade and services is remarkable, it pales compared to the finance sector. There is an obvious reason for this. In the digital age, financial transactions travel quickly and effortlessly. Daily global trading in foreign exchange and interest rate derivatives increased steadily from the 1990s to the late 2000s and have since plateaued at a staggering average of about U.S.\$5 trillion. Major players in this game tend to be concentrated in a handful of global cities, such as London, New York, Tokyo, Singapore and Hong Kong. Given these tremendous flows, scholars ask the question whether diplomacy is still able to control them in a meaningful way. Those who answer this question in the positive allude to the instruments available for diplomacy to influence financial markets. Many of these instruments are located at the Bank of International Settlements, including the Basel Committee on Banking Supervision, the Committee on the Global Financial System and the Financial Stability Forum. The IMF and the World Bank, of course, are important organizations as well (Porter, 2009). The G20 also plays an important role (Garrett, 2010).

Yet a quick glance at the period since the late 2000s shows how volatile global financial markets are and how difficult diplomacy finds it to assume a steering function. The so-called ‘credit crunch’ started in the United States when the major lenders Fannie Mae and Freddie Mac could no longer continue business without state intervention on 7 September 2008, and was then rapidly felt all over the world. State-funded rescue packages followed, for instance for the Hypo Real Estate in Germany by 6 October, and a week later for the British banks Royal Bank of Scotland and Lloyds TSB. The EU tightened its financial governance mechanisms, most notably via the European Financial Stability Facility (EFSF) and the European Financial Stabilisation Mechanism (EFSM). But the repercussions of the crisis are still felt even nearly a decade later. This applies to economic indicators, especially in countries that suffered greatly from the crisis, such as Greece. It also applies to politics more generally. It is unlikely that the rise of populist movements could have occurred without the global financial crisis.

Development

Another key issue area of global diplomacy is the field of international development. It is closely interwoven with the field of economics in general and global trade and finance in particular. As this section shows, understandings of development, too, have not stayed the same. Global diplomacy in general and Western donors in particular have looked at the issue of development through different dominant prisms over the years. These prisms have evolved from a narrow economic focus to a broader political approach. The latest one, focusing on good governance, has a strong human security dimension as well. Thus, the broadening of the prisms has led to criss-crossings across different diplomatic fields. Most notably, it has connected development with the field of war and peace.

Early on, global diplomacy privileged an understanding of development as a *national economic issue*. When decolonization occurred in the late 1950s and early 1960s, there was plenty of optimism about the economic trajectories of the newly independent states of the global South. In a highly influential article, Walt Rostow likened this trajectory to a plane taking off from the ground (Rostow, 1960). Rapid industrialization was considered to be the fuel powering this take-off. The World Bank and the IMF, although originally created for the reconstruction of war-torn Europe, were supposed

to be major facilitators of this endeavour. They funded, for instance, major infrastructural projects that were considered to provide the necessary prerequisites for such industrialization, such as major dams and highways. The take-off, however, did not happen, especially not in the poorest areas of the global South that required the most development.

In the face of these failures, global diplomacy struggled to adopt a new lens through which to look at development. By the 1980s, a network of economic experts, Western donors and international institutions (World Bank and IMF) had replaced the focus on the national economy with an emphasis on *integrating developing economies into the world economy*. Structural adjustment programmes were supposed to be the principal means for achieving this goal. On the conditionality of reducing government expenditure, opening up domestic markets for imports, and taking measures to build more export-oriented economies, developing states received loans from the World Bank as well as other bilateral and multilateral creditors. Sometimes referred to as the Washington Consensus, this seeming paradigm (→ glossary) shift, however, did not change around the record of international developmental policies. Those states and people who were in need the most profited the least from the opening of markets in the aftermath of the Cold War (→ glossary). They were simply not ready to compete on an equal footing in the global economy from one moment to the next.

The late 1980s saw the arrival of a new prism. It revolves around the concept of *good governance*. This prism is considerably different from the earlier approaches. It is a broader lens through which to look at development. There is not just a rather technocratic and narrow understanding of a global free market economy, but an emphasis on the political dimensions of development. Albeit defined somewhat differently in different documents and contexts, there are certain key features that are common to most, if not all, interpretations of good governance. These include the rule of law and democracy (at times only implicit), a transparent and efficient state bureaucracy, human rights and sustainability, and justice and the absence of corruption.

Three concepts closely associated with good governance are *human development*, *sustainable development* and *human security*. These concepts illustrate how different the current understanding of development is from the Washington Consensus and the early dream of rapid modernization. Human development puts the human being at the centre. Conceptually speaking, development is no longer simply considered a macro-economic exercise whose successes and failures can be seen in macro-economic data such as GDP and exports. But measures of successes and failures are, ultimately, about how close human beings come to developing their potentials. The emphasis on sustainable development also marks an important conceptual departure. Successes and failures of development are not only to be measured in the here and now, but also in the future. This has important repercussions for how to deal with environmental resources. The concept of human security provides a bridge between the diplomatic fields of peace and war on the one hand and development on the other. As defined in the influential UNDP's 1994 Human Development Report, human security is about freedom from want and freedom from fear. The Report underlines that development is inescapably intertwined with these two basic freedoms.

This shift from narrow economic to broader economic-political understandings of development was facilitated by the increasing recognition of NGOs by nation-states as actors on the diplomatic scene. Recognition comes in various shapes and forms.

There is the issue-based stamp of approval, for instance when the UN accredits an NGO for a particular endeavour such as the High-Level Dialogue on Financing for Development. But there is also the more general stamp of approval that applies to major NGOs. Development NGOs such as Oxfam, CARE International and Save the Children International have a global distribution of offices. While most offices are geared towards helping at the locales where help is needed, there are also offices in major decision-making centres such as New York that are reminiscent of an embassy or a permanent mission of a state. Similarly to the latter, the head of such an office is usually titled 'Representative'. Representatives of states and influential NGOs tend to follow similar rules and routines in their interactions as representatives of states.

As the next chapter will show in detail, NGOs are often quite successful in performing agenda-setting functions. In the case of the development field, they contributed to broadening the prism through which global diplomacy looks at the issue of development. Development NGOs tend to take a more holistic approach, often very much informed by what happens at the local (or micro) level. In the 1980s, this approach very much clashed with the structural adjustment directives of traditional donors, and NGOs were very vocal about it. The move to the global governance perspective takes some of the long-time criticisms raised by NGOs into account. Other criticisms remain unaddressed, which makes for a continuation of the notable tensions between development NGOs on the one hand and governmental and inter-governmental donors on the other.

By the mid-1990s, the concept of good governance had become more and more influential in diplomatic discourse. The UN General Assembly endorsed the concept in 1996 (United Nations General Assembly 1 May 1996). By 2000, when the EU and developing states from the African, Caribbean and Pacific regions signed the Cotonou Agreement, good governance already made a self-evident early entry into the document. The African Union (AU) even established a peer review mechanism, which is meant as an intra-African check on African governments and their performance with regards to good governance. The AU also includes good governance among its seven aspirations identified in the Agenda 2063 (see Box 4.2).

Box 4.2 Agenda 2063

The Agenda 2063 of the African Union (AU) is, to date, the most ambitious African development document. The Agenda is a vision for how to develop that is organized into seven aspirations:

- 1 A prosperous Africa, based on inclusive growth and sustainable development.
- 2 An integrated continent, politically united, based on the ideals of Pan Africanism and the vision of Africa's Renaissance.
- 3 An Africa of good governance, democracy, respect for human rights, justice and the rule of law.
- 4 A peaceful and secure Africa.
- 5 Africa with a strong cultural identity, common heritage, values and ethics.

(continued)

(continued)

- 6 An Africa whose development is people driven, relying on the potential offered by people, especially its women and youth and caring for children.
- 7 An Africa as a strong, united, resilient and influential global player and partner.

The Heads of State and Governments of the AU adopted the Agenda in January 2015. The First Ten-Year Implementation Plan, drawn up by the African Union Commission, defines goals and targets in order to implement these aspirations.

The omnipresence of talk on good governance notwithstanding though, it is disputed to what extent good governance really is a concept driving development policies and to what extent it is only empty rhetoric. The World Bank, in particular, is often singled out for criticism by scholars and activists alike. For them, good governance is mere window-dressing. In their view, the same old failing recipes of development have been tried over and over again, ever since decolonization occurred.

Even the most hard-nosed defender of the World Bank would admit that there are many persisting and severe problems of international development. In 2000, the General Assembly adopted the United Nations Millennium Declaration. The Declaration featured a substantial section on development and – in contrast to many other comparable documents – set clearly defined targets of development and a timeline when these targets ought to be met. These Millennium Development Goals (MDGs) included the postulate to halve the proportion of people in the world whose income is less than \$1 a day, of people suffering from hunger, and of people with no access to safe drinking water by 2015 (United Nations General Assembly, 2000: Art. 19). The results were encouraging and discouraging at the same time. They were encouraging because some regions of the world – most notably South-Eastern Asia and Eastern Asia – were rather successful in making progress in reducing extreme poverty and its repercussions. At the same time, however, they were also discouraging because progress in other regions, especially Sub-Saharan Africa, Southern Asia, and the Caribbean, but also the Caucasus and Central Asia, remained far removed from meeting the Millennium targets.

Building on the MDGs, the UN General Assembly adopted A/RES/70/1 in October 2015. This resolution outlines the Sustainable Development Goals (SDGs). There are seventeen goals: (1) no poverty, (2) zero hunger, (3) good health and well-being, (4) quality education, (5) gender equality, (6) clean water and sanitation, (7) affordable and clean energy, (8) decent work and economic growth, (9) industry, innovation and infrastructure, (10) reduced inequalities, (11) sustainable cities and communities, (12) responsible consumption and production, (13) climate action, (14) life below water, (15) life on land, (16) peace, justice and strong institutions, and (17) partnerships for the goals. There are, overall, 169 targets, to be met by 2030.

Environment

Although a fairly new arrival on the diplomatic scene, environmental diplomacy has burgeoned since the 1970s. Arguably, the 1949 Scientific Conference on Conservation and Utilization of Resources was the first international forum for discussing

environmental issues. On a general level, the 1972 United Nations Conference on the Human Environment (Stockholm Conference), and, on a more specific level, the Third UN Convention on the Law of the Sea (UNCLOS) in 1974 were important steps towards institutionalizing global environmental governance. By the late 1990s, there had already been more than 200 international environmental treaties in place. Many more have been added since, and many more are to be expected in the future.

There are a *host of different actors* in this field. NGOs, ranging from general environmental NGOs, such as Greenpeace, to more specialized ones, such as the Rainforest Action Network, play an important role by providing information and putting pressure on state actors by raising awareness as well as mobilizing publics. In order to exchange information and engage in dialogue with one another, but also in order to make their voices heard, environmental NGOs exhibit a strong tendency towards coalition-building. The Climate Action Network (CAN), for instance, is a network consisting of over 700 international and national NGOs. This tendency of coalition-building and networking is also found in issue areas other than the environment.

States are represented not only by foreign service diplomats but increasingly by 'new' diplomats from environmental ministries and agencies as well. The reason for this is obvious. Environmental issues often require highly specialized expertise, and this requirement is not always easily met by foreign services, whose personnel are primarily trained in general terms. For the same reason, scientists are very important actors on the environmental stage as well. In this field, politics ultimately has to rely on cutting-edge research that identifies environmental problems as well as their causes, and proposes steps to overcome these problems.

There is an *array of global environmental problems*. Some are more regionally confined, while others are truly global in nature. Some are more at the forefront of our minds, while others get all too easily forgotten. The victims of nuclear testing belong to the latter category. During the Cold War's nuclear arms race, more than 2,000 nuclear tests were conducted, mainly by the United States and the Soviet Union. The repercussions of these tests, especially the surface tests, are still very much felt among communities settling around former test sites. Around Semipalatinsk, a former Soviet test site located in Kazakhstan, the cancer rate is almost three times higher than in the rest of the country and there is also a much higher likelihood of mental deficiencies in children (Greenpeace, 2006). The peaceful use of nuclear energy, too, has its pitfalls. The nuclear meltdown in Chernobyl in 1986 is estimated to have caused 25,000 cancer deaths among the population living around the site (Gronlund, 2011). Problems caused by chemical toxins such as mercury may be less spectacular, but they can also have disastrous consequences (Esty, 2008).

Deforestation and, often linked to it, desertification are issues that are frequently discussed on the diplomatic stage. While almost a third of the world's land area is still covered by forests, vast areas of forests, equivalent to the size of Panama, are lost every year. If deforestation continues at the current rate, the world's rainforests will disappear entirely within the next 100 years (National Geographic, n.d.). Desertification adversely affects the lives of 250 million people, oftentimes threatening their already fragile livelihoods. As many as one billion people are at risk if desertification continues at the current pace.

Deforestation and desertification accelerate climate change. It is widely believed in the scientific and diplomatic communities that so-called greenhouse gas emissions (especially carbon dioxide, but also methane, nitrous oxide and sulphur hexafluoride)

are major culprits of climate change. Yet global trends of worldwide emissions do not justify too much optimism. Since the end of World War II, greenhouse gas emissions have increased steeply with the sharpest increase in carbon dioxide emissions happening in 2004. The trend is likely to continue. By 2025, greenhouse gas emissions are estimated to increase by another 50% compared to today's levels. This sharp increase is mainly due to the rapidly growing emissions in developing countries. Yet blaming developing countries for these discouraging figures would be misplaced. A small number of states from the Global south and north are responsible for the lion's share of emissions. China, the United States and the EU (in this order) together account for almost half of global emissions; adding Russia, India and Japan, the combined total is close to two-thirds; and finally, adding Brazil, Canada, Mexico, Indonesia, Iran, South Korea, Australia, Ukraine and South Africa, we get close to the 80% (World Resources Institute, 2009).

There are many instruments, organizations and diplomatic fora that are dedicated to dealing with environmental issues. When it comes to desertification, for example, there are at least eight international organizations and UN agencies addressing the issue: the Food and Agriculture Organization of the UN (FAO), the International Fund for Agricultural Development (IFAD), the Sahel and West Africa Club (SWAC), the Sahara and Sahel Observatory (OSS), the United Nations Environment Program (UNEP, especially the Drylands and Development Center), the United Nations Institute for Training and Research (UNITAR), the permanent secretariat of the United Nations Convention to Combat Desertification (UNCCD), and the World Bank. This institutional thickening in the field is, in principle, to be welcomed. Yet it also causes some *problems of coordination and even competition*.

No environmental issue receives as much public and diplomatic attention as climate change. While the Stockholm Conference in 1972 may be seen as an important early encounter with this issue, the creation of the Intergovernmental Panel on Climate Change (IPCC) in 1988 marks the starting point for a more sustained diplomatic engagement with this field. The IPCC is an expert body, composed of world-renowned climatologists who are appointed by their respective governments. On 21 December 1990, the General Assembly adopted Resolution 45/212, which set up a negotiation committee on climate change. Two years later, all of these efforts yielded an important outcome. The 1992 United Nations Framework Convention on Climate Change (UNFCCC or Rio Declaration) was signed, in which the state parties agreed to monitor their carbon dioxide emissions. In 1997, the parties negotiated the Kyoto Protocol, which set legally binding targets for the reduction of greenhouse gases.

From the late 1990s to the mid-2010s, diplomacy encountered plenty of difficulties in moving forward. The Kyoto Protocol only entered into force in 2005. Several climate change summits, such as in Copenhagen in 2009 and Durban in 2011, did little more than avert a collapse of the global environmental regime. The 2015 Paris Agreement, however, is a new landmark document agreed upon by 195 states. Having been swiftly ratified by the overwhelming number of state parties, it entered into force a year later and more detailed negotiations on how to implement it, for instance in Marrakesh in 2016, have proceeded without major disruptions thus far. Even when the United States announced in mid-2017 that it would withdraw from the Agreement, these detailed negotiations continued to go ahead as scheduled. The Paris Agreement, similarly to other recent global agreements, criss-crosses issue areas. There are overlaps, for example, between the SDGs and the Paris Agreement.

Health

The beginnings of a sustained diplomatic effort to create an international framework for governing global health issues can be traced back to the creation of the World Health Organization, which is affiliated with the UN, in 1948. In the 1970s, issues of global health were pushed up on the agenda in several UN agencies. This led to the 1978 Alma Ata Declaration, which “enshrined health as a fundamental human right” (Thomas and Weber, 2004). Three years later, the World Health Organization followed up on the Declaration and formulated the ambitious goal to make equal access to health care a reality by the year 2000. It formulated a strategy entitled ‘Health for All’. The above-mentioned Millennium Development Goals also formulate a number of important goals relating to global health governance.

As global health statistics show, however, *a lot remains to be done* if we want to be able to at least somehow approximate the Health-for-All postulate. Figures for some world regions, above all Sub-Saharan Africa and South Asia, remain alarming. One out of twelve children born in Africa south of the Sahara dies before its fifth birthday. In South Asia, the ratio is one in nineteen. In Sub-Saharan Africa, 38% of children are affected by stunting, i.e. chronic malnutrition that slows down physical and mental development. In South Asia, the figure is at 33% (World Health Organization, 2016: 34). A similar pattern pertains to infectious diseases. Although HIV/AIDS remains a global epidemic, it affects poorer regions of the world, Sub-Saharan Africa and South Asia very much included, more than wealthier regions. The story with malaria and tuberculosis is similar. The overall numbers are very high. It is estimated that there were 214 million cases of malaria in 2015. These resulted in 500 deaths. There were also 10 million new cases of malaria and tuberculosis (World Health Organization, 2016: 35).

Better medical treatment of some of these diseases helps in reducing the overall numbers. But, again, access to this medical treatment is very unequally distributed. People living in low-income and middle-income countries experience many more difficulties gaining access than people living in the Global north. Of all drugs purchased in low-income and middle-income countries, 50 to 90% are paid out of pocket. This makes it impossible for many people to get essential medicines; the more expensive they are, the more impossible it becomes to buy them (Thomas and Weber, 2004).

Global health issues oftentimes remain sidelined in national foreign services. Thus, national ministries of development and developmental agencies; international organizations and agencies; and locally, nationally and transnationally operating NGOs are important players in this field. Given the many different actors in this issue area, coordination is an important challenge. Take, for instance, just the number of international organizations and agencies dealing with the problem of HIV/AIDS: United Nations Children’s Fund (UNICEF), World Food Programme (WFP), United Nations Development Programme (UNDP), United Nations Population Fund (UNFPA), United Nations Educational, Scientific, and Cultural Organization (UNESCO), World Health Organization (WHO), World Bank, United Nations Office on Drugs and Crime (UNODC), and the International Labour Organization (ILO). In order to coordinate at least the work of the UN agencies and their affiliates in this field, the UN created the Joint United Nations Programme on HIV/AIDS (UNAIDS) (Seckinelgin, 2005).

There are some indications that the long-standing neglect of global health issues by foreign ministries – and traditional diplomacy more generally – may come to an end. One of the catalysts of this development is disaster relief (see Box 4.3). Some disasters have strong international repercussions that prompt traditional diplomacy to look for new ways of dealing with these disasters. The 2014 Ebola outbreak in West Africa illustrates this well. S/RES/2177 (2014) states that this situation “constitutes a threat to international peace and security”. In order to curb this threat, the resolution authorized the United Nations Mission for Ebola Emergency Response (UNMEER). At least three aspects of this resolution are worth emphasizing. First, the Security Council, originally envisaged to decide upon matters of war and peace, dealt with a health issue. Second, the Security Council used legal language that is usually reserved for attempts to de-escalate or end armed conflicts. Third, the Security Council set up the first UN field mission focusing on health issues.

Box 4.3 Disaster relief

Natural disasters such as earthquakes, floods, and famine are, of course, nothing new. In the early thirteenth century, for instance, an earthquake in the Middle East may have killed as many as a million people in present-day Egypt and Syria. What is new though is that the number of reported disasters has grown steadily since the 1970s and that detailed coverage of these disasters is brought home to us via television and the internet. This puts more and more pressure on state leaders, national foreign services and national development agencies to provide help in these situations. It seems that during these relief operations the seemingly self-evident maxim that state diplomacy is all about the selfish pursuit of the national interest is suspended. A well-documented case that points in this direction is George W. Bush’s response to the 2004 Asian tsunami, which killed almost a quarter of a million people, and left many survivors without shelter, sufficient food and safe drinking water. Bush initially pledged \$7 million to efforts of disaster relief. When the severe humanitarian consequences of the tsunami became increasingly obvious, he doubled the amount to \$15 million. There is strong evidence that the UN, coupled with media coverage, made a major difference for what was to follow then. At a press conference, Jan Egeland, the UN Undersecretary-General for Humanitarian Affairs, accused rich countries of being ‘stingy’ despite the ongoing large-scale suffering. Egeland had not singled out the United States. But the U.S. media interpreted this differently (and certainly not in line with Egeland’s original intentions). *The Washington Post*, usually not among the most Bush-critical newspapers, led with ‘UN official slams U.S. as “stingy” over aid’. Four days after this remark, and faced with a media coverage that called for more help, Bush increased the emergency aid to \$350 million (Steele, 2007).

Migration

The globalization of world politics has gone hand in hand with major increases in migration flows. Between 1970 to 2000, the number of international migrants

worldwide rose from 82 million to 175 million. The 1990s account for most of this marked increase (International Organization for Migration, 2005: 394). By 2015, the figure had risen to 232 million. The principal direction of flow has been from developing to developed countries, more precisely to major cities especially in Australia, Canada, France, Germany, Saudi Arabia, Spain, Russia, the United Arab Emirates, the UK and the United States (International Organization for Migration, 2015: 2).

Migrants are mixed in terms of their skill levels. These include low-, intermediate- and high-level skills. Migration of the latter category of migrants leads to the so-called 'brain drain', which amounts to a serious impediment for developing economies. There are numerous countries in which at least a third of people with a tertiary education live outside the country in which they were born: Belize, Barbados, Congo (Brazzaville), Ghana, Guyana, Jamaica, Cambodia, Mozambique, Mauritius, Seychelles, Tonga, Trinidad and Tobago, Saint Vincent and Grenadines, United States Virgin Islands, Samoa and Zimbabwe (Dumont et al., 2010).

In international law, there is no agreed upon definition of migrant. The term is used to refer to persons who have left their country of origin voluntarily and as a generic term for persons who are living outside their country of origin irrespective of the motives for doing so. Yet there is an agreed upon definition of refugee. In the 1951 Convention Relating to the Status of Refugees (Refugee Convention), a refugee is defined as someone who is persecuted, for instance based on race, religion, nationality or political opinion, as the distinctive driver forcing a refugee out of his or her country. The number of refugees has increased significantly from 1970 to 1990. In 1970, there were 5.3 million refugees worldwide. By 1980, the figure had risen to 9.6 million and, by 1990, to 12.3 million. After this peak, the number decreased to 9.5 million in 2000 (International Organization for Migration, 2005: 309).

Fuelled by several internal wars, such as in Afghanistan, Iraq and Syria, numbers have grown drastically in recent years. The overall number of displaced people is estimated to amount to 65.3 million, out of which 40.8 million are internally displaced. Developing states host 86% of displaced people, 26% are hosted Least Developed States (UNHCR, 2015: 2). This has caused heated debates in host states whether to allow displaced people into the country and even xenophobic violence directed against them. This applies to host states in the Global south and the Global north.

The diplomatic institutionalization of this issue area *has kept up neither with migration flows nor the increasing number of displaced people*. During World War II, the UN Relief and Rehabilitation Administration was set up (UNRRA), replaced by the International Refugee Organization (IRO) in the aftermath of World War II, which in turn was soon replaced by two institutions: The United Nations High Commissioner for Refugees (UNHCR) and the Intergovernmental Committee for European Migration (ICEM). Their names give away the original primary purpose of these institutions, i.e. the management of the large numbers of displaced people in war-torn Europe. The ICEM was reformed in 1989 and renamed International Organization for Migration (IOM). The 1951 Convention to the Status of Refugees (Refugee Convention) remains the key international accord on the rights of refugees, and, thus, marks the perimeter within which the UNHCR's activities ought to take place.

A few additional international institutions have been created to address issues of migration. One of these is the 1990 UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. But the

agreement remains poorly ratified (Koser, 2010). Apart from the IOM and the UNHCR, there are no major international organizations that focus on migration issues. Many organizations address particular aspects, which causes difficulties of coordination. These organizations and agencies include the International Labour Organisation (ILO), UN Conference on Trade and Development (UNCTAD), UN Development Programme (UNDP), UN Department of Economic and Social Affairs (UNDESA), UN Educational, Scientific and Cultural Organization (UNESCO), UN Population Fund (UNFPA), UN Children’s Fund (UNICEF), UN Institute for Training and Research (UNITAR), UN Office on Drugs and Crime (UNODC) – Box 4.4 explains why it is part of this list – and the World Bank. They try to coordinate themselves through the Global Migration Group (GMG).

Box 4.4 Human trafficking

The International Labour Organization (ILO) estimates that there are close to 2.5 million trafficked persons at any given point in time. Human trafficking is a business that generates annual profits of about \$32 billion (International Labour Organization (ILO), 2008). The United Nations Office on Drugs and Crime (UNODC) summarizes the chilling facts: “Every year, thousands of men, women and children fall victim to traffickers . . . Through coercion, deceit or force, they are exploited for their labour, sex or even their organs” (United Nations Office on Drugs and Crime (UNODC), 2011: 22). Among the reported abuses, sexual exploitation ranks first with almost 80%. Most trafficked people are women (over 80%) (United Nations Office on Drugs and Crime (UNODC), 2011: 23). Combating human trafficking is a very difficult task. There are international organizations that address the problem, most notably the ILO, UNODC and UNICEF. The 1998 Rome Statute constituting the International Criminal Court lists the forms of abuses associated with human trafficking as crimes against humanity. But with many states not enacting law required for curbing trafficking and not dedicating sufficient resources to the cause, it is unlikely that these international efforts will eradicate human trafficking any time soon.

There are indications that future diplomatic interactions will take the issue area of migration more seriously. In 2016, the General Assembly adopted A/RES/71/1, which is also referred to as the New York Declaration for Refugees and Migrants. The resolution vows to address the root causes of migration and to make sure that “the human rights and fundamental freedoms of all persons, in transit and after arrival” are protected (Art. 26). The New York Declaration also pledges to negotiate further details on the implementation of the goals formulated in the resolution. This could be the beginning of more sustained diplomatic efforts in creating adequate steering mechanisms in this issue area.

Summary

- There is a *multiplication of issue areas*. Traditionally, matters of peace and war were at the forefront of diplomacy. Nowadays, economics features as prominently as peace and war. In the daily routines of diplomacy, involvement with economic issues has even surpassed dealings with war and peace. Moreover, more and more issue areas have been added. In this chapter, we discussed development, environment, health and migration.
- There is also a *multiplication of actors*. New issue areas – but also the deepening of established ones – require expertise that often challenges national foreign services, whose diplomats are trained on more general terms. Specialized ministries and agencies, for example environment, economics and finance, step in. International organizations, non-governmental organizations and highly trained experts also become part of the diplomatic game.
- The *issue areas become more and more interwoven*. The concept of human security, for example, provides clear linkages between development on the one hand, and peace and war on the other. Yet the linkages go even further and encompass every issue area we discussed in this chapter. Individual security and potential to develop have a lot to do with health and the state of the environment. There are more and more linkages to migration and refugees as well.

Study questions

- In the age of global diplomacy, which issue areas move into the foreground and which ones into the background?
- What is the role of the general diplomat in a diplomatic system that deals more and more with specialized policy fields and issues?
- Is the age of global diplomacy to be equated with a multilateral turn of diplomacy?
- What indications are there for diplomacy to assume a larger and what for it to assume a smaller role in shaping various issues areas?
- What are, from an ethical point of view, the most urgent world problems to be dealt with by the diplomatic community?

Recommended further reading

Buzan, Barry and Richard Little. 2000. *International systems in world history: Remaking the study of international relations*. Oxford: Oxford University Press.

The move towards global diplomacy that this chapter sketched takes place within a broader evolution of the international system. Focusing on the field of war and peace, Buzan and Little's book provides a very good overview of this evolution.

Kleiner, Jürgen. 2010. *Diplomatic practice: Between tradition and innovation*. Singapore and Hackensack, NJ: World Scientific.

Kleiner vividly describes the everyday practices of what we refer to as global diplomacy. This practitioner's account is very readable.

Pigman, Geoffrey A. 2010. *Contemporary diplomacy: Representation and communication in a globalized world*. Cambridge, UK: Polity.

This is a detailed and convincing scholarly account of how diplomacy has changed since the end of the Cold War. Similarly to our next chapter, Pigman puts communication centre stage in his book.

Woolcock, Stephen and Nicholas Bayne. 2013. "Economic diplomacy". In Andrew F. Cooper, Jorge Heine and Ramesh Thakur (eds.), *The Oxford handbook of modern diplomacy*. Oxford: Oxford University Press.

This book chapter provides a very good overview of the different facets of economic diplomacy, including its overlaps with the issue areas of development and environment. The chapter also highlights the increasing salience of non-state actors.

Kjellen, Bo. 2014. *A new diplomacy for sustainable development: The challenge of global change*. London: Routledge.

Kjellen addresses not only the interplay of the issue areas of environment and development but, on a more general level, also discusses how diplomacy can help cope with key challenges of our times.

Davies, Sara E., Adam Kamradt-Scott and Simon Rushton. 2015. *Disease diplomacy: International norms and global health security*. Baltimore, MD: Johns Hopkins University Press.

This frequently discussed book takes a look at evolving international norms in the global health field and investigates how diplomacy helps shape these norms.

Note

1 South Korea, North Korea, Taiwan and Palestine are, of course, not universally recognized as states. This issue of recognition is intertwined with the territorial conflicts.

Part III

Mapping the diplomatic field



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5 Contexts of global diplomacy

Chapter objectives

- Identify the contexts that constrain as well as enable diplomats to perform their tasks and make diplomacy in the first place.
- Differentiate between demiurgic and autopoietic layers as well as substantive and procedural dimensions of contexts.
- Discuss diplomatic law and introduce readers to the 1961 Vienna Convention on Diplomatic Relations.
- Address the less easily visible, widely taken-for-granted layer of contexts (deep backgrounds).

Introduction

Diplomats draw from contexts (→ glossary) in which they are embedded in order to perform their tasks. These contexts make diplomacy possible in the first place. This chapter discusses these contexts by making two kinds of distinctions: demiurgic and autopoietic layers (Anter, 2007: 26; Tsekeris, 2009) as well as procedural and substantive dimensions (Bull, 1995: 13–19; Müller, 2004: 425) of context.

Context encompasses demiurgic and autopoietic layers. The former is designed and easily visible. Negotiating with one another, diplomats come to agree upon institutions. Later on, diplomats may build additional designed institutions upon these. The UN Charter is such a demiurgic institution. Indeed, it is something akin to the constitution of world politics. A host of international treaties and agreements have been concluded based on it. These range from, say, arms control treaties such as the Nuclear Nonproliferation Treaty, to environmental accords, such as the Paris Agreement, and from the Vienna Convention on Diplomatic Relations to the General Assembly's rules of procedure. It is no coincidence that many diplomats are well versed in international public law. Being an expert on the demiurgic layer of diplomatic contexts is a very valuable asset.

Located at a deeper layer of diplomatic contexts, there are autopoietic institutions that were never designed but have evolved due to evolutionary processes over a longer period of time. Analytically, these autopoietic institutions are more difficult to detect.

Underpinning demiurgic institutions, however, they are highly salient. Demiurgic institutions are built upon autopoietic foundations. These cultural underpinnings of diplomatic contexts include, for example, widely taken-for-granted understandings of war. The distinction between combatants and non-combatants – and the necessity to provide some kind of protection for the latter – had already sunk in way before it was codified in the First Hague Convention in 1899. The cultural underpinnings even include diplomacy itself. Long before the Vienna Convention on Diplomatic Relations, and even long before the institutionalization of resident embassies, there was already a widely taken-for-granted belief in the necessity of communication and negotiation across different polities (Bull, 1995: 184; Buzan, 2004: 161–204).¹

The above examples already give away that contexts – no matter which layer – consist of substantive and procedural aspects. Chapter I of the UN Charter, for example, is about the substance of international politics. It formulates purposes and principles of world politics that the UN ought to stand for. Discussing the organs of the UN, chapters III, IV and V are pre-occupied with procedural matters. Many other chapters, such as VI and VII, mix substantive and procedural matters. In a similar vein, the cultural underpinnings of diplomatic contexts are partly about substantive understandings and procedural ones. The long-standing distinction between combatants and non-combatants points towards the former while the equally long-standing belief in the necessity of exchange points towards the latter.

In what follows, we first focus on the 1961 Vienna Convention on Diplomatic Relations. We briefly trace its making, provide an overview of its key stipulations and discuss the issue of updating the 1961 Convention. Then, we switch to deeper backgrounds. We deal with overlaps between deeper backgrounds and international law, put under scrutiny how contending scholarly approaches (Liberalism, English School, Constructivism) make sense of deeper backgrounds, and, finally, address the evolution of deeper backgrounds in the age of global diplomacy.

The making of the Vienna Convention

Today's diplomatic law provides the procedural guidance for ensuring the functionality of diplomatic institutions, especially the resident embassy. How ought the host state treat the embassy of a foreign state within its borders, and how ought it treat the diplomats working in the embassy? Vice versa, what ought to be the dos and don'ts of resident diplomats? There are many codified and non-codified provisions. Headquarter agreements of international organizations such as the 1947 agreement between the UN and the United States, establishing the inviolability of UN premises, for instance, are among these. Yet the 1961 Vienna Convention on Diplomatic Relations remains the cornerstone of diplomatic law. Hence, this section focuses on this Convention.

In the seventeenth century, the Dutch legal scholar and philosopher Hugo Grotius postulated two important principles: “Now there are two rights of ambassadors which we see are everywhere referred to the law of nations. The first is that they be admitted, the second, that they be free from violence” (Grotius, on the Right of Legation, in Berridge, 2004: 101). But it was only in the early nineteenth century, when the Concert of Europe put pressure on states to put their communication channels on more solid legal ground, that attempts to codify the evolving customary diplomatic law found its first more influential codified expressions. In 1815, the Vienna Regulation was an

important move towards codification of existing practices. Resolutions adopted by the Institute of International Law in 1895 and 1929, the Havana Convention regarding Diplomatic Officers in 1928, and the Harvard Draft Convention on Diplomatic Privileges and Immunities of 1932 followed (Denza, 2008: 1–12).

In its very first session in 1949, the International Law Commission (ILC) included the codification of diplomatic law on its list of codifying tasks. The ILC is an important institution. Many international conventions have been drafted by it. Composed of legal experts with various backgrounds – academic, diplomatic corps, international organizations, etc. – its members are elected by the General Assembly for the duration of five years. In the early 1950s, Yugoslavia took the initiative in the UN General Assembly, and advocated for prioritizing the codification of diplomatic law. With this initiative finding a friendly response from other member states, the General Assembly requested the ILC to work on a draft convention. The Commission drafted articles for such a convention, and, by 1958, redrafted them, taking into account comments by the General Assembly and twenty-one member states. This prepared the ground for a conference in Vienna, where negotiations between the eighty-one participating states were concluded successfully between 2 March to 14 April 1961. The Vienna Convention was signed on 18 April. It is to date by far the most comprehensive attempt to codify diplomatic law. It has been ratified by almost 190 states. To the few states who have not ratified it, the Convention applies as customary law.

The Vienna Convention is very much a product of its time. In the 1950s and 1960s, world politics was still understood – almost exclusively – as *inter-state politics*. Thus, the Vienna Convention is all state embassies and diplomats authorized to speak on behalf of sovereign states (glossary: sovereignty). Denza puts it very well, when she writes that the Convention is all about codifying “the rules for the exchange of embassies among sovereign States” (Denza, 2008: 1). To what extent the Convention contains novel elements and to what extent it merely codifies customary law is not entirely undisputed among legal scholars. While Denza writes about a “progressive codification” (Denza, 2008: 5) of customary law, Brown downplays the “progressive” and puts more emphasis on the codification (Brown, 1988). But these differences in scholarly opinion are anything but large. It is clear that exercises in codification of already existing customary law played a major role in writing the Convention.

Four major provisions

There are four major provisions. First, mission premises (and the private residences of heads of missions) are *invulnerable*. According to Art. 22 of the Convention, this inviolability not only means that the mission (such as an embassy) ought not to be entered without the consent of the head of the mission (such as an ambassador). It also means that the host country has the obligation to protect the “premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity”. Second, there is the often-quoted *diplomatic immunity*. The overarching goal of the Convention is to ensure the functionality of the embassy. This cannot be achieved just by protecting the premises of the embassy. But protection has to be extended to the diplomats working in the embassy as well. The Convention does this in fairly strong fashion. Again, not only is the host state obligated not to violate the diplomat’s rights but according to Art. 31, the diplomat ought to enjoy immunity from criminal jurisdiction and, with some exceptions, also civil and administrative

jurisdiction. According to Art. 29, the host state is also obligated to protect the diplomat against attacks from non-state actors within its territory; it has to “prevent any attack on his person, freedom or dignity”. Third, the host state has the duty to *protect the communication lines* between the embassy and its sending state. Some of the stipulations of Art. 27 sound rather antiquated. There is talk about the ‘diplomatic bag’, how it is to be transported on an aeroplane, how it is to be off-loaded and so on. But the gist of Art. 27 is as important as ever. With diplomacy being all about communication, the functionality of an embassy cannot be guaranteed without the protection of this communication. Yet note that Art. 27 is about the communication between embassy and sending state. There is no right of embassies to communicate at free will in the host country. Fourth, embassies *ought not to interfere* in the domestic affairs of their host country. The Convention does not bestow rights only to embassies and obligations only to host states. There are also stipulations where this balance reads the other way round. Non-interference belongs to this category. Diplomatic missions, as envisaged by the Convention, are vehicles for facilitating state-to-state communication, with ‘state’ standing for the upper echelons of the executive (especially foreign ministries and chief executive). They are not vehicles that entitle a mission to try to influence the broader public in the host country.

When Brown (1988) writes about the Vienna Convention as “one of the surest . . . multilateral regimes in the field of international relations”, he has the Convention’s compliance record in mind. All in all, this compliance record has been – despite some ambiguous formulations and the continuing relevance of customary law to interpret the Convention – very solid. This does not mean, however, that the regime is free of contestation. This contestation is often partly due to the evolving nature of law and partly due to states as well as individual actors trying to get the justice that suits them best.

An important contested case pertaining to diplomatic immunity was General Augusto Pinochet’s arrest in London in October 1998. That month, the Spanish judge Baltasar Garzón set a chain of events in motion that indicates a major shift in international law. He issued an international arrest warrant against Pinochet for crimes committed during the General’s seventeen-year reign of terror in his native Chile. Garzón justified this warrant with crimes (ninety-four counts of torture featured prominently) committed against Spanish citizens. Although this cast aside – for legal reasons – compelling evidence for thousands of cases of murder and torture during Pinochet’s reign in Chile for the time being, the consequences were soon felt. UK magistrates, applying the European Convention on Extradition, arrested Pinochet. The General tried to make a case before the High Court that the arrest warrants against him were null and void, most importantly because of Art. 39 (2) of the Vienna Convention, which guarantees former heads of state to remain immune from the criminal jurisdiction of foreign states (Bianchi, 1999: 255). It was only in March 1999 that the Lords came to a decision. They ruled that Pinochet could be extradited but only be prosecuted for crimes that he committed after 1988. This is when the UK had incorporated legislature for the United Nations Convention against Torture in the Criminal Justice Act. On the one hand, this qualification amounted to a major drawback. It threw out much of what Pinochet was supposed to stand trial for. This drawback became even bigger when the Lords ruled a year later that Pinochet had to be set free due to medical reasons.

On the other hand, however, the decision signalled a move towards *universal jurisdiction*. Some crimes are just so horrendous that they warrant jurisdiction by domestic courts over individuals even if their alleged crimes were committed outside of the boundaries of the state within which this court is located, and the individuals are not otherwise associated with this state (e.g. by citizenship or permanent residency). For some time thereafter, it was Spanish courts in particular that exercised universal jurisdiction in a number of cases. Most of these were about atrocities committed by military governments against their own population in Latin America in the 1970s and 1980s: Guatemalan officials involved in the genocide against the Ixil Maya population of the country, El Salvadorian officials for the murder of six Jesuit priests, and an Argentine naval officer for crimes against humanity during the so-called Dirty War that the military junta waged against its own population. In 2009, the Spanish Parliament enacted a bill that restricts universal jurisdiction. While this does not signal the end of universal jurisdiction, it qualifies it in significant ways (Langer, 2015).

Contestation about alleged cases of diplomatic interference into domestic affairs abound but tends to be less spectacular than the above case on diplomatic immunity. Democratization efforts by Western countries in the global South are sometimes met with staunch rejection. In extreme cases, these accusations are accompanied by declaring a diplomat who allegedly interfered with domestic affairs *persona non grata*. Box 5.1 elaborates on this diplomatic institution. In 2008, for example, Hugo Chavez – in his very own determined rhetorical fashion – declared U.S. ambassador Patrick Duddy *persona non grata* and expelled him from Venezuela. Thereafter, the U.S. Chargé d’Affaires, John Caulfield, became the target of Chavez’s ire for allegedly meeting with exiled Venezuelan oppositional groups in Puerto Rico. While Chavez’s reaction may be extreme and, of course, fuelled by a principled stance against the United States, there really is a tension between democratization efforts and the diplomatic non-interference norm. Western states often try to bypass this tension by delegating democratization tasks to agencies not officially or only indirectly linked to government. The German political foundations, especially the Konrad-Adenauer-Stiftung, Hanns-Seidel-Stiftung, Friedrich-Ebert-Stiftung and Friedrich-Naumann-Stiftung, are such entities. The National Endowment of Democracy in the United States and the British Westminster Foundation for Democracy serve similar purposes (Kleiner, 2010: 82).

Box 5.1 *Persona non grata*

Given the immunity granted to diplomats in the Vienna Convention, there is only so much host countries can do to diplomats they accuse of misdoings. Yet Art. 9 of the Convention codifies one of the sharpest weapons available in such cases: to declare a diplomat *persona non grata*. The sending state then ought to recall such a diplomat to his or her capital. If this does not happen, the Convention reserves the right to “refuse to recognize the person concerned as a member of the mission”. Yet this last sanction is rarely applied. In diplomatic

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practice, declaring a diplomat *persona non grata* amounts to expelling this diplomat from the host country. Reasons why a host state declares a diplomat *persona non grata* vary widely. In 1996, for example, Canada threw out a Ukrainian vice-consul for alleged drunk driving and similar offences. In 2004, Mexico declared a Cuban diplomat *persona non grata* after Castro had declared that Mexico's prestige had "turned into ashes". In 2005, a Czech diplomat had to leave Belarus due to alleged sexual misconduct. In a case that was in the newspaper headlines for quite some time, the UK declared four Russian diplomats *personae non gratae* in 2006, when Moscow refused to extradite Andrej Lugovoy. The latter was suspected of having killed Alexander Litvinenko with the radioactive isotope polonium-210 in London. Victim and alleged perpetrator had formerly been associated with the Soviet and Russian intelligence services. The Russian government responded by making four British diplomats pack their suitcases. In 2016, the U.S. government accused thirty-five Russian diplomats of hacking computer networks of a number of organizations and declared each of them *persona non grata*. Russia reacted in kind and sent home thirty-five U.S. diplomats. These numbers pale with those during the Cold War. In 1971, Britain sent 105 Soviet citizens home, many of them diplomats. They were accused of spying.

Aside from these cases of contestation, there are also a few clear-cut and widely recognized problems of compliance with the Vienna Convention. Again, it is important to emphasize that the compliance record, all in all, is strong. But there are at least three exceptions that are worth mentioning. First, while states, generally, comply with the stipulation that mission premises are inviolable, there are cases where this inviolability is violated. The most headline-producing event in this regard was, without much doubt, the Iran Hostage Crisis. In the wake of the Iranian Revolution, a crowd of about 5,000, most of them reportedly Islamist students, marched on the U.S. embassy on 1 November 1979. That day, the crowd eventually dispersed peacefully. Three days later, it was an altogether different matter. About 3,000 protestors gathered, including a large group of armed individuals, self-identifying as 'Muslim Student Followers of the Imam's Party'. They stormed the embassy and took fifty-two U.S. citizens hostage. Negotiation, mediation and even the condemnation of the act by the International Court of Justice (→ glossary) did little to resolve the crisis quickly. It took 444 days for the hostages to be finally released (Barker, 2006: 9). In 2011, there was suddenly again a lot of mentioning of the Iran Hostage Crisis, when Iranian protestors, shouting 'Death to England!', forced their way into the British Embassy in Tehran. Again, many of them were students. Yet this time, there was merely damage to the building and the British diplomats were detained only very briefly. Note that what was at issue in both cases was not so much that the Iranian state directly attacked the mission premises. But the Iranian state – in the 1979 case much more so than in the 2011 case – failed to protect the mission premises. This, too, constitutes a violation of the Vienna Convention.

Second, despite diplomatic immunity, there are cases in which diplomats become targets. In 1979, the Iranian government failed not only to protect the U.S. mission premises, but, of course, also U.S. diplomatic personnel. But there is a long list of

worse treatment of diplomats (and innocent bystanders). U.S. diplomats have been especially frequently targeted. On 18 April 1983, a suicide bombing against the U.S. embassy in Beirut left more than sixty people dead, including seventeen U.S. citizens. In 1998, an even more destructive attack hit the U.S. embassy in Nairobi. On 7 August 1998 a terrorist truck bomb killed almost 300 people and wounded as many as 5,000. Al-Qaeda claimed responsibility for the attack (U.S. State Department, n.d.). Twelve of them were U.S. citizens. These cases are not violations of the Vienna Convention unless one would want to make the unrealistic claim that the Lebanese and Kenyan governments could have prevented such an attack. In 2012, there was a series of attacks on U.S. embassies. Box 5.2 discusses these at greater length.

Box 5.2 2012 attacks on U.S. diplomats

In June 2012, a small cinema screened the movie *The Innocence of Bin Laden* in Los Angeles. The anti-Islamic film depicts Prophet Muhammad, among other things, as a coward and child molester. In July, a user with the pseudonym 'sam bacile' uploaded some clips taken from the film on the online portal YouTube under the titles *The Real Life of Muhammad* and *Muhammad Movie Trail*. Yet the radical group hiding behind the pseudonym left a mark with its amateurish film only in early September when the Egypt-based salafist television channel *Al-Nas* broadcasted Arab translations of the YouTube clips, vilified them and turned its rage against the West in general and the United States in particular. From then on, protests spread across the Islamic world. In the early evening of 11 September, protesters stormed the yard of the U.S. embassy in Cairo, tearing down the U.S. flag. Egyptian riot police prevented a further escalation. Later that evening, gunmen – heavily armed with rocket-propelled grenades and anti-aircraft guns – started firing on the U.S. consulate in Benghazi (Libya) out of a group of protestors. For about an hour, they succeeded in taking the main consulate building, killing four Americans, including the U.S. Ambassador to Libya, Christopher Stevens. Elsewhere in the region (Tunisia, Sudan, Lebanon, Iraq and Yemen) and beyond it (Afghanistan, Pakistan and Indonesia) angry protests took place but did not escalate to the extent they did in Benghazi.

Yet, to be sure, it is not only U.S. diplomats that are subjected to ill-treatment. In 2002, for instance, African ambassadors requested better protection from the Russian authorities for their personnel in Moscow. They were concerned about racist attacks. This concern was substantiated when Ghana's ambassador, Francis Y. Mahama, was beaten up when he went for a walk in a park in Moscow (Kleiner, 2010: 130). During the 2012 attacks on U.S. diplomats, embassies and diplomats of allied nations (for example France, Germany and the UK) were under siege, too.

Third, while the above two exceptions to the strong compliance record of the Vienna Convention occur rarely, host states are often rather eager to find out what messages embassies send back and receive from their capitals. During the Cold War, the FBI went as far as to build a tunnel underneath the Soviet embassy in order to tap communication lines (Denza, 2008: 11). The U.S. diplomatic offensive prior to

the 2003 Second Gulf War strongly suggests that this kind of spying is anything but past practice. On 2 March 2003, *The Observer* published an article based on a leaked memo written by a top official of the U.S. National Security Agency, which orders to step up surveillance operations “particularly directed at . . . UN Security Council Members (minus U.S. and GBR, of course)” (Beaumont et al., 2003). It seems that the operations were primarily directed against Angola, Cameroon, Chile, Mexico, Guinea and Pakistan (then non-permanent members of the Security Council). But the above quote leaves China and Russia, and even the long-standing U.S. allies France and Germany (then also a non-permanent member) also in the equation.

The opposite problem occurs, too. Some embassies and consulates take advantage of the inviolability of mission premises by spying on the host state. Due to online publications of large quantities of data by Wikileaks as well as leaked documents provided by the whistleblower Edward Snowden to several media outlets, the U.S. National Security Agency (NSA) has received plenty of criticism since 2014. The data show that the United States systematically spied on a number of high-ranking government officials in host states. This put a strain on the diplomatic relations between the United States on the one hand and states such as Brazil, France, Germany and Japan on the other.

Updating the Vienna Convention?

We have seen from the above that the Vienna Convention is at the core of codified diplomatic law. Following a *functional approach* – postulating a set of norms that guarantees the functioning of residence embassies – it is a pillar on which modern diplomacy is built. Although there are some notable problems with implementation, all in all the compliance record is strong. This has probably quite a bit to do with the fact that the drafters of the Vienna Convention did not pluck its stipulations out of thin air. For the most part, they codified what had already been customary law for a very long time. They codified what had been taken for granted by the diplomatic community for a long time.

It clearly shows, however, that the Vienna Convention was written before the age of global diplomacy. The multiplication of actors and issue areas was still very much in its infancy. *Today’s diplomacy cannot be reduced to the functionality of the resident embassy.* Customary diplomatic law and a host of other norms that do not qualify as law but, nevertheless, important effects have developed since the drafting of the Vienna Convention. New actors and new processes, often underpinned by globalization and global governance (→ glossary: governance), have taken shape over time. The telecommunications revolution is a case in point. While the Vienna Convention explains at great length how diplomatic mail is to be packaged and loaded onto an aeroplane, there is, of course, nothing to say about electronic mail. The Convention was drafted at a time when today’s communications technology was, for the most part, still unimaginable.

It is, therefore, no coincidence that there are calls for a thorough overhaul of the Vienna Convention or a new convention altogether. Siracusa, for example, cautions that, international organizations and even transnational corporations – as well as their role in global diplomacy – should be included in such a convention (Siracusa, 2010: 1). The role of NGOs would warrant some written specification as well, as, for example, the 2012 diplomatic asylum case of Wikileaks founder Julian Assange

suggests. Box 5.3 discusses this case. Yet, for the time being, the codification of diplomatic law seems to proceed as slowly as ever. It took hundreds of years for the Vienna Convention to be written, signed and ratified. It may take at least a few more decades for a new convention to be adopted that takes into account the move to global diplomacy.

Box 5.3 Diplomatic asylum and Julian Assange

In 2012, the case of Julian Assange produced a series of newspaper headlines. Assange is the founder of Wikileaks, which is a very well-known, not-for-profit online publishing platform dedicated to global transparency. Its radical pursuit of transparency brought it into conflict with nation-states, in particular the United States. Wikileaks leaked classified information on U.S. interventions and their aftermath in Iraq and Afghanistan, publishing shocking *ius in bello* and *ius post bellum* violations. Wikileaks also leaked classified material about Guantanamo Bay. In 2010, the organization released a host of U.S. State Department diplomatic cables. This suddenly made diplomacy much more transparent than Wilson had postulated (see Chapter 2). The cables were at times not very generous about the host countries and their decision-makers from where U.S. diplomats sent these cables. The United States found itself compelled to apologize in a number of cases. In 2010, the Swedish Chief Prosecutor Marianne Ny issued an arrest warrant on allegations about rape against Assange. Assange, expecting to be extradited from Sweden to the United States and charged for espionage there, looked for ways out. In 2012, he applied for asylum at the Ecuadorian embassy in London. A diplomatic stand-off between the UK and Ecuador followed. Ecuador granted Assange diplomatic asylum. It is very much disputed in international law, however, whether the institution of diplomatic asylum exists, with European diplomats tending to deny and Latin American ones tending to postulate it. In terms of the 1961 Vienna Convention, this is, nevertheless, a fairly clear-cut case. The Ecuadorian embassy is inviolable. Thus, British authorities cannot simply go into the embassy and arrest Assange. If the arrest were a major priority for the UK, it would have a strong means at its disposal. It could cease diplomatic relations with Ecuador. From this moment on, the embassy building is no longer inviolable. Yet this would be a rather drastic step.

Deeper backgrounds

While the above section discussed the demiurgic layer of diplomatic contexts – the Vienna Convention is very much a designed document – this section discusses the autopoietic layer. We start with a discussion of norms (→ glossary), distinguishing norms that constitute the autopoietic layer from those that make up the demiurgic one. Then, we zoom in on autopoietic components other than norms.

According to an influential definition by The American Law Institute, international law “consists of rules and principles of general application dealing with the

conduct of states and of international organizations and with their relations *inter se*, as well as with some of their relations with persons, whether natural or juridical” (The American Law Institute, 1987).

This definition makes a lot of sense to an international lawyer. It also makes a lot of sense to a more sociologically inclined social scientist. But the latter interprets the sentence much more broadly than the former. Whereas the former has in mind legal rules and principles, the latter thinks of the plethora of oughts and ought nots – legal or non-legal – that constitute ‘standards of behavior’ (Florini, 1996: 364). Some of these reach so deeply that they constitute the very institution of diplomacy and the diplomat. There is an important insight here. Just because norms do not qualify as legal norms does not mean that these norms are inconsequential. On the contrary, many non-legal norms are *so deeply seated in the background of diplomats that they assume a taken-for-granted quality*. These norms are so powerful that diplomats, for the most part, are no longer aware of them; they rarely, if ever, reflect upon them. Geoffrey Wiseman refers to them as diplomatic culture (Wiseman, 2005).

This view of norms may appear to some like a fairly recent intellectual development (or even fad). It is in line with Peter Berger and Thomas Luckmann’s path-breaking *The Social Construction of Reality*. Founding texts of this theory of being – in short, ontology (→ glossary) – on diplomacy and international relations include Friedrich Kratochwil’s *Rules, Norms and Decisions*, and Nicolas Onuf’s *World of Our Making* (Kratochwil, 1989; Onuf, 1989). But literature on diplomacy has always heavily focused on these background norms, although they featured under different labels. Indeed, early literature on diplomacy is all about procedural background norms. It was aimed at teaching the diplomat the procedural dos and don’ts of the diplomatic world. Even more so, it aimed at turning these norms into the second nature of the diplomat, i.e. something that comes naturally and does not always have to be thought about.

The most frequently quoted diplomacy book of the seventeenth century, Abraham de Wiquefort’s *L’Ambassadeur et ses fonctions* (The Ambassador and his functions), focuses heavily on manners and tact of the diplomat. The book does not try to teach legal rules but standards of behaviour that are supposed to sink into the background of the diplomat. This is, in principle, not all that different from trying to teach a young child to brush her teeth every day in the morning. The expected result of such an exercise is to make this norm a self-evident and unquestioned standard of behaviour. Arguably, François de Callière’s *De la manière de négocier avec les Souverains* (The art of negotiating with sovereign princes), published in 1716 (de Callières, 2004), focuses even more heavily on manners and tact. The discipline and rules that the author advocates are all about behavioural markers that make a good diplomat. This pattern of writing about diplomacy continued well into the twentieth century (Satow, 1917).

Books on diplomacy may not be that heavily centred on manners and tact any more. But the latter are still recognized as highly important by diplomatic practitioners. Diplomatic academies all over the world tell their students and trainees a lot about protocol. Take, for instance, the Foreign Service Institute of the U.S. State Department. It teaches how to address others, how to introduce oneself and others, what titles one is supposed to use while addressing others, how to behave as a guest, whom to invite, informal entertaining, formal entertaining, how to dress, and so on (U.S. State Department, 2005). Just the first issue alone – addressing others – may very well turn out to be a minefield of misunderstandings, especially for a novice. At the beginning of a speech, for instance, the formula for addressing the audience has

to be correct. In our days, the ‘Excellencies, Ladies and Gentlemen’ is often used as a short-hand. But, in addition to this, high-ranking people in the audience may very well expect to be greeted and thanked for their coming individually. Niceties are important in diplomatic talk. They are also important when it comes to presenting an argument. There is a time for being antagonistic. Yet usually diplomatic talk filters out a lot of anger, frustration and antagonism or hides it behind subtle formulations, which are more or less standardized in the diplomatic world. Subtle hints are usually understood by a diplomatic audience.

For the general public, standing outside of these discursive norms, this nice talk can be shocking, especially when it takes place in the midst of disaster. To refer to a highly misplaced case of soft talk – which many diplomats, especially in hindsight, find shocking, too – the first Security Council Resolution on the Rwandan Genocide did not use the word genocide at all, and employed merely the word ‘condemn’ to describe the Security Council’s stance towards the unfolding events. It used the expression ‘strongly condemn’ only once; this was to condemn attacks on UN personnel. The Security Council passed this Resolution, S/RES/912 (1994), on 21 April 1994 (UN Security Council, 1994). This was more than two weeks after the fastest genocide in human history had begun, which cost at least half a million people their lives.

This sobering illustration also strongly hints at the salience of the substantive dimension of the background. The overwhelming number of students, observers and makers of world politics alike are outraged by genocide. This is not just due to legal documents such as the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, as important as they are. It is also due to the evolution of a more deeply seated and widely shared repulsion against certain forms of violence. Norbert Elias, some time ago, labelled this a *habitus* (→ glossary) of restraint (Elias et al., 2000; see also Bjola and Kornprobst, 2007). The deeply seated autopoietic contextual layer, in other words, matters.

Three schools of thought on deeper backgrounds

Authors addressing the autopoietic layer of diplomatic contexts deal not only with procedural and substantive norms but taken-for-granted cultural underpinnings of diplomacy more generally. Three schools of thought may be distinguished according to how deeply their scrutiny reaches into the background.

Liberalism has a strong tendency of focusing on demiurgic as opposed to autopoietic institutions. Institutions are usually assumed to be designed (Koremenos et al., 2001). Yet it is worth pointing out that some key liberal concepts leave room for autopoietic institutions and that some liberal scholars have generated great insights into them. Krasner famously defines regime as “implicit or explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area of international relations” (Krasner, 1983: 2). Note that the definition includes not only explicit but also implicit components of regimes. The latter can be interpreted as autopoietic contexts. Most regime theorists shy away from looking at these deeper contexts. They do not leave much room for diplomacy either. But there are exceptions. The work of Young (Young, 1983, 1991), for example, provides important insights into the salience of autopoietic contexts for diplomacy.

The English School focuses much more on diplomatic backgrounds and analyses it in much greater depth. The English School is, for the most part, not that much

concerned with what it labels secondary institutions. Instead, it highlights the salience of primary institutions, i.e. the background. Analysing these primary institutions, Hedley Bull puts diplomatic culture under scrutiny. This culture, in his view, constitutes an international society of states. At the core of the culture is a particular way of reasoning and communication based on shared norms:

He [the diplomat] seeks always to reason or persuade rather than to bully or threaten. He tries to show that the objective for which he is seeking is consistent with the other party's interests, as well as with his own. He prefers to speak of "rights" rather than of "demands", and to show that these rights flow from rules or principles which both states hold in common, and which the other state has already conceded.

(Bull, 1995: 165)

In a similar vein, Watson understands diplomacy as a civilizing process. Diplomatic norms channel interaction towards continuous dialogue (Watson, 1982). In a recent re-formulation of English School thought on diplomacy, Sharp echoes this argument. Norms constituting diplomacy, he contends, privilege the maintenance of peaceful relations (Sharp, 2009).

Constructivism (→ glossary) adds to the English School's understanding of the background (Kornprobst and Senn, 2016a). While constructivist research also highlights the role of deeply seated norms and culture, it employs several other concepts, too, in order to identify the components of the diplomatic background. To mention only the most frequently discussed one among these, there is *identity*, which is often conceptualized as the narrative (Somers, 1994) through which internationally salient entities such as nation-states define themselves. There is the *episteme* (→ glossary), which Ruggie (1982) defines as a lens through which international actors look at the world. The lens that he writes about is the territorially demarcated world of the sovereign nation-state. This is a highly interesting point. This world, albeit somewhat beleaguered due to the pressures of globalization, is so deeply ingrained in our thinking about global politics that we hardly ever come up with the idea of reflecting upon it. Similarly to the concept of the episteme, the *nomos* (Epstein, 2005; Adler-Nissen, 2014) (→ glossary) aims to capture the most deeply seated autopoeitic components. Following Bourdieu, scholars employing this term often emphasize the procedural dimension of the *nomos*, especially hierarchies among actors, over the substantive ones.

In recent years, the concept of practice has become so popular that there is plenty of talk about a practice turn. Practices are iterated and meaningful doings. Most authors define them in juxtaposition to reflectivity. Actors simply do. They do not reflect upon it. More (Adler, 2008) and less reflective (Hopf, 2002; Pouliot, 2008) conceptualizations of practice point towards the background. Practices are stored in a repertoire (in a Bourdieuan and thus non-reflective reading, this is composed of *nomos*, *doxa* and *habitus*) and then put to use in a given social encounter in ways that are compatible, albeit not determined, by this repertoire.

Illustrations of deeper backgrounds

It is worth highlighting again that our seemingly abstract discussion about deep backgrounds takes us very much back to the classics of the diplomacy literature.

De Wiquefort and de Callière, for instance, understood manners and tact very much as deep background that actors acquire through socialization. While manners and tact are about how to conduct oneself as a diplomat, i.e. about the procedural dimension of the deep background, other cited authors on diplomacy focus more on the substantive dimension. Watson's argument is certainly among these. Diplomatic backgrounds point more towards preventing the escalation of conflict into war than towards escalating (Watson, 1982).

Deeper backgrounds are never monolithic and never carved into stone. Different diplomatic actors share certain backgrounds to varying degrees. Many backgrounds are contested. This contestation makes them evolve in certain ways rather than others. Procedurally speaking, diplomacy has become less secretive and more open in the latter half of the twentieth century (Marshall, 1997). NGOs have gained more access (and at times voice) to multilateral negotiations, for example. This procedural aspect of the background has made major inroads into diplomatic sub-fields such as economics, development, environment and health. It has become a widely unquestioned social fact that non-governmental actors are to be included. Based upon this social fact, explicit rules have been designed that regulate this participation. Box 5.4 provides an illustration of how NGOs apply for accreditation in environmental negotiations. When it comes to the sub-field of war and peace, however, NGO participation is much less prevalent and much more contested. The Humanitarian Initiative postulates such a participation in negotiations on nuclear arms control. But this is very much contested with the P5 being particularly opposed to such a step (Kornprobst and Senn, 2016b).

Box 5.4 Applying for NGO accreditation

Applying for accreditation at major multilateral conferences is a fairly straightforward process. For example, negotiations of the International Negotiating Committee for a legally binding instrument on mercury, which started in 2009, required the following file:

- “A copy of your organization’s constitution, charter, statutes or by-laws, including any amendments to these documents, and a list of affiliates (if any);
- A statement of the organization’s mission and scope of work, including detailed accounts of the extent of outreach, indications of interactions within the community or other activities. Supporting documentation could include a published mission statement (available on a website or in brochures);
- A proof of interest in the environment or health sector, including description of activities you have undertaken over the last two years or more demonstrating an interest in the environment, health, or related sectors. Such proof could include annual reports, conference or seminar reports, press releases and copies of media statements, newsletters or other periodicals” (UNEP, 2011).

The Idea of Europe is another case in point. The Idea may be summarized in the formula that the standing apart of nations breeds war, whereas their cooperation and integration breed peace. The Idea is not a legal norm. It is not even a norm. It is the lens of looking at the past, present and future of Europe that drove visionary diplomats – the statesmen Konrad Adenauer, Alcide de Gasperi, Jean Monnet, Robert Schumann, Paul-Henri Spaak very much included – in their European unification efforts. Without this shared background idea, there would have been no Treaty of Paris establishing the European Coal and Steel Community, no Treaties of Rome developing this Coal and Steel Community into the European Communities, and no Maastricht Treaty establishing the EU (Parsons, 2002). Box 5.5 provides more details on the Idea of Europe. This Idea, however, has recently come under more and more pressure in Europe. Right-wing (and even some left-wing) populist movements, rejecting it outright, gain support in elections. The Brexit campaign, too, rejected the Idea, glorifying state sovereignty instead.

Box 5.5 The Idea of Europe

The Idea of Europe accepts that Europe consists of distinct nation-states but postulates that these are not autonomous from one another. Their fate is understood as being inescapably intertwined. Europe had failed to understand this shared fate in the past, causing a series of disasters. Only overcoming the divisiveness of Europe's nation-state borders through cooperation and integration makes it possible for Europe to prevent these tragedies from re-occurring. Historically, the Idea of Europe tended to gain influence among intellectual elites all over Europe after major catastrophes. They used the Idea of Europe to make sense of what happened and to find ways to prevent disasters from re-occurring. Early accounts of the Idea were about state interactions, for instance by Maximilian de Béthune, Duc de Sully, who wrote shortly after the Thirty Years War, and the Abbé de Saint-Pierre (1986 [1712]) and Jeremy Bentham (1927 [1789]) who were influenced by the Enlightenment's belief in progress. A seminal statement of the Idea (applied not only to Europe but the world) is David Mitrany's essay *A Working Peace System*, written in the middle of World War II. It is only after World War II that the Idea starts to leave its mark with European diplomacy. Arguably, the Idea is weakening because the generation that experienced the cruelties of World War II has left the diplomatic stage and is replaced by actors who no longer take this important lesson of European history seriously.

Getting at these deep backgrounds poses methodological challenges. Many authors employ interpretivist research tools to identify components of the background, their evolution, and the contestation that surrounds them (Epp, 1998; Kuus, 2007; Pouliot, 2016). This involves in-depth analysis of texts. The paper trail that diplomats leave behind tells something about their deepest taken-for-granted ideas. It also involves

interviews. Not all elements of the background can be accessed by looking at texts. Some of them assume that much of a taken-for-granted quality that they are no longer made explicit. Interviews, therefore, are an important source for identifying deep backgrounds.

Poststructuralist research sometimes employs similar methods but does so in order to make strange what usually passes as self-evident. In his writings on diplomacy, James Der Derian (1987) makes diplomacy strange by inquiring into how it came into being (deconstruction). By uncovering the many contingencies of its evolution, he clarifies that diplomacy is a human construct – not more but also not less. Poststructuralists, being adamant that this human construct is full of inequalities and injustices, seek a distance from it. Costas Constantinou (1996) proposes a seemingly unlikely but rather powerful means for doing so: make strange and laugh about diplomacy.

Summary

- Diplomats are embedded in *contexts*. These contexts constitute the diplomat and diplomacy in the first place. Without these contexts, there would be no diplomacy.
- We discussed a two-fold distinction of the components of this concept: *demiurgic* versus *autopoietic* and *procedural* versus *substantive*.
- While there are procedural and substantive demiurgic contexts, our illustrations of the contextual layer focused on the *1961 Vienna Convention on Diplomatic Relations*, which identifies procedural norms. It stipulates the dos and don'ts of diplomats and host states' institutions. Although in many ways outdated, the Vienna Convention remains a cornerstone of modern diplomacy.
- We discussed several autopoietic components of diplomatic contexts. Here, our illustrations ranged from the move towards a more *inclusive diplomacy* (procedural) to the evolution of the *Idea of Europe* (substantive).
- There are *three schools of thought* that help the scholar to think about how to conceptualize deeper backgrounds: Liberalism, English School and Constructivism. Liberalism postulates a much thinner concept of background than Constructivism does. The English School, which was the first to direct our attention to deeper backgrounds, is located somewhere in the middle but closer to Constructivism.

Study questions

- What are the strengths and weaknesses of diplomatic law in ensuring the functionality of global diplomacy?
- In what ways do legal and sociological scholars converge and diverge in defining rules and principles? What repercussions does this have for the study of diplomacy?
- Is diplomacy a civilizing institution?
- Do epistemes drive regional integration efforts?
- What methodological challenges are there for research on deeper backgrounds and how are they to be met?

Recommended further reading

Constantinou, Costas M. 1996. *On the way to diplomacy*. Minneapolis: University of Minnesota Press.

This book deals with evolving diplomatic backgrounds in depth. Putting poststructuralist insights to use, Constantinou makes strange what usually passes as diplomatic orthodoxies.

Denza, Eileen. 2008. *Diplomatic law: Commentary on the Vienna Convention on Diplomatic Relations*. Oxford: Oxford University Press.

Frequently cited by scholars and routinely used by practitioners, this is an authoritative commentary on the 1961 Vienna Convention.

Sending, Ole Jacob, Vincent Pouliot, and Iver B. Neumann. 2015. *Diplomacy and the making of world politics*. Cambridge: Cambridge University Press.

Many chapters in this edited volume address the evolution of what this chapter referred to as autopoietic contextual dimensions and links them to the making and unmaking of demiurgic ones. The chapters cover a wide range of issue areas.

Wiseman, Geoffrey R. 2005. "Pax Americana: bumping into diplomatic culture". *International Studies Perspectives* 6(4), 409–430.

This is a case study on the 2003 U.S.-led intervention against Saddam Hussein's Iraq. The author identifies key diplomatic norms in the field of war and peace. Then, he discusses how the United States transgressed them and with what consequences.

Note

- 1 The English School refers to the autopoietic layer as primary institutions and the demiurgic one as secondary institutions. We are indebted to Martin Senn for highlighting the salience of these analytical distinctions to us.

6 Tasks of global diplomacy

Chapter objectives

- Identify the main tasks of diplomacy.
- Discuss different kinds of performing these tasks.
- Provide an overview of how literature on diplomacy conceptualizes these tasks.
- Relate the tasks to diplomatic contexts.

Introduction

No matter what kind of diplomatic actor and no matter what kind of issue area this actor addresses, it is possible to identify key tasks of diplomacy. This chapter refers to these as *messaging*, *negotiation*, *mediation* and *talk*. Not every kind of diplomat engages in these tasks in the same way. At the risk of oversimplification, traditional diplomats representing states tend to perform all four tasks whereas non-traditional diplomats representing international governmental or NGOs tend to do more messaging and talking than negotiation and mediation. Yet there are exceptions to this rule. International bureaucracies such as the EU Commission do plenty of international negotiating. Non-state actors can sometimes amount to important mediators.

The category of talk may come as a surprise to the reader. This broad category, ranging from cheap talk to dialogue, is not to be confused with inconsequential chit-chat. The power of the word can make a huge difference in international diplomacy. Similarly to messaging, it can change the autopoeitic contextual layer that we discussed in the last chapter. Negotiation and mediation, by contrast, are tasks that are geared towards leaving a mark on the demiurgic layer (although unintended autopoeitic consequences are always possible).

The tasks we discuss may best be summarized under the heading of communication. Diplomacy is about communication (Rana, 2001). Messaging, negotiation, mediation and talk – along with the sub-categories we identify – are different modes of communication. Above everything else, the diplomat is a communicator.

Inventing messages to communicate as well as understanding these messages and generating convergences around some of them across different diplomatic actors are made possible by the contexts in which these actors are embedded. To put this into different words, the contexts enable actors to come to imagine a message they seek to

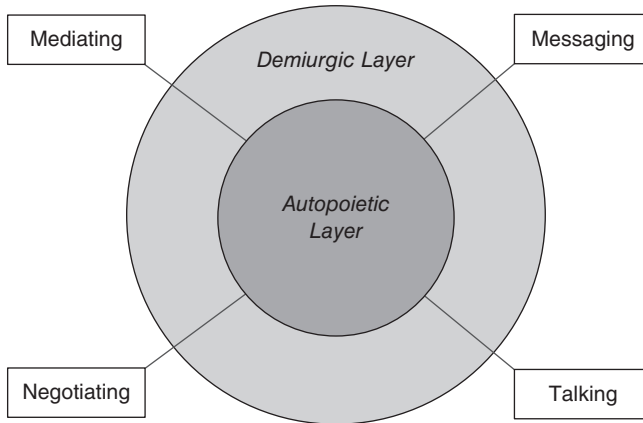


Figure 6.1 Interplay of diplomatic contexts and diplomatic tasks

send in the first place. It also makes it possible for them to make sense of the messages sent by others. Furthermore, it delineates the possibilities for different actors to converge on an agreement – however tentative this convergence may be in many cases.

Being a diplomat, therefore, has a lot to do with *putting contexts to use in order to perform communicative tasks*. This putting backgrounds to use, in turn, changes and reproduces the contexts. Figure 6.1 summarizes the interplay of backgrounds and tasks.

This chapter is organized into four parts. We start with the task of messaging, which may very well be the oldest function of the diplomat. We continue with discussing negotiation and then mediation in some depth. Finally, we focus on the category of talk, emphasizing that we do not consider it even nearly as inconsequential as the everyday usage of the term might suggest.

Messaging

Diplomats are *messengers*. When it comes to traditional state diplomacy, the messages that diplomats convey tend to run in two directions. On the one hand, diplomats convey messages from their capital to the capital of the host state. In its purest form, the diplomat is confined to conveying this message in every detail. There is no room to manoeuvre. Declarations of war very much belong to this category. Take, for instance, the German declaration of war on the Soviet Union. On 21 June 1941, Friedrich-Werner von der Schulenburg, the German ambassador to Moscow, was radioed a telegram from Berlin, which was classified as ‘state secret’ and ‘very urgent’. The telegram contained a fateful message to the Soviet government, culminating in the following summary:

To sum up, the Government of the Reich declares, therefore, that the Soviet Government, contrary to the obligations it assumed,

- 1) has not only continued, but even intensified its attempts to undermine Germany and Europe;
- 2) has adopted a more and more anti-German foreign policy;
- 3) has concentrated all its forces in readiness at the German border. Thereby the Soviet Government has broken its treaties with Germany and is about to attack Germany from the rear, in its struggle for life. The Führer has therefore ordered the German Armed Forces to oppose this threat with all the means at their disposal.

(Public Broadcasting Service, 2009)

Predictably, the declaration of war blamed the victim to be the perpetrator. The last sentence is the actual declaration of war. Schulenburg really was just its messenger; he was not its author. He had joined the Nazi Party shortly after Hitler came to power. In 1934, he had become Hitler's ambassador to Moscow. In 1939, he had pressured for the Hitler-Stalin Pact, in which the two sides agreed not to attack one another and delineated their spheres of influence at the expense of a number of Eastern European states. On the morning of 22 June 1941, Schulenburg went to the Kremlin and conveyed his fateful message to Vyacheslav Molotov, the Soviet foreign minister. Molotov asked Schulenburg why Berlin was breaking the Hitler-Stalin Pact. Both Schulenburg and Molotov had been architects of this Pact. Not abiding by the order not to "enter any discussion of this communication", also contained in the telegram, Schulenburg reputedly replied: "For the last six years I've personally tried to do everything I could to encourage friendship between the Soviet Union and Germany. But you can't stand in the way of destiny" (Public Broadcasting Service (PBS), n.d.). Three years later, the *Volksgerichtshof* (People's Court) found him guilty for conspiring to assassinate Hitler near Rastenburg, close to the Eastern front. He was hanged in Berlin-Plötzensee. Diplomats do not always agree with the messages that they have to convey.

On the other hand, diplomats convey messages from the host state back to the capital. They tell their capital what is happening in the host state. This very much includes what happens underneath the surface. In his *Advice to Raffaeloo Girolami*, Machiavelli writes about how to penetrate the secrecy of courts:

[t]o find out all the intrigues, and to conjecture the issue correctly, that is indeed difficult, for you have nothing to depend upon except surmises aided by your own judgment. But as the courts are generally filled with busybodies, who are always on the watch to find out what is going on around them, it is very desirable to be on friendly terms with them all, so as to be able to learn something from each one of them.

(Machiavelli, *Advice to Raffaeloo Girolami*, on his departure, 23 October 1522, as ambassador to the emperor Charles V, in Spain: Machiavelli in Berridge, 2004: 42)

This information-retrieving function is usually confined to details about planned policies. Some of it takes place in the grey area of what the Vienna Convention allows and does not allow, or even beyond. The previous chapter on contexts and diplomatic law alluded to this. On rare occasions, the messaging from the host state back to the capital is more conceptual in nature. Among these, Kennan's *Long Telegram* (1946)

has been one of the most influential messages ever sent by a diplomat. It is well worth looking at this document in some depth, too.

In early 1946, the U.S. Treasury was puzzled by Moscow's lack of support for the World Bank and the IMF, which had just been created. The Treasury, as much of the U.S. bureaucracy, still thought of the Soviet Union as an ally. The Soviet scepticism against these new international institutions, therefore, came as a surprise. The Treasury sent a request to the U.S. embassy in Moscow to explain this behaviour. This request found its way onto the desk of George F. Kennan, then Deputy Chief of Mission of the United States to the Soviet Union. Kennan started his telegram by apologizing for the unusual format and length of the telegram.

He provided a detailed five-step analysis about the general trajectory of foreign policy. First, he claimed that the beliefs in a "capitalist encirclement" as well as the impossibility of peaceful co-existence between capitalism and socialism, inevitable infighting within the capitalist camp, and the necessity to prevent such infighting in the socialist camp, formed the key premises of Moscow's understanding of world politics. Second, he contended that Moscow inferred from this that "everything must be done to advance relative strength of USSR as factor in international society", to deepen and exploit differences among capitalist states, and to stamp out deviant tendencies in the socialist world (such as social democracy). Third, he predicted that Moscow's overt policies would revolve around advancing Soviet power and prestige, for instance in the Third World and in international organizations. Fourth, he forecast that the Soviet Union's covert policies would pay special attention to "rank and file of Communist Parties", instalment of puppet regimes (for example Turkey), and "everything possible will be done to set major Western Powers against each other". These four points taken together, according to Kennan, amounted to a huge challenge:

In summary, we have here a political force committed fanatically to the belief that with [the] U.S. there can be no permanent *modus vivendi* that it is desirable and necessary that the internal harmony of our society be disrupted, our traditional way of life be destroyed, the international authority of our state be broken, if Soviet power is to be secure.

Fifth, Kennan elaborated on how the United States should respond to this challenge. At the core of these elaborations is a juxtaposition. The Soviet leadership, Kennan held, was "impervious to the logic of reason". But "it is highly sensitive to the logic of force". In Kennan's view, therefore, the challenge could be met if the West – and especially the United States – stood firm. This standing firm would have a military component, but it would also encompass putting forward "a constructive picture of [the] sort of world we would like to see". The strength to stand firm could only come out of U.S. society: "Much depends on health and vigor of our own society. World communism is like [a] malignant parasite which feeds only on diseased tissue".

Kennan's message was not without consequences. It is a landmark document whose key arguments found their way into the minds of U.S. elites and the public. Some of the channels through which this occurred are quite clear by now. In summer 1946, President Truman asked one of his closest advisors, Clark Clifford, to write a report on U.S. foreign policy. Clifford used the Long Telegram as the foundation for his report, which Truman considered very important and helpful. Half a year later, Kennan (1947) published an article entitled 'The Sources of Soviet Conduct' under the

pseudonym 'X' in *Foreign Affairs*, thus diffusing it to a wider audience. The article bears a strong resemblance to the Long Telegram. We will come back to the Long Telegram at the end of this chapter again because it is not only a good illustration for messaging but also how innovation and messaging are intertwined.

But let us conclude this section on another note. *Non-traditional diplomatic actors are important messengers as well.* Take NGOs, for example. For them, the target audience is not an administration back home but a public (national, regional or global). NGOs such as Amnesty International and Human Rights Watch issue regular reports on human rights abuses worldwide. These reports make a difference. In the worst-case scenario, they merely raise awareness, but the problem persists. Yet there are even cases in which states, put under pressure by public opinion, re-think their practices. President George W. Bush, for example, was heavily criticized for transferring Al Qaeda and Taliban suspects to Guantanamo Bay in Cuba in 2002. The in-depth research and diffusion of the research results by NGOs led to a public outcry against the detention facility. Bush did not yield to the pressure. Obama, however, worked towards closing the facility.

International organizations, too, are important messengers. Through annual reports, say on economic growth and financial transactions, development and good governance, international migration and transmittances, and so on, as well as through more ad hoc fact-finding endeavours, they contribute to making global reality. International organizations, as Barnett and Finnemore point out, have a particular kind of authority that predisposes many other actors to listen to them. They are seen as non-political entities serving not themselves but the global community. This makes their word count (Barnett and Finnemore, 1999). A particularly interesting institutional arrangement in this regard is the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO). Lacking the ratification by a number of key states, the Comprehensive Test Ban Treaty (CTBT) has not yet entered into force. But the CTBTO is a de facto international organization. Using state-of-the-art equipment, it detects nuclear weapons tests anywhere in the world. Thus far, it has detected five of them. North Korea tested nuclear devices in 2006, 2009, 2013 and twice in 2016.

Negotiation

Negotiations come in different shapes and forms. On the one hand, consider the simple convergence of a fundamental and highly consequential decision in a meeting between Churchill and Stalin. On 9 October 1944, the two leaders discussed future spheres of influence in Moscow. Late in the evening, Churchill put an important item on the agenda: "Let us settle about our affairs in the Balkans". He continued:

We have interests, missions, and agents there. Don't let us get at cross-purpose in small ways. So far as Britain and Russia are concerned, how would it do for you to have ninety per cent dominance in Rumania, for us to have ninety per cent of the say in Greece, and go fifty-fifty about Yugoslavia?

Churchill wrote these figures on a piece of paper. Stalin looked at the list, listened to the translation, paused quickly, "took his blue pencil and made [a] large tick upon it, and passed it back to us". Churchill was rather satisfied with the meeting: "It was all settled in no more time than it takes to sit down". Ultimately, this account, taken from

Siracusa (Siracusa, 2010: 55–56), originates with Churchill. Stalin may not have been that passive an actor and other things may have happened a bit differently as well. But the gist of it matches more elaborate studies by historians. It is rather remarkable how easily the two leaders reached a decision that would crucially shape the fate of Europe for decades to come.

On the other hand, there are issues where even more or less constant negotiation and re-negotiation hardly yields any clear-cut break-throughs. Climate change negotiations belong to this category. On 21 December 1990, the General Assembly adopted Resolution 45/212, which set up a negotiation committee on climate change. Two years later, the UN Framework Convention on Climate Change (or Rio Declaration) was signed. This document, as its name suggests, was anything but a detailed agreement; it was very much a framework. In particular, the commitments in Art. 4 remain broad and vague. Negotiations between the great number of parties – with some NGO involvement – continued in order to arrive at more tangible outcomes. The 1997 Kyoto Protocol was a step forward in this regard but still remained rather general in nature. In Art. 17, it explicitly called for elaboration of “relevant principles, modalities, rules and guidelines”. Despite regular climate summits, such an elaboration has not taken place. The 2005 Montreal climate summit, which finally adopted the 2001 Marrakesh Accords formally, provided a small step in this direction. More recent summits, however, such as Copenhagen in 2009 and Durban in 2011, were more dedicated to preventing the entire climate change regime from collapsing than to institutionalizing it more firmly. The 2015 Paris Agreement is certainly an important step forward. But it is unlikely that it will change the pattern of continuous negotiation and re-negotiation.

Since negotiations come in so many different shapes or forms, it is best to define them broadly. Thompson’s definition is helpful in this regard: “Negotiation is an interpersonal decision making process necessary whenever we cannot achieve our objectives single-handedly” (Thompson, 2009: 2). The multi-faceted nature of negotiations notwithstanding, is it possible to generalize what makes for successful negotiations?

Game theory has established itself as an influential angle from which to approach this question. Game theory asks the question of *how individual players can reach the best possible outcome for themselves while they are locked into a single game with one another*. Using chess as a metaphor provides an entry into the basic conceptual toolkit of game theory. There are two players (actors) sitting on a board (context). They pursue strategies (→ glossary) (e.g. a particular opening), in order to win the game. Here, the metaphor reaches its limits. A game such as the often-employed prisoners’ dilemma is not about winning all the way down. It is about finding a set of strategies and counter-strategies that is configured in a way that no unilateral deviation from it by either one of the players improves a player’s pay-off. This set is called a Nash equilibrium. In studies on diplomacy, game theory finds wide application in particular policy fields such as peace and war (Touval and Zartman, 1985) as well as in more general attempts to capture the dynamics of diplomatic negotiations (R. Putnam, 1988).

There are plenty of other scholarly angles from which to make sense of negotiation. Political Psychology cautions that negotiators are not always the computational machines that game theory makes them out to be. *Emotions* (→ glossary), in particular, matter. They constitute the affective dynamics between players, which, in turn, has repercussions for the selection of their strategies and even their interest formation.

Perceptions (→ glossary) are important, too. They affect how player A sees player B, including the power that B has in the eyes of A (Goldman and Rojot, 2002: 77).

Another distinct angle looks at the means at the disposal of chairpersons of committees, conferences and so on to shake up stalled negotiations. These means include putting together new package deals, putting time pressure on negotiators, and temporarily re-convening negotiations with fewer parties (Steiner, 2004; Odell, 2009; Coleman, 2011). Linda Putnam (2010) formulates an important insight in this regard. Skilful negotiators do not take a communicative situation for granted. They seek to transform it in order to reach agreements (L. Putnam, 2010).

More sociologically inclined approaches elaborate on the intangible aspects of power, for example by studying the repercussions of *status* and *prestige* on negotiations (Cohen, 2001a). *Occupational culture* is another important concept. Diplomats, no matter where they come from, converge around some taken-for-granted ideas about what diplomacy is and how to do it, including how to negotiate. This facilitates their negotiations (Salacuse, 1998). In the language of the previous chapter, there are convergences around background ideas that constitute diplomacy in general and diplomatic negotiations in particular in the first place.

There are also rather unscholarly angles from which to make sense of negotiations. Box 6.1 discusses some of them.

Box 6.1 Limitations of scholarly perspectives on negotiation

For all the scholarly angles there are, they cannot capture every nuance of negotiations. François de Callières, for instance, recommended to the negotiator to “drink in such a manner as not to lose control of his own faculties while endeavouring to loosen the self-control of others” (de Callières in Freeman, 1997). This may not be the most scholarly of all perspectives, but one should not forget that diplomacy is not just about giving prepared grand speeches in great halls, but rather that the moments that move negotiations along are often informal in nature. Depending on setting and cultural differences, this may sometimes include a drink or two. When Konrad Adenauer, West Germany’s chancellor, travelled to Moscow in 1955 to negotiate about the return of German prisoners of war, he did have this aspect in mind. He ordered his delegation to take plenty of rollmops (pickled herring fillets) with them, and eat them before informal negotiation rounds. He expected these rounds to involve more than a glass of vodka, and hoped for the alcohol-absorbing quality of the fatty fish. What role the fatty fish exactly played is rather unclear, but the negotiations were successfully concluded. The Soviet Union agreed to release the last of almost 10,000 German prisoners of war. In return, West Germany agreed to open diplomatic relations with the Soviet Union. The highly sensitive issue of West German recognition of East Germany did not feature in the agreement.

At this point, the reader may object that this overview of negotiation has been rather state-centric so far. Indeed, there are many actors outside of the foreign services of nation-states who leave their mark on negotiations in world politics. Yet in order to see what they do, we have to go beyond the scholarly accounts of negotiation

listed earlier. *Informal networks*, for example, are of key importance for negotiations. They crucially shape negotiations and their outcomes before the negotiations even take place. Usually, it is not just traditional diplomats who make up these networks, but there are actors representing NGOs, transnational corporations, international organizations, etc. as well. It is through the interaction in these informal networks that actors make up their minds about interests and how to act accordingly (Jönsson and Strömvik, 2005). Even more so, actors arrive at interpretations about the world and the seemingly self-evident oughts and ought nots for how to act through interaction in these networks. Some actors occupy nodes in this network that enable them to diffuse their understandings of the world, and these actors are not necessarily traditional diplomats.

Actors representing international organizations, for example, have *social construction power*. Barnett and Finnemore correctly point out that they “define shared international tasks (like ‘development’), create and define new categories of actors (like ‘refugee’), create new interests for actors (like ‘promoting human rights’), and transfer models of political organization around the world (like markets and democracy)”. These categories, in turn, form the building blocks of many negotiations (although these negotiations may not always leave their definitions untouched). Note how foundational, and thus consequential, this knowledge is. Whether someone enjoys protection as a refugee or is classified as an ‘illegal alien’, to use a U.S. phrase, makes a huge difference for this person. When it comes to defining these categories, international bureaucracies play an important role (Barnett and Finnemore, 1999: 699).

NGOs, too, are often excluded from the actual negotiation processes leading to international agreements, or they are relegated to mere observer status. But *raising awareness* about a problem, at times even putting an issue on the bargaining table in the first place, and *framing* such a problem in a way that it gives the message a punch in the right direction has a lot to do with the communicative work of NGOs prior to inter-state negotiations. In 1997, 133 states signed the Anti-Personnel Mine Ban Convention in Ottawa. What looks, at first glance, like a typical inter-state agreement has the authorship of NGOs written all over it. In the 1990s, “some one thousand NGOs from over sixty countries” started their vigorous campaign to ban landmines. Jody Williams emerged as their coordinator and the resulting International Campaign to Ban Landmines (ICBL) gained more and more momentum (Price, 1998). At the beginning of the momentum was an information campaign. ICBL brought shocking statistics to world opinion. About 500 people – mostly civilians – were killed or maimed by land mines each week. This information campaign was linked to international law and deeper backgrounds. Randomly striking against civilians is incompatible with established *ius in bello*. The campaign gained more and more legitimacy. ICBL became an authority to be listened to, especially after being awarded the Nobel Peace Prize in 1997. By the mid-1990s, the Campaign had found strong resonance among traditional diplomatic circles. States such as Belgium, Canada and Germany became outspoken proponents of a ban on landmines. Lloyd Axworthy, Canadian foreign minister, seized the right moment and hosted a meeting in Ottawa in December 1997, where the negotiations were concluded successfully.

The Anti-Personnel Mine Ban Convention should be seen as a qualified success. Some major powers, including China, Russia and the United States have neither signed nor ratified the Convention. Yet 159 states have done so, and this makes for a

significant step forward. Note that it succeeded not only in adding an arms control agreement to the demiurgic contextual layer. It was also successful in reaching down into the autopoietic layer. Traditionally, the reference point of arms control is state security. The Mine Ban Convention, by contrast, is underpinned by human security. Equally important, NGOs are traditionally sidelined during debates on arms control. During debates on banning landmines, however, they were very much actors in their own right. Since the Mine Ban Convention, debates on a number of other arms control instruments have experienced similar moves towards human security and inclusive governance. This gave rise to tangible outcomes such as the 2008 Convention on Cluster Munition. It even made inroads into the nuclear non-proliferation regime where the Humanitarian Initiative became a force to be reckoned with (Kornprobst and Senn, 2016b, 2017). Box 6.2 sketches this development.

Box 6.2 The Humanitarian Initiative

In 2010, the President of the International Committee of the Red Cross (ICRC), Jakob Kellenberger, gave a speech to the diplomatic corps in Geneva, which may be seen as the beginning of the Humanitarian Initiative in the field of nuclear arms control. He made a case for a paradigm shift. Instead of looking at nuclear issues through the lens of state security, he advocated for the paradigm of human security. Instead of taking for granted that states are the sole guardians of nuclear arms control, he argued for taking non-state actors seriously. From then on, the support for the Initiative grew and grew. In 2012, sixteen states presented a joint statement at a Preparatory Committee (PrepCom) for reviewing the Nuclear Non-proliferation Treaty (NPT) and thirty-five states did so at the First Committee of the General Assembly a few months later. In 2013, seventy-eight states did so at the PreCom and 125 at the First Committee. By 2015, the overwhelming majority of parties to the NPT – all non-nuclear and not under the nuclear umbrella of the United States – supported the Humanitarian Pledge. In March 2016, negotiations for a legal instrument to ban nuclear weapons started among these parties. Not since the signing of the NPT in 1968 have so many states joined forces to change the legal foundations upon which the nuclear field is based. In July 2017, the negotiating parties – nuclear weapons states were not among them – agreed upon a treaty to ban nuclear weapons.

Mediation

Leading negotiations to the conclusion of an agreement is often a rather complicated task for the parties on the bargaining table. This is why they sometimes accept the involvement of third parties, who are not directly involved in the conflict and try to facilitate the negotiations. Such involvement is called mediation. Christopher Mitchell provides a useful and broad definition of this diplomatic task: It is an “intermediary activity . . . undertaken by a third party with the primary intention of achieving some compromise settlement of issues at stake between parties, or at least ending disruptive conflict behaviour” (Mitchell, 1981: 287). In principle, any conflict may be mediated

in the diplomatic realm. The conflict may be about an economic, environmental, health issue and so on as long as this issue is deemed to have an international dimension. In practice, mediation efforts about security issues are the most visible. Thus, most of our empirical illustrations in this section are taken from this issue area.

Focusing on states, the literature on mediation lists several reasons why mediators offer their facilitating role to conflicting parties. One of them is *standing* in the international community. De Callières contends that mediation raises a state's prestige. "Nothing is more proper to raise the reputation of his power, and to make it respected by all nations" (de Callières, 2004). The current, more empirically inclined literature on mediation also looks at prestige and mediation but draws the causal arrow in the opposite direction. Great powers, i.e. states with a lot of prestige in the sense de Callières was writing about it, get more frequently involved in mediation than small and middle powers. Taken together, these arguments may suggest a more complex hypothesis in which the link between prestige and mediation runs both ways. Great powers, qua their great power status, feel the need to get involved as mediators much more often than smaller powers do, and this, in turn, may contribute to them reproducing this great power status.

Aside from prestige, states may also mediate because they are *concerned about the destabilizing repercussions* of continuing conflict for the international system. Washington's long-standing mediation efforts in the Middle East, especially between Israel and Palestine, fall under this rubric. Former U.S. President Bill Clinton, for instance, was adamant about his opinion that resolving this conflict would have important positive consequences not only for the whole of the Middle East but also for world politics. Among other things, he expected such a resolution to siphon off fuel for the agitation and terrorist campaigns by Islamic fundamentalists.

Yet it is not only states who engage in mediation. International organizations – on the global and regional levels – often have mediation tasks *enshrined in their charters and other key constitutive documents*. Chapter VI of the UN Charter, dealing with the pacific settlement of disputes, puts emphasis on mediation in Art. 36, i.e. the first article of this chapter. In his Agenda for Peace, Boutros Boutros-Ghali also stresses the importance of mediation and underlines approvingly that, in UN practice, "frequently it is the Secretary-General himself who undertakes the task" (Boutros-Ghali and UN, 1992). Regional organizations such as the African Union, Arab League and the EU prescribe to their members to seek mediation if disputes in the region arise. At times, the interpretation of this mandate to mediate is so strong that it violates what may be seen as a key characteristic of mediation, i.e. that the parties to a conflict agree to the mediation effort. The Arab League's move to dispatch an observer mission to Syria in late 2011 and especially its January 2012 recommendation to replace Bashar al-Assad's regime with an inclusive power-sharing agreement, occurred despite al-Assad's constant attempts to deny the Arab League a meaningful role in the conflict.

NGOs and NGO-like entities engage in mediation, too. They can do so with major success. Having a considerable amount of religious authority, for example, the Catholic church is sometimes an active mediator. The Community of Sant-Egidio helped to bring the decades-old Mozambican civil war to an end. In the early 1990s, the Community mediated between the *Frente de Libertação de Moçambique* (Frelimo) and the *Resistência Nacional Mocambicana*. In 2002, the parties signed a peace agreement at the seat of the Community in Rome. Sant-Egidio has also mediated in conflicts in

Albania, Algeria and the Kosovo. Some bishops also engage in mediation efforts, for instance Samuel Ruiz in Mexico, Monsengwo in Zaire and Carlos Felipe Ximenes Belo in East Timor (Sampson, 2007: 299).

There are different types of mediation. Some of these types qualify even if we were to use a narrower textbook definition of mediation that puts heavy emphasis on voluntary agreement by the conflicting parties. But not all of them would do. Bercovitch and Kadayifci-Orellana (2002), looking at the strategies employed by the mediators, distinguish three types. First, there are *communication-facilitating strategies*. Mediators confine themselves to passing on messages from one conflict party to the other. They may also add credible information of which the conflict parties had previously been unaware. Second, there are *procedural strategies*. Assuming less of a passive role, mediators attempt to create an environment in which negotiations can be led to a successful conclusion. This ranges from suggesting places and times for negotiations to an agenda-setting function. Even something as seemingly mundane as the right place for negotiations may play a major facilitating role. Third, there are *directive strategies*. Assuming a distinctly active role, mediators strongly intervene in the negotiation process, for instance by providing incentives and issuing ultimatums.

Any of these types, but in particular the first one, may be closely associated with a peculiar kind of negotiation. While back-channel (→ glossary) negotiations are not necessarily associated with mediation, they often are. Facilitating communication frequently has something to do with opening up communication channels between conflict parties that are shielded from the public limelight and interference from possible spoilers within the conflict parties. This shield has a number of advantages. It makes it possible for leaders – usually via their closest advisors – to explore a range of options that would otherwise be unthinkable.

Take the Oslo Agreement, for example. The main goal of the Norwegian mediators, especially Terje Rød-Larsen and Mona Juul, was to establish an informal back-channel through which Yitzak Rabin and Yassir Arafat could freely talk about possible avenues for peace. Rabin and Arafat chose Simon Peres and Mahmoud Abbas, respectively, as chief negotiators. During twelve rounds of negotiations, Peres and Abbas not only realized that the other side was prepared to make concessions that had previously been deemed unthinkable, but also that they developed an interpersonal relationship that would prove crucial for moving the negotiations along. All of this happened at a time when even talking to someone who was widely taken to be the enemy still risked a major backlash at home. The shield also has disadvantages though. Not trying to include possible spoilers early on can upset the negotiation process at a later stage or make the implementation impossible. Related to this, the back-channel may lead to groupthink. Leaders and especially their close aides involved in the back-channel negotiations may overestimate what is possible; they may engage in group-think (Putnam and Carcasson, 1997). The Oslo Accords bear some of these scars. The negotiations were completed in August 1993 and then signed in Washington on 13 September 1993. But implementation collapsed amidst strong and determined domestic opposition in Israel and Palestine. This opposition cost Rabin his life, when he was killed by the right-wing extremist Yigal Amir.

Most of the literature on mediation attempts to identify the causes of success and failure of mediation. Notwithstanding the problems to define what success in negotiations actually is (see previous section), many different explanations are provided.

Table 6.1 Explaining success and failure of mediation

<i>Explanatory focus</i>	<i>Key explanans</i>
Mediator	Impartiality Experience Power
Mediation	Robustness Information
Conflict	Ripeness Regime type
Mediator and parties	Positive identification Legitimacy

Table 6.1 outlines the most frequently discussed ones among these. Some of them are in notable tension to one another, while others are complementary.

The literature puts a strong emphasis on *impartiality*. If there were a top ten of causes for success to which analysts subscribe, this would be it and always has been. Berridge, in his overview of classical writings on diplomacy, comments on an important agreement between the authors: “They are unanimous that a mediator is, *by definition*, impartial” (Berridge, 2004: 4). Vattel is also adamant about impartiality. A “mediator should observe an exact impartiality” (Vattel, 2004: 189). Wicquefort, writing about an instruction manual for a diplomat engaging in mediation, formulates the same postulate in even more absolute terms. This manual has to:

[r]ecommend to him first, and above all things, indifference, without which all his offices would be useless; in which the legate ought to be so exact that not only no partiality should be discovered in his conduct, but also that none should be observable in the actions or words of his domestics.

(Wicquefort, 2004: 133)

Impartiality, in short, tends to be seen as a *sine qua non* for successful mediation. Other explanations focusing on the mediator are also influential, although by far not as influential as impartiality. There is the argument that the mediator’s experience makes a major difference; it bestows authority on him or her (Kleiboer, 2002). On these points – impartiality and authority – see also Box 6.3. There is also the contention that the mediator has to *represent a powerful entity* with plenty of resources at its hands. Strong states are expected to be more successful mediators than weak ones (Greig, 2001). Other hypotheses focus on the types of mediation as outlined earlier. On the one hand, there is the opinion that mediation strategies have to be *more robust* than merely facilitating information. When it comes to robustness, the authors have directive mediation in mind (Beardsley, 2008). On the other hand, there is also the opinion that the provision of *credible information* facilitates mediation (Kydd, 2006). Trying to reduce the tension between these two hypotheses, there is also a middle-ground argument proposing that only high-quality information facilitates mediation; otherwise information-facilitating mediation is less likely to be successful than more robust strategies (Savun, 2008).

Box 6.3 Former heads of state as mediators

Former heads of state can fulfil important mediation functions. Once heads of state leave office, their efforts are no longer as closely tied to the national interest as before. This makes them appear impartial to conflict parties. Furthermore, they may have acquired a considerable amount of authority while being in office. Taken together, impartiality and authority can make a difference. Scandinavian former heads of state have a great tradition in doing so. Among these, Martti Oiva Kalevi Ahtisaari, former President of Finland, probably stands out the most. He mediated in conflicts as different as Indonesia, Iraq, Kosovo and Namibia. In 2008, he received the Nobel Peace Prize for his efforts. In Africa, Nelson Mandela used his authority very skilfully after having stepped down as South African President. In the early 2000s, for example, he mediated in Burundi. Mandela, too, is a Peace Nobel Prize laureate. He received many other awards and honours. Among these is the UN General Assembly's 2009 move to declare 18 July Mandela Day (this is his birthday). Former U.S. President Jimmy Carter's mediation efforts are very noteworthy, too. For the most part, they concentrated on the Middle East. But he also mediated in other regions, for instance between Colombia and Ecuador in 2008. To a considerable extent, Carter institutionalized a mediation capacity by founding his own NGO. The Carter Center is dedicated to promoting human rights and democracy as well as to preventing and resolving conflicts around the world.

Some hypotheses suggest that it is actually not the mediation but *the conflict itself* that is the main determinant of the outcome of mediation efforts. There is again the argument that conflicts have to be ripe for resolution. Greig and Diehl, for example, make an intriguing point about enduring rivalries. They suggest that mediation has little chance early and late in the rivalry. The most promising window is in the middle, ca. twenty-five years into the rivalry (Greig and Diehl, 2006). Furthermore, some authors submit that regime type matters. Democracies are considered more amenable to conflict resolution by mediation than authoritarian regimes (Bercovitch and Kadayifci, 2002).

Finally, there are also arguments focusing on the *relationship between the mediator and the conflict parties*. Positive identification between conflict parties on the one hand and the mediator on the other, it is argued, generate trust, and, thus facilitate mediation. This positive identification can be rooted in religion (Bercovitch and Kadayifci-Orellana, 2009) or other, more malleable cultural bonds (Carnevale and Choi, 2000). Another approach stresses the legitimacy of the mediator. Legitimacy, as other intangible resources to make mediation work, is generated through the interaction between mediators and conflict parties (Jabri, 1996).

It is worth concluding this section with a *caveat* about the literature. Studies on mediation tend to focus on a particular mediator. Many conflicts, however, involve more than one mediator. Several states and other actors attempt to manage conflicts together. Since 2014, half a dozen states have participated in attempts to mediate

between Russia and the Ukraine. Co-mediators struggling to put the Syrian War to an end increased to almost twenty by 2016. These attempts to co-mediate tend to lead to peculiar dynamics in which the mediators' determination to help 'their' conflict party loom large.

Talk

This heading may seem to capture something utterly inconsequential, and, indeed, most books on diplomacy omit or at least downplay what we discuss in this section. In our view, however, this section is as important for capturing what diplomats do and what repercussions this has for world politics as messaging, negotiation and mediation. We discuss five dimensions of diplomatic talk that go much beyond inconsequential chit-chatting. They can have major impacts that affect the demiurgic and autopoietic layers that constitute diplomatic encounters in the first place.

First, there is *cheap talk*. Formal approaches such as game theory usually focus on what happens at the bargaining table. In other words, they analyse how actors exchange bids with one another. Yet there are important communicative encounters prior to and parallel to their actual haggling. Diplomats, meeting informally, can exchange bottom lines, for example. This increases the knowledge diplomats have about the game to be played, which, in turn, helps them to exchange bids in a fashion that negotiations can be successfully concluded (Ramsay, 2011; Trager, 2011). The Vienna Café at the UN in New York, for example, is a venue that facilitates such informal encounters. Many of these encounters remain shielded from much of the diplomatic community and the public. Others, however, make it into the public domain. The Vienna Café diffuses selected encounters via Facebook.

Second, diplomats sometimes resort to the use of *rhetorical force* (Mattern, 2005). As Schimmelfennig (2001), for example, points out, they try to shame recalcitrant actors into doing something that they otherwise would not do. At times, they also employ harsher strategies such as delegitimizing certain actors (Chowdhury and Krebs, 2010). While shaming seeks to affect the doings of an actor, delegitimizing contests the status of an actor as an actor. Diplomats respond to rhetorical force directed against them in various ways. They employ various strategies to counter stigmatization (Adler-Nissen, 2014).

Third, traditional and non-traditional diplomatic actors often engage in *advocacy*. They put together messages, meant to win over others, including preference changes and, at times, even changes of something akin to world views. Scholars employ a variety of concepts to understand the dynamics of advocacy. Framing and narration feature prominently among them. Framing is the attempt to make an audience see an issue in light of a few already firmly established ideas (Goffman, 1974; Benford and Snow, 2000; Kornprobst, 2018). This linkage of new (what is to be framed) and old (the components of the frame; at times even the entire frame) can often be summarized in very easy terms. Frames, therefore, sometimes amount to powerful catchphrases. Narration is somewhat more elaborate; it embeds what is argued for in a familiar story that features a plot including heroes and villains, as well as connects past and present (Fisher, 1984; Bal, 2009; Lejano et al., 2013).

In diplomacy, advocacy comes in various shapes and forms. *Public diplomacy* (→ glossary) has become firmly entrenched in post-World War II diplomatic practice. The term was coined by Edmund Gullion, former dean of the Fletcher School of

Law and Diplomacy at Tufts University. The main goal of this kind of diplomacy is to influence the politics of the host state indirectly, i.e. via the diffusion of messages to the host state's public (see also Chapter 9). This diffusion of messages may also be accompanied by support for certain civil society actors in the host state. While the overall purpose of public diplomacy is usually to influence the foreign policy of the host state vis-à-vis the sending state, it may also be aimed at influencing foreign policy more generally or even domestic policies. Note that this takes us back into a grey area of diplomatic law, discussed earlier. Diplomatic law is quite clear that diplomats are not supposed to interfere in the domestic affairs of the host state. Despite these legal constraints, public diplomacy is a firmly established form of diplomacy.

In some advocacies, the authority of the speaker and the manner in which the message is conveyed may be as important, or even more important, than the message itself. *Celebrity diplomacy* illustrates this very well. Usually, individual members of our nascent global civil society find it extraordinarily difficult to make themselves heard. Due to their celebrity status, famous actors and musicians are exceptions in this regard. Qua their status, they have the authority to speak. Their talk is often accompanied by powerful images, for example Angelina Jolie or Princess Diana holding a little child suffering from malnutrition. Celebrities use various avenues to exert influence. Analysts understand Bono as a celebrity diplomat. Bono does not shy away from intermingling with state leaders. On the contrary, he looks for contacts with them, knowing very well that his 'power of attraction' can make things happen. He does 'bilateral' diplomacy, say with George W. Bush, and 'multilateral' diplomacy at international forums debating development and poverty issues. Bob Geldof, by contrast, is aptly described as 'antidiplomat' (Cooper, 2008: 55). There is usually very little softening diplomatic talk, for example, when Geldof scolds officials from the World Bank, IMF and Western state development agencies over the provision of humanitarian aid to Africa. There are established diplomatic fora that routinely include celebrity diplomats. The Davos Economic Forum is one of them. In 2016, for example, well-known personalities such as Bono, Leonardo DiCaprio, Melinda Gates and Christiane Amanpour were as much part of the debates as business and political leaders from around the globe.

Fourth, there is the *polylogue*. All forms of talk discussed earlier are rather closed communicative encounters. This applies especially to cheap talk where actors merely inform one another of what would be acceptable or not, but do not move away from their positions, preferences or more deeply seated ideas. Rhetorical force has the potential to change behaviour but, even if successful, does not make the coerced actors change their minds. Advocacy has the potential to do so. But this applies only to the persuadees and not the advocates. The latter try to diffuse their understandings. Polylogue is a more open form of communication. It is more difficult to make clear-cut distinctions between who the interlocutor is and who the audience is. Furthermore, although all actors are strategic to varying degrees, they are, also to varying degrees, prepared to revisit some of their priors (Kristeva, 1977; Kerbrat-Orecchioni, 2004).

Although the concept of polylogue has not made it into literature on diplomacy yet, there are several diplomatic practices in which polylogues are at work. *Track-two diplomacy* (→ glossary) is among these. The concept was coined by Joseph Montville, a career diplomat in the U.S. Foreign Service. Reflecting upon the troubled communication between the United States and the Soviet Union during the Cold War, he postulated that there should not be only one track of diplomacy, i.e. from government

to government, but also a second unofficial one that involves parliamentarians, private citizens, activists, scholars, religious communities and so on. Since there is a plethora of different types of untraditional diplomats involved in track-two diplomacy, Diamond and McDonald write about multi-track diplomacy. In their terminology, the first track is the official government-to-government route whereas the other tracks are distinguished by the type of the non-traditional diplomats dominating the track. Track-three, for example, is about the business community, track-nine about the media (Diamond and McDonald, 1996).

For Montville, the key advantage of track-two diplomacy is that it does not require the posturing that is needed in track-one diplomacy. The latter, in his opinion, is about standing firm and not showing weakness. The former, by contrast, can experiment and explore, and is much more open-minded. To put this differently, there is much more room for dialogue in track-two than in track-one diplomacy. Take the South African case, for example. From 1980 to 1985, moderate white South Africans and members of the African National Congress (ANC) explored ways for how to put an end to apartheid. This put together people from various walks of life, ranging from business executives to freedom fighters, from parliamentarians to activists, and from scholars to ANC officials. These rather unstructured explorations were crucial. They reduced the threat levels on both sides. Even the normative contours of a new and inclusive South African identity were taking shape during these talks, many of which took place outside of South Africa (for example in Zambia). This case illustrates well how successful track-two diplomacy can be, especially if the actors involved seize the opportunity to step into the shoes of the other, question dominant orthodoxies, and dare of talking novelty into being. Changing a racially defined definition of being a South African into the rainbow nation is no small feat. These talks, which at times came to approximate the ideal of a dialogue to a considerable extent, were an important contribution to re-thinking South African identity.

Science diplomacy may also be seen as a polylogical communication. Multiple actors take part in these encounters, ranging from traditional diplomats representing states to independent scientists. The issues that these actors address are often rather profound, which makes science diplomacy a kind of polylogue that has a distinct potential for leaving a mark in the autopoietic contextual layer. When the United States and Russia, for example, cooperate to run the International Space Station or a number of European states join forces in the European Organization for Nuclear Research (CERN), then the possible outcomes of communicative encounters are nothing less than re-thinking how the world works. There are many other polylogical diplomatic encounters. Box 6.4 deals with two of them: sports and music diplomacy.

Box 6.4 Sports and music diplomacy

There are many different routes for track-two diplomacy. Some of these even encompass what may be labelled sports diplomacy. In the early 1970s, President Nixon and his advisor Henry Kissinger sought a rapprochement with China in order to contribute to China's moving away from the Soviet Union. Given the ideological differences and the recent history of these two states – the Korean War in which U.S. and Chinese soldiers fought one another had happened about two decades before – this rapprochement was anything but an easy diplomatic task.

Track-two initiatives proved important to break the old mould. The so-called Ping-Pong Diplomacy was part of these initiatives. From 11 to 17 April 1971, the U.S. ping-pong team played fun matches against the Chinese team, and visited various tourist sites in China. Reflecting on this ice-breaking event, the Chinese leader Choi En-Lai said: “Never before in history has a sport been used so effectively as a tool of international diplomacy” (Graham and Kelley, 2009). In the 1990s, a case of music diplomacy caught major attention. Washington’s attempts to dissuade North Korea from acquiring nuclear weapons in the Six-Party Talks (China, Japan, North Korea, Russia, South Korea, United States) were accompanied by an internationally broadcast visit of the New York Philharmonic Orchestra in Pyongyang in February 2008. In this case, however, track-two initiatives could not prevent the collapse of track-one negotiations. On 14 April 2009, North Korea announced it would never ever participate in such Six-Party Talks.

Fourth, there is *dialogue*. There are very few terms where diplomatic and scholarly usages are further apart. This word is omnipresent in diplomatic language. All too often it amounts to little more than a nice way of effectively ending a conversation amid disagreement, especially in multilateral settings. Alternatively, it is also used as a synonym of ‘okay, we disagree but let’s keep on talking’ with the ‘keep on talking’ being a euphemism for ‘I’ll try to teach you!’ The so-called critical dialogue of the EU with Iran in the 1990s illustrates this well. The EU embarked on this policy hoping to be able to teach Iran something about human rights. The policy may be understood as an exercise in norm diffusion.

In scholarly usage, by contrast, dialogue is the most demanding form of talk. Theorists such as Gadamer (see Box 6.5), Bakhtin, Bernstein and Ricoeur contend that dialogue is about approaching communicative encounters with an open mind. The point about dialogue is not to win one’s argument and it is certainly not to dismiss other perspectives prematurely. On the contrary, dialogues require from their participants to be prepared to revisit their cherished beliefs and the way they employ these to make sense of a given situation. They need to be eager to learn from different points of view. Put differently, engaging with the views of the other is a chance to get rid of, or at least revisit, one’s own prejudgements and prejudices. A thought-provoking study on the end of the Cold War suggests that even high-level inter-state diplomacy sometimes generates persuasion, and thus a fundamental re-definition of preferences. Risse argues that Soviet leaders were persuaded in top-level talks, especially by the U.S. and West German sides, that German reunification and incorporation in NATO would not pose a threat to the Soviet Union (and certainly a lesser one than a neutral one, Washington contended). Not having fixed preferences itself, the Soviet leadership was open to listen to good arguments (Risse, 2000).

At times, dialogue involves a larger number of actors (and may then be best labelled plurilogue). It can play an important role for the formation and re-formation of advocacy networks, for example. Before the campaign that eventually led to the establishment of the International Criminal Court gained more and more momentum, some of the actors that would later become key advocates engaged in a plurilogue. This shaped the general direction of the campaign in various ways. In other words, there are “islands” (Deitelhoff, 2009) of dialogue and plurilogue in international politics. Linking up with other forms of talk, these islands can be rather consequential.

Box 6.5 Techniques for learning from one another

Gadamer was adamant that dialogue is about engaging with each other's arguments. Careful listening (or reading) is only the starting point of engaging with an argument. The next step involves asking clarifying questions in order to improve on one's understanding of the other's argument. The counterpart then answers these questions in a comprehensible manner. If the questioner discovers what seems to him or her weaknesses in the statement of the answerer, the questioner does not use these as pretext to dismiss the argument of the answerer. On the contrary, the questioner tries to get deeper into the thought constructs of the answerer and proposes, based on his or her reading of the other's background, ways to overcome the weaknesses. This last step is crucial. What may appear as a weakness in someone else's argument is not the end of dialogue. In a way, it is only the beginning because it prompts the questioner to familiarize him- or herself with the background of the other (Gadamer, 1960).

Summary

- Diplomats are *messengers*, for instance between sending and hosting state. The extent to which they have room to include their own interpretations and ideas in the messages varies considerably.
- Diplomats are *negotiators*. The sizeable literature on negotiations debates under what conditions negotiations are successful. There are game theoretical explanations, psychological approaches and cultural angles from which to shed light on this question.
- *Mediation* comes in where negotiating parties fail to reach an agreement by themselves. There are also several contending explanations, but they converge on the importance of impartiality, which is considered something akin to a *sine qua non* for successful mediation.
- *Talk* is about the power of the word. We distinguished five forms of talk: cheap talk, rhetorical force, advocacy, polylogue and dialogue (plurilogue). Often debated diplomatic concepts such as public diplomacy and track-two diplomacy are best understood as subcategories of these forms of talk (public diplomacy as advocacy and track-two diplomacy as polylogue).
- *The performance of diplomatic tasks shapes and reshapes the backgrounds that make it possible in the first place*. While negotiation and mediation produce and change primarily the demiurgic layer, messaging and talk also have plenty of potential to leave a mark on the autopoietic layer.

Study questions

- Is messaging describing the world or making it?
- How does game theory help us understand the dynamics of negotiations?
- What are the advantages and disadvantages of back-channel diplomacy?
- What are the dos and don'ts of mediation?
- How do NGOs make a difference on the diplomatic scene?

Recommended further reading

Bjola, Corneliu. 2015. "Introduction: Making sense of digital diplomacy". In Corneliu Bjola and Marcus Holmes, eds., *Digital Diplomacy: Theory and Practice*. London: Routledge.

This introduction to an edited volume discusses how technological developments change diplomatic communication practices. It pays particular attention to how these changes affect international politics more broadly.

Jönsson, Christer and Martin Hall. 2005. *Essence of diplomacy*. Basingstoke, UK: Palgrave, pp. 67–97.

The authors pay close attention to how diplomatic tasks and communication are intertwined. Their conceptualization of communication is broad, encompassing verbal and nonverbal, private and public communication.

Merrills, J. G. 2011. *International dispute settlement*. Cambridge: Cambridge University Press.

Merrills provides a comprehensive account of mechanisms available for international dispute settlement. The author deals in depth with mechanisms we have dealt with here as key diplomatic tasks such as negotiation and mediation. In addition to this, Merrills also addresses legal mechanisms such as arbitration.

Mitzen, Jennifer. 2011. "Governing together: global governance as collective intention". In Corneliu Bjola and Markus Kornprobst, eds., *Arguing global governance*. London: Routledge.

This is a thought-provoking piece on collective intentionality in what we refer to as the global age of diplomacy. The author discusses talk, and the repercussions of talk, in depth.

Starkey, Brigid, Mark A. Boyer and Jonathan Wilkenfeld. 2015. *International negotiation in a complex world*. Lanham, MD: Rowman & Littlefield.

This is a very readable introduction to the study of negotiation from a game theoretical perspective. Using the analogy of a board game throughout the book, the authors discuss context, players, stakes, moves and outcomes.



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Part IV

Explaining diplomacy



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7 The making of decisions

Chapter objectives

- Introduce the reader to different scholarly logics of action (→ glossary).
- Differentiate different approaches to conceptualize these logics.
- Discuss strengths and weaknesses of these approaches in explaining diplomatic decisions and decision making.

Introduction

With the exception of the extreme form of messaging in which the diplomat is reduced to delivering a message from one capital to the next, every diplomatic task listed in the previous chapter requires from the diplomat to make up his or her mind about what to do. How do diplomats come to compose a message? How do they arrive at a stance to defend at a negotiation table? How do they make up their minds about how to mediate in a conflict? How do they figure out how to frame their talk? This chapter, taking a broad view of decisions and decision making, casts its net wide. It draws from the Social Sciences to introduce the reader to different perspectives on explaining the making of decisions.

This requires us to switch gears. While the previous chapters were first aimed at describing the evolution of diplomacy (first part) and then outlining an analytical frame for analysing diplomatic processes (second part), this chapter begins to explain the work of the diplomat in greater detail. In doing so, we introduce the reader to a broad analytical toolbox, highlighting strengths and weaknesses of different approaches. We take the tools of this toolbox from various disciplines, including Political Science, Economics, Psychology and Sociology. Since the tools we discuss are at times rather abstract, we frequently refer to important twentieth- and twenty-first-century events, and the diplomatic decisions made in order to deal with them as illustrative cases. These events share in common that they pushed decision makers into addressing the balance between diplomatic and military responses, which helps us to highlight the strengths and weaknesses of the approaches we discuss.

This chapter is organized into five sections. First, we deal with rational choice and discuss its strengths and weaknesses by taking a look at the Cold War logic of deterrence. Second, we provide an overview of contending approaches in political

psychology. Here, our illustrative case is the diplomatic run-up to the Second Gulf War in 2003. Third, we address the logic of appropriateness and employ it to analyse continuities and discontinuities of German foreign policy since re-unification. Fourth, we direct our attention to the logic of argumentation and evaluate its explanatory power by putting the driving forces of the end of the Cold War under scrutiny. Fifth, we outline the logic of practice and probe its explanatory strengths and weaknesses by applying it to France's foreign policy vis-à-vis Africa.

Rational choice

Rational choice remains the dominant perspective for how to study the making of decisions in the Social Sciences. On the purely individual level – how actors arrive at a decision without taking the actions of others into consideration – the key term of this perspective is *expected utility*. Let us look at this concept, and how it is linked to other concepts, in a bit more depth by scrutinizing the key assumptions on which theorizing on expected utility is based. First, the starting assumption is that actors have *desires* that they want to attain. Second, some of these desires are more important for the individual than others. In technical language, the individual *rank-orders preferences* by attributing different degrees of utility to them. It is assumed that the individual does this consistently during a decision-making situation, i.e. it does not change the rank-ordering. Third, the individual calculates which action *maximizes* its utility.

This is a fairly straightforward mechanism of choice. It becomes more complicated though when we factor in a common feature of decision-making situations, i.e. uncertainty. Uncertainty means that an actor's calculations cannot generate certainty about which maximum utility can be attained. Here we have to add a fourth assumption. An individual can only calculate which maximum utility is to be *expected*. Thus, the individual does not calculate its utility but merely its expected utility. Calculations of expected utility include the factor of likelihood and how to deal with it, i.e. whether to be more risk prone or more risk averse. Box 7.1 discusses a rational choice framework that has been frequently debated in diplomatic studies.

Box 7.1 Two-level games

One of the most cited scholarly articles ever published on diplomacy is Robert Putnam's "Diplomacy and domestic politics: The logic of two-level games". This study accomplished two things that are not easily combined. First, it linked diplomacy firmly to domestic politics. Rejecting the gap between diplomatic studies and foreign policy analysis, Putnam inquires into the interrelationship of diplomatic and domestic games; hence the label of two-level games. Second, Putnam did so parsimoniously. Aspiring to explain a lot with a few analytical clues, he provided a framework that is easy to grasp. Putnam contends that leaders have to play two games at the same time: diplomatic and domestic. On each level, there are win-sets. On the diplomatic level, the win-set is crucially determined by the preferences of participating states. On the domestic level, it is a function of what kinds of diplomatic agreements constituents, given their preferences, would ratify. Diplomatic agreements, according to Putnam, are only possible

when the diplomatic and domestic win-sets overlap. This framework sparked a debate about how to relate the diplomatic and domestic levels. A number of authors have built on it while sticking to rational choice assumptions (Knopf, 1993; Bellamy and Weale, 2015). Others reject these assumptions and move towards alternative logics of action (Risse, 2004; Wigen, 2015).

On the interactive level, the key concept that the rational choice perspective adds to the above is *strategy* (→ glossary). It is rare that individuals can get what they want without taking into consideration what others may do. Individuals have to think of the moves that others may make and choose their moves accordingly because the interplay of moves and counter-moves crucially affects the pay-offs in a given decision-making situation. Similarly to a chess player choosing a particular opening to a game (→ glossary), individuals are assumed to plan their moves. Such a plan is called a strategy (Green and Shapiro, 1996). Game theory, already alluded to in the previous chapter, is an especially rigorous and formal device to understand how the interplay of such strategies can lead to an agreement between actors (Morrow, 1994).

Rational choice is the dominant perspective in diplomatic studies. Authors use it more or less rigorously. On the one end of the spectrum, game theory makes for a very rigorous analytical tool. On the other end of the spectrum, scholars make rational choice not explicit, but rely on it in order to explain empirical decision making. The next section discusses strengths and weaknesses of rational choice by discussing the 1962 Cuban Missile Crisis. During the crisis, John F. Kennedy, then U.S. President, estimated the odds of a nuclear exchange as “between 1 out of 3 and even” (Allison, 1969). What explains why he, ultimately, let diplomacy rather than a military solution of the crisis prevail?

Cuba, 1962

On 14 October 1962, U.S. air reconnaissance showed very clearly that a build-up of Soviet missiles was happening in Cuba. Khrushchev had decided not only to secure Cuba with defensive missiles (surface-to-air) but also with offensive ones (ground-to-ground). This triggered an intense crisis in which diplomacy ultimately won out against military options. Starting on 24 October and facilitated by UN Secretary-General U Thant, the leaders of the superpowers, Nikita Khrushchev and John F. Kennedy, exchanged signals for how to de-escalate the crisis. Most importantly, Robert Kennedy, the President’s brother and close advisor, and Anatoly Dobrynin, the Soviet Ambassador in Washington, reached an informal agreement that the Soviet Union would ship all its missiles back from Cuba in exchange for the United States withdrawing its missiles from Turkey. By the end of the year, this agreement had been implemented.

How come that diplomacy prevailed in the end? Graham Allison, in his seminal article “Conceptual models and the Cuban Missile Crisis”, starts off with applying a rational choice framework to the Cuban Missile Crisis. The first step in this application is to conceive of the state as a unitary decision maker. The state is anthropomorphized and treated as if it were behaving as a rational individual actor with ‘rational’ standing for the conformity with the key assumptions of rational choice outlined earlier.

The second step concerns the identification of preferences. Allison, as many authors writing on diplomacy and international relations, does so “in an intuitive fashion” (Allison, 1969: 694). He observes that national security was the overriding interest for the United States. He specifies that, in the context of deterrence, mutually assured destruction (MAD) (→ glossary) and the Cold War, this meant that the military balance must not shift in favour of the Soviet Union.

President John F. Kennedy, helped by his advisors in the Executive Committee (ExComm), discussed six strategies for how to respond to the Soviet challenge. The first strategy that was scrutinized was to do nothing. Starting from the premise that the Soviet build-up of missiles in Cuba does not change the military balance between the United States and the Soviet Union, this strategy aims at downplaying the issue and not to provide Khrushchev with a ‘public relations’ victory. Second, Washington could exert diplomatic pressure on Khrushchev in order to persuade him to remove the missiles from Cuba. Various diplomatic routes would be possible for such an endeavour, including a direct (bilateral) approach or an indirect one via the UN or the Organization of American States (OAS). Third, the United States could secretly approach Fidel Castro. The goal of such an approach would have to be to lure him away from the Soviet orbit. The fourth strategy that was debated was the most militarily determined one. The United States would invade Cuba, remove the missiles itself and bring the island back into its sphere of influence. Fifth, the U.S. air force would take out the missiles through a surgical airstrike. Sixth, the U.S. navy would conduct a naval blockade of Cuba, making it impossible for Soviet ships to deliver more missiles and other hardware necessary for the build-up to Cuba.

Next, the analyst dissects these strategies, determining which one provides for the maximum pay-off, given what the other side is likely to do. As Allison puts it, this is not all that complicated in this case. On the one hand, some strategies are too limited and cautious as that one could expect them to make a difference. ‘Do nothing’ only helps if one really does not infer the necessity of the withdrawal of the missiles from the primacy of national security. Given the geographical proximity of missiles in Cuba, however, their withdrawal should be strongly preferred. Exclusively relying on ‘diplomatic pressures’ is a set of moves that is not very promising either. Absent any military posturing, it is unclear how the United States would be able to project the necessary pressure on the Soviet Union to withdraw its missiles from Cuba. The ‘secret approach to Castro’ is also a set of moves that is likely to fail. Independently of whether Castro could be convinced to leave the Soviet sphere of influence (which is highly unlikely), the missiles were guarded by Soviet soldiers. Thus, the key for removing them lay in Moscow and not in Havana. On the other hand, some strategies were too risky; they could have pushed the world over the brink into nuclear disaster. This applies most clearly to the ‘invasion’ option. Invading Cuba could have prompted the Soviet Union to retaliate in like-minded fashion, for instance a move against West Berlin or Turkey. From there, things could have spilled easily out of control. The ‘surgical airstrike’ was somewhat less risky. But it would still have involved killing Soviet soldiers guarding the missiles with all the potential of further escalation of the crisis. It was also not entirely clear whether such a surgical airstrike would really be able to destroy all Cuban missiles. The sixth strategy, i.e. the naval blockade, was situated in the middle of the spectrum of too little and too much resolve. It shows U.S. determination for the Soviet Union to remove the missiles but, at the same time, gives the Soviet Union time to react and keep face.

In other words, the blockade option provides an opportunity for diplomacy to diffuse the dangerous situation.

Allison aptly summarizes the explanation for the choice of the blockade from the perspective of the rational actor model with the sentence: “The blockade was the United States’ only real option” (Allison, 1969: 698). Indeed, he has a point. From a rational choice point of view, we should not be too surprised that John F. Kennedy opted for the naval blockade (or quarantine, as it was labelled for legal reasons), and, ultimately, for a diplomatic resolution of the crisis. Actually, from a rational choice point of view, the Cuban Missile Crisis was not that dangerous after all. It would have been irrational for either party – United States and Soviet Union – to escalate the crisis further. Given the pervasive effects of MAD on the preferences and strategies of the two parties, an escalation was very unlikely to occur.

Yet we detect reasons to doubt this firm conclusion as soon as we open up the black-box called state and look into the decision-making mechanisms that happen within the state. Allison, for instance, shows that organizational routines (as opposed to reflective decision making) deeply influenced decision making. Perhaps most importantly, the air force, relying on its manuals and unquestioned routines, presumed that an airstrike would be much more extensive than what the ExComm had in mind. With ‘surgical’ not being in the manuals for how to conduct an airstrike, the airforce sketched a scenario in which airstrikes came to appear too risky to most members of the ExComm. The ExComm was bewildered about the number of sorties required, likely casualties and likely collateral damage. In the ExComm, this cast serious doubt on this option from the very beginning.

The dynamics among the ExComm members, not explicitly addressed by Allison, also allude to weaknesses of rational choice. Collective deliberations and the social relations that shape these deliberations are outside of the analytical scope of rational choice. Ultimately, it was John F. Kennedy’s decision what to do. But the President, far from making the decision by himself, heavily relied on the advice of the ExComm members he trusted the most. It is no coincidence that he went with the naval blockade, to be followed by the diplomatic solution of the crisis. This was the course of events advocated by his brother Robert Kennedy and his security advisor Robert McNamara. These two ExComm members he trusted the most. Seen in this light, it is also no coincidence that Robert Kennedy took care of leading the crisis to its diplomatic conclusion by reaching agreement on what to do with the Soviets.

Lord Salisbury once flatly remarked: “Logic is no use in diplomacy” (quoted in Freeman, 1997: 161). Otto von Bismarck predicted the outbreak of World War I with anything but a rationalist argument. He feared that “some damned foolish” thing in the Balkans would at some stage lead to a major European war (Siracusa, 2010: 32–33). To put this differently, diplomatic history is full of examples in which diplomatic moves did not follow the rigorous rationality assumptions put forward by rational choice. Let us, however, not lose sight of the strengths of rational choice amidst all these *caveats* against all too stringent assumptions of rationality. The rational choice perspective provides for a parsimonious explanatory framework. Rational choice scholars are very much aware of the fact that they simplify the world in order to be able to explain it (Keohane, 1988: 379). In other words, these scholars do not believe that their assumptions are true. They merely defend them as being useful for conducting research.

It is up to the reader to judge under what circumstances rational choice provides for a fruitful perspective to explain diplomatic decisions. The following sections

introduce the reader to major alternative perspectives. We start with psychological approaches. Scholars embracing these approaches and students of rational choice share, for the most part, a consequentialist logic of action. They seek to understand how selfish individuals, reflecting upon the consequences of their actions, figure out what to do. But psychological approaches conceptualize this ‘figuring out what to do’ very differently. We then move on to logics of action other than consequentialism: appropriateness, argumentation and practice.

Psychological approaches

Since there is a plethora of angles for studying the psychology of leading diplomats and decision makers, it is much more difficult to summarize the key unifying assumptions of political psychology than it is with rational choice. Yet whatever political psychologists may disagree about, they share the *rejection of computational goal-seeking*. They criticize rational choice assumptions for what is to them pretending that “the mind has essentially unlimited demonic or supernatural reasoning power” (Gigerenzer and Todd, 1999: 6). Psychological explanations often use the term ‘judgment’ to distance their conceptualizations of agency from rational choice’s core assumptions.

Their starting assumption is that actors arrive at a decision-making situation with a lot of *baggage* (conceptualized, for instance, as schema or operational code). Over time, individuals acquire a background knowledge that helps them orientate themselves amidst uncertainty and complexity. Some authors hold that the baggage decision makers acquire is so deeply seated that it moves into the sub-conscious layers of the ideational fabric. Thus, the baggage becomes a case for psycho-analysis. The baggage is held to be highly consequential. Actors are not assumed to compute endlessly until they have found the optimal outcome for themselves. Instead, they rely on heuristic devices – especially the baggage just mentioned – that tell them when to *stop searching* for alternative options. Herbert Simon’s seminal contributions revolve around these stopping rules. His notion of bounded rationality holds that actors do not compute endlessly to maximize, but stop to satisfice their expected utility (Simon, 1957, 1982). Several approaches build on Simon’s work. Prospect theory, for instance, argues that actors are risk-prone in their decision making when they perceive loss and risk-averse when they perceive gain (Kahnemann and Tversky, 1979; Levy, 2000). Fast and frugal heuristics contends that actors rely on simple heuristics drawn from an adaptive toolbox to make sense of the world; ultimately, a single clue can suffice for an actor to make up his or her mind (Gigerenzer et al., 1999). There are also authors who highlight the emotional dimension of all of this. For some authors emotions are so inescapably intertwined with reason that they simply cannot be kept apart at all. Emotions and reason always go together; or, to put this differently, no reason without emotions (Mercer, 2010).

Psychological approaches zoom in on individual decision makers, usually state leaders. Thus, the scope of these approaches is limited. There is very little on diplomatic actors other than these leaders, not even to speak of actors not representing states. This is a limitation. But it is also a virtue. Given the limited scope, the research conducted by political psychologists is very detailed and full of insights. Linking diplomacy and political psychology, the work of Alexander George (1969) has been especially influential. He conceptualized the ‘baggage’ as operational codes. This sparked a lively research programme (Holsti, 1970; Walker, 1990; He and Feng, 2013).

Iraq, 2003

Let us look at another case where key diplomatic actors situated themselves at the thinning line between diplomacy and war. Yet this time, unlike with the Cuban Missile Crisis, the line was actually crossed. In 2003, the United States and the UK, along with a group of other states dubbed the ‘coalition of the willing’, terminated diplomatic efforts to convince Saddam Hussein to disclose and dismantle his alleged weapons of mass destruction, invaded Iraq, occupied it and installed a different regime. How did they come to do so? What are the strengths and weaknesses of psychological approaches for helping us answer this question?

Judging by the sources available to us, Bush and Blair approached the Iraq question with the baggage of historical analogies and metaphors in mind. Taken together, this baggage helped them make sense of Saddam Hussein, Iraq and what to do. Historical analogies featured very prominently (see Box 7.2). None of them featured as prominently as appeasement. Bush and Blair invoked again and again the Munich analogy. The lesson of Munich 1938 ought to be that dictators have to be confronted before it is too late. In 2003, Saddam Hussein, for Blair and Bush, belonged in exactly this category.

Box 7.2 Appeasement

Early morning hours on 30 September 1938, Führerbau (Leader’s Building) in Munich. Adolf Hitler, Neville Chamberlain, Benito Mussolini and Edouard Daladier sign the Munich Agreement on behalf of Germany, the UK, Italy and France, respectively. Mussolini had officially proposed territorial revisions in favour of Nazi Germany and at the expense of Czechoslovakia, which had been put together by Hitler’s foreign service. Chamberlain and Daladier agree to the territorial revisions and convey to the Czechoslovak government, which was not invited to attend the conference, that it would have to fight Nazi Germany on its own if it was not to hand over the Sudetenland peacefully. A year later, Hitler showed that the kind of territorial aggrandizement he had in mind much surpassed the Sudetenland. World War II began with Germany attacking Poland. Since then, appeasement has become an important diplomatic lesson and, at times, also a powerful rhetorical weapon. Appeasing a tyrant does not work. Not confronting a dangerous dictator early enough makes things even worse; it becomes more and more difficult to defeat the tyrant. This really is an important lesson. But it is also a lesson that is prone to be instrumentalized for those trying to mobilize nations to go to war. Portraying someone as Hitler or Hitler-like (e.g. Saddam Hussein) does mobilize people. But whether the portrayal is appropriate or not is an altogether different matter.

Other historical analogies seem to have been important anchors for reasoning as well. Blair, for example, repeatedly referred to the NATO intervention against Serbia during the 1999 Kosovo conflict. In his opinion, the lesson to be learnt from Kosovo was that intervention works. Not only can it effectively counter threats against peace

and security but it can also be the first step towards the democratization of a country. Metaphors with religious connotations were of significance for Bush and Blair as well. The binary opposition of 'good' and 'evil' is a *Leitmotiv* in their speeches and statements. Some authors analysing their decision making refer to this as their Manichean worldview (Dyson, 2007).

The baggage affected Bush's and Blair's interpretation of Saddam Hussein's moves and their decisions about how to counter his expected moves. Both leaders made up their minds very early that Hussein possessed and further developed weapons of mass destruction, especially biological and chemical ones. Already in 1997, Blair is on record for saying that "I have now seen some of the stuff on this. It really is pretty scary. He (Saddam) is very close to some appalling weapons of mass destruction. I don't understand why the French and others don't understand this" (Dyson, 2006). This assessment sounds remarkably similar to Blair's understanding of the situation six years later. By 'stuff', Blair referred to intelligence. The overestimation of threat, based on a highly selective reading of available intelligence, persisted. In 2002, the Bush Administration sent Colin Powell to the UN Security Council to present evidence to the world that Iraq was a major threat to international peace and security. Among other things, Powell alleged that Iraq was developing unmanned aerial vehicles that were capable of delivering chemical and biological weapons to the United States. As the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) later confirmed, these allegations were unfounded (Kerr, 2004).

There is evidence that Bush's and Blair's emotions played their role in all of this. Indeed, no U.S. President could possibly have reacted to 9/11 in an entirely detached manner. For Bush, given his patriotism and deep attachment to the U.S. nation, such an emotionless response was especially unlikely to happen. When Bush declared the end of the war in May 2003, he stressed that the Iraq war had been an important success in the war against terror; with the end of Saddam's regime, an ally of Al Qaeda – ready to provide international terrorists with weapons of mass destruction – had been removed. These allegations of a link between Al Qaeda and Saddam Hussein never withstood the test of any serious scrutiny. But in the wake of 11 September 2001, they seemed fully reasonable for Bush and his advisors. The emotional dimension may very well explain at least part of this subjective reasonableness. The language used to describe Saddam Hussein also alludes to this emotional dimension. The term 'evil' has already been alluded to earlier; it was very frequently used to portray Saddam. The term, of course, has a very clear emotional dimension to it. The same applies to other terms used as well. Blair, for instance, referred to Saddam as 'monster' – again this signals anything but detachment (Kennedy-Pipe and Vickers, 2007).

Psychological approaches provide for important insights into decision making in general, and Bush's and Blair's misinterpretations and miscalculations in the Iraq case in particular. We know now that Saddam Hussein, after his defeat against the U.S.-led coalition in 1991, did not re-start Iraq's nuclear, chemical and biological weapons programmes. But psychological approaches, too, have their limits. Two of them are especially worth mentioning. First, doing empirical research and generating the kind of evidence that applying these approaches requires is sometimes a major challenge. David Owen, for instance, contends in an article in the reputable *Journal of the Royal Society of Medicine* that Blair suffers from a psychological state that the author refers to as hubris (Owen, 2006). But how is this to be shown empirically? After all, Blair may

not agree to sit down on Owen's couch and provide him with the kind of in-depth information about his decision making that would provide compelling empirical support for such a claim.

Second, many psychological approaches focus on top decision makers at the expense of looking at the broader picture of how these decision makers interact with advisors, organizations, bureaucracies and the broader public. Leaders, however, consult with others, for instance trusted career diplomats, and this does not always leave their views unchanged. Furthermore, some leaders are more sensitive to public opinion than others. Among psychological approaches, Janis's concept of 'groupthink' (1972) is an important exception to the tendency to neglect processes of consultation. Some decision makers keep critical voices out of the inner circles of advisors. Thus, the group finds it quite easy to agree on interpretations of the world and how to act in it. But their perspective is a narrow one, leading to serious misinterpretations.

The remainder of this chapter deals with more sociologically inclined perspectives. Being more socially inclined, they take the social embeddedness of decision makers more seriously. Far from being assumed as standing apart, decision makers are presumed to be rather deeply embedded in social context. A disclaimer is necessary though. In contrast to rational choice and most psychological approaches, these perspectives do not seek to explain the exact decisions that individuals make. Instead, they attempt to understand what decisions are conceivable for actors and what decisions are inconceivable.

Logic of appropriateness

The logic of appropriateness proceeds from a different ontology (theory of being). Consequentialism, and here especially rational choice, de-emphasizes the social context in which individuals are embedded. The starting point of analysis is the individual and not communities and their practices that may be meaningful for the individual. The logic of appropriateness proceeds very differently. Assuming human beings to be *deeply embedded in social context*, it stresses the intersubjective ideas in which individuals are embedded. Established ideas are presumed to constitute these individuals as political actors in the first place. March and Olsen hold that this social context is made up of rules. The repertoire of *rules*, in turn, has cognitive and normative dimensions (March and Olsen, 2004: 3).

We have come across the *cognitive* dimension already, although with somewhat different connotations. When psychologists write about heuristic devices such as analogies that make it possible for actors to reason, then they, too, write about this dimension. Yet the logic of appropriateness puts a different twist on them. These cognitive rules are identity-constituting. The Munich analogy, for example, is not just a heuristic clue that an individual has come across at some stage and holds onto because it is considered useful knowledge, but it has sunk in and become part of the identity narrative of the socially embedded individual and the community (or communities) to which this individual belongs. From this scholarly point of view, it is not a coincidence that Munich 1938 featured prominently in the minds of George W. Bush and Tony Blair. This historical lesson is a key ingredient of the dominant U.S. and British identity narratives; they are deeply ingrained in the nation, including its representatives on the diplomatic stage.

For March and Olsen, the *normative* dimension of rules is at least as important as the cognitive one. Ultimately, it is the normative dimension that drives action. Norms tell the socially embedded individual the oughts and ought nots of political conduct. The logic of appropriateness proposes that actors abide by these oughts and ought nots because they constitute their identity. Violating them would amount to violating their very Self (March and Olsen, 1989). Looking through this scholarly lens, Bush and Blair were adamant about putting an end to diplomacy and resorting to war among other things because the supposed appeasement of Saddam Hussein would have meant violating a lesson of history that ought to be at the forefront of every U.S. and British leader, respectively; Chamberlain's monumental error ought never to be repeated again.

Box 7.3 alludes to something that is strongly emphasized in latest research on norms (Wiener, 2009; Holzscheiter, 2016). How far norms are shared across actors or not is very much a matter for empirical analysis. Usually, there is plenty of contestation about norms and how to interpret them.

Box 7.3 Security Council Resolution 1973

In mid-February 2011, protests in Libya's coastal city of Benghazi escalated when security forces loyal to Muammar Qadhafi fired into the crowd. The escalation led to a civil war, which spread more and more across the country. Qadhafi's targeting of civilians prompted strong responses from the international community. On 26 February, the Security Council adopted S/RES/1970(2011) in which it strongly condemned the "widespread and systematic attacks . . . against the civilian population", and warned that they "may amount to crimes against humanity", and clarified that it was acting under chapter VII (enforcement measures) of the UN Charter. The operative clauses refer the situation in Libya to the International Criminal Court, and impose an arms embargo and travel bans against leading figures of Qadhafi's government. With the situation further deteriorating, the Security Council adopted S/RES/1973 in which it reiterated its grave concerns and decided to resort to more robust measures, above all the establishment of a no-fly zone and the authorization for UN member states to "take all necessary measures . . . to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya". Among the Security Council members, France, the UK and the United States (permanent members) as well as Bosnia and Herzegovina, Colombia, Gabon, Lebanon, Nigeria, Portugal, South Africa (non-permanent) voted for the resolution. China and Russia (permanent) as well as Brazil, Germany and India (non-permanent) abstained from the vote. While the ensuing NATO intervention in Libya did protect civilians, and reiterated this again and again as the purpose of the mission, the intervention also played a crucial role in shifting the military balance in favour of the National Transition Council and against Qadhafi's regime. China, India, South Africa, and especially Russia, therefore, vocally criticized Resolution 1973 and its implementation. Vladimir Putin put this into the following accusatory language: "It [Resolution 1973] is reminiscent of medieval calls for a crusade. It allows for the invasion of a sovereign state" (RIA Novosti, 21 March 2011).

Germany, diplomacy and intervention, 1949–

It is easy to summarize the story of the weighing of diplomacy and military intervention in (West-)German politics before 1993. It tilted very heavily towards the former. Germany, for instance, confined itself to the so-called *Scheckbuch-Diplomatie* (chequebook diplomacy) during the First Gulf War in 1990. It endorsed the U.S.-led intervention against Iraq aimed at liberating Kuwait but did not participate in it, except for providing funds for the war effort. This decision for *Scheckbuch-Diplomatie* and against participation in the intervention is anything but self-explanatory. The First Gulf War was a collective security effort; a member of the UN had been attacked and annexed. The UN decided to come to the rescue of this member. Yet, at the same time, deploying German soldiers abroad in order to participate at an enforcement measure was still virtually unthinkable, especially to the key protagonists, i.e. Chancellor Helmut Kohl and his Foreign Minister Hans-Dietrich Genscher.

In the midst of the Yugoslav War, however, things were no longer the same. Germany had hoped that an early recognition of the break-up republics would put an end to the bloodshed. Pressuring other EU members to recognize and doing so unilaterally rather than within the framework of the EU did not stop the worst killing Europe had experienced since the end of World War II. On the contrary, fighting became fiercer, especially in Bosnia. The international community increasingly resorted to military means to put an end to the war. A no-fly zone over Bosnia was one of the means used. This no-fly zone had to be monitored. NATO conducted surveillance flights for doing so; a third of the personnel in charge of the mission were German. Since the First Gulf War, there had been considerable diplomatic pressure by Germany's allies to make Berlin contribute to military operations. The Kohl government eventually succumbed to the diplomatic pressure, especially by the United States.

It seemed that this signalled the 'normalization' of German foreign policy; a move towards participation in military intervention as last resort when diplomacy fails to resolve a threat against international peace. In 1999, it appeared that the normalization hypothesis had passed a very demanding test. Joschka Fischer, the long-time pacifist of the long-time pacifistic Green Party, decided in his function as Foreign Minister, and together with the social democratic Chancellor Gerhard Schröder, to join the NATO intervention against Yugoslavia. Normalization seemed to continue in 2001, when the Schröder government succeeded in getting the Bundestag to agree to join the U.S.-led coalition in its attempt to remove the Taliban regime in Afghanistan.

From 2003 onwards, however, Germany appears to have reverted back to its more traditional hesitation to forgo diplomatic efforts and join military campaigns. Not only did Schröder and Fischer refuse to join George W. Bush's 'coalition of the willing' in 2003 but they were also openly critical of Bush's campaign in a manner German diplomacy had not dared to do since the end of World War II. In 2011, the centrist coalition government under Chancellor Angela Merkel and Foreign Minister Guido Westerwelle decided against the humanitarian intervention in Libya. Germany, then with a non-permanent seat at the UN Security Council, was the only Western country not to agree to Resolution 1973 (it abstained), which, in the U.S., French and British interpretation, provided the legal basis for the intervention against Muammar Qadhafi. It did not participate in the military intervention, which was spear-headed by France, the UK and the United States. The cautious and mediation-centred conflict

management approach has prevailed in a number of more recent crises as well. This includes Syria and the Ukraine.

How well suited is the logic of appropriateness to explain these decisions about diplomatic and military options? On the one hand, the logic provides explanatory power. Not to repeat the catastrophic wrongs of the past, in particular causing World War II and the Holocaust, is deeply ingrained in the dominant identity narrative of Germany. On the other hand, however, the logic has difficulties accounting for the participation of Germany in joint military efforts in ex-Yugoslavia and Afghanistan. Here, the 1999 participation stands out even more because there was no UN mandate for the bombing campaign against Serbia. Domestic debates and, with them, contestation about military restraint, go a long way towards explaining this variation.

Logic of argumentation

Thomas Risse contends that there is a third logic of action, which he labelled the logic of argumentation (Risse, 2000). Risse borrows heavily from the social thought of Jürgen Habermas, and more precisely, his theory of communicative action. At first glance, Habermas's framework does not look all that different from the logic of appropriateness. Writing about the significance of a *shared lifeworld* (→ glossary: lifeworld) he places a lot of emphasis on social context. This emphasis is reminiscent of March and Olsen. At second glance, however, there is a notable difference between the two logics. In Habermas's view, analysing the shared lifeworld alone does not tell us all that much. It merely sketches the repertoire of ideas available to actors to make sense of the world. What is really important for Habermas is how actors, communicating with one another, select certain ideas rather than others from this large repertoire, how they link these ideas together to create arguments, and how they come to consent that a particular argument is the most convincing one.

Habermas is a normative scholar. He uses a counterfactual as a benchmark to critique political communication in Western democracies. The counterfactual is the ideal speech situation. Ideally, there should be open access to discourse and those participating in discourse ought not to aim at making their arguments win but to figure out together which argument is *the most convincing* one, no matter who the authors of this argument are. As Habermas puts it, the aim is to let the "force of the better argument" (Habermas, 1984: 161) come to the fore.

Scholars such as Müller (1994) and Risse (2000) make an analytical-empirical logic of action out of this normative framework. They contend that world politics, far from always being about the might of the strong dictating to the weak what they must – or must not – do, sometimes allows for the force of the better argument to prevail. In some cases, actors on the diplomatic scene can convince one another of the better argument. Note how this hypothesis contrasts with rational choice. As discussed earlier, rational choice assumes stable preferences. During a decision-making situation, preferences do not change; they are fixed. Risse suggests that these preferences are not immutable. Communicative interaction among actors can *change their preferences*; during a communicative encounter, actors can be convinced to want something that is different from what they wanted prior to this encounter. Box 7.4 elaborates on how to apply this approach to the study of diplomacy in more detail.

Box 7.4 Diplomacy and communicative action

According to a Habermasian framework, the goal of the diplomats engaged in communicative action is to seek a communicative consensus about their understanding of the situation and the preferred course of action. The way in which diplomats engage in communicative action is by constructively challenging the validity claims inherent in the interests, preferences and norms driving each other's actions. According to Habermas, any interaction orientated to reaching understanding is defined by three validity claims (Habermas, 1984: 99). The first refers to the truth of assertions made, or the conformity with interpreted facts in the world: the statements made are intersubjectively true. For instance, is Iran close to becoming a nuclear power? If so, how close? The second focuses on the moral rightness of the norms underlying arguments: the speech is right with respect to the existing normative context. Is it right for a diplomat to condemn other countries' violation of human rights while his own government suppresses human rights at home? The third validity claim concerns the truthfulness and authenticity of the speaker: the manifest intention of the speaker is meant as it is expressed. Is the diplomat willing to change her mind and adopt a new position if the arguments presented by the other side are more convincing? The communicative action framework has been applied to various processes of international cooperation, dealing with questions such as why the internalization of human rights norms occurs (Risse, 1999), how inter-civilizational dialogue can take place (Lynch, 2000), how effective is decision making in the UN Security Council (Johnstone, 2003), why international negotiations are successful despite the opposition of important powers (Deitelhoff, 2009), or how the use of force can be justified in international politics (Bjola, 2005).

Soviet Union, 1990

The end of the Cold War posed a major puzzle for scholars of world politics. Established theories, emphasizing continuity (i.e. stable preferences) rather than change, experienced major shortcomings to explain what happened. Risse's development of the logic of argumentation has to be seen in this context. He provides a number of empirical illustrations for his contention that there are incidences of arguing and preference change in world politics. Mikhail Gorbachev's decision to agree to a unified Germany within NATO is one of them.

Risse submits that Gorbachev and Eduard Shevardnadze, his foreign minister, had been engaged in a dialogue about a new global and European security architecture with Western powers since the mid-1980s. In the course of this dialogue, the parties created a shared lifeworld; the diplomatic encounters made them increasingly share understandings about the shortcomings of the current order and the parameters of a new one.

Gorbachev, Risse continues, approached the German question without a fixed set of preferences. Thus, he was susceptible to U.S. Foreign Minister James Baker's

argument that it would be better to have a reunified Germany embedded in Western structures than a neutral Germany that may eventually revert back to pre-1945 policies. He was also susceptible to normative arguments, most importantly the application of the 1975 Helsinki Final Act on the issue of Germany and alliances. According to the Final Act, states ought to choose their alliances freely. In May 1990, when Gorbachev declared his principal agreement with the NATO membership of a reunified Germany for the first time, he did so in response to President George H. Bush's framing of the issue in Helsinki terms. In short, the story Risse tells about Gorbachev is one about an uncommitted thinker who was persuaded to fundamentally break with Soviet orthodoxies of foreign policy by what were to him convincing arguments emanating from his Western counterparts.

Risse does not deny that there are other angles from which to look at this empirical issue as well. He does not pretend to be able to explain everything but merely an important aspect. Yet note that the Habermasian conceptualization of persuasion as letting the better argument come to the fore is, nevertheless, a highly demanding conceptualization of persuasion. After all, Habermas's point is to critique what he often referred to as modern mass democracies and their lack of communicative encounters apt for a democracy. Risse's claim that these encounters exist empirically in international affairs is not implausible. But, as he points out himself, we should expect them to be very rare occasions.

Various alternatives to this narrow conceptualization of argumentation and persuasion exist (Crawford, 2002). The advocacy literature, for example, looks at how norm entrepreneurs – oftentimes NGOs – frame their messages strategically in order to make them resonate with an audience (Finnemore and Sikkink, 1998). Research on rhetorical strategies argues in a similar vein but addresses both inter-state diplomacy and non-governmental actors (Kornprobst, 2012; Kornprobst and Senn, 2017). There is also a broader view of argumentation that tries to encompass these different perspectives on argumentation (Bjola and Kornprobst, 2011).

Logic of practice

What Habermas is to many students of argumentation, Pierre Bourdieu is to many scholars of practice. Authors on world politics interested in the logic of practice draw heavily from the French social theorist. Bourdieu gained the principal insights into his thought on practice from anthropological research on the Kabyle people in Algeria (Bourdieu, 1977). He amended his framework while researching the French education system (Bourdieu, 1988) and then making a more general social theory out of it (Bourdieu, 1990). But his key concepts, i.e. *habitus* and *field*, have remained the key ingredients of his theorizing.

The *habitus* is about the “generative principles of . . . practices” (Bourdieu, 1998: 8), or, more concretely, the “matrix of perceptions, appreciations and actions” (Bourdieu, 1977: 83) into which the individual has been socialized. This matrix *predisposes* actors to pursue certain practices rather than others. The *field* is about the organizing principles of social encounters among individuals: actors participating in these encounters are not equal (power), they agree on what is at stake in these encounters (stakes), and there is a tacit consensus on the basic rules of the encounters (*doxa*). These organizing principles put actors into (unequal) *relationships* with one another. The interplay of *habitus* and *field* generates *tacit common sense*. This tacit common sense amounts to reasons upon which to act. But, as the ‘tacit’ already indicates, these reasons are of

a peculiar nature. Agents take their reasons for action too much for granted as that they could reflect upon these reasons, not even to speak of debating them among themselves.

To put this differently, no other logic of action puts as much emphasis on what happens *underneath* the radar screen of explicit communicative exchanges as the logic of practice (Pouliot, 2008). Consequentialism, especially rational choice, is all about the individual's processes of reflection. Utility maximization, or even satisficing, is something about which actors ponder. They reflect and weigh different alternatives. The logic of appropriateness is rule-following but, at least, as it is conceptualized by students of international politics, the actors following these rules tend to be aware of them. Scholarship looks for utterances of these rules by the actors who abide by them in order to generate empirical evidence that these rules matter. The logic of argumentation, too, is very much about reflection. Actors put the social background (lifeworld) to use and debate with others what to do. The Bourdieuan view of practice, by contrast, is rather different in this regard. Actors improvise what to do and this improvisation is, ultimately, what comes naturally to them. They do not reflect about it.

Not all research on practices and related concepts is underpinned by Bourdieu. At least three alternative conceptualizations are noteworthy. First, practices need not be entirely non-reflected doings. This reflection injects agency into theoretical frameworks, including diplomatic agency (Adler, 2005, 2–26). Second, studies inspired by Elias's work on restraint put emphasis on the social psychological foundations of restraints to use force (Bjola and Kornprobst, 2007; Adler, 2008). They are, over a period of time, made, and they are, again over a period of time, also unmade again. Third, there is what Hopf (2010) refers to as the logic of habit. This is, among the approaches to practice discussed here, the one that places the most emphasis on structure. It understands habit in juxtaposition to rationality and agency.

France and Africa, 1960s–

The history of France's Africa diplomacy has been rather puzzling to many analysts. They consider the institutional apparatus in charge of Paris's relations with the African continent inadequate and wonder why no more rational design has been implemented. A plethora of institutions, including the Ministry of Foreign Affairs, Ministry of Co-operation, Ministry of Defence, Ministry of Finance, the French Development Agency and the Africa section at the Presidency, deal with Africa. The President plays a paramount role but, additionally, some Prime Ministers have featured prominently as well. With coordination among these institutions and actors being a major challenge, informal networks have evolved to govern Paris's policy towards Africa. The President and his close advisors locate themselves at key nodes in these networks (*réseaux*).

The networks, however, created their own governance problems. On a normative level, there has been the problem of transparency and accountability. The networks have operated far removed from the public eye. Parliament, for a long time, has been reluctant to engage in reflection about Africa diplomacy. As far as considerations of effectiveness are concerned, the *réseaux* have not fared all that well either. At times, national interests have taken a backseat to private and business interests. Furthermore, the *réseaux* intertwined national interests. Some African heads of state, especially Felix Houphouët-Boigny, the first President of Côte d'Ivoire, featured very prominently in the networks. In an institutional set-up like this, diplomacy and domestic politics go hand in hand. Houphouët-Boigny nicknamed it *Françafrique*.

While the system originates in the 1950s and its heyday may very well have been in the 1970s, a commentator remarked even as late as in 2010 that “50 years later, *Françafrique* is still alive and well” (Boisbouvier, 16 February 2010). What explains this persistence? Schlichte (1998) contends that the colonial imperial idea, friendship with African states, and dispersion of French culture make up a habitus. Given this habitus, France practises the entrenched ways of conducting Africa diplomacy without reflecting about the ‘chaotization of institutions’.

This explanation has a number of strengths. The institutions underpinning France’s Africa diplomacy are not rationally designed as a rational choice scholar would predict it. The logic of practice’s insight that practice is simply doing things, acting upon common sense, provides a different angle on human rationality (→ glossary), and this angle is sometimes useful. Other logics of action, focusing on reflection rather than habit, have difficulties getting at this aspect of rationality.

On the other hand, the explanation also has its weaknesses. It not clear to what extent the practices of the *Françafrique* still prevail. Take, for example, the 2011 Libyan intervention. In contrast to the bulk of French interventions in Africa, the intervention in the Libyan war was not done on behalf of a long-standing allied government, but sided with the newly created National Transition Council that fought the government. It was not a unilateral but very much a multilateral endeavour, principally sanctioned by the UN Security Council (see Box 7.5) and carried out with other NATO states, especially the UK and the United States, playing a crucial role, too. Furthermore, it is very questionable whether every important decision can be explained by non-reflective mechanisms. Sure, France has a long-standing record of intervention in Africa. But this does not mean that there is no consequential reflection going on that shapes decisions of whether and how to intervene. Logics of action, we should keep in mind, are scholarly compartments. The actors we study routinely intertwine what scholarship keeps apart (Kornprobst, 2011).

Box 7.5 The underlying rules of the diplomatic game

Focusing on hidden forms of power, many Bourdieu-inspired studies on diplomacy focus on the hierarchies among actors populating the diplomatic field. Recent in-depth studies deal with hidden power relations at the UN (Pouliot, 2016) and the EU (Kuus, 2013), for example. This research shows that powerful nations tend to be rather successful in translating material power into privileged and very much taken-for-granted hierarchical relationships. Yet even deeply taken-for-granted rules of the game can change over the *longue durée*. Chapter 4 above showed that the diplomatic field has expanded in terms of issue areas and actors involved. This points towards changes in the nomic – i.e. deepest – layer of the diplomatic field. It is remarkable, for example, that NGOs have recently even made inroads into the nuclear non-proliferation regime. This does not mean that all non-state actors suddenly enjoy the same status as state actors, or that powerful states lose their privileges from one moment to the other. It does mean, however, that diplomatic hierarchies become more and more complex (Kornprobst and Senn, 2016b, 2017).

Summary

- When it comes to studying diplomacy, most authors draw from rational choice assumptions. They conceptualize diplomats as *expected utility maximizers*. Diplomats, therefore, are assumed to calculate how to get what is the best outcome that they, locked into a decision-making situation with other players on the diplomatic stage, can achieve.
- Psychological approaches provide an alternative. Being less optimistic about the computational powers of human beings, they allude to *heuristic short-cuts* that actors use in order to make up their minds. The short-cuts provide actors with clues on when to stop searching for alternatives and settle for a particular course of action.
- The logic of appropriateness focuses on the *rules* that make up the social context in which agents are embedded. These rules are assumed to be cognitive and normative in nature. Taken together, they make the world intelligible to them. Actors are assumed to act appropriately, given a set of norms. They do what appears to them as *the right thing to do*.
- The logic of argumentation deals with how agents come to *assemble arguments* from a social background, and how the exchange of arguments with others *affects* these agents. It is presumed that these exchanges can leave a major mark on agents. They can change their preferences around. The potential repercussions of communicative encounters can cut even deeper; they can change identities.
- The key contribution of the logic of practice is that it looks at what happens underneath the radar screen of discourse. As far as the logics of consequences, appropriateness and argumentation are concerned, scholars take for granted that making up one's mind has something to do with reflection. Scholars of practice, by contrast, hold that many things we do, we simply do.

Study questions

- How confident are rational choice and psychological approaches in diplomacy's abilities to make deterrence effective?
- How convincing is the logic of appropriateness in explaining Germany's attempts to look for a diplomatic solution for the 2003 Iraq crisis and the UK's resolve to use force?
- Is there room for a logic of argumentation in explaining epochal change in world politics?
- How much of diplomacy is acting upon common sense?

Recommended further reading

Rathburn, Brian C., Joshua D. Kertzer, and Mark Paradis. 2017. "Homo diplomaticus: Mixed-method evidence of variation in strategic rationality". *International Organization* 71(S1), S33–S60.

This article makes sense of agency by bridging rational choice and political psychology. *Homo diplomaticus* (the diplomatic human being), the authors contend, links together what these scholarly perspectives keep apart.

Bátora, Jozef. 2005. "Does the European Union transform the institution of diplomacy?" *Journal of European Public Policy* 12(1), 44–66.

This is an inquiry into how a logic of appropriateness has emerged in EU diplomacy, and how this may affect diplomacy more generally.

Bjola, Corneliu and Markus Kornprobst. 2011. "Introduction: The argumentative deontology of global governance". In Corneliu Bjola and Markus Kornprobst, eds., *Arguing global governance*. London: Routledge.

This framing chapter takes stock of different conceptualizations of argumentation in different academic disciplines and proposes an inclusive and multi-perspectival research agenda.

Bueger, Christian, and Frank Gadinger. 2014. *International practice theory: New perspectives*. Basingstoke, UK: Palgrave.

This book provides a very good overview of different approaches to practices, discusses these approaches in depth and outlines an agenda for further research.

Kornprobst, Markus. 2011. "The agent's logics of action: Defining and mapping political judgement". *International Theory* 3(1), 70–104.

This article argues for moving beyond scholarly logics of action. The vehicle for this more inclusive approach is the concept of political judgement. The judgements of the actors we study routinely intertwine with what scholarly logics keep apart.

8 The making of relations

Chapter objectives

- Conceptualize the spectrum of diplomatic relations.
- Discuss how relations are made.
- Highlight how diplomatic relations can change fundamentally.

Introduction

Diplomacy makes relations. Whenever we hear that relations between states are deteriorating, stabilizing or improving and so on, diplomacy has something to do with it. This chapter provides an overview of what kinds of relations diplomacy makes and unmakes, and, equally important, how it does so. This chapter's organization follows the previous chapter. We provide an overview of scholarly approaches, and discuss their strengths and weaknesses by putting empirical cases under scrutiny.

Scholarship on international relations is frequently divided up into three major perspectives, i.e. Realism (→ glossary), Liberalism (→ glossary) and Constructivism. Dividing up the field in this way has its pitfalls; there are plausible alternative organizational devices that stress more what contending schools of thought have in common than what keeps them apart (Kornprobst, 2009). Nonetheless, dividing scholarship up into these three perspectives provides for a good overview of similarities and differences of international relations thought on the making and unmaking of relations.

First, we deal with Realist approaches that link security imperatives to balancing behaviour, and balancing behaviour to the making of relations. Our illustrative case revolves around Washington's diplomatic efforts to dissuade North Korea from becoming and consolidating itself as a nuclear power. Second, we investigate Liberal approaches that put more emphasis on economic motives, connect these to the creation of cooperation-facilitating institutions, and from there to the making of relations. We discuss the strengths and weaknesses of this lens by examining EU foreign policy. Third, we take a look at Constructivist scholarship that addresses the generative mechanisms through which relations are produced and reproduced. As an empirical illustration, we discuss Eritrean-Ethiopian (friendship to enmity) relations.

Balancing: from outlaw to ally (and vice versa)

The classic Realist statement on diplomacy and the making of relations is found in Hans Morgenthau's (1948) highly influential *Politics among nations*. His starting assumption is that there is *anarchy* in international politics, i.e. there is no common power (such as a world government). Thus, states have to be on guard in order to secure their *survival*. Being on guard, for Morgenthau, has a lot to do with balancing power. Only if power (→ glossary) is balanced among the major powers are they unlikely to fight one another. Thus, the key task of diplomacy for him is to *balance*. A *diplomacy of balancing* makes possible what Morgenthau refers to as "peace through accommodation" (Morgenthau and Thompson, 1985: 562), i.e. the only kind of tenuous peace for which the anarchical international order allows.

Morgenthau's account of a diplomacy of balancing is distinctly normative. He does not believe that this is how great powers always conduct their foreign affairs. But he argues that they ought to. Making this normative argument, he contrasts it with unwarranted alternatives: there ought to be no fixation on enmity and there ought to be no fanaticism. Fixation on enmity and fanaticism impede balancing. Balancing requires being *pragmatic*; it necessitates staying apart until a pragmatic move for correcting an upset balance of power (→ glossary) is required. The Cold War, to Morgenthau, was far from being a paradigmatic case of a balance of power. The superpowers were too fixated on their mutual enmity and their ideological contestation for such a case to develop.

Henry Kissinger argues in a very similar vein. His first book *A World Restored* (1957) is an in-depth account of the Concert of Europe in the nineteenth century. The Concert, in Kissinger's view, attained a balance of power because diplomats – most of all Klemens von Metternich, the long-time Austrian foreign minister and also chancellor who is considered the architect of the Concert system – avoided fixation and fanaticism. The great powers acted pragmatically. When one of them threatened to become preponderant, it was balanced against. Kissinger practised U.S. diplomacy very much along these lines when he was national security advisor under President Nixon (see Box 8.1).

Balancing arguments feature prominently among contemporary realist scholars as well. There are at least three influential variants. First, some scholars advocate for the United States to embrace offshore balancing as opposed to a more involved and interventionist stance in international politics (Layne, 2009; Mearsheimer and Walt, 2016). Second, neoclassical realism seeks to understand the conditions under which states balance. In order to identify these conditions, scholars look into domestic politics (Schweller, 2006). Third, studies on soft-balancing broaden the concept of balancing. While most scholars equate balancing with the forming of alliances and arms build-ups, authors such as Paul (2005) and Pape (2005) interpret this as merely one possible manifestation of balancing, i.e. hard balancing. The other possible manifestation is soft balancing. This includes building temporary coalitions for bargaining purposes, and opposing major powers at international fora such as the UN General Assembly. Over time, soft balancing can evolve into hard balancing.

These different strands of thought on balancing are indicative of our times. The world order is changing, and analysts struggle to understand the directions of change. Since the balance of power is widely recognized to be an important feature of order, it is not surprising that some scholars zoom in on balancing. It is especially scholarship

on soft balancing that links balancing firmly to the changing world order. How do rising powers such as China but also India, Brazil and others assert themselves? How do established powers, above all the United States, react to this (Paul, 2016)? These are key questions for studying diplomacy in our times.

Box 8.1 Kissinger, China and the United States

Kissinger not only argued for balancing as an act of diplomatic prudence, he also practised it. Before the early 1970s, the United States recognized the Republic of China (Taiwan) as the official government of China. Washington did not have formal relations with the People's Republic of China (PRC). The latter, however, was an important player. Having emerged victoriously from the Chinese Civil War in 1949, Mao Zedong – the PRC's founder and leader – made the seemingly natural alliance choice in favour of the Soviet Union. After all, the two major powers shared a Marxist–Leninist ideology. From a balancing perspective, the PRC's taking sides with the Soviet Union in the Cold War was a blow to the United States. Two powerful states stood together against Washington. Thus, Kissinger, while in office as national security advisor of President Nixon, tried to move China away from the Soviet Union and further towards the United States. There was an opportunity because Mao Zedong and Nikita Khrushchev, Stalin's successor in the Soviet Union, had major disagreements on how to advance Marxist–Leninism in world politics. Kissinger made the most of this opportunity. He opened up back-channels for diplomacy, secretly travelled to Beijing in 1971 and thus prepared President Nixon's visit to the PRC in February 1972. It would be certainly overstating the issue that China became an ally of the United States. But, there was certainly a rapprochement. Given that there was a written communiqué with quite far-reaching agreements for future interaction, it may be even understood as an entente. Note that this move away from antagonism happened despite the fundamental ideological disagreements between the communist PRC and the capitalist United States. Ideology, at least in this case, did not matter for Kissinger. What mattered to him was the global distribution of capabilities.

Realist approaches, for the most part, do not elaborate on the spectrum of relations between states. This is due to the focus on the balance of power. If the prescription is that states ought to balance and, therefore, stay away from 'thick' relations, then there is not much need to theorize on the spectrum of relations found among actors on the diplomatic stage. Yet from the rich empirical discussions of diplomacy, especially in Morgenthau's and Kissinger's research, it is possible to extrapolate on such a spectrum of relations. It points towards what two authors, situated in the vicinity of Realist approaches and also studying the Concert of Europe in depth, conceptualize as a range of relations from outlaw to ally. Craig and George identify the *outlaw* state on the one end of the spectrum. Through diplomatic interaction, relations with the

outlaw may improve towards *detente*, from there to *rapprochement*, *entente*, *appeasement* and, finally, even to *alliance*. The authors provide the example of Turkey, which made a belated entry into the European society of states under Kemal Atatürk, after having been traditionally cast as an outlaw state (Craig and George, 1983: 157).

The following section discusses the strengths and weaknesses of Realist conceptualizations of relations and relations-making by applying Realist approaches to the case of North Korean-U.S. relations.

Relations between North Korea and the United States, 1993–2016¹

Several U.S. administrations took the Realist lesson not to be fixated on enmity seriously when it came to relations with North Korea. Washington repeatedly attempted to move towards what Craig and George refer to as *rapprochement* in order to dissuade North Korea from acquiring nuclear weapons. Despite being hampered by the absence of formal diplomatic relations – the United States does not recognize the North Korean regime – negotiations made remarkable progress in 1993 and 1994. Facilitated by former U.S. President Jimmy Carter, and concluded by high-ranking officials from the foreign ministries of both countries, Robert Gallucci and Kang Sok Ju, the Agreed Framework in October 1994 was heralded as landmark agreement between the parties. North Korea agreed to freeze its plutonium enrichment programme and allow for IAEA inspections to verify it. The United States provided a number of incentives, most importantly the promise to build light water reactor power plants (these make diversion of civilian to military uses of nuclear power much more difficult compared to the existing reactors in North Korea). Both parties also agreed to normalize their relations, seek more cooperation and work towards the goals of the Nuclear Non-proliferation Treaty (NPT).

The agreement, however, unravelled in the following years amidst mutual allegations. Progress with building the light water nuclear reactors proved to be very slow. Since it took a long time for an international consortium to be founded and then to secure the funding for it, not much progress happened before 2001. In the meantime, Republicans gained control over the U.S. Senate and voiced their dissatisfaction with the Framework Agreement. Deeply mistrusting the North Korean regime of Kim Jong-il, they considered any kind of attempt of a *rapprochement* utopian. The U.S. General Accounting Office (1 October 1996) maintained that the Agreed Framework is a “nonbinding political agreement” or “nonbinding international agreement” rather than an international treaty or legal document. George W. Bush accused North Korea of being part of an ‘axis of evil’ in his 2002 State of the Union Address. North Korea responded in no uncertain terms. It ended the freeze on plutonium processing, striving with ever more vigour to acquire nuclear weapons.

A new round of talks started in 2003. The Six-Party Talks brought together the six key players in Northeast Asia: Japan, North Korea, South Korea as well as the great powers of China, Russia and the United States. During the talks, North Korea oscillated between cooperative and defiant stances. On the one hand, Pyongyang conducted nuclear tests in 2006 and 2009, and also several missile tests. On the other, North Korea seemed again to be susceptible to positive sanctions such as fuel aid and food aid. At various points in time, the state temporarily agreed to nuclear inspections and shut down its Yongbyon nuclear facility. Kim Jong-il died in December 2011, giving hope that the pattern may change under his successor Kim Jong-un. These hopes

were short-lived, however. Kim Yong-il's successor, Kim Jong-un, continued to move the nuclear programme forward. In his first three years in office, he conducted three nuclear tests.

This case shows the limits of pragmatic deals in the face of troubled inter-state relations. Track-two diplomacy, ranging from North Korean trips by former basketball star Denis Rodman to formally organized concerts by the New York Philharmonic Orchestra, can temporarily improve relations. This can happen even to the degree that a potential break-through agreement can be signed. Troubled relations, however, do not disappear from one day to the next. Judging by the processes that ended enduring rivalries in other cases, for instance between France and Germany after World War II, it takes much more sustained effort to improve relations between states. Identity narratives, stories of how the one nation situates itself vis-à-vis the other nation, have to be transformed. Otherwise, the implementation of accords such as the Framework Agreement is easily derailed amidst rising suspicions and mutual distrust.

Mutual enmity is deeply engraved into the identity narratives of the two states. North Korea's ideology of *Juche* – being a 'do it alone' state – and its sharp demarcation from U.S. 'imperialism' go hand in hand. A cornerstone of this demarcation is the memory of the Korean War. On the U.S. side, the story of U.S.-North Korean relations focuses heavily on the Korean War, too. Here, it remains to be understood as the unexpected aggression by an erratic hermit regime. Lessons (mis-)learnt from this episode have shaped Washington's politics towards North Korea and much beyond. Box 8.2. discusses the recent Iranian nuclear deal in light of the difficulties to settle the North Korean nuclear issue.

Box 8.2 Iranian nuclear deal

In 2013, the EU's attempts to make the United States and Iran meaningfully speak to one another on Iran's nuclear programme led to the first tangible success. Iran, the P5 and the EU agreed to the Joint Plan of Action. In April 2015, a framework agreement followed. In July 2015, the parties agreed to the Joint Comprehensive Plan of Action (JCPA). The JCPA is a complex document that lays down a multi-phase implementation process. The most important steps are the following: in the first six months, Iran has to remove more than 13,000 centrifuges, reduce its stockpile of low-enriched uranium to no more than 300 kg, disable the core of the Arak heavy-water reactor, and make all necessary arrangements for verification with the IAEA. In the first five years of implementation, Iran has to limit the number of IR-1 centrifuges to 5,060 and limit its research and development of advanced centrifuges. There are a number of steps specified for the first ten, fifteen, and twenty and twenty-five years of implementation. Key provisions such as the commitment not to reprocess spent fuel, continuous surveillance of centrifuge production areas as well as uranium mines and mills, IAEA safeguards and additional protocols and, of course, the ban to pursue nuclear weapons, do not have a time limit. In return, the P5 and the EU agreed to a phased lifting of sanctions. This applies to multilateral sanctions such as

(continued)

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those imposed by the Security Council as well as bilateral ones such as those imposed by the United States.

It is interesting to note that the preface of the JCPOA addresses the re-making of relations. All parties emphasize that confidence-building is a crucial goal:

“Iran envisions that this JCPOA will allow it to move forward with an exclusively peaceful, indigenous nuclear programme, in line with scientific and economic considerations, in accordance with the JCPOA, and with a view to building confidence and encouraging international cooperation”.

“The E3/EU+3 envision that the implementation of this JCPOA will progressively allow them to gain confidence in the exclusively peaceful nature of Iran’s programme”.

Judging by the collapse of the Agreed Framework on the North Korean nuclear programme, confidence-building is highly important indeed. Otherwise implementing as complex an agreement as the Iranian nuclear deal is simply not possible.

Interests: cooperative relations beyond alliance

Liberal thought focuses on the question of why international actors cooperate. This widens the spectrum of relations discussed earlier. While, for a Realist, the spectrum ends at ally, for a Liberal it moves further to enduring partnerships and even, through processes of *integration*, to the creation of *supra-national politics* that take away autonomy and sovereignty from nation-states. The motive for building such strong ties – far removed from Morgenthau’s prescription to stand apart and balance – is *interest*, especially economic interest. Simply put, states are assumed to engage in integrative schemes if the benefits of doing so outweigh the costs.

The starting point of most Liberal approaches is agency as opposed to structure. Diplomacy is rarely mentioned explicitly. Yet with these accounts putting choices, negotiations and institutions at the centre of their investigations, there is plenty of room for diplomacy, ranging from traditional state-to-state diplomacy via bureaucratic encounters to inter-parliamentary meetings. Investigating on the global level, Neoliberal Institutionalism claims that states create institutions in order to maximize their expected utility. Institutions are held to *solve collective action problems*. Most importantly, they reduce transaction costs in general and make it less likely that other parties cheat in particular. Whether institutions are created or not, and, if so, how they are designed, is up to the choices and moves of the parties at the negotiation table (Martin and Simmons, 1998).

The European integration process has sparked a huge literature. This literature features a number of Liberal approaches. On the one hand, there are approaches that borrow heavily from Economics. Liberal Intergovernmentalism (Moravcsik, 1999) echoes Neoliberal Institutionalism to a considerable extent. Actors – state governments, influenced by powerful constituents – are assumed to act *selfishly*. Integration is understood as something that does not happen in one sweep but is an evolving *process*.

National governments are seen as the drivers of integration. Whether steps of integration are taken or not – say the Single European Act, the Maastricht Treaty or the Treaty of Lisbon – is up to national governments. This reserves room for diplomacy. Ultimately, it is up to diplomacy to negotiate these steps.

On the other hand, some Liberal approaches to European integration are influenced by sociological perspectives as well. Written during World War II, David Mitrany's *A Working Peace System* (1944) may very well be the most influential essay ever published in integration studies. Identifying the nation-state as the root cause of war, his thought revolved around peace through integration. Deeply mistrusting politics, his work relies on *experts* as agents of integration. They are to carry out integration in narrowly confined areas when the functional need arises. Through this integration in a narrowly confined issue area, new functional needs for integration may arise (*spillover*), and so on. Over time, there would be more and more functional integration in – and across – more and more issue areas. Mitrany even predicted that, over time, *people's loyalty would shift* from the nation-state to the functionally integrating polity. In other words, even the attachment to the nation-state would wither away. Mitrany's work not only influenced generations of scholars but also practitioners, perhaps most importantly Jean Monnet (see Box 8.3).

Box 8.3 Jean Monnet

Jean Monnet was never a traditional diplomat who moved through the ranks at the French foreign office. Nevertheless, he was a highly influential player on the diplomatic field for many decades. At the Versailles Conference, he was a close advisor to Etienne Clémentel, who was the French minister of commerce and industry. Monnet advocated a much more conciliatory and cooperative peace in Europe but failed with his advocacy. The same year, he became Deputy Secretary-General of the newly founded League of Nations. During World War II, Monnet was a member of France's National Liberation Council in Algiers. Even here, he advocated for a new Europe. The fact that World War II was raging was not a reason for him to forgo his conviction that Europe could only be at peace if its nations would integrate; on the contrary, it made him hold onto this belief even more. In the aftermath of World War II, Monnet worked for the like-minded Foreign Minister Robert Schuman, and authored the Schuman Declaration in 1950. The Declaration emphasizes that "Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a *de facto* solidarity". The 'concrete achievements' refer to successful functional integration. The force ascribed to it is formidable; formidable enough for the "elimination of the age-old opposition of France and Germany", which the Declaration considers the *sine qua non* for peace in Europe (EU, 9 May 1950). The functional decision-making organ of the Coal and Steel Community was the High Authority. Monnet became its first president. He also played an important role in the creation of the European Economic Community, mainly through the Action Committee for the United States of Europe, which he founded.

Ernst Haas's *The Uniting of Europe* is the foundational text of Neofunctionalism (Haas, 1958). This work can be read as an attempt to introduce politics into functionalist thought. Based on his observations about European integration efforts in the 1950s, he argues that experts and functional integration play an important role. But politics remains in charge of letting functional integration happen. 'Neo-neofunctionalism' (Schmitter, 2004), too, is not just about functional pressures but also about political processes involving governments, associations and individuals. This is an important departure from Mitrany. It leaves more room for diplomacy, for example to deal with a crisis such as the sovereign debt crisis. Yet the thrust of functionalist thought stays in place. Functionalist pressures are the key force making nations move closer and closer together; political agents are deeply constrained by these pressures; they 'overshadow' them (Schmitter, 2004: 61).

Mitrany did not conceive of functionalism as applicable to Europe only. It is a normative theory of international politics. Integration on a global scale, of course, is much more elusive than on the regional level. Yet, there are several international documents and plenty of liberal scholarship, many of them written in the 1990s and 2000s, that address increasingly close cooperation patterns between states. A concept frequently used to do so is governance. The Commission on Global Governance (1995) defined it as "the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative action may be taken".

The literature identifies traditional diplomats as drivers of increasingly dense governance structures. But it includes many other actors as well. Peter Haas, for example, contends that *epistemic communities* – made up of staff from national ministries, international organizations, NGOs, scientists and other experts – share a perspective about how to approach a given political issue, such as a dominant scientific paradigm for describing and explaining the depletion of the ozone layer. Given the expertise that these communities have qua their expert knowledge, they have a certain communicative authority, which in turn helps them to play an important role in governing this issue area (Adler and Haas, 1992; Haas, 1992). In his more general theoretical account, James Rosenau (2002: 81) distinguishes six types of governance. Four of these six types involve encounters of traditional diplomats and new diplomats, for example in *network governance* (representatives of governments meeting their counterparts from international organizations and NGOs) and *market governance* (representatives of governments, international organizations, economic elites, markets, mass publics and transnational corporations).

More recently, the focus of liberal scholarship has broadened. It is no longer as focused on the building of institutions and establishing closer relations as it was in the late 2000s. There is also discussion about the unravelling of institutions and the worsening of relations. This, of course, has a lot to do with scholarly reactions to recent international and regional developments. There are several indicators that we live in an era of transformation, where it should no longer be taken for granted that more and more cooperation and improving of relations between states happens (Ikenberry, 2014; Schimmelfennig, 2015).

EU foreign policy, 1957–2016

Analysing the evolution of the EU (and its predecessor organizations) makes, in principle, for an easy test of liberal understandings of how states move further together

or not. Many protagonists of the European unification process, Monnet very much included, employed Mitrany's ideas as something akin to a lens through which to look at Europe. It is, therefore, not surprising that sociological liberalism does have considerable explanatory power. Liberal intergovernmentalism, too, makes important contributions, especially when it comes to understanding the political processes of institution-building.

Yet liberal approaches tend to focus on the making of intra-EU cooperation and integration. They do not address the making of institutions for the EU's interaction with the outside in comparable depth. This is a particularly interesting question because answering it tells us not only something about how member states stand together or not but also how they come to define and re-define their relations with the outside. In what follows, we first describe the institutional arrangements in three areas, i.e. economics, neighbourhood and security, and then discuss the strengths and weaknesses of liberal approaches in explaining the making of these arrangements.

Conducting foreign policy in the economic realm is anything but new for the EU. It dates back to the early years of the European unification process. What has since Maastricht become known as the Treaty establishing the European Community (TEC), one of the 1957 Rome Treaties, already contains some important provisions that mark the beginnings of the Common Commercial Policy (CCP). The common market that the Rome Treaties created almost implied these steps towards becoming an international actor. In order for a common market to function properly, member states have to agree on the tariffs to be levied at the borders of the common market area. Otherwise the common market would have been more fiction than reality. Thus, there is some evidence here for a functionalist thesis. Agreeing on a common market created the functional need for venturing into external relations – but doing so only with regard to a small issue area.

From this small issue area, the EU's external economic policies have spread into a number of adjacent issue areas. Seen through a functionalist lens, some of this spreading can be interpreted as spill-overs. With integration deepening over time, there was more and more need to become a more complete economic actor on the diplomatic stage. Thus, it may come as little surprise that the EU has become an assertive player when it comes to multilateral trade negotiations within the framework of GATT and the WTO. The EU's embracing of other issue areas further removed from commerce and trade, by contrast, are more difficult to explain from a functionalist point of view. Early on, for example, Brussels has established itself as an actor in the area of international development. Yet it is hardly due to functional pressures that the EU signed the Yaoundé Convention (1963), Lomé Convention (1973) and the Treaty of Cotonou (2000). The salience of political decisions, originating in member states, played a key role and point more towards intergovernmental perspectives. France, mindful of its former colonial empire, was the key driving force in initiating Brussels' developmental cooperation.

As far as most issues on the EU's external economic relations are concerned, the EU bureaucracy (mainly the Commission) is an important player. So are representatives from different ministries of the member states. This amounts to a form of network governance. Negotiating international environmental treaties, for instance, is a competence that is shared between the Commission and member states. There are plenty of pre- and parallel negotiations within the EU during international negotiations. But at the international negotiation table, the EU speaks with one voice (and raising

the EU flag rather than a member state flag). At times, however, network governance within the EU can be much more complex. It was already very difficult for the EU to sign the Comprehensive Economic and Trade Agreement (CETA) with Canada. All member state governments had to agree, and this could only be accomplished after hectic last-minute negotiations between the Belgium government, EU representatives and the Flemish region within Belgium. Ratification – the parliaments of all member states have to agree – makes for an even more challenging process. Liberal explanations have difficulties addressing this complexity. They need to go beyond focusing on functional or intergovernmental logic and link these closely to domestic politics and public opinion.

In the field of neighbourhood relations, the EU's record is somewhat more checkered. It is quite strong when it comes to enlargement. This issue, too, has been there almost from the very beginning. Soon after the Rome Treaties had been ratified, the issue of additional members entered the debate. Denmark, Ireland and the UK applied for membership. Negotiations for accession dragged on throughout the 1960s until the three states finally became members in 1973. With accession staying very much on the agenda since then, years and years of accession practice gelled into a routine process of enlargement. The 1993 European Council in Copenhagen formulated the often-cited Copenhagen criteria for accession, above all democracy, rule of law, human rights, minority rights and market economy. More and more members acceded. Thus far, the last state to accede has been Croatia. In 2013, it became the 28th member state.

There is more to EU neighbourhood relations than accession. The Lisbon Treaty puts strong emphasis on regional politics. It stipulates that the EU seeks a “special relationship [with its neighbours], characterized by close and peaceful relations based on cooperation”. Here, the EU has recently experienced a number of setbacks. This applies to its Southern neighbourhood. In North Africa and the Middle East, the EU tried to play the role of human rights and democracy socializer (Sedelmeier, 2006: 118–135) and of a “norm exporter” in general (Panebianco, 2006: 136). The Union of the Mediterranean was designed as a vehicle to further this cause. These policies – it is all too obvious now – have not been very successful thus far. The so-called Arab Spring rebelled against and toppled dictators whom the EU had considered receptive to its teachings for a long time. It also applies to its Eastern neighbourhood, where the EU finds itself more and more at loggerheads with Russia, especially over the Ukraine.

Functionalist arguments have difficulties accounting for enlargement and neighbourhood policies. They are designed to explain the deepening of integration and not the extensions of the geographical boundaries of integrating polities. Intergovernmentalist arguments rightly point out that the input of member states matters. Yet it would be too simple to explain successive rounds of enlargement merely in terms of conference diplomacy among member states. Examining the interplay of supranationalism and intergovernmentalism seems more promising. This points again to governance and network perspectives. Take, for instance, the fundamental decision in favour of enlargement at the 1993 Copenhagen summit, along with the Copenhagen criteria as compass for this enlargement. As soon as the Cold War ended, the Commission put itself into the driving seat for moving Eastern Europe closer to the West. Numerous Commission proposals were accepted by European Councils, for example association agreements and Europe Agreements. The Directorate-General External Relations proved to be particularly determined to push forward.

By 1992, the Commission already formulated very clearly what would later become the Copenhagen criteria. The 1992 Lisbon European Council was still rather skeptical of enlargement. Yet the advocacy gained momentum from early 1993 onwards, when Leon Brittan and Hans van den Broek assumed office as Commissioners for External Economic Relations and External Political Relations, respectively. Building a coalition with the British and Danish Council presidencies and the German government, the enlargement strategy passed a critical threshold of support. By the time of the Copenhagen European Council, many member states remained skeptical of this proposal but could be won over to compromise. The advocates conceded, for example, that enlargement must not happen at the expense of deepening European integration (Sedelmeier, 2005; Kornprobst, 2015).

With states holding onto their sovereignty in security affairs much more tightly than in economics, the first institutionalization of diplomatic encounters on matters of international security came somewhat belatedly and was distinctly intergovernmental in nature. The European Political Co-operation (EPC), created in 1969, attempted to make the foreign policies of member states converge through regular meetings and debates at the levels of heads of government and foreign ministers. The EPC was always at pains to keep the linkages between its foreign policy debates and the European Community – between intergovernmentalism and supranationalism – at a minimum. EPC and EC existed parallel to one another. This changed with the 1992 Maastricht Treaty. Establishing what is now known as Common Foreign and Security Policy (CFSP), it prescribes to member states to ensure that the EU speaks with one voice in international affairs.

In order for states to accomplish this ambitious goal, the CFSP became an integral part of the EU. The 1997 Treaty of Amsterdam moved forward what is now known as the Common Security and Defence Policy (CSDP). Since 2003, the CSDP has deployed thirty-four field missions. The 2007 Lisbon Treaty, which entered into force only in 2009, tries to strengthen CFSP and CSDP further. Perhaps particularly noteworthy, the Treaty sought to cut the distance between CFSP and CSDP on the one hand and more integrated policy areas on the other. It created the new position of High Representative of the Union for Foreign Affairs and Security Policy (HR) by merging the previous posts of High Representative for the Common Foreign and Security Policy and the European Commissioner for External Relations and European Neighbourhood Policy. The new HR, currently Catherine Ashton, therefore, is, among other things, Vice President of the Commission. This is an important development, especially if one keeps the previously strict separation of the EPC from Community institutions in mind.

This slow but notable trend towards criss-crossings between intergovernmentality and supranationality in Brussels's foreign policy making continues. The creation of the European External Action Service (EEAS) is a case in point. With staff drawn from the Commission, Council and the foreign services of member states, the EEAS deals with economic and financial issues, neighbourhood policy and security matters. Headed by the HR, the EEAS is an attempt by the EU to put its foreign policies under a single roof. This is meant to facilitate decision making internally and to make it clear to the outside world who represents the EU on the diplomatic stage.

Among the three major areas of European foreign policy, liberal integration theories encounter the most explanatory challenges when it comes to security. Functionalism offers a plausible explanation of why there has been no integration

of policies in this field as yet. With functional needs spreading from adjacent fields being virtually absent, or, at a minimum, very indirect, member states have to resort to the kind of grand design diplomacy in setting up new institutions against which Functionalists caution. Liberal intergovernmentalism emphasizes economic motives of domestic actors as driving forces in intergovernmental bargains about integration. Again, this helps to explain why integration in the security realm has been rather elusive so far. Integration in this realm does not provide much more straightforward economic advantages. What these approaches have difficulties accounting for, however, are the successes that have been achieved. After all, there has been a considerable institutional growth over the last decades.

Some of this can be explained through a governance perspective. Kirchner, for instance, writes about the EU's "security governance" (Kirchner and Sperling, 2007). But there is still considerable work to be done to specify the dynamics of security governance. Who are the actors? What are their channels of communication? How do they use these channels of communication and with what effects? How do revolutionary events or series of such events such as the violent breakdown of Yugoslavia, impact on re-fashioning governance?

Identities: from enmity to friendship and beyond

Identity (→ glossary) is at the core of Constructivist approaches to global politics. Identity is often conceptualized as a *narrative that Self tells of itself*. This story has a strong relational component. The definition of Self requires situating oneself vis-à-vis others. Self positively identifies with some significant Others while it negatively identifies with others (and does so to different degrees).

The spectrum of relations is very broad. Alexander Wendt (1999) writes about three types of relationships: *enmity*, *rivalry* and *friendship* (see also Chapter 10). Enmity is constituted by a sharp demarcation of Self versus Other. Friendship is about a strong positive identification of Self with Other. Rivalry is located in between. Being concerned with writing a systemic theory of international politics, Wendt does not pay much attention to diplomacy. But these three types of relationships are a useful heuristic device for the study of diplomatic relations between states. U.S.-North Korean relations, discussed earlier, are characterized by enmity. This relationship has proven to be enduring despite some attempts to move towards a less confrontational relationship. Great power relations, in Thompson's view, are often characterized by rivalry. Such rivalries can be rather stable and do not necessarily erupt into war, such as Franco-British relations in the nineteenth century (Thompson, 1999). The Anglo-sphere is based on enduring friendship relations between Australia, Britain, Canada, New Zealand and the United States (Vucetic, 2011).

The spectrum can be further refined and extended. The most extreme form of enmity is *dehumanization*. Being no longer recognized as a human being, the enemy is vilified as someone who is not worth living. Joachim von Ribbentrop, first Hitler's ambassador in London and then foreign minister, turned Germany's diplomacy into a facilitator of war and genocide. The foreign office was in charge of diffusing propaganda to obfuscate the Holocaust and justify the war. It was also in charge of providing administrative support for the SS and the deportation of Jews in occupied territories, such as France. The Nuremberg Trials (→ glossary) found him guilty of crimes against peace, waging a war of aggression, war crimes and crimes against humanity.

He was hanged on 16 October 1946 (Seabury, 1954). Von Ribbentrop's crimes serve as a chilling reminder that diplomacy is not always the opposite of violence; it can also be a willing instrument supporting violence.

On the other end of the spectrum, some friendly relations proceed towards something that may be called *Amalgamated Self*, i.e. a process through which Self and Other cease to exist – or are relegated to a secondary identification – and form a new Self. Historically, nations emerged in Europe by such processes of amalgamation. The usual pattern was conquest (for instance, the North conquering the South in Italy and Germany), followed by political moves to make the imagination of a single nation stick. Some regional integration schemes in world politics are underwritten by aspirations to create a more all-encompassing shared identity. But these aspirations are far from universally shared.

Perhaps the most interesting case in this regard is the African Union (AU), formerly the Organization of African Union (OAU). When the colonizers finally started to withdraw from Africa in the late 1950s and early 1960s, the emerging African leaders had two visions for Africa. One, advocated by the Casablanca Group, revolved around Pan-Africanism. Leaders such as Kwame Nkrumah (Ghana), Sékou Touré (Guinea), Muhammad Osman Said (Libya) and Gamal Abdel-Nasser rejected the application of a nation-state system to Africa. They advocated for an integrated African political system. The other, the Monrovia Group, put much less emphasis on Pan-Africanism and took a stance for independent African states. Key members of this group included Ethiopia, Liberia and many former French colonies. Eventually, the OAU Charter formulated a lop-sided compromise between these two positions. There was mention of Pan-Africanism. But the nation-state system was applied to Africa. More far-reaching visions for the continent, however, continued to exert influence. The Constitutive Act of the AU moves further towards Pan-Africanism and integration. It is interesting to note that the same states pushing for more supra-nationality during the negotiations about the OAU Charter did so again when negotiating the AU Constitutive Act. This applies, above all, to Ghana and Libya. This illustration is telling about the nature of identifications. They are usually contested.

There are parallels to these attempts to mould an identity that goes beyond nations and states on the individual level. International bureaucrats, for instance, are supposed to embrace an international identification. Box 8.4 illustrates this by looking at the UN.

Box 8.4 Dag Hammarskjöld on the international civil servant

In his much debated 1961 Oxford lecture, UN Secretary-General Dag Hammarskjöld cautioned against an intergovernmental UN Secretariat and pleaded for a truly international one. The difference, to Hammarskjöld, was straightforward. An intergovernmental Secretariat would be staffed by nation-states. This would amount to the “acceptance of a nationalism rendering it necessary to abandon present efforts in the direction of internationalism symbolized by the international civil service” (Hammarskjöld, 1961). The latter, by contrast, would be staffed by international civil servants who put UN principles,

(continued)

(continued)

most importantly the Charter, ahead of national positions. Translating this statement into current parlance about identity, Hammerskjöld postulated an international identity – more precisely a UN identity – for the civil service he led. Fostering such an identity was a priority of his work while in charge of the Secretariat.

Relational spectrums help to describe what relations are like at a particular moment in time and to what extent they have varied over time. Yet they do not explain how diplomats help produce and reproduce such relations. Explanatory approaches to this question may be grouped into two major clusters. Metaphorically speaking, the first cluster argues that identities are taught by someone akin to a *teacher*. The ‘teacher’ tries to socialize the ‘student’ into new understandings of the world and norms for how to act in it. Doing so, the former either relies on social influence or persuasion, or a mixture of the two. Exerting social influence is about distributing social rewards and punishments, for example providing the reward of a sense of belonging (indication that the ‘student’ belongs to a community that the ‘student’ seeks to belong to) or the punishment of a sense of not-belonging (an indication that the ‘student’ remains excluded from this community). Persuasion is about the ‘teacher’ assembling a message that convinces the ‘student’ of changing his or her identity, making it conform more closely to the ‘teacher’s’ one (Johnston, 2001). This move towards more conformity often involves adopting a new norm.

In order for social influence and persuasion to work, the ‘teacher’ needs to have a certain standing. At times, this standing may appear to the actors as if it was just there, without the ‘teacher’ having much to do for it. Yet, at other times, the socializer has to actively work for his or her standing. Literature on diplomacy sometimes conceptualizes this need to actively do something for one’s standing as public diplomacy. In this reading, public diplomacy is in charge of producing an image that endows the socializer with the subtle power needed to influence a socializee (Zhang, 2006). This understanding of moulding relations through social influence and persuasion is very prevalent in the EU literature. Many EU scholars hold that EU diplomacy towards its neighbourhood is deeply shaped by such attempts of socialization. The EU is seen as the ‘teacher’ while prospective candidate states and other states in the neighbourhood feature as more or less willing ‘students’ (Schimmelfennig, 2003).

The second cluster of explanatory approaches on the evolution of relations contends that actors, interacting on a somewhat more equal footing, make their relations together. They take this insight from George Herbert Mead (Mead and Morris, 1962). Wendt, for instance, is adamant that relations evolve while actors *reciprocate* (Wendt, 1999). Scholars interested in diplomacy conceptualize these processes of reciprocation differently. At least three (not mutually exclusive) clusters of the literature are noteworthy. First, even if communication is not persuasive, it still produces and reproduces relations between diplomats. Jennifer Mitzen argues that states, by regularly communicating with one another, form a collective intentionality, which, in turn, makes sustainable cooperation such as the Concert of Europe possible (Mitzen, 2011). Studies on rhetorical strategies argue in a somewhat similar vein (Krebs and

Jackson, 2007; Kornprobst, 2012). They hold that the selection of offensive and defensive strategies by diplomats shapes the relations between these diplomats.

Second, persuasive communication can change around the substantive beliefs of actors. This may even include the deepest held understandings about how the world works. Research on dialogue argues in this vein. We have already discussed the practical and scholarly usages of the term in Chapter 5. Among diplomatic practitioners, the use of the term tends to be synonymous with the scholarly ‘teacher-student’ view on socialization. It is employed to describe attempts to improve relations with someone by making Other at least a bit more like Self. The EU’s critical dialogue with Iran between 1992 and 1997 is a case in point. In the scholarly use, by contrast, the term dialogue is diametrically opposed to the ‘teacher-student’ view. The participants of the dialogue are equal, and they aim for a deeper understanding of one another’s views instead of one persuading the other. Currently, scholars often use this terminology when they talk about the dialogue of civilizations. Likely communication failures notwithstanding, dialogue sometimes leads to a better understanding of the other side and sometimes even to a convergence of views. Both are seen as contributing to improving relations. They may not necessarily reach shared identifications. Yet relations are already expected to improve if the parties no longer see each other as aliens but come to understand each other and each other’s doings in more detail (Homeira, 2011).

Third, actors can learn or unlearn their relations through *practices*. These are, according to Adler and Pouliot “socially meaningful patterns of action, which, in being performed more or less competently, simultaneously embody, act out, and possibly reify background knowledge and discourse in and on the material world” (Adler and Pouliot, 2011: 4). The definition gives away an explanatory logic. Agents come to learn background knowledge through practices of interaction. By doing something over and over again, knowledge sinks in and assumes a taken-for-granted quality. Practices and rhetorical strategies, mentioned earlier, can be understood as complementary approaches. The ‘softening talk’ that prevails in the nuclear non-proliferation regime, may very well be understood as evolving from practice and being reproduced through practice. This close linkage between rhetoric and practice is also something that is found in Social Theory. De Certeau (1988) puts strong emphasis on it.

Let us stay with this theorist a bit longer because he also introduced the interesting concept of *metis* to social theory. Although Iver Neumann (2002) tried to familiarize scholars of diplomacy with this concept some time ago, it still remains widely neglected. *Metis* is the agential power to change relations. It has three defining features. First, someone who has *metis* knows how to make use of a favourable situation. *Metis* is the acquired experience to help create and seize opportunities for change. Crises of everyday routines are possible when actors are confronted with social constellations in which the usual indeterminacies of interpreting the world are especially pronounced. In these moments of openness – the technical term used for this in rhetorical theory is *kairos* – actors can change structures. For the most part, these opportunities themselves are none of their doing. The indeterminacies appear mainly because of external circumstances, for example an exogenous shock. Yet actors have some room to enlarge these windows of opportunity. They can spell out the crisis of pre-established meaning that actors are confronted with in a particular situation.

Most importantly, *metis* enables actors to seize these windows of opportunity. Actors who have *metis* do not lose orientation when a community experiences situational difficulties in interpreting the world. On the contrary, they understand these indeterminacies as chances for changing the world (Detienne and Vernant, 1974: 295–296; de Certeau, 1988).

Thinking about illustrative examples, the authors of the European unification process, especially Schuman and Monnet as well as Adenauer and Hallstein, come immediately to mind. They were determined to break with centuries of enmity between France and Germany. In the late 1940s and early 1950s, the shocks of World War II and the Holocaust constituted an opportunity for these actors to start authoring a new chapter of European history. In doing so, Europe's past disasters became an important Other from which Europeans ought to demarcate themselves as strongly as possible (Wæver, 1996).²

In the following section, we briefly discuss Eritrean-Ethiopian relations, which moved from the friendship of two liberation movements to the enmity of two governments. The case highlights the strengths and weaknesses of Constructivist thought on relations.

From enmity to friendship to enmity: Eritrea and Ethiopia

Eritreans fought for their independence from Ethiopia for three decades. From 1961 to 1974, several independence movements opposed Ethiopia's Emperor Haile Selassie I. After the Ethiopian revolution in 1974, Eritrean liberation movements fought the Derg, the military junta that followed the Emperor. In the 1980s, one movement – the Eritrean People's Liberation Front (EPLF) – came to dominate the resistance. The EPLF defined itself (and the Eritrean people) very much in juxtaposition to Ethiopia. The relations with Ethiopia woven into the identity narrative were one of enmity.

During the fight against the Derg regime, the EPLF came to join forces with the Tigray People's Liberation Front (TPLF). The purposes of their struggles were different. The EPLF fought for Eritrean independence whereas the TPLF sought to replace the Derg regime. Yet facilitated by a common enemy – the Derg – cordial relations developed between the two movements. In 1988, they agreed that the TPLF, when it succeeded in ousting the regime, would support a referendum about Eritrean independence. EPLF and TPLF defeated the Derg in 1991. The TPLF stood by its word. A UN supervised referendum about independence was held in 1993 and Eritrea became independent. Ostensibly trying to transform itself into a political party, the EPLF changed its name to People's Front for Democracy and Justice (PFDJ), and moved towards forging a stronger Eritrean national identity. The need for this was all too clear to President Isaias Afewerki. During the independence struggle, he had experienced the splintering of independence movements along ethnic, religious and linguistic lines. Forging a stronger identity – not atypical for a newly independent state at all – was, therefore, important to him. The liberation struggle served as a major source of inventing an identity narrative that was meant to rally Eritreans around the flag. Ethiopia featured prominently in this narrative. Ethiopia is portrayed as an imperialist and expansionist state (Gilkes and Plaut, 1999).

Forging a stronger identity went hand in hand with becoming more assertive on the international stage. Initially, this was done in tandem with the new Ethiopian government. For example, both governments responded to Sudanese attempts to

destabilize Ethiopia and Eritrea by supporting rebel movements in these two countries in the same fashion. Addis Ababa and Asmara started to sponsor rebel movements in the Sudan. Yet triggered by the ambiguities of a not yet demarcated border, Eritrea responded with determined force to what Isaias perceived as Ethiopian infringements on Eritrean territory in the border area around Badme.

Friendship had turned into enmity. This enmity was fuelled by a dominant identity narrative that interpreted the present almost exclusively in terms of a selective reading of the past. Eritrean observers of the border dispute believed that “things have not changed since the time of Menelik II. Ethiopians have always been obsessed with the sea” (Dahli, 2000: 1). Eritrean diplomats echoed this in unequivocal terms, alleging that the “old Ethiopian foreign policy tactic is repeating itself” (Tekle, 2000: 1), and even that “their insane dream is to enslave the Eritrean people as well as plunder the country” (Asghedom, 1999: 1). In short, history came to haunt Eritrean-Ethiopian relations once more. Eritrea interpreted the actions of Ethiopia through the prism of a formerly colonized and subjugated people that had the resolve to fight for its sovereign statehood in its historic boundaries (Kornprobst, 2002a).

The Eritrean-Ethiopian War, fought from 1998 to 2000, may have cost as many as 100,000 people their lives. About a third of the Eritrean population was displaced. Without determined outside diplomatic interventions, mainly by the United States but also by the OAU and the EU, it is unlikely that the fighting would have come to an end in 2000 (Prendergast, 7 September 2001). Since then, Eritrea has strengthened its self-definition as a ‘do it alone’ country. It is telling that the Eritrean President, while probed by a journalist about his country’s antagonistic relations with its neighbours in a 2010 interview on Al Jazeera, repeatedly accused the United States, Ethiopia, the AU, the UN and journalists of seriously distorting history. Angry rebuttals such as “mocking of justice and history” and “distortion of history” abound (Al Jazeera, 19 February 2010). This is not surprising. Isaias sees his own twists on history as natural and undeniable foundations of the Eritrean Self. Given this understanding of Self, it is unlikely that the enmity between Eritrea and Ethiopia will be coming to an end soon (and Ethiopia does not do much to that end either). The best one can hope for is that its manifestations remain controlled – especially along the shared border.

What does this case tell us about the theoretical frameworks discussed earlier? To some extent, social influence and persuasion mattered to turn behaviour around. Mediators used these as vehicles to manufacture consent with the peace agreement that Eritrea’s Isaias and Ethiopia’s Meles signed in 2000 and that put an end to the war. Intertwined with this, simply talking to one another, as facilitated by the mediators, may have had some of the positive forum effects that Mitzen writes about. But the behavioural change – from war to an uneasy peace – hardly amounted to a relational paradigm shift. Eritrean-Ethiopian relations remain locked into an enemy relationship. When it comes to explaining the Eritrean contributions to reproducing these relations, the most promising explanatory route probably revolves around a combination of rhetoric and practice. Forging a new identity has a lot to do with political rhetoric. Isaias tries to win over fellow Eritreans about what ought to be Eritrean. In doing so, he falls back to practices he – and many other Eritreans of his generation – have deeply internalized during a decades-long war for independence from Ethiopia.

This case also illustrates very clearly that the making and unmaking of relations is anything but inconsequential for diplomacy and world politics more generally. Enmity relations often underpin border disputes and these disputes are, given these

enemy relations, difficult to manage. This applies to the border between Eritrea and Ethiopia as much as to, say, the ones between Armenia and Azerbaijan, India and Pakistan, North Korea and South Korea, as well as Russia and the Ukraine.

Summary

- Scholars of diplomacy and world politics differ widely on a number of key questions pertaining to relations and the making of relations. Three of these are especially important: (a) What kinds of relations are warranted (*normative* question)? (b) How is the spectrum of relations to be conceptualized (*descriptive* question)? (c) How does diplomacy shape relations (*explanatory* question)?
- Among Realist perspectives, it is only Classical Realism that deals with the normative question of what kinds of relations are warranted in depth. The answer provided by scholars such as Morgenthau and Kissinger is *standing apart*. For Realists, the spectrum of relations tends to be delimited by outlaw on the one hand and ally on the other. How relations evolve has a lot to do with structural pressures to guard the security of a state in an anarchical environment.
- Liberal scholarship, partly implicitly and partly explicitly, postulates *closer* relations between states in order to safeguard peace and welfare. Functionalism, for example, argues forcefully for the formula of *peace through integration*. In line with these normative convictions, Liberals extend the relational spectrum. It does not end with alliance but moves, at least in some accounts, to the creation of shared institutions. Liberal approaches do not agree on explaining how cooperation and integration come about, tending to favour intergovernmental (e.g. Neoliberal Institutionalism and Liberal Intergovernmentalism) or functionalist approaches.
- Constructivist scholars are not always very explicit about what kind of relations they endorse, but it can be easily extrapolated from their research that they consider *communities* transcending nation-state borders' anchors of international stability and facilitators of global governance. The relational spectrum that Constructivists explore is very broad, ranging from enmity to friendship, and even beyond. As far as explanations for the making of relations are concerned, there is the *teacher-student* view and more *reciprocal* perspectives.

Study questions

- On a spectrum from outlaw to ally, where are relations between the United States, Russia and China located? What elements of balancing do the diplomacies of these powers exhibit?
- In the last decades, regional integration schemes have developed all over the globe. To what extent does the diplomatic pursuit of interests explain this development? To what extent does it explain the different degrees of integration that actors have accomplished and seek to accomplish?
- What does it take for enmity to be transformed into friendship?
- What are the intentional and what the unintentional contributions of diplomacy to the making of relations?

Recommended further reading

Morgenthau, Hans. J. and Kenneth W. Thompson. 1985. *Politics among nations: The struggle for power and peace*. New York: Knopf (part 10).

In this classical Realist statement on diplomacy, Morgenthau advocates a pragmatic approach to world politics. He postulates a diplomacy that stays away from thick (all too friendly or all too hostile) relations in order to have the necessary room to manoeuvre to balance.

Doyle, Michael. 1986. "Liberalism and world politics". *American Political Science Review* 80(4), 1151–1169.

In this article, Doyle reminds us that Immanuel Kant has a lot to say about international politics. An important aspect of Doyle's application of Kant to contemporary world politics is the postulate that democracies move closer together through diplomatic interaction. This is a liberal contribution to the literature.

Adler-Nissen, Rebecca. 2015. "Just greasing the wheels? Mediating difference or the evasion of power and responsibility in diplomacy". *The Hague Journal of Diplomacy* 10(1), 22–28.

The author shows that diplomatic interaction has the potential to draw relations between states closer together. But it can also have the opposite effect. Practices, inclusively defined, are identified as key drivers of the evolution of relations. This is a constructivist contribution to the literature.

Notes

1 This section draws on Kornprobst and Soreanu (2009).

2 We would like to thank Raluca Soreanu for drawing our attention to the concept of *metis*.

9 The making of the world

Chapter objectives

- To offer an overview of the role of geopolitics in informing diplomatic thinking and shaping international order.
- To help readers understand why the international order is shaped by different cultures of anarchy which diplomats actively constitute and reproduce.
- To provide an analytical framework for understanding the day-to-day construction of diplomatic relations through the collective assignment of functions to objects and beings.

Introduction

On 1 November 1814, the Great Powers of Europe met in Vienna to decide the new rules of international order in the aftermath of the Napoleonic wars. On 18 January 1919, diplomats from over thirty countries arrived at the Paris Peace Conference for the negotiation of the peace treaties ending World War I. On 25 April 1945, diplomats from fifty countries convened in San Francisco to draw up the UN Charter. In all three circumstances, diplomats negotiated a number of fundamental principles about who has the right to create international order, by what means and how responsibilities for upholding international order should be distributed between the stakeholders. In other words, they were involved in making the world! But what exactly do we mean when we say that diplomats make the world? On the one hand, the making of the world involves the condition of arranging human relations and activities into a stable and regular pattern. This is what it has been usually referred to as ‘order as fact’, which is the opposite of disorder, chaos, instability, lack of predictability (Hurrell, 2007: 2).

‘Order as fact’ (→ glossary) is primarily achieved by establishing effective conflict-preventing rules and institutions. Martin Wight, for instance, thought the main task of diplomats was to “circumvent the occasions of war, and to extend the series of circumvented occasions; to drive the automobile of state along a oneway track, against head-on traffic, past infinitely recurring precipice” (Wight et al., 1978: 137). The drafters of the UN Charter were determined, for instance, to create a system of collective security capable of successfully withstanding the type of diplomatic and military

aggressions unleashed by Germany, Italy and Japan during the 1930s. Nevertheless, the heroic image of Wight's diplomat as a protector of world peace is not always easy to reconcile with the practice. Diplomacy also has a long 'dark' history of being used for drumming up support for war (e.g. Napoleon's expansionist diplomacy), undermining norms and institutions of international cooperation (e.g. German and Italian diplomatic contempt of the League of Nations in the 1930s), and for maintaining nations under imperial control (e.g. British diplomacy in the nineteenth century).

This is why the making of the world also has a norm-oriented dimension that is, 'order as value' (→ glossary). One could think of 'order as fact' vs. 'order as value' as two distinct levels of world making. At the deeper level, one finds the norms, principles and shared understandings that frame diplomatic action (see also the section on deeper backgrounds in Chapter 4). At the policy level, one finds the pattern of diplomatic activities and institutions to emerge from the application of these values in practice (see also the section on diplomatic tasks in Chapter 5). An imperialist world order is shaped and sustained, for instance, by the belief in certain hierarchical values regarding the political and normative worthiness of certain types of political communities. A world order governed by international institutions is underpinned by the belief in the primacy of international law in regulating states' behaviour. In other words, 'order as value' creates the conditions of possibility for 'order as fact', that is, for the type of international society to live in.

The questions to concern us are then: how do diplomats shape 'order as value', how do they render it into 'order as fact', and what challenges do they face while making the world? The following sections address these questions from three different perspectives. The first one examines the role of geopolitics (→ glossary) in shaping international order through the pursuit of territorial ambitions and the control of natural resources. While claiming immunity against 'order as value', geopolitics actually relies on heavy normative assumptions that combine social-Darwinist views of interstate relations and hierarchical conceptions of international order. Russia's recent policy towards Ukraine offers a good empirical illustration for these arguments. The second section draws on Alexander Wendt's work to explain the making of the world via diplomatic interactions. The key argument is that 'order as value' is largely shaped by how diplomats treat each other. By developing relationships of friendship, rivalry and enmity among states, diplomats help establish 'order as fact' via competing logics of anarchy. The case of the diplomacy of the Third Reich is then discussed to illustrate the conditions under which a culture of anarchy (→ glossary) could diplomatically degrade. The third approach draws on John R. Searle's deontological theory to explain the diplomatic construction of the world via the assignment of functions to objects and beings. The deontological perspective emphasizes the role of collective intentionality in creating 'order as value' and the importance of international treaties, diplomatic precedents and soft law in establishing 'order as fact'. The case of climate change negotiations provides the background for understanding empirically how this process takes place.

Diplomats as makers of geopolitical architectures

The word geopolitics is rooted in Greek (*geo-* refers to earth or land, while *politika-* refers to politics), but the term was coined in 1899 by the Swedish political scientist, Rudolf Kjellen and has since come to have a broad conceptual scope. As the concept

evolved, three periods are distinguishable – classical, colonial and contemporary geopolitics (Dodd, 2007: 18).

While geopolitical considerations have been taken into account by states since before the time of the ancient Greeks, the turn of the twentieth century marked an intensification in its study, due to escalating international rivalries. The theories generated at this time fall under the category of *classical geopolitics*. In their work, Kjellen, Ratzel, Mahan and Mackinder forwarded a state-centric perspective of geopolitics and emphasized geographical determinism. The politics and power of a state, it is argued, are determined primarily through that states' geographical make-up (Flint, 2006: 35). This perspective was understood to have three tenets: (1) a bio-organic notion of the state, (2) a social-Darwinist view of inter-state relations defined as a struggle for Lebensraum (living space) and (3) the deduction of the political from spatio-natural determinants (Teschke, 2006: 327).

Kjellen consolidated these ideas by coining the term geopolitics, making it a tangible area of study. His aim to conceptualize the state according to its territorial and resource needs was heavily influenced by his teacher Friedrich Ratzel, a German geographer. Ratzel "believed that the state was a geopolitical force rooted in and shaped by the natural environment" (Dodd, 2007: 24). He applied Darwin's notion of the 'survival of the fittest', to understand the relationship between the state and its geography (Dittmer and Sharp, 2014: 3). In doing so, he established a theory in which the state was perceived as an organic entity, heavily dependent on its geographical make-up for survival. This encouraged "a view of the world that focused on how to preserve national self-interest in an ultra-competitive environment comprised of other rapacious states" (Dodd, 2007: 27). In order to fulfil its basic needs, as well as prosper, a state required sufficient Lebensraum as well as resources. States were thus engaged in a constant geographical struggle.

Ratzel argued that a strong and successful state would never be satisfied by existing limits and would constantly seek to expand. The search and acquisition of territory "was in effect a fundamental and unchangeable geopolitical law" and states would be "engaged in a ceaseless cycle of growth and decline", with expanding borders signifying a thriving state and contracting borders, indicative of decline (Dodd, 2007: 25). There were two spheres through which states could expand their territory: by land or by sea. In his book, *The Sea as a Source of the Greatness of a People*, Ratzel (1900) emphasized that it was sea power that was "central to national survival" (Schulten, 2001: 80). Alfred Thayer Mahan agreed with this sentiment, arguing that the acquisition of naval power was the single most important factor in determining a nation's geopolitical power and ultimately the fate of nations. In *The Influence of Seapower on History, 1660–1783*, Mahan studied a collection of land- and sea-states throughout 120 years of European history (Flint, 2006: 20). Based on these case studies, he argued that economic and military success were the result of a strong navy, which in turn was dependent on a very specific set of geographical characteristics – for example, the number of coastlines, good harbours, climate – as well as specific political characteristics – type of government and economy, financial integrity, maritime resources and infrastructure as well as decision-making capabilities to name a few (Dittmer and Sharp, 2014: 14; Iliopoulos, 2009: 5).

George Modelski echoes Mahan's insistence on the importance and potential of sea-power in the acquisition of geopolitical power. Power, Modelski asserts, is "a function of global reach" (Modelski and Thompson, 1988); it is the ability to influence

events and developments across the globe (Flint, 2006: 35; Iliopoulos, 2009: 5). In history, the primary means of doing so was through control of the seas. Building up and maintaining strong ocean-going capabilities was therefore of the utmost importance. Halford Mackinder (1904) too believed that sea-faring states held a significant advantage over land-powers (Flint, 2006: 35). This however changed with the introduction of the railway. Through the construction of the rail system, internal infrastructures gained a much higher level of sophistication, areas that were once inaccessible became reachable, cross-country mobility increased and so too did the ability to transport mass amounts of materials and human resources. Thus the ability to exert power via land increased significantly with the birth of the industrial revolution. With World War I starting in 1914, a further sphere of geopolitical activity opened up. This was the first major conflict which involved the significant use of aircraft; consequently, states were able to exert power also through airspace.

Mackinder's studies were also central to British debates on imperialism, which prefigured the rise of *colonial geopolitics*. A key point of contention in these debates involved ethically chilling considerations about 'order as value' and referred to the contrast between two forms of imperialism, the one based on conceptions of 'absolute space' and thus requiring territorial, that is colonial, control and the other focused on 'relative space', requiring only informal control to pursue the benefits of economic efficiency (Kearns, 2009: 30). The former version became a key tenet of the German school of geopolitics represented by Karl Haushofer and largely informed the foreign policy outlook of the Nazi regime. In the decades leading up to World War II, Germany suffered several perceived geopolitical setbacks. Joining the 'colonial race' late in the game in the 1880s, Germany had already lost control of the few territories acquired by the beginning of World War I. At the end of the war, Germany suffered further substantial territorial concessions. It was also made to take responsibility for all losses and damages incurred during the conflict, pay reparations as well as forced to disarm. As a result, the German Nazi elite strived to regain geopolitical advantage and aggressively advocated an increase in Lebensraum to allegedly foster German growth, development and prosperity. The principle of Lebensraum thus became closely associated with Nazi Germany's anti-Semitic policies and the inhumane advocacy of the Aryan race as supreme.

In an attempt to overcome the toxic legacy of colonial and Nazi geopolitics, and to avoid any associations with their modes or reasoning and pseudoscientific prescriptions, *contemporary geopolitics* reinvented itself as the study of power relations, most often under the broad umbrella of the discipline of political geography. Particular phrases and representations have been analysed in order to understand what their implications are, all the way from the international level down to the individual level, how they limit world views and contribute to the promotion of specific policies around the world (Flint, 2006: 16). This approach favours an understanding that emphasizes geopolitics as a way of 'seeing' the world; a means of obtaining a birds-eye view of the entire international political landscape. For some, geopolitics continues to represent the practice of states of controlling and competing for territory and resources. For others, it is now not only a matter of states but also of individuals, NGOs, private companies, protest movements, terrorists and their efforts to control territory and represent it in a particular way.

Towards the end of the twentieth century, geopolitics expanded to encompass two additional spheres: first outer-space, mainly through satellites (intelligence, GPS and

communication), and then cyberspace. The ability to take over networks, grids and computers, carries, for some actors, significant geopolitical relevance. At the same time, responding to cyber-incursions is arguably a difficult diplomatic task. It is comparatively easy to design a suitable diplomatic response to an incident covered by international law and wherein the activity, perpetrator and intentions are identifiable. This situation is hardly applicable to cyber operations as the nature of the act, the identity of the perpetrator and the legal framework are more difficult to discern. As states have few precedents or frameworks on which to model their diplomatic response when it comes to cyber-intelligence operations, they are forced to react pragmatically to such situations by comparing the feasibility of the available options and carefully reflecting upon the appropriateness of the prospective course of action (Coward and Bjola, 2016: 202).

Geopolitical architectures

Within geopolitics “the term geopolitical architecture is used to describe the ways in which states and non-state organizations access, manage, and regulate the intersection of territories and flows and in so doing establish borders between inside/outside, citizen/alien, and domestic/international” (Dodd, 2007: 50). Three such architectures include the strategies of: (1) containment, (2) civilizational clash and (3) geo-economics.

Containment is a geopolitical strategy to limit and/or decrease the international authority of an adversary through the application of gradual and calculated coercion. The direct application of physical force is avoided, though the coercer’s military generally plays an important role as a tool of intimidation. The military strength of the coercer is often heavily promoted in political rhetoric and can be indirectly involved in physically containing the adversary, for example, by the conduct of proxy wars abroad. A common example of containment is that of U.S. foreign policy towards the Soviet Union during the Cold War. In response to efforts by the Soviet Union to increase its spheres of influence in both Europe and Asia, the United States adopted a long-term policy of military, political and economic containment with the goal of preventing the global spread of communism as well as Soviet power and influence (Gaddis, 1982). The United States worked to block further Soviet territorial expansion, and expose falsities and weaknesses in both Soviet policy and communist ideology. This was done to assert U.S. global hegemony and stifle the Soviet threat, with relatively minimal repercussions at home, except for the economic costs of sustaining a large military budget for an indefinite period.

The second geopolitical strategy – civilizational clash – is a means to create a sense of civilizational identity around a particular set of values and cultural norms. In his work *The Clash of Civilizations and the Remaking of World Order* (1993), political scientist Samuel Huntington advanced the idea that in the post-Cold War period, international conflict would stream largely from cultural differences. While states would continue to be the most powerful actors in international affairs, the majority of global conflicts would occur between regions comprised of states with different cultural identities. Since the attacks on 9/11, this idea has become increasingly discussed in the context of George W. Bush’s “war on terror” and more recently of President Trump’s rhetoric regarding the decline of Western civilization (Trump, 2017). From a geopolitical perspective, the strategy of the civilizational clash is a double-edged sword. On the one

hand, it can boost support among like-minded countries or even generate political realignment between some adversaries. On the other, it can create or deepen political cleavages in places where they did not exist before or they merely lay dormant.

Global affairs are also increasingly shaped by the pursuit of economic policies with a geopolitical compass. Thus arises the third geopolitical strategy – that of geo-economics.

Sanctions are taking the place of military strikes, competing trade regimes are replacing military alliances, currency wars are more common than the occupation of territory, and the manipulation of the price of resources such as oil is more consequential than conventional arms races.

(World Economic Forum, 2015: 4)

Geo-economics can thus be defined as the study of spatial, cultural and strategic aspects of resources, with the aim of gaining a sustainable competitive advantage. It is thus the continuation of the logic of geopolitics, but applied to the era of globalization and is primarily concerned with how to gain and maintain a national competitive advantage by economic means (Solberg Søylen, 2012: 8, 22).

Although states are becoming deeply dependent on their level of international economic cooperation, one could argue that the main actors within geo-economics are not states themselves but rather multinational corporations (MNCs). The latter oftentimes have an extensive transnational network, an annual income greater than the GDP of many individual countries and contribute considerably to the economic strength of the societies of which they are a part. As a result, they have considerable bargaining power in the states in which they operate, which could be used to negotiate and obtain special considerations from national governments. For example, Apple set up offices in Ireland in order to benefit from a low tax rate, but the EU later decided to present the company with a €13 billion tax bill (Bowers, 2016). As a consequence of this influence, MNCs come close to or even gain more economic and political significance than some state actors.

Case study: the Ukraine crisis

At the end of 2013, the Ukraine crisis erupted. With it, old sentiments of Russia vs. the West came to the surface. While it has been argued that the idiosyncrasies of President Putin, as well as his background in the KGB, have fuelled Russia's aggressive foreign policy to claim Ukrainian territory, scholars have also put forward geopolitical explanations, which are not leader specific. Götz, for instance, focuses on three factors: (1) Ukraine's geographical location, (2) the Ukrainian government's pro-Western orientation and (3) the EU's increased influence in Eastern Europe. Together, these three factors have presumably given Russia strong incentives to pursue an assertive foreign policy towards Ukraine (Götz, 2015: 3). Russia's main goal, it is argued, is to regain influence over Ukraine's foreign policy orientation, and at the very least, establish a belt of pro-Russian provinces in the East of Ukraine (Götz, 2015: 3).

The first element which has contributed to Russia's aggressive foreign policy is Ukraine's geographical nearness, making the country of utmost strategic importance. Ukraine shares 1,400 m/2,200 km of border with Russia; the country is 300 m/480 km from Russia's capital and is in close proximity to the Volga region (the political and

industrial core of the Russian Federation). Thus Kiev's defence and foreign policy is of significant interest in protecting Russian interests, the primary objective being to keep Ukraine out of any geopolitical blocks and foreign military alliances (Götz, 2015: 4). This leads to the second element.

Before the crisis in 2013, Viktor Yanukovich, the then President of Ukraine, was negotiating with the EU. He was working to establish an Association Agreement that would have led to closer economic relations and deeper political ties between the two parties. This process allegedly was of considerable concern to Russia as it potentially represented an infringement on existing Ukrainian-Russian relations and further encroachment by Western powers on former Soviet territory. Economically, Ukraine is an important market for a significant number of Russian exporters. The Association Agreement could have closed this avenue of trade, the argument goes, as many Russian products might not be able to comply with EU standards. Furthermore, the Agreement might have disrupted established links between Russia enterprises and the Ukrainian military and aerospace industry (Götz, 2015: 4).

The Agreement would have also involved the integration of Ukraine into the EU's common security and defence policy, stirring another set of Russian concerns. From Russia's perspective, the EU constitutes a rising Great Power, which is gradually extending its diplomatic and economic influence into Eastern Europe. This is of particular concern as many of Russia's political elite consider the EU as the Trojan Horse used for NATO expansion – actual membership or the stationing of NATO infrastructure on Ukrainian territory. While this assertion may lack evidence, EU and NATO membership have gone hand in hand in the past – examples include Romania, Bulgaria, Croatia and the Baltic states. Russia has a keen interest in avoiding such an expansion of the Western sphere of influence and hence has strategically created unrest in the Eastern part of the country; unrest which effectively disqualifies Ukraine from potential NATO membership (Götz, 2015: 7). At the very least, Russia aims to create a security zone between itself and the West. Considering these points, one could plausibly argue that Russia's behaviour is primarily driven by reasoned geopolitical rationales and not the personal insecurities of its leader.

That being said, Russia's geopolitical gamble in Ukraine also exposes the intrinsic limitations of geopolitical thinking as the military intervention has achieved exactly the opposite of what it has hoped to accomplish in the first place. It has not only convinced NATO to significantly strengthen its presence in the region, but it has also pushed previously neutral countries like Sweden and Finland to seek closer relationships with NATO. In addition, since 2015, Russia has been subjected to severe economic sanctions by the EU and the United States, with devastating consequences for its economy.

Diplomats as makers of anarchic cultures

Drawing on the work of Martin Wight and the English school, Alexander Wendt disputes, in his groundbreaking book on the *Social Theory of International Politics* (1999), the single logic of anarchy postulated by neorealists like Kenneth Waltz (1979a). He instead argues that anarchy can rest on at least three kinds of macro-level structures – Hobbesian, Lockean and Kantian – depending on the type of roles that dominate the international system at a particular moment in time: enemy, rival and friend,

respectively (Wendt, 1999: 247). The key point Wendt is making is that 'brute' material factors (e.g. tanks, planes, missiles) do not speak for themselves and hence there is little to learn from uncritically examining the distribution of material capabilities in the system. What actually matters are the broader social structures (e.g. norms, rules, conventions) within which material capabilities are embedded and from which they derive the meaning that gives them causal powers. In other words, it is the distribution of ideas, not of material factors, that primarily determines actors' interactions in world politics. This insight provides crucial clues about the role of diplomacy in making the world: it shapes relationships of friendship, rivalry and enmity between states. These relationships drive, in turn, competing logics of anarchy in the system; that is, different strategies and modes of action to cope with the constraints of the lack of centralized authority in international politics.

While in the previous chapter we discussed how diplomats make relations among the political entities they represent, in this chapter we go deeper and examine how the making of relations is involved in the diplomatic making of the world. Relations of enmity, for instance, are constituted by representations of the Other as an actor who denies the right to exist of the Self and refuses to limit its violence towards the Self. This generates a Hobbesian logic of anarchy of unlimited warfare, zero-sum game and empire-building tendencies. Security dilemmas (i.e. the attempts of a state to increase its security decreases the security of others) are particularly severe not because of the nature of weapons, but because of the negative intentions attributed to others. By contrast, friendship is a role structure within which states agree to settle their disputes without war or threat of war and to defend each other against attacks from third parties. This allows for the logic of anarchy to evolve into a Kantian direction characterized by the formation of security communities and collective security arrangements. Conflicts between states may still arise, but they are handled through negotiation and court arbitration even when the cost of waging war or of threatening to use force might be low. Rivalry falls somewhere in between these two role structures. Unlike enemies, rivals accept the right of each other to existence as sovereign entities. Unlike friends, however, the recognition among rivals does not extend to parties refraining from using force for settling disputes among themselves. This gives rise to a Lockean logic of anarchy whereby war is accepted as normal and legitimate, but only in a limited manner. Weak states are not subjected to the rule of the survival of the fittest. They are protected by the restraint of strong states against violating others' territorial sovereignty.

Wendt's model of the logics of anarchy offers a powerful tool for understanding structural conditions of cooperation and conflict in world politics. What is less clear though is how exactly diplomats shape the three cultures of anarchy. This is where the concept of symbolic interactionism developed by G. H. Mead demonstrates its analytical value (see Box 9.1). Basically, relationships of friendship, rivalry and enmity are the result of the way in which diplomats treat each other. This is known as the principle of 'reflected appraisals' or 'mirroring', because actors come to see themselves as a reflection of how they think others 'appraise' them in the 'mirror' of the Other's representation of the Self (Wendt, 1999: 327). When a diplomat starts treating another diplomat as a potential enemy, for instance, then the latter may internalize this appraisal, generate reactions in line with these expectations, which in turn may reinforce and stabilize a structure of antagonistic identities and interests.

Box 9.1 Symbolic interactionism

According to Mead, individuals develop norm-regulated behaviour by taking the attitude of the “generalized other” that is, by learning to see their actions from the perspective of the social group they belong to. However, this “social self” encompassing the norms, roles and expectations of the others towards us represents only one component of our personality (“Me”). The other component is the individualized self (“I”). The latter represents our reflective response to the attitudes of the others. “Me” is therefore important because it constitutes the mechanism of social control of a community over its members. “I” is our conscious reaction of compliance or defiance of others’ expectations vis-à-vis us (Mead, 1934). A diplomat, for instance, is expected not to interfere in the domestic affairs of the host country (“Me”), but under certain conditions she may find this role unacceptable (“I”).

However, is it sufficient for diplomats to treat each other as friends in order to become friends? The answer is clearly no, as power is a crucial factor in determining the direction of the relationship. In order for diplomats to reset their relationship from one of enmity into one of rivalry or friendship, both sides need to develop shared understandings of the nature of the problems they face and of the solutions to address them. Power provides the basis for developing such shared understandings by rewarding behaviours that support them and punishing those that do not. However, power as coercion can have only short-term effects. Deeper degrees of internalization of the shared understandings require actors to see the new relationship as advantageous to their self-interest – as when they share mutually beneficial trade arrangements – or as normatively legitimate and constitutive of their identity – as when they share similar cultural and political values. Relationship building is therefore the process by which diplomats make the world. Positive and good relationships increase the chance of developing Lockean or Kantian cultures of anarchy, while bad relationships may push the world into a Hobbesian direction.

The problem with this argument is that the power required by diplomats for shaping cultures of anarchy is asymmetrical. The lack of a central authority in the international system and the atmosphere of distrust induced by the security dilemma make it much easier for state representatives to turn the culture of anarchy into a self-help rather than a collaborative direction (see case study below). In other words, diplomats adapt more quickly and enduringly to negative rather than positive dynamics of international conduct. The more intensely a group of diplomats, especially of great powers, behave antagonistically to each other, the more likely their behaviour would be imitated by other diplomats and, by implication, the more probable the prevalent culture of anarchy within the system would become less cooperative and more hostile. Under these conditions, the direction of the Hobbesian/Lockean/Kantian progression discussed above may appear excessively optimistic: why would cultures of anarchy move from an aggressive to a cooperative pattern of diplomatic conduct, as modern history seems to suggest, despite occasional setbacks, and not the other way around?

According to Wendt, individuals' desire for recognition provides the answer to this puzzle. Unlike neorealist accounts that see the logic of anarchy to be primarily driven by *states'* desire for security, Wendt argues that the *individual's* desire for recognition, that is, to accept the Other to have legitimate rights and social standing in relation to the Self, is the key driving force in world politics. This is so because individuals that are not recognized do not count and hence they may be killed or violated as one sees fit. Physical security is one important form by which the desire for recognition can be satisfied, but it cannot be reduced to it. Agency is not simply determined by material factors such as security or wealth, but also by the social matrix within which one constitutes itself as a moral subject. In other words, while physical security provides the minimum condition for individuals to exist, it is the broader aspect of recognition, of being treated as an equal and with respect, which drives political entities to establish international orders that progressively satisfy individuals' desire for recognition (Wendt, 2003: 517).

Diplomats are the key players in the struggle for recognition (→ glossary) not least because it is through their symbolic presence that state sovereignty is being acknowledged by the other states in the system. More importantly, diplomats bear the main responsibility for the definition, negotiation and application of the foundational principles on the basis of which recognition is granted in international politics. In the classical European system, status recognition was construed as a symbolic manifestation of power by means of diplomatic ranking and precedence-setting (see also Chapter 1). The 1555 Peace of Augsburg established the principle *cuius regio, eius religio* ('whose realm, his religion') as the basis for recognition among dynastic-sovereign entities. The 1648 Peace of Westphalia introduced a secular-territorial conception of recognition as the legitimating principle for sovereign equality between states and princes. National self-determination became the essential component of the legal recognition of statehood in the aftermath of World War II and decolonialization. More recently, diplomats working on the Responsibility to Protect (R2P) doctrine have been instrumental in associating international recognition with respect for human rights, domestic justice and minimal conditions of democracy.

The theory of the struggle for recognition not only provides a powerful explanation of why diplomats are the key actors involved in making the world. It also points out the direction in which they are likely to take the world. As Wendt provocatively argues, only a world state can provide the type of constraints necessary for individuals to reciprocally satisfy their desire for recognition by means short of violence. If Wendt is right, then diplomacy may involve the negotiation of four grand bargains of international order (Wendt, 2003: 517–528). The first one already took place and concluded with the Peace of Westphalia in 1648. By grounding international recognition in the principle of territorial sovereignty, the Treaty of Westphalia put an end to a Hobbesian stage 'war of all against all' and provided individuals with a minimal protection against physical and ideological domination. The Lockean 'society of states' we currently live in allows states to recognize each other's legal sovereignty as independent subjects, but not that of each other's citizens. This creates a source of instability in the system, on the one hand, because war between states still remains a possibility, and on the other, because individuals are not properly protected against abuses of their own states.

The second grand diplomatic bargain would involve the creation of a world society or a universal pluralistic security community (→ glossary). Similar to the case of the

North Atlantic community today, this system would restrict the right of its members to settle disputes by violence and would extend legal protections not only to states but also to individuals. The system would nevertheless remain unstable in the absence of collective protection against aggression from ‘rogue’ states emerging through domestic revolution and rejecting non-violence as a rule of conduct. Therefore, a third diplomatic bargain would be necessary to negotiate that would allow the members of the system to defend themselves against threats under the principle of collective security (‘all for one and one for all’). This Kantian model of ‘*pacific federation*’ offers an enduring resolution to the struggle for recognition, but it may be eventually forced to accept a fourth diplomatic bargain due to the asymmetrical enforcement of the norms of mutual recognition between great powers and small states. To address this limitation, a world state might finally emerge as an alternative and more stable institutional arrangement.

While Wendt’s theory of the struggle for recognition assumes a progressive direction of systemic evolution from a Hobbesian to a Lockean and then to a Kantian culture of anarchy, the logic of action he proposes is not deterministic. Domestic revolutions, institutional breakdowns or natural catastrophes may always derail diplomatic efforts to build a more stable and peaceful international society. The important conclusion of this argument, though, is that despite occasional setbacks, the struggle for recognition places a practical and moral obligation upon diplomats to stay the course.

Case study: the ‘bad apple’ diplomacy of the Third Reich

The diplomacy of the Third Reich offers an instructive case for understanding the conditions under which a not fully consolidated Lockean culture of anarchy could be diplomatically pushed back into a Hobbesian direction. The collapse of imperial Germany at the end of World War I left German diplomats with tremendous challenges to overcome. Under the terms of the 1919 Versailles Treaty, Germany was forced to pay massive reparations for the war (132 billion gold marks), accept moral responsibility for starting the war (e.g. the famous ‘guilt’ clause of Art. 231) and to severely reduce its military strength (armed forces limited to 100,000 troops, air force banned, naval forces significantly downsized). As justifiable as these conditions might have been in the eyes of the Allied Powers given the immense destruction brought about by the war, the Versailles Treaty was strongly opposed domestically in Germany. As a result, the revision of the Versailles Treaty became the paramount objective of the German diplomacy, first pursued by peaceful negotiations during the Weimar Republic (1919–33) and later by increasingly aggressive actions taken by the Nazi regime.

In the first stage, Anglo-German rapprochement was perceived by German diplomats as the most effective strategy for accomplishing this goal, and to a certain extent this assumption proved right. Keen to defuse further escalations of diplomatic tensions among Western European powers, Britain supported Germany’s aspiration to regain some control over its diplomatic affairs through the 1925 Locarno Treaty, which guaranteed the post-war western borders of Germany while leaving the eastern borders free for revisions. Together with the United States, Britain also helped Germany negotiate better terms of repayment of the war reparations.

The rise of the National-Socialist party to power in January 1933 changed completely the diplomatic dynamic. While many professional diplomats believed the Nazis would not be able to conduct foreign policy without their guidance, this expectation was short-lived. Soon after taking office, the new Chancellor, Adolph Hitler, directed the German Foreign Office to denounce the terms of the Versailles Treaty, withdraw the country from the League of Nations and provide diplomatic cover for a series of aggressive moves involving territorial acquisition and regime subversion in various European countries. Some of the career diplomats advised restraint or even opposition to Hitler's foreign policies, but their resistance was gradually overcome through sustained policies of nazification of the German diplomatic corps and the appointment of a stalwart Nazi, Joachim von Ribbentrop, as a minister of foreign affairs in 1938 (Craig, 1994).

The turning point for the German diplomacy came in 1938. Before 1938, one could argue that German diplomatic relations with other countries reasonably took place within the bounds prescribed by a Lockean culture of anarchy. While expressing increasingly strong dissatisfaction with its status relative to that of other European powers, Germany nevertheless accepted and recognized the territorial sovereignty of other states. However, after 1938, the German diplomacy turned anti-systemic. It was no longer interested in merely redressing the perceived injustices of the Versailles Treaty, but it aggressively sought to change the very principles of the basis on which the modern international system had been organized since the Peace of Westphalia in 1648. Its ambition switched from seeking a better position within a system of states founded on the principle of national sovereignty to establishing an international system dominated by a few empires and ruled by force. In other words, the post-1938 German diplomacy was directed at forging a Hobbesian culture of anarchy infused by empire-building ambitions, unlimited warfare and self-help imperatives.

The emblematic case to mark the transition of the German diplomacy from a Lockean to a Hobbesian outlook was the Sudetenland crisis in the summer of 1938. The end of World War I left many ethnic Germans living outside the territorial borders of Germany. In the newly created state of Czechoslovakia, about 23% of the whole population was ethnically German, most of them living in a region close to the German border, the Sudetenland. In August 1938, Hitler ordered its military to make plans for the forceful annexation of this border region. In an attempt to buy more time to build up strength for confronting Germany, the leaders of Britain and France convened with those of Italy and Germany in Munich on 29–30 September 1938 and agreed to the German annexation of the Sudetenland in exchange for a pledge of peace from Hitler. With Germany's diplomatic support, other neighbours began making demands on Czechoslovakia's territory. In the autumn of 1938, Hungary annexed territory in southern Slovakia, and Poland annexed the Tešín District of Czech Silesia. Finally, On 15 March 1939, Nazi Germany invaded and annexed the remaining Czech provinces of Bohemia and Moravia, in flagrant violation of the Munich Pact.

The German diplomatic onslaught unleashed on a smaller scale in Munich (see also the discussion on appeasement in Chapter 6) was supposed to be replicated on a grander scale via the Tripartite Pact that was concluded on 27 September 1940 between Germany, Italy and Japan. The practical purpose of the treaty was to permit the three powers "to assist one another with all political, economic and military

means” when any one of them was attacked by “a Power at present not involved in the European War or in the Chinese-Japanese Conflict”, by which it was meant the United States and the Soviet Union (Yale Law School, 1940). However, the more general objective of the diplomatic cooperation between the three powers was actually the creation of a New World Order under their imperial control and military domination. The Japanese Ambassador to Berlin, Hiroshi Ōshima, could not have been more categorical about this when he asserted that “the policies of the tripartite powers were well-founded because nothing was a more natural development than to unite under one order all people with historical, economic, and cultural ties” (cited in Boyd, 1980: 130). The only reason these plans failed and the Lockean culture of anarchy survived at the end of World War II was because the three powers suffered military defeat.

The relative easiness and swiftness by which German diplomacy during the Nazi regime proved able to threaten the foundations of the modern international system offers some important lessons for diplomatic scholars and practitioners alike. First, the way in which a major war is diplomatically concluded is of crucial importance for the future stability of the international system. While the punishment of the leaders responsible for starting the war and violating international law must remain an unwavering guiding principle for conflict-termination settlements, policies of post-war retribution must nevertheless allow room for societal healing and for the diplomatic re-engagement of the defeated parties in the society of states. Second, when fundamental principles of international conduct are being systemically violated, especially by great powers, the international community has a prime responsibility to diplomatically engage the recalcitrant elites, as early as possible, and to strongly defend these principles as opposed to compromise them. Third, great powers might occasionally turn into ‘bad apples’ and inflict serious damage on the fabric of the international system. Short of military action, the only way by which other actors can mitigate the negative impact of ‘bad apple’ diplomacy is through diplomatic containment at two levels: strategically, by preventing other states from joining their ranks (hence the importance of counter-alliances), and normatively, by undercutting the authoritative appeal of the shared understandings underpinning antagonistic cultures of anarchy (hence the importance of international law).

Diplomats as makers of international deontologies

In his seminal work *Construction of Social Reality* (1995), John R. Searle advances a startling thesis: he argues that we all live in an invisible sea of social facts (norms, rules, codes of conducts), which we largely take for granted and rarely question. Most importantly, these institutional facts, which he calls deontologies (see Box 9.2), only exist because we think they exist! The moment we stop attributing meaning to them, they lose the capacity to represent the world for us, and by extension they cease to regulate human behaviour (Searle, 1998: 105–106). In other words, what Searle tells us is that the social world does not exist out there independently of us. Wendt’s cultures of anarchy happen only insofar as human beings experience them. If diplomats stop practising them then there would be no cultures of anarchy. This is an important claim that deserves close attention since it has major implications for diplomatic relations.

Box 9.2 Deontology

In the literature, there are two different understandings of deontology. On the one hand, the term is frequently associated with Immanuel Kant's work on moral duties, especially with his principle of the categorical imperative: "act only in accordance with that maxim through which you can at the same time will that it become a universal law" (Kant, 2004). John Searle's understanding of deontology, by contrast, is much broader in scope and covers the rights, duties, obligations, authorizations, permissions, empowerments, requirements and certifications associated with a particular institution (Searle, 2005: 10). A diplomat, for instance, has the deontological obligation to represent her government, the right to negotiate on its behalf and enjoys the privilege of legal immunity from the local jurisdiction.

Consider, for instance, the debate about the deterioration of the diplomatic relations within the transatlantic security community in the aftermath of the U.S. intervention in Iraq in 2003. For some, the damage was rather profound, another telling symptom of the growingly political divide between the United States and its allies (Kagan, 2003). More optimistic voices insisted that calls for the demise of the transatlantic community were definitely premature since the threat of jihadi terrorism would likely push the West closer together, and that a new transatlantic bargain based on the complementarity between U.S. military might and European civilian power would not only save the transatlantic relationship but would even transform it for the better (Moravcsik, 2004). Searle would instead argue the source and solution to the diplomatic crisis had little to do with Iraq or external threats, but rather with whether the leaders and diplomats of the countries involved were prepared or not to continue to act as members of a security community that is, to observe their deontological responsibilities of treating each other respectfully, truthfully and with confidence in their future relationship (Bjola, 2010).

Searle defends his deontological account of the construction of social reality by means of three important concepts: collective intentionality (→ glossary), functional assignment and deontic powers. Collective intentionality refers to the beliefs, desires and intentions shared by different people as part of them doing something together. An orchestra performing a concert, an army fighting the enemy, a soccer team applying a common strategy to win the game, or a group of diplomats working together to defuse an international crisis – are all cases of collective not individual intentionality. As Searle points out, "the crucial element in collective intentionality is a sense of doing (wanting, believing etc.) something together and the individual intentionality that each person has is derived *from* the collective intentionality that they share" (Searle, 1995: 25). The diplomat in the earlier example might have, for instance, the individual intention to amend her negotiation preferences, but the intention is only part of the collective intentionality to avoid a dangerous diplomatic escalation leading to military conflict.

The reason collective intentionality is important for understanding the diplomatic construction of the world has to do with the assignment or imposition of functions to objects and beings. For example, a piece of paper may have no value unless it is being *collectively* assigned the function to be traded as a currency. A piece of cloth attached to a wooden pole serves no intrinsic purpose, but it may be *collectively* assigned the function of serving as a national flag. A document signed by a group of people remains just a piece of paper unless it is *collectively* recognized by the function to serve as an international agreement. A person residing in a different country is subject to local prosecution unless she is being collectively recognized by the function to serve as a diplomat. In all these examples, certain objects or persons (banknotes, flags, international treaties, diplomats) possess or enjoy a specific status (be exchanged as money, being waved at international meetings, creating legal obligations, or being protected from prosecution) not in virtue of their physical characteristics, but because of the collective assignment, imposition or recognition of that status.

Searle calls this type of relations *status functions* (→ glossary) because “the status enables the person or object to perform a function which could not be performed without the collective acceptance of that status” (Searle, 2008: 32–33). As the examples above cogently illustrate, status functions create social reality by representing it as existing, and this process can be summed up with the following formula: *X counts as Y in C*, which states that an object, person or state of affairs X has been assigned a special Y status, in the context of C. Here are a few examples of status functions:

- Notes issued by the European Central Bank (X) count as money (Y) in countries that are members of the European Economic and Monetary Union (C).
- A certain amount of CO₂ emission reductions (X) counts as a tradable commodity (Y) within the European Union Emissions Trading System (C).
- A document outlining trading conditions (X) counts as a binding international treaty (Y) if properly ratified by the signatory parties (C).
- A person residing in a different country (X) enjoys immunity from local prosecution (Y) if she carries a diplomatic passport (C).

The main reason status functions are essential for understanding the construction of social reality is because they are vehicles of power in society as they prescribe agents what they are allowed and what they are forbidden to do in their conduct with each other. According to Searle, all status functions, without exceptions, carry deontic powers (→ glossary) that is, rights, duties, obligations, requirements, permissions, entitlements. These deontic powers can be both of a positive or a negative nature. In the first case, they grant rights to a person to do something she could not otherwise do, as when a diplomat is empowered to negotiate and conclude an international treaty. In the latter case, deontic powers prescribe obligations to do something one would not otherwise have had to do, as when a diplomat is not allowed under Art. 41.1 of the Vienna Convention on Diplomatic Relations to interfere in the domestic affairs of the host country. Last but not least, these status functions are not possible without language. Searle is particularly adamant about this: we can imagine a society having language but no money, property, government or marriage, but we cannot imagine a society having money, property, government or marriage but no language (Searle, 2010: 109). In short, no language, no status functions, no deontologies and, by extension, no social reality!

The pattern of relationships constituting ‘order as fact’ is constantly evolving under the impact of three primary status functions: security, redistribution, recognition. The protection of “primary or universal goals of social life” (Bull, 1995: 4) that is, security, has been traditionally seen as the key function of international order. It involves existential threats to anything that questions sovereignty, either of military, political, economic, environmental or societal nature. What counts as security depends though on further collective recognition of certain secondary status functions. For a long period of time, the balance of power was considered, for instance, to be the proper diplomatic instrument for generating security. After World War I, collective security has been reckoned as a better mechanism of ensuring security based on the view that it facilitates a constitutional order in which legal rules, rights, protections and political commitments combine to limit and shape the exercise of military power. More recently, the spread of democratic values and norms has been also valued for its ability to create a set of domestic restraints against using military force for settling international disputes. These methods are not discovered in nature in the same way we might discover oil or gold. They are observer-relative; that is, they are always created and imposed by collective intentionality with specific purposes: to grant diplomats the deontic power to engineer alliances against perceived hegemony, to engage in international institutional building, or to advocate democratic changes in host countries.

Redistribution, understood as the allocation of economic burdens and benefits to result from taking part in the global economic system, represents the second constitutive status function of international order. This is so because financial crises have been increasingly recognized as crippling for the well-being of the international society as security threats (Strange, 1986). Without collective recognition of this systemic ordering status, there will hardly be any interest in pursuing economic diplomacy as actors would lack a shared understanding of what counts as desirable sources of wealth. Similar to security, diplomatic strategies of economic redistribution have been informed by evolving secondary status functions. Mercantilism played a dominant role in the constitution of the modern world system (Wallerstein, 1980) and its more recent version has been largely credited to be the driving force behind the development of East Asian ‘tigers’ (Johnson, 1982). The post-World War II economic order gave rise to a diplomatic method of economic redistribution of liberal inspiration (Ruggie, 1982), although with clearly hegemonic undertones (Keohane, 1980). More recent governance models stress the role of norms of participation, responsibility, accountability and transparency in upholding the rules of economic order by providing credible, sustainable and balanced opportunities for economic growth (Held and Koenig-Archibugi, 2005). Economic diplomacy is therefore not a quest for material wealth, but rather the pursuit of deontic powers of assigning, reinforcing or amending values to what counts as wealth within a particular type of international order.

The third primary status function of international order is recognition, which encompasses the inter-subjective process by which agents are constituted as respected and esteemed members of the society of states (Honneth, 1995). Denial of equal treatment and legal protection of one’s moral integrity and dignity prompts feelings of humiliation, shame and anger, which has often been a major source of grievance, tension and international conflict (Lebow, 2008; Wolf, 2011). Confirmation of one’s rightful diplomatic standing has been historically based on various secondary status functions of proper conduct in world politics (see Chapter 2). Being recognized as a legitimate member of the international community entails strong deontic powers,

such as the ability to avoid international sanctions, access international financial instruments, accede to international organizations and shape the decision making of international regimes.

Diplomats resort to three mechanisms to articulate, revise or replace international deontologies: international treaties, diplomatic precedents and soft law. International agreements and covenants are undoubtedly the most commonly used diplomatic instruments for revising, amending or replacing status functions and deontic powers. The post-World War II agreements establishing the UN Charter, the Bretton Woods system and the International Covenants on Human Rights have provided, for instance, strong and enduring guidelines of diplomatic conduct, despite occasional setbacks: the use of force has been since accepted only for self-defence or collective security (status function A), commercial and financial relations have had to observe redistributive rules set up by the IMF and the World Bank (status function B), while claims to status recognition have been increasingly reviewed using domestic implementation of democratic norms and human rights as a normative baseline (status function C).

The use of diplomatic precedents (→ glossary) represents another important method by which deontological conflicts can be alleviated. The NATO interventions in Kosovo in 1999 and Libya in 2011 have provided, for instance, a major boost to the doctrine of the Responsibility to Protect (R2P) (→ glossary) as an emerging diplomatic deontology of international conduct on matters of collective security and status recognition. The resolutions adopted by the UN Security Council during the two crises have asserted and subsequently confirmed not only that governments have an obligation to refrain from using violence against their own people (deontic power A), but, most importantly, that the international community has a responsibility to protect the civilian population against its own government in situations of grave human rights abuses (deontic power B) (UN Security Council, 1999, 2011). The success of diplomatic precedents in establishing new diplomatic deontologies largely depends on their ability to gather support of key actors. For example, the success of R2P is likely contingent upon its ability to win the support of regional actors, such as the Arab League, the African Union or the Union of South American Nations.

Diplomacy may also bring about 'order as fact' by means of 'soft law' (→ glossary) such as conference declarations, executive statements, resolutions, codes of conduct or policy recommendations. Unlike international treaties or diplomatic precedents, soft law instruments tend to trigger weaker constraints on international actors, primarily because they lack the binding character of the former or the behavioural pull of the latter. Nevertheless, soft law has the potential to shape the authority of the emerging diplomatic deontologies in three distinct ways. First, they can make the legality of opposing diplomatic positions much harder to sustain (i.e. weaken the deontological authority of competing status functions); second, they may have a formative impact on the *opinio juris* or state practice that generates new international customary law (i.e. establish new deontic powers); and third, they may even influence the development and application of binding international treaties (Boyle, 2006: 142). The relevance of these three mechanisms is remarkably illustrated, for instance, by the success of the 'soft diplomacy' surrounding the global movement to ban landmines, which had started as a non-governmental initiative in the early 1980s of limited international significance, and culminated in 1997 in the signing of an international treaty by over 120 states granting them a whole new set of deontic powers regarding the use, sale and production of landmines (Cameron et al., 1998).

Case study: the deontology of climate change diplomacy

Climate change negotiations have generally revolved around three major issues: the type of multilateral instrument necessary to generate a significant reduction of greenhouse gas emissions (GHG) (e.g. binding vs. voluntary reduction targets), the level of financial commitment to support adaptation efforts in countries and regions most likely to be affected by climate change, and the design of the institutional framework most capable of generating broad participation, effectiveness and compliance. The framework created by the United Nations Framework Convention on Climate Change (UNFCCC) and its 1997 Kyoto Protocol favoured binding GHG reduction targets by an average of 6% below 1990 levels between 2008 and 2012 to be achieved by the use of market-based ‘flexible mechanisms’ such as the Clean Development Mechanisms (CDM) and Joint Implementation (JI).

The Copenhagen Accord signed in 2009 substituted legally binding reduction targets with voluntary pledges, both for developed and developing countries. Developed countries accepted to individually or jointly implement economy-wide emissions targets, while developing countries agreed to step up their efforts to abate their GHG emissions by undertaking nationally appropriate mitigation actions (NAMA). The ‘Durban Platform for Enhanced Action’, agreed upon at the 17th Conference of the Parties (COP) of the UNFCCC in December 2011, defined a roadmap for negotiations that would eventually bind major GHG polluters like the United States, China and India to mandatorily curb their emissions after 2020.

Figure 9.1 captures the network of climate deontologies to result from concluding an international binding agreement akin to the existing Kyoto Protocol. Would climate negotiations decide to settle for voluntary pledges similar to those agreed upon in the Copenhagen Accord, the deontological configuration would remain largely the same with the exception of B and F, and of weaker versions of G and K. The first deontology (A) refers to the deontic powers granted to the CDM Executive Board

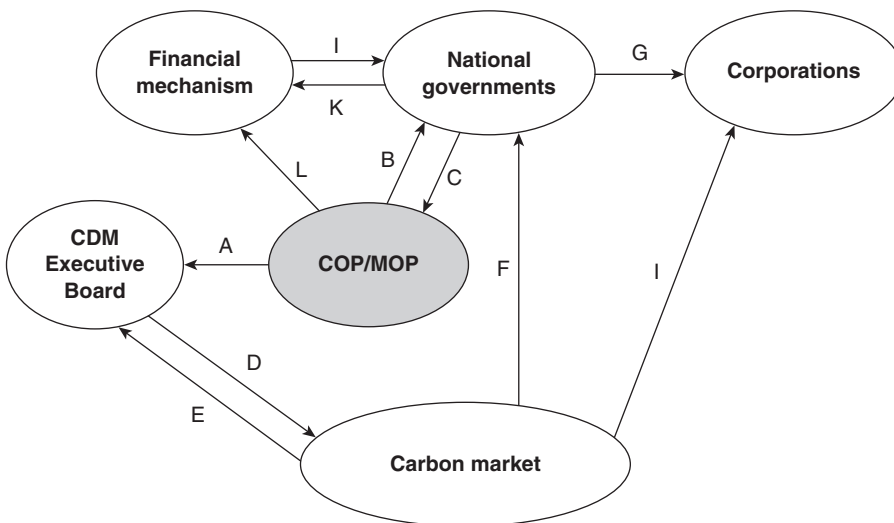


Figure 9.1 Deontologies of climate governance

by the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (COP/MOP). The Board supervises the Kyoto Protocol's clean development mechanism and is the ultimate point of contact for CDM project participants for the registration of projects (E) and the issuance of certified emission reductions (D). National governments have the obligation to submit annual emission inventories and national reports at regular intervals to COP (C) and to accept penalties for non-compliance at the end of the commitment period (B). They could choose to minimize or avoid the penalty by offsetting emission surpluses with assigned amount units purchased from other governments (F). At the same time, national governments impose GHG emission limits on national companies (G), which the latter can meet by improving internal efficiency standards or by purchasing carbon allowances and certified emissions reductions from the carbon market (I).

The financial mechanism includes the Global Environmental Facility and three special funds: the Special Climate Change Fund, the Least Developed Countries Fund and the Adaptation Fund. It provides adaptation support for the most vulnerable countries to climate change (J) and it is being funded from contributions made by developed countries and from carbon trading proceeds (K) under the supervision of the COP, which decides climate change policies, project priorities and eligibility criteria for funding (L). The configuration of deontic powers described earlier (the power to register and issue certified emission reductions, the authorization to allocate emission permits, the permission to trade certain types of carbon allowances, the obligation to meet certain GHG emissions targets, the requirement to contribute to adaptation funding, etc.) are being defined by three important status functions of climate governance, which have been subject to intense negotiations:

- 1 GHG emission reduction strategies (X) can generate a vital source of economic wealth (Y) within the context of a global carbon emissions market (C).
- 2 Developed countries (X) bear the primary responsibility for reducing GHG emissions (Y) because of their larger historical contribution to climate change (C).
- 3 The international society (X) is on an irreversible path of catastrophic collapse (Y) if measures are not taken to significantly cut global GHG emissions, both on an interim (e.g. 25–40% by 2020) and long-term basis (e.g. 80–95% by 2050) (C).

The important characteristic of these status functions is that they can exist only by virtue of actors collectively recognizing and experiencing them. These institutional facts are being negotiated with the purpose of generating the deontic powers described in Figure 9.1. The lack of progress of climate negotiations is explained by the fact these new status functions face an uphill battle against the deontological authority of a few but entrenched diplomatic status functions: conditions of international interaction count as security threats if they are perceived to undermine the political independence of sovereign actors (status function A); carbon-based resources remain the main drivers of global wealth production for the foreseeable future (status function B); claims about international justice enjoy validity when they rest on a reasonable degree of fairness (status function C). For climate change negotiations to be successful, the deontological authority gap between emerging and established status functions must be closed.

The second status function is particularly controversial as it advances serious revisions of the mechanisms of global economic re-distribution and status recognition by means of deontic powers B, F, G, J and K (see Figure 9.1). While the first status function brings into existence a new major source of wealth ('green' goods, capital and services), the second unevenly restricts access to traditional instruments of wealth production (carbon-based factors of production) based on contentious assignments of international responsibility. This has to be re-negotiated in a manner that combines the historical responsibility of developed states with the requirement for good governance of developing countries. The fourth climate status function has yet to achieve collective recognition as climate change is not yet perceived by the majority of actors to pose substantial risks to international order, partly because of the unprecedented and future-oriented nature of the risks (third emerging status function). The setting of diplomatic precedents by the EU or other regional organizations in framing climate threats as a collective security issue could significantly enhance the deontological authority of this status function.

Summary

- The diplomatic making of the world involves two layers, 'order as value' and 'order as fact'. The former refers to the entrenched norms, principles and shared understandings that frame diplomatic action. The latter refers to the stable and regular pattern of global activities and institutions to emerge from the application of 'order as value' in practice. 'Order as value' creates the conditions of possibility for 'order as fact'; that is, for the type of international society to live in.
- As a theory of maximizing state power through the pursuit of territorial ambitions and the control of natural resources, geopolitics has had significant influence in shaping international order, in each of its three versions: classical, colonial and contemporary. While claiming immunity against 'order as value', geopolitics actually relies on heavy normative assumptions that combine social-Darwinist views of interstate relations and hierarchical conceptions of international order.
- From a symbolic interactionist perspective, diplomats shape 'order as value' by the way in which they treat each other. By forging relationships of friendship, rivalry and enmity between states, diplomats help establish 'order as fact' via competing cultures of anarchy, Hobbesian, Lockean and Kantian. The three cultures of anarchy differ by the extent to which they accept war as a legitimate instrument for settling diplomatic differences. The struggle for recognition is assumed to lead to a series of successive grand diplomatic bargains, ending with the establishment of a world state.
- From a deontological perspective, the diplomatic construction of the world takes place via the assignment of functions to objects and beings. This process is mediated by the notion of collective intentionality, which refers to the beliefs, desires and intentions shared by different people as part of them doing something together. The pattern of relationships constituting 'order as fact' is constantly evolving under the impact of three primary status functions: security, redistribution and recognition. As makers of international deontologies, diplomats help create and revise 'order as fact' via international treaties, diplomatic precedents and soft law.

Study questions

- What is the difference between ‘order as fact’ and ‘order as value’?
- What does the concept of geopolitical architecture mean and how does it shape diplomatic action?
- Is Wendt right to argue the struggle for recognition will drive diplomats to seek the formation of a world state?
- How do diplomats shape ‘order as value’ from a deontological perspective and what challenges do they face?

Recommended further reading

Hurrell, Andrew. 2007. *On global order: Power, values, and the constitution of international society*. Oxford and New York: Oxford University Press.

Drawing on work in international law, international relations and global governance, this book provides a clear and wide-ranging introduction to the analysis of global political order – how patterns of governance and institutionalization in world politics have already changed, what the most important challenges are and what the way forward might look like.

Dittmer, J. and J. Sharp, 2014. *Geopolitics: An introductory reader*. New York: Routledge.

Drawing both on academic and political material, this book introduces readers to the concept of geopolitics, from the first usage of the term to its more recent reconceptualizations. The concept of geopolitics is introduced through four thematic sections – ‘Imperial geopolitics’, ‘Cold War geopolitics’, ‘Geopolitics after the Cold War’ and ‘Reconceptualising geopolitics’.

Wendt, Alexander. 1999. *Social theory of international politics*. Cambridge: Cambridge University Press.

Drawing upon philosophy and social theory, this book develops a theory of the international system as a social construction. Wendt clarifies the central claims of the constructivist approach, presenting a structural and idealist world view which contrasts with the individualism and materialism that underpins much mainstream International Relations theory. He builds a cultural theory of international politics, which takes whether states view each other as enemies, rivals or friends as a fundamental determinant.

Searle, John R. 2010. *Making the social world: The structure of human civilization*. Oxford and New York: Oxford University Press.

This book does not explicitly address diplomatic issues, but it provides a solid philosophical background to the theory of international deontologies. Searle explains how language creates and maintains the elaborate structures of human social institutions. These institutions serve to create and distribute power relations that are pervasive and often invisible. These power relations motivate human actions in a way that provides the glue that holds human civilization together.

Part V

Discussing normative approaches



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10 Re-making the diplomat

Chapter objectives

- To help readers understand supranational and subnational challenges to traditional forms of diplomatic representation.
- To explain the main sources of diplomatic influence (hard, soft and smart power), describe their application in practice, and discuss their advantages and shortcomings.
- To explore what methods of diplomatic recruitment and training could facilitate the formation of the twenty-first-century diplomat.
- To discuss the opportunities and challenges that digital diplomacy creates for Ministries of Foreign Affairs.

Introduction

Is the current evolution of the international society reshaping the diplomatic method, and, if yes, how should diplomacy adapt to the new circumstances? From a supranational perspective, questions keep arising as to whether diplomats should represent only the interests of their governments or whether they should also consider the impact the representation of these interests may have on the international order. The rising influence of subnational governmental authorities in foreign affairs challenges the four-century supremacy of traditional diplomats of the terms of diplomatic representation. Related questions could be raised about the tools of diplomatic engagement (how should diplomats use power in their work and to what purpose?) or training practices (what are the desired skills, recruitment patterns, knowledge accumulation objectives for the twenty-first-century diplomat?).

In other words, what principles should guide what issues become the subject of diplomatic representation, who is to be recognized as a diplomat, how should diplomats relate with each other, and how should they be recruited and trained in order to effectively face these challenges? This chapter will address these questions in three steps. The first section will examine why supranational and subnational challenges are gaining increased diplomatic relevance and what needs to be done to address them. The second section will discuss the main sources of diplomatic influence (hard, soft and smart power), describe their application in practice, and discuss their advantages and limitations. The third part will probe how diplomatic training currently takes

place and what aspects diplomatic curricula need to take into account in order to prepare diplomats for service in the twenty-first century.

Diplomatic representation

The raison de système

Because of their unique position at the crossroads between various communities, societies and organizations, diplomats are inclined to see the world differently and with different priorities from those they represent. This has often prompted the question of whether diplomats should represent only the interests of their states or also those of the international society at large. The British Prime Minister, Margaret Thatcher, could not comprehend, for instance, why the British ambassador in Bonn, Sir Christopher Mallaby, was writing telegrams welcoming the prospect of German unification, after the fall of the Berlin Wall in November 1989. She thought he must have ‘gone native’ (Cameron, 2009). Chester Bowles, John Kenneth Galbraith and Daniel P. Moynihan were among the U.S. envoys who carried the stigma of ‘going native’, while on the Indian side; Naresh Chandra and Nani Palkhivala faced criticism for being too close to the United States. All they did was to promote better ties between two sides afflicted with Cold War pathology (Rajghatta, 2007).

‘Going native’ or ‘localitis’ (→ glossary) (i.e. being more sympathetic to the host country than to the sending government) is viewed as a capital ‘sin’ for the career of any diplomat, because it allegedly impedes her capacity to provide proper diplomatic representation. To prevent this, most diplomatic services operate a four- or five-year rotation system of diplomatic staff so that members of the diplomatic mission would not suffer from over-exposure to the local political conditions. It remains doubtful though whether the rotation solution prescribed to ‘localitis’ is the correct one. The reason for that relates to the fact that diplomats’ propensity to ‘go native’ is hardly informed by their desire to substitute the interests of their government with those of the host country. While diplomats may occasionally betray the interests of their country for material, ideological or personal reasons, such situations are actually very rare, and they may take place regardless of whether diplomats are being regularly rotated in their posts or not.

The source of ‘localitis’ is actually a core tension at the heart of the method of diplomatic representation: whether the diplomats should represent *only* the interests of their governments or whether they should also consider the impact the representation of these interests may have on the international or regional stability (see Box 10.1). The interplay of these two opposing sets of considerations places diplomats, especially those of great powers, in front of a difficult dilemma. On the one hand, if they agree for the *raison de système* (→ glossary) to take precedence in guiding their actions, then they risk circumscribing the autonomy of their sovereigns and, by implication, their own position. In addition, it requires that great powers identify themselves with a set of common norms, rules and international institutions to the extent that they are willing to bear disproportionate costs that might sometimes go against their interests. On the other, if they unrestrainedly pursue diplomatic actions in line with the *raison d'état* doctrine, then they risk undermining the ‘fabric’ of the system itself by demotivating other diplomats from respecting the shared norms and rules that sustain international order.

Box 10.1 *The raison de système*

The term of *raison de système* was coined by Adam Watson who referred to it as “the use of diplomacy to achieve the ultimate purpose of an international society of independent states” (Watson, 1984: 203). Skeptical of the benefits of the doctrine of the *raison d'état* (i.e. the pursuit of state interests free of ethical considerations), Watson pointed out that all members of the international society have not only an interest but also a moral obligation in preserving it and making it work. By disproportionately benefiting from the system, great powers in particular have a moral responsibility “to ensure that the fabric of the system itself is preserved and its continuity maintained” (Watson, 1984: 208).

Understandably, there is no universal formula for coherently representing the interests of both the state and the international society. Furthermore, the *raison de système* may sometimes provide cover for deeply oppressive international orders such as the colonial system in the nineteenth century (see Box 2.7 in Chapter 2). The way in which diplomats learn how to strike a balance between the *raison d'état* and the *raison de système* is from experience, by maintaining a rhetorical consistency between them both and what their principles would like them to do (Sharp, 2009: 22). The main virtue to enable diplomats to accomplish this delicate task is prudence (→ glossary: diplomatic prudence) or practical wisdom; that is, the capacity to judge what action is appropriate to pursue in a particular context, especially under conditions of high uncertainty of the outcome.

The question then turns to what does it take for a diplomat to exercise prudence when she realizes the existence of a potential conflict between the national interests she is mandated to represent and the international order? Building *consensus* with the other members of the international society is one important dimension of diplomatic prudence. As the Nobel Prize Committee pointed out in its 2009 award statement for the U.S. President Barack Obama, it is imperative for diplomacy to be “founded in the concept that those who are to lead the world must do so on the basis of values and attitudes that are shared by the majority of the world’s population” (Norwegian Nobel Committee, 2009). In other words, consensus is supposed to harmonize diplomatic representations of state and systemic interests by filtering out unnecessary sources of diplomatic tensions and facilitating broader support for transformative initiatives of international order.

What if consensus is not available? Should diplomats refrain from engaging in actions that might be potentially beneficial for both their own state and the international society if they lack the support of other diplomats? Carefully examining the consequences of one’s actions and taking *responsibility* for them, especially when they go against the will of the majority of the members of the international society, is another form of cultivating diplomatic prudence. In his famous statement of the ‘pottery barn rule’, U.S. Secretary of State Colin Powell warned, for instance, President George W. Bush before the U.S. invasion of Iraq: “You are going to be the proud owner of 25 million people . . . You will own all their hopes, aspirations, and problems.

You'll own it all" (Woodward, 2004: 150). Powell's advice was sensible and insightful: on rare occasions, it might be worth 'going alone', but one should be fully aware of the responsibility he bears for the consequences of his actions and be prepared to take corrective measures to address the inevitable distress.

Finally, diplomatic prudence also rests on a certain degree of *reasonableness*; that is, the ability to reach out to the other side, to stay open to its arguments and to seek a shared solution in support of the international order. Seneca, the famous Roman stoic, argued in his treatise *De Otio* (On leisure) that the purpose of *negotium* (negotiation) is not to benefit oneself but rather to be useful to others:

It is of course required of a man (sic!) that he should benefit his fellow-men – many if he can, if not, a few; if not a few, those who are nearest; if not these, himself. For when he renders himself useful to others, he engages in *negotium* (3.5).

(Cited in Constantinou, 2006: 356)

Arguably, few diplomats would enthusiastically follow Seneca's recommendation to its logical end, but the idea of reasonableness as other-perspective taking has practical merits and ought to be recognized as an important element of diplomatic prudence. By encouraging diplomats to see the issue from the perspective of the others, reasonableness helps them cut through the fog of misunderstandings and deception, acts as a catalyst for long-term relationship building and provides a normative anchor for the *raison de système*.

Paradiplomacy

While *raison de système* challenges the substance of state-centric principles of diplomatic representation (what issues to represent?), paradiplomacy (→ glossary) questions the type of agency to provide diplomatic representation (who should be authorized to represent?). The concept of paradiplomacy entered the academic debate within the context of the rise of the 'new federalism' in the 1970s and 1980s as an expression of the changing political dynamic between central and subnational authorities of federal states in matters of foreign policy (Aguirre, 1999: 187). The key feature to distinguish paradiplomacy from traditional forms of diplomatic intercourse is the notion of *non-central yet governmental* agency of diplomatic representation. More specifically, paradiplomacy encompasses:

[n]on-central governments' involvement in international relations through the establishment of permanent or ad hoc contacts with foreign public or private entities, with the aim to promote socioeconomic or cultural issues, as well as any other foreign dimension of their constitutional competences.

(Cornago, 1999: 40)

Typical examples of paradiplomacy include the cases of the Quebec province in Canada, Catalonia and the Basque Country in Spain, California in the United States, or of megacities like London, Tokyo, New York, etc. For example, Quebec has been fully participating in all of UNESCO's activities, together with and through Canada's Permanent Delegation since 2006. The Autonomous Community of the Basque Country in Spain signed an agreement in 1989 with the Aquitaine Region in

France involving the exchange of information in various policy areas, promoting the Basque culture and language, and the creation of a Common Fund for the financing of Basque projects. In collaboration with several Canadian provinces and Mexican states, California has negotiated and established a cap-and-trade program to reduce greenhouse emissions on a regional level in North America. With London acting as a catalyst, over forty other global cities, including Toronto, Tokyo, New York, Sao Paulo, Hong Kong and Berlin, have joined forces under the umbrella of the Climate Leadership Group to exercise leadership in reducing emissions and to stimulate both private and governmental action on the issue.

At the broadest level, we can distinguish between three layers of paradiplomacy. The first layer corresponds to economic issues. In this context, sub-state governments aim at developing an international presence for the purpose of attracting foreign investment, luring international companies to the region and targeting new markets for exports. The prototypical examples here are the U.S., Australian and Canadian states and provinces whose international activity consists essentially of the pursuit of economic interests. The second layer of paradiplomacy involves cooperation (cultural, educational, technical, technological and others). In addition to membership in several transborder associations (for example with the Swiss cantons of Genève, Vaud and Valais), the French region, Rhône-Alpes, has also developed a series of bilateral relations with sub-state entities in various African (such as Mali, Senegal, Tunisia), Asian (such as Vietnam) and Central European countries (such as Poland). The third layer of paradiplomacy involves political considerations. Sub-state governments seek to develop a set of international relations that would affirm the cultural distinctiveness, political autonomy and the national character of the community they represent, as is the case for Quebec, Flanders, Catalonia and the Basque Country (Lecours, 2008: 2–3).

Despite its growing significance in global politics, however, it remains unclear how paradiplomacy is going to intersect with and possibly affect traditional forms of diplomatic interaction. One possible direction of evolution could involve attempts to strike a middle ground between “realist” power play and the humanist need to connect to and engage with others (Duran, 2016). Such a development would present the advantage of allowing both traditional diplomats and paradiplomatic actors to share critical resources, while maintaining their own identity and goals. At the same time, questions of legitimacy might arise about who has or should have the authority to speak on issues involving overlapping jurisdiction. This might explain the general reluctance of state diplomats to cultivate institutional ties with paradiplomatic actors.

For other scholars, the international involvement of non-central governments (NCG) could be more properly labelled ‘postdiplomatic’ (Aguirre, 1999: 205), because it is a process involving new actors, issues and methods and hence it moves beyond the nation-state and state-centric forms of diplomacy (see also the case of city diplomacy in Chapter 13). While the international activity of NCG parallels that of traditional diplomats to the extent that both seek access to international networks, they nevertheless supply distinct kinds of public goods and use different methods for acquiring them. What paradiplomacy lacks is the *political* meaning that is constitutive of state-based forms of diplomatic practice; that is, the notion that diplomats exist only to serve the territorial-sovereign state and to reproduce the particular type of international society that makes such type of political entity possible. From this perspective, paradiplomacy can be seen as another facet of the process of globalization,

a rather technocratic mode of producing convergence of regulatory norms and enforcing compliance on a transnational basis (Kuznetsov, 2014).

One could also argue that paradiplomacy actually represents a site of political contestation, which serves not only to challenge but also to reinforce the authority of conventional diplomacy. Undoubtedly, NCGs are engaged in a turf battle with foreign ministries for dividing up jurisdictional competences, but they generally do this from a position that may simultaneously legitimize and undermine the society of states. On the one hand, paradiplomacy serves as an NCG vehicle for diplomatic interventions. In so doing, it gives voice to important political actors, including the staging of new contestations that trespass the boundaries of territorial sovereignty. On the other, such forms of pluralization of diplomacy also serve to legitimize dominant understandings about how the challenges of global governance should be adequately managed, even at the risk of dismantling the organizational achievements (some positive, some negative) of modern states.

Diplomacy and power

The question of power remains a blind spot in diplomatic theory. Sharp points out that diplomacy puts people in touch with power, but rather in a paradoxical manner: diplomats largely live and work in the proximity of power (e.g. political leaders making foreign policy decisions), but they rarely exercise the power directly (Sharp, 2009: 58). Neumann is even more critical. Diplomats might have been able to exercise power in the past, but their work nowadays largely involves juggling different bureaucratic scripts, governed by a code of conduct that rewards institutional conformity, protocol compliance and political self-effacement over policy innovation, critical engagement and diplomatic leadership (Neumann, 2005). Bjola takes a more optimistic view and argues that diplomats actually have more power than they are generally credited with. They wield the power to make relations! This form of power is less visible because it emerges not prior to actors' interactions but through diplomatic engagement. In other words, diplomats are not exercising power directly one over another, but rather through relations of constitution of enmity/friendship (Bjola, 2013).

Whether diplomats have power or not depends on the type of resources that are available to them and the limitations they experience in making use of them. Diplomacy has been traditionally seen by scholars and practitioners alike as a second-order instrument of state power, primarily used to communicate threats and promises in support of first-order policy instruments, especially of a military and/or economic nature. Under the tradition of the doctrine of the *raison d'état*, the main leverage of diplomatic influence has been the *hard power* entailed by the country's configuration of material capabilities (e.g. population, territory, natural resources, military forces, economic size or political stability). According to this view, the success of certain diplomatic strategies rests with diplomats' ability to properly recognize and exploit the distribution of capabilities within the system. Morgenthau's four tasks of diplomacy forcefully encapsulate this creed: diplomats must assess the power and objectives of other nations, compare them with their own, determine conditions of compatibility and then deploy appropriate means (Morgenthau and Thompson, 1993: 361–362).

An important application of hard power is coercive diplomacy (→ glossary) or 'forceful persuasion' (George, 1991: 4) that is, the effort to change the objectionable

behaviour of a target state or group through the credible threat of economic sanctions or the use of military force. Coercive diplomacy is supposed to work by demonstrating the superiority of hard power of one party over the other (see Box 10.2). However, in practice, the effectiveness of coercive diplomacy is controversial. Studies of use by the United States of coercive diplomacy in the post-Cold War period have shown, for instance, such strategies to have had borderline success in three cases (Haiti in 1994, Bosnia in 1995, Libya 2003), outright failure in four situations (Iraq 1991, Kosovo 1999, Afghanistan 2001, Iraq 2003), and unclear outcomes in four other cases (China-Taiwan crisis in 1996, Somalia 1992–93, North Korea in 1994, Iran 2006–present) (Art and Cronin, 2003). Most problematically, though, is the question of the legitimacy of resorting to coercive diplomacy. Aside from the fact that the UN Charter explicitly prohibits the threat of the use of force (Art. 2.4), there are serious concerns as to whether coercive diplomacy is not actually paving the way for war as opposed to preventing it.

Box 10.2 Determinants of success of coercive diplomacy

- *Credibility of the threat*: the threat should be proportional with the demand, backed up by sufficient resources, and the threatening state must have a good reputation of following through.
- *Legitimacy of the demand*: the goal must be perceived as legitimate by the public opinion in the threatening states.
- *Motivation of the parties*: the coercing power must convey that it is more highly motivated to achieve its demands than the adversary is to oppose them.
- *Offer of positive incentives*: the threatened government must be offered sufficient “carrots” to avoid a humiliating “loss of face” domestically and internationally (George, 1991; Sauer, 2007).

On the one hand, supporters of coercive diplomacy point to its success in avoiding a nuclear war between the United States and the Soviet Union during the Cuban Missile Crisis in 1962, or to Libya’s decision in 2003 to abandon its programmes for the development of weapons of mass destruction (WMD). According to this line of reasoning, coercive diplomacy can work, even against the hardest authoritarian regimes. Furthermore, coercive diplomacy could be an effective alternative to costly and risky strategies of ‘regime change’ in countries where governments consistently act in defiance of international law. As the Libyan case suggests, rogue states (→ glossary) only need to know both that the coercer is firm about not accepting too little, and also trustworthy about not pushing for too much. On the other hand, as military interventions and economic sanctions generally fail to distinguish between bad governments and their people, there is grave risk that coercive diplomacy may lead to long-term diplomatic alienation between the parties, even when the leaders and diplomats responsible for these actions are no longer in office.

Concerns over the effectiveness and legitimacy of the use of hard power have stimulated a growing interest, since the late 2000s, in the concept of ‘soft power’ as an alternative instrument of diplomatic engagement. *Soft power* emphasizes the ‘power of attraction’ over that of coercion or inducement; that is, the power to seduce others to follow you because of the magnetism exerted by your culture, political values or foreign policies (Nye, 2004: 11). Drawing on global surveys measuring public attitudes on six dimensions of soft power (see Box 10.3), a recent global ranking of soft power has found Western countries to enjoy a considerable advantage in this area with France, the UK, the United States, Germany and Canada rotating the top positions among themselves, but with emerging powers such as China, Brazil and India also steadily gaining ground (McClory, 2017: 40).

Box 10.3 Sources of soft power

- *Government*: the attractiveness of a state’s political institutions and values measured by the degree of individual freedom, human development, violence in society and government effectiveness.
- *Culture*: the ability of a country to promote universal values that other nations can readily identify with and measured by factors like the annual number of visiting international tourists, the global success of a country’s music industry and even a nation’s international sporting prowess.
- *Global engagement*: aims to measure a country’s diplomatic resources, global footprint and contribution to the international community. It includes metrics such as the number of embassies/high commissions a country has abroad, membership of multilateral organizations and overseas development aid.
- *Education*: the ability of a country to attract foreign students, or facilitate exchanges, measured by the number of foreign students in a country, the relative quality of its universities and the output of academic publishing.
- *Enterprise*: the relative attractiveness of a country’s economic model in terms of competitiveness, capacity for innovation and ability to foster enterprise and commerce.
- *Digital*: the extent to which countries have embraced technology, how well they are connected to the digital world and their use of digital diplomacy through social media platforms (McClory, 2017: 30–31).

What is less clear, though, is what to make of ‘soft power’ from the perspective of the diplomats? After all, it is one thing to posit, for instance, that the appeal of U.S. values, the model offered by its political system, the broad presence of its brands overseas and its pop cultural exports, help in some vague and very general way to predispose foreign publics towards the United States. It is quite another to hold out reliance upon ‘soft power’ as a means by which a U.S. diplomat can accomplish any specific policy objective (Ford, 2012: 93). This is where the notion of public diplomacy (→ glossary) comes into play, as an instrument for creating, maximizing and rendering soft power into diplomatic influence. The purpose of public diplomacy is to advance the interests and extend the values of those being represented by direct

relations with another country's public (Sharp, 2005: 106). In practice, this involves three components: daily communications, to explain the context of domestic and foreign policy decisions; strategic communication, to develop a set of simple themes in support of a policy initiative; and relationship-building with key individuals over many years through scholarships, exchanges, training, seminars, conferences and access to media channels (Nye, 2008: 102).

As a relatively new but pivotal instrument of foreign policy, public diplomacy places the professional diplomat in front of a crucial dilemma. Should her mission be to promote the policies of her state at any price (e.g. even by twisting the truth as in classical forms of propaganda) or should she aim to genuinely engage the foreign public for the purpose of fostering long-term mutual understanding? The 'tough-minded' school of public diplomacy insists the main purpose should be to maximize influence on the attitudes of foreign audiences. Objectivity and truth are considered important tools of persuasion, but are not extolled as great virtues in themselves. The 'tender-minded' school argues, in exchange, the main objective of public diplomacy should be the establishment of a climate of mutual understanding. Truth, therefore, is considered essential, much more than a persuasion tactic (Snow, 2009: 9). In practice, however, the distinction between the two modes of engaging in public diplomacy is often blurred (Cull, 2012; see also Box 10.4).

Box 10.4 U.S. public diplomacy in the Arab world

In the aftermath of the 2001 attacks, the U.S. government launched Radio Sawa and Alhurra satellite television, two programmes designed under a wide-scale public diplomacy plan to improve America's image in the Middle East and win the hearts and minds of the Arab people. The target audience for Radio Sawa and Television Alhurra has been the younger Arab generation, who will be tomorrow's decision makers. Although the information provided by the two channels has been highly accurate, its capacity to shape the attitudes of the target audiences has been rather modest. It appears many Arab media users today are intensely aware of the U.S. administration's motives in trying to win Arab hearts and minds and improve its image in the Arab world, and hence they have a tendency not to trust news broadcast on Radio Sawa or Television Alhurra (el-Nawawy, 2006: 183–184).

The third potential source of diplomatic influence is *smart power*, which brings together hard and soft power via "the strategic and simultaneous use of coercion and co-option" (Cross, 2011: 698). The reasoning behind smart power is that by combining hard and soft power, the limitations of each could be offset by the strengths of the other. The way to achieve this is by making sure the elements of hard power (military intervention, legal sanctions, economic conditionality) and soft power (aid, public diplomacy, educational exchange, etc.) of a diplomatic strategy reinforce rather than undermine each other. During her tenure as U.S. Secretary of State, Condoleezza Rice pressed, for instance, the department to engage in what she called "transformational diplomacy". She expressed her wish to make the State Department 'smarter' by transforming old diplomatic institutions to serve new diplomatic purposes. Rice noted that:

[t]ransformational diplomacy is rooted in partnership; not paternalism. In doing things with people, not for them, we seek to use America's diplomatic power to help foreign citizens better their own lives and to build their own nations and to transform their own futures.

(Cited in Wilson, 2008: 117)

For others, smart power is less an issue of catalysing diplomatic transformations in various regions of strategic interest, but rather one of pragmatically building alliances by investing in the production and delivery of global public goods (see Box 10.5). As pointed out by Nye and Armitage in their report on smart power, "states and non-state actors who improve their ability to draw in allies will gain competitive advantages in today's environment. Those who alienate potential friends will stand at greater risk" (Armitage et al., 2007: 10). The upshot of this argument is that, similar to soft power, smart power requires a broader time horizon to yield results, but like hard power, it requires significant material resources to create, deliver and sustain global public goods.

Box 10.5 U.S. smart power as investment in five global public goods

- *Alliances, partnerships and institutions*: rebuilding the institutional foundation to deal with global challenges.
- *Global development*: developing a unified approach, starting with public health.
- *Public diplomacy*: improving access to international knowledge and learning.
- *Economic integration*: increasing the benefits of trade for all people.
- *Technology and innovation*: addressing climate change and energy insecurity (Armitage et al., 2007: 5).

Finally, there is also the view that smart power is less a matter of finding the proper balance between hard and soft power in the abstract, but rather of sorting out this balance in the concrete. One such possible example would be the sharpening of the rapid-reaction skills of diplomats to political events with an emphasis on innovation, agility, adaptability and autonomy. Daryl Copeland draws on these features to introduce the concept of guerrilla diplomacy (→ glossary), a new form of international engagement that has emerged in response to the apparent marginalization by traditional diplomats of the capacity for dialogue, negotiation and compromise and the advent of the scientifically and technologically driven age of globalization. Accordingly, the guerrilla diplomat brings an "informed, directed, special-forces-style sensibility to bear on the broad objectives of diplomacy, maximizing self-reliance while minimizing the usual investment in plant, infrastructure, and logistical support" (Copeland, 2009: 209). In other words, if they want to stay relevant, diplomats must step out of their formal channels of state-to-state interaction and start engaging the populations with whom they desire to build long-lasting relations.

The idea has found support with some top U.S. diplomats, who have suggested the State Department should create and train a new category of personnel, the ‘expeditionary diplomat’, who would serve “in the hardest place at a moment’s notice”, combining local knowledge, cultural sensitivity and technical expertise to facilitate post-conflict reconstruction and stabilization projects (Seib, 2012: 106). The idea of infusing the diplomatic ethos with a more flexible, innovative and culturally sensitive attitude that combines elements of both hard and soft power is certainly welcome, especially in the current globalizing diplomatic landscape. Coercive diplomacy is too blunt an instrument for promoting international cooperation, while public diplomacy can be easily abused for propaganda purposes (Cull, 1995, 2008). Diplomacy based on smart power holds out, at least in principle, the promise to avoid such pitfalls by focusing on the production and delivery of critical public goods to foreign publics. The challenge for smart power is to deliver results in real time. One important lesson of the ‘Arab spring’ or the European refugee crisis in 2015 is that opportunities for diplomatic re-engagement might arise and disappear at a moment’s notice. Seizing such opportunities would be a crucial test for smart-power diplomacy.

Diplomatic recruitment and training

What does it take for a young graduate to become a diplomat? A brief overview of the methods of diplomatic recruitment, promotion and training undertaken by various foreign services provides useful clues about the type of skills sought after in prospective candidates. Unlike the pre World War I situation when diplomatic recruitment and promotion was reserved to a closed caste of upper-class males, recruitment to the British Foreign and Commonwealth Office (FCO) nowadays takes place by open competition. For the more senior stream – often called the ‘fast stream’ – candidates are required to have a university degree (second class honours or above) in any discipline. The prospective diplomats need to undergo a selection procedure that consists of several stages. The first stage, which is held annually, is a written intelligence and reasoning test. The candidates that pass this first stage proceed to the Civil Service Selection Board, which consists of two working days of individual and group exercises, interviews and written tests. At this stage, the examiners are selecting candidates on the basis of their ability to reason and problem-solve rather than on specific knowledge.

For each group of five candidates there are three examiners: a chairman, usually a retired senior civil servant; an ‘observer’, a younger, middle-ranking civil servant who tests the intellectual ability of the candidates; and a professional psychologist. The final stage involves a forty-five-minute interview with the Final Selection Board in front of five senior members, including one or more academics, business people or even trade unionists. The Final Selection Board takes the decision whether to hire a prospective candidate based on all the results of the earlier stages. Once admitted to the Diplomatic Service, promotion boards take decisions concerning career advancement. Promotion boards have access to detailed information based on the annual staff appraisal system, which is designed, among other things, to provide information about promotability. For the most senior jobs, ministers often take the final decision. In addition, the FCO organizes and participates in several programmes that promote a greater diversity in the recruitment intake such as ‘The Partner University Placement Scheme’, or the ‘Summer Development Programme’.

Prospective diplomats to the Indian Foreign Service are admitted on the basis of the combined Civil Services Examination. This is a competitive nationwide examination conducted by the Union Public Service Commission and is considered one of the most difficult examinations in the world, with on average about 500,000 candidates and a success rate of about 0.3% of the applicants. The Civil Services Examination is conducted in three stages. The so-called Preliminary examination is a qualifying test that is held annually for applicants to all India Services. It consists of two multiple choice tests, of which the first one tests the candidate's knowledge of current events and general studies, while the second exam tests the candidate's comprehension and reasoning skills. At the second stage, prospective diplomats join the Foreign Service Institute in New Delhi and they receive focused training. The aim of this course is to inculcate in the diplomatic recruit a keen sense of history, knowledge of diplomacy and international relations, and a grasp of general economic and political issues.

The Main examination then consists of nine essays, of which two are qualifying (English and Indian language proficiency) and seven are ranking in nature. The third and final stage is a Personality Test. This is an interview conducted by a board of observers that is aimed at assessing the personal suitability of the candidate for a diplomatic career. The entire examination takes about one and a half years. After this examination, a candidate begins his career abroad as a Third Secretary – a stage at which he is expected to further develop his language proficiency – and is promoted to Second Secretary as soon as he is confirmed in service. Subsequent promotions are based on seniority and are overseen by the Controlling Authority and departmental Promotion Committees. Indian diplomats can rise through the ranks to the level of First Secretary, Counselor, Minister and Ambassador/High Commissioner/Permanent Representative. Officers can also be posted to Indian Consulates abroad as Vice-Consuls, Consuls and Consul Generals.

Similar recruitment procedures apply to international organizations as well, such as the UN. One can enter the UN career path in three separate ways. For a graduate school student, the typical opportunity is a two-month internship, which is intended to provide a framework by which students from diverse academic backgrounds may be attached to UN offices or departments. It should be noted though that doing such an internship does not automatically lead to a permanent position in the UN system. Recent graduates can enter the UN through a National Recruitment Examination or through the Associate Experts Program. The latter offers young professionals with limited or no professional experience the opportunity to work for development or regional projects within various UN fields. Finally, a professional with experience can respond to external vacancy announcements. Junior and senior professionals are recruited through National Competitive Recruitment Examinations (NCREs), which are generally organized as a matter of priority in countries that are inadequately represented among the staff of the Secretariat.

In terms of procedure, NCREs consist of a written test and an interview. The written examination is subdivided into two parts: the first part is a General Paper in which the candidate's analytical skills, drafting skills and knowledge of international affairs are being tested; the second part consists of the Specialized Paper in which the candidate's substantive skills in the occupational group are being assessed. Based on the outcome of this written examination, a number of candidates are then invited to the interview by the Board of Examiners. The interview will be conducted in English or French, the two working languages of the Secretariat. The general policy is to recruit from as wide a geographic area as possible, in order to achieve, as closely as possible,

equitable representation among Member States. The Department of Peacekeeping Operations also maintains a computerized roster of candidatures for civilian assignments to Peacekeeping Operations.

According to the 2007 Lisbon Treaty, the EU High Representative for Foreign Affairs and Security Policy (e.g. the EU foreign minister) is assisted by a European External Action Service (EEAS). This service works in cooperation with the diplomatic services of the Member States and comprises officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from national diplomatic services of the Member States. A subsequent decision of the Council of the European Union stipulated that before 1 July 2013, the EEAS would recruit exclusively officials originating from the General Secretariat of the Council and the Commission, as well as staff coming from the diplomatic services of the Member States. After 13 July 2013, all officials and other servants of the EU (particularly the European Parliament) have been able to apply for vacant posts in the EEAS. The Council also decided recruitment to the EEAS should be based on merit while ensuring adequate geographical and gender balance. The staff of the EEAS should comprise a meaningful presence of nationals from all the Member States.

Training for European-level diplomacy has, broadly speaking, followed two streams. First, the European Commission offers a series of skills-driven schemes for a number of Directorates-General involved with external action, as well as for delegation staffs; second, the European Diplomatic Programme (EDP) addresses a mixed group of EU officials and national diplomats not only for vocational reasons but also for fostering a shared diplomatic culture and a common sense of European purpose in external action. EDP teaching, which takes place on an annual basis via four modules of two-day meetings, is based on practical learning, with an emphasis on case studies, as well as simulation of and real participation in multilateral negotiations. The 2017–18 EDP edition will focus, for instance, on the theme of ‘The EU Global Strategy: From Vision to Action’. By approaching the topic from a triple point of view (thematically, geographically and from the EU and Member States’ perspective), participants are expected to acquire a better and holistic understanding of how the EU is structuring and fostering its relations in various areas with its most prominent counterparts.

Most of the diplomatic training is skills-driven. Obviously, vocational training has strong merits in teaching diplomats practical techniques of how to accomplish the general tasks required from them (e.g. preparing a negotiation dossier, chairing a committee, reacting to a diplomatic incident, etc.). The proliferation of issue areas and actors in global politics also puts pressure on diplomats to constantly update their repertoire of skills, especially in areas of cultural adaptability, information integration and analysis or with respect to their ability to show initiative and provide leadership (U.S. State Department, 2012). Arguably, the practice of diplomacy would seriously suffer if diplomats, especially those in the initial stages of their career, did not master the tools of their trade.

The changing global environment requires diplomats to be well-read and up-to-date about the broader intellectual debates informing competing strategic visions of the global agenda, the normative and strategic differences underpinning conflicts over international rules, or the legal and institutional instruments mediating linkages between domestic, regional and international fora. Therefore, skills-oriented training should also be complemented by solid academic tutoring in areas of greater relevance for the conduct of diplomatic relations. Courses addressing the diplomatic management of international crises would allow prospective diplomats to combine

theoretical and practical insights of how traditional methods (coercive diplomacy, summits, secret negotiations) and state-of-the-art technologies (e.g. digital diplomacy, cyber warfare) facilitate or complicate crisis management efforts. Options on international law would assist them in understanding the significance of the *raison de système* in their work or the limitations of paradiplomacy. Theories of international ethics could familiarize aspiring diplomats with the possible implications of their strategies of coercive or public diplomacy.

It is this understanding of the need for recasting the training of aspirant diplomats that seems to drive the recent expansion, both in terms of the number and of the course offerings, of academic centres preparing students for the diplomatic field. Here are a few examples:

- *Diplomatic Academy of Vienna*: teaches postgraduate courses on International Organizations and Multilateral Diplomacy; Multilateral Negotiation; Public Diplomacy; Protocol and Etiquette for the Modern Diplomat, as part of the course offerings for the Master of Advanced International Studies.
- *University of Oxford*: teaches postgraduate courses on International Diplomacy; Diplomacy and International Law; Diplomatic Management of International Crises; Digital Diplomacy as part of the course offerings for the MSc in Global Governance and Diplomacy.
- *Paul H. Nitze School of Advanced International Studies, Johns Hopkins University*: teaches postgraduate courses on International Bargaining and Negotiation, International Public Relations and Public Diplomacy, Law of War and War Crimes, as part of the course offerings for the MA and PhD course offerings in International Relations.
- *The Fletcher School of Law & Diplomacy, Tufts University*: teaches postgraduate courses on Diplomacy: History, Theory, and Practice; United States Public Diplomacy; International Mediation; International Treaty Behavior; The Art and Science of Statecraft; Processes of International Negotiation; The Role of Force in International Politics, as part of the course offerings for the MA in Law and Diplomacy.
- *Woodrow Wilson School of Public & International Affairs, Princeton University*: teaches postgraduate courses on Diplomacy, Development and Conflict; Negotiation: Theory and Practice; U.S. Diplomacy and the Other Middle East; Diplomacy and Security in Northeast Asia; Global Environmental Governance, as part of the Master in Public Affairs.
- *Leiden University and the Netherlands Institute of International Relations ‘Clingendael’*: teaches postgraduate courses on Diplomacy Today: Theory and Practice; Diplomacy in Asia; International Negotiation; The Sanctions Practice of the UN Security Council, as part of the course offerings for the MA in International Relations and Diplomacy.

Digital diplomacy

Digital diplomacy (→ glossary), that is, the use of digital technologies to carry out diplomatic objectives, is no longer an inchoate field of expertise trying to find its balance in a world challenged and disrupted by the advance of social media technologies (Bjola and Holmes, 2015). For many Ministries of Foreign Affairs (MFA) around the world, the policy priority has moved on from creating the necessary infrastructure for conducting digital diplomacy to the more ambitious objective of ‘getting it right’

(see Box 10.6). This effort is necessary not only because MFAs find themselves under growing institutional pressure to demonstrate ‘value for money’, but also because digital competition pushes MFAs to design more effective ways to reach their target audiences. This implies that digital diplomacy cannot flourish in the bureaucratic framework of conventional foreign ministries. It thrives in a work environment that stimulates informal teamwork, creativity, innovation and out-of-the-box thinking. In short, it requires more the institutional atmosphere of an Apple team of software developers than the one of a group of well-polished and well-seasoned lawyers preparing for an international negotiation.

Box 10.6 Five principles of impactful digital diplomacy

- **Listening** – actively monitoring online conversations is a critical step towards developing an impactful digital diplomacy. Quantitative metrics may be used for tracing rising trends and resonant themes of discussion, while qualitative research can help uncover networks of influence of relevance for one’s diplomatic objectives. Passively following popular trends and influencers is not the main rationale for social media listening, but rather the necessity to make sure that the pathway to impact is not obstructed by avoidable points of resistance.
- **Prioritization** – no digital strategy can succeed without clearly defined short-term and long-term objectives. However, as pointed out earlier, the context of the digital activity largely defines the nature of the objectives one should seek to pursue. Complex operations involving large and multiple audiences over long periods of time are more amenable, for instance, to incremental, output-based measurements as opposed to broad and ambitious long-term outcomes that are difficult if not impossible to deliver.
- **Hybridization**: while distinct in method, digital diplomacy does not operate independently of traditional diplomatic channels. The online ‘front-stage’ and offline diplomatic ‘back-stage’ need to be well coordinated in order for each to be effective and successful. This means that digital outputs and outcomes cannot be allowed to substantially diverge or contradict objectives set for traditional diplomacy.
- **Engagement**: a key advantage of digital diplomacy is the possibility of directly reaching large audiences in real time. Engagement, however, may vary from simple modes of info broadcast to more sophisticated forms of diplomatic advocacy. Quantitative metrics can help keep track of the short-term impact of digital engagements, but qualitative methods can reveal patterns leading to the development of long-term digital connections, relationships and networks.
- **Adaptation**: digital diplomats do not operate in a static environment as their actions are constantly influenced, shaped and constrained by the actions of other digital players. As a result, quantitative and qualitative measurement methods must be designed with a certain level of inbuilt flexibility to allow them to capture changing patterns of interactions with and inside the target audience (Bjola, 2016b: 353).

It also implies that the diplomatic training will likely have to expand the skill set that diplomats need to master in the digital age, from familiarity with the use of digital platforms to proficiency in Big Data analysis. As pointed out by Bjola (2017), technological acceleration puts significant pressure on MFAs to develop strong capacities for understanding the potential of digital technologies in their activity and for devising strategies to mainstream and tailor them to short- and long-term foreign policy objectives. Failure to do so will expose MFAs to the risk of not being able to maintain their ability to meaningfully influence policy outcomes in the international arena. Three areas are more likely to invite closer scrutiny by MFAs as the rate of technological disruption accelerates:

- *From institutional-based to ecosystem approaches:* as the success or failure of technological innovations is largely dependent on the quality of the broader ecosystem that supports them, MFAs would need to better understand the technological context in which they operate in order to figure out which digital trends to follow and which not. The 3G mobile technology made possible, for instance, the development and spread of social media networks. The 5G technology, which is due to arrive in just a few years, will likely usher in a whole new level of technological disruption, which could lead to the mass adoption of an entire range of tech tools of high relevance for diplomatic activity, such as augmented reality in public diplomacy or artificial intelligence in consular services.
- *From re-action to pro-action:* staying ahead of the technological curve will likely require a cognitive shift from following to anticipating and possibly pushing new trends. By swiftly reacting to the rise of social media, MFAs have managed, for instance, to leverage the power of these tools for maximizing their role in public diplomacy, crisis communication or diaspora engagement. However, by anticipating new tech trends, they could better operate in an increasingly competitive digital environment by setting rules and standards of digital practice before the others have the chance to do it. Pushing new trends could also prove highly beneficial, as the ‘first mover’ advantage could help digital pioneers secure extra recognition and influence, thus boosting their ‘soft power’ credentials as diplomatic leaders and innovators.
- *From centralization to networks:* a dense digital environment with a high rate of technological innovation favours and rewards creativity and experimentation over hierarchy and procedures. This means that in order to adapt more effectively to technological challenges, MFAs would need to relax the constraints underpinning institutional centralization and encourage instead forms and modes of digital interaction tailored to the specific profile of its constitutive diplomatic networks. Diplomatic missions to international organizations would benefit, for instance, from close collaborative efforts aimed at exploring and testing the potential of digital technologies in multilateral contexts. Similarly, embassies and consulates based in conflict-risk regions could share experiences and best practices regarding the use of digital technologies in crisis situations.

The second mega-trend works in a different direction by building resistance against the use of digital technologies. Unlike the case above, where MFAs are concerned about the risk of missing out on potential opportunities created by technological breakthroughs, this counter-driver raises questions about whether the costs of ‘going digital’ may not actually exceed its benefits. Paradoxically, it is the success of digitization that may plant the seeds for the rise of a powerful counter-trend to MFAs’ efforts

to further integrate and institutionalize digital technologies in their work. Emotional contagion, algorithmic determinism and policy fragmentation are three ways in which this counter-trend is more likely to manifest itself:

- *From fact-based reasoning to emotional commodification:* diplomatic engagement requires a minimum level of shared understanding and mutual openness in order to work. Such a possibility arguably dissipates when emotions overwhelmingly frame and dominate the discourse by which opinions are formed online, and when facts are pushed into a secondary or marginal position. When this happens, MFAs end up ‘preaching to the choir’ of sympathetic online followers, failing thus to reach constituencies outside the self-reinforcing ‘bubble’ of like-minded followers.
- *From relationship-building to algorithmic broadcast:* a significant part of MFAs’ interest in digital technologies lies with their capacities to reach out to online influencers and develop flexible networks of engagement with and across a variety of constituencies. This ability could be severely tested and even compromised by the growing use of algorithms as instruments of conversation monitoring, agenda setting and message dissemination. Recent studies have shown that up to 15% of Twitter accounts are in fact bots rather than people, and this number is bound to increase in the future. The moment that AI entities overtake humans in the population of digital users, the possibility of MFAs to develop meaningful relationships with online publics drastically decreases.
- *From digital integration to policy fragmentation:* it is also important to remind ourselves that digital diplomacy is not supposed to be an end in itself, but rather to serve clearly defined foreign policy objectives. The disruptive character of technological breakthroughs may lead, however, at least in the initial stage, to a decoupling of digital diplomacy from foreign policy. Quick adoption of digital tools without an overarching strategy of how they should be used in support of certain foreign policy objectives is likely to create problems of policy coordination and implementation. The risk for MFAs in this case is to find themselves consuming valuable resources on multiple mini digital campaigns with no clear direction or strategic compass to follow.

The future of digital diplomacy thus lies with the ability of MFAs to exploit the opportunities generated by technological disruption, while guarding themselves against the potential pitfalls its early success might create. If technological acceleration is seen as an opportunity for ecosystem-based, pro-active and network-oriented adaptation, then digital diplomacy is likely to penetrate the deep core of the diplomatic DNA. If, on the other hand, digitization fails to restrain emotional contagion, algorithmic determinism and policy fragmentation, then MFAs will likely slow down their efforts of integration of digital technologies in their work.

Summary

- From a supranational perspective, diplomats face a difficult dilemma: whether they should represent only the interests of their governments or whether they should also consider the impact the representation of these interests may have on the international order. The way in which diplomats learn how to strike a balance between the *raison d'état* and the *raison de système* is by exercising prudence or practical wisdom.

- From a subnational perspective, diplomatic representation is challenged by non-central governmental forms of diplomatic agency. The relationship between paradiplomacy and conventional diplomacy remains ambiguous. It may encourage the professional diplomat to strike a middle ground between ‘realist’ power play and the humanist need to connect to and engage with others; it may push diplomacy beyond state-centric forms of representation; or it may unfold a site of political contestation between the traditional and the ‘new’ diplomats.
- Diplomats have three important sources of power at their disposal. Traditionally, the main leverage of diplomatic influence has been the *hard power* entailed by the country’s configuration of material capabilities. *Soft power* emphasizes the ability to seduce others to follow you because of the magnetism exerted by your culture, political values or foreign policies. *Smart power* brings together hard and soft power via the strategic and simultaneous use of coercion and co-option.
- The proliferation of issue areas and actors in global politics also puts pressure on diplomats to constantly update their repertoire of skills, especially in areas of cultural adaptability, information integration and analysis or with respect to their ability to show initiative and provide leadership.
- Digital diplomacy is likely to penetrate the deep core of the diplomatic DNA if technological acceleration is seen by MFAs as an opportunity for ecosystem-based, pro-active and network-oriented adaptation. If, on the other hand, digitization fails to restrain emotional contagion, algorithmic determinism and policy fragmentation, then MFAs will likely slow down their efforts of integration of digital technologies in their work.

Study questions

- What does the concept of the *raison de système* refer to and what kind of challenge does it pose to how diplomats fulfil their representation function?
- How does paradiplomacy constrain and complement the work of traditional diplomats?
- Are soft and hard power two distinct instruments of diplomatic influence?
- What elements of smart power recommend it as a more suitable instrument of diplomatic action, and what are its main limitations?
- Are current methods of academic recruitment suitable for selecting successful candidates for practising diplomacy in the twenty-first century?
- What principles of digital conduct can help maximize the impact of digital diplomacy?

Recommended further reading

Art, Robert J. and Patrick M. Cronin. 2003. *The United States and coercive diplomacy*. Washington, DC: United States Institute of Peace Press.

The book examines eight cases of coercive diplomacy in the post-Cold War period, from North Korea to Serbia to the Taliban, from warlords to terrorists to regional superpowers. It dissects the uneven performance of coercive diplomacy in these cases and explains why it has sometimes worked and why it has more often failed.

Bjola, Corneliu and Marcus Holmes (eds.). 2015. *Digital diplomacy: Theory and practice*. London and New York: Routledge.

The volume brings together established scholars and experienced policy makers to theorize what digital diplomacy is, assess its relationship to traditional forms of diplomacy, examine the latent power dynamics inherent in digital diplomacy and assess the conditions under which digital diplomacy informs, regulates or constrains foreign policy. Organized around a common theme of investigating digital diplomacy as a form of change management in the international system, it combines diverse theoretical, empirical and policy-oriented chapters centred on international change.

Organski, A. F. K. and Jacek Kugler. 1980. *The war ledger*. Chicago, IL: University of Chicago Press.

This book offers an insightful investigation of the role of hard power in world politics. The authors find such well-known theories as the balance of power and collective security systems inadequate to explain how conflict erupts in the international system. Their empirical analysis proves that the power-transition theory, hinging on economic, social and political growth, is more accurate; it is the differential rate of growth of the two most powerful nations in the system – the dominant nation and the challenger – that destabilizes all members and precipitates world wars.

Nye, Joseph S. 2004. *Soft power: The means to success in world politics*. 1st ed. New York: Public Affairs.

This is a foundational book on the concept of soft power and its practical applications in world politics. Written from a U.S. perspective, the book explains what soft power is made of, how it works and how it could assist U.S. foreign policy.

11 Re-making domestic institutions

Chapter objectives

- Draw reader's attention to diplomatic practices of re-making domestic institutions.
- Trace evolution of peacebuilding practices (→ glossary) and debates as well as linkages between them.
- Discuss legitimacy of intervention.
- Investigate means of establishing peace.

Introduction

A chapter on 'Re-making domestic institutions' seems an odd addition to a book on diplomacy. According to conceived wisdom, diplomacy is about deciding what happens between states and not within states. The UN Charter, for example, is very explicit about safeguarding state sovereignty and the collective security mechanism designed for this purpose. But there is nothing explicit on re-making domestic institutions. If anything, sovereignty and re-making domestic institutions seem to contradict one another sharply.

There is, however, a twofold trend that makes diplomacy increasingly shape domestic institutions. First, the more diplomacy reaches into less traditional issue areas, such as development and the environment, the less its influence stops at state borders. The Sustainable Development Goals, for example, require states in the Global South to adapt their domestic institutions in order to further the goal of sustainable development. Greece's relations to other Eurozone states, too, are characterized by diplomatic influencing. Being dependent on fiscal transfer payments by these states, Athens has been under pressure to adapt its economic institutions and policies for years.

Second, diplomacy has become much more pro-active in attempting to build peace than before. To some extent, diplomacy has not had much of a choice. In the post-World War II era, there were many more intra-state wars than inter-state wars, and the latter have been much more destructive than the former. Diplomacy *had to find ways to address these conflicts*. Whether it always acted adequately is another question, however.

Diplomacy has frequently done so under the umbrella of the UN. There was a lot of learning by doing (see Box 11.1). Since the late 1980s, the UN has launched several operations meant to build peace. In Cambodia, the UN assumed quasi-governmental functions for a transition period. In Mozambique and Namibia, too, UN peace support missions had very strong civilian components. At the moment, a number of UN missions with more or less strong peacebuilding mandates are deployed around the world. These include missions in the Central African Republic, the Congo, Haiti, Kosovo, Liberia, Mali and South Sudan.

Box 11.1 ONUC and learning by doing

In the 1960s, the UN became embroiled in the Congo conflict. The UN Secretariat and Member States started reacting to this conflict by applying the recently developed peacekeeping concept. Designed to manage inter-state conflicts by deploying an interposition force between rivalling parties, the conflict management tool was applied to Congo's intra-state situation. It soon became clear that the concept of an interposition force was not suitable for dealing with internal conflict. Thus, the United Nations Operation in the Congo (ONUC), authorized by Security Council Resolution 143(1960), resorted to peacemaking (→ glossary) efforts because there was no peace to keep as well as to assuming civilian administrative responsibilities because there was no centralized state authority any more to take care of the basic needs of the population. The operation was very costly for the UN, especially in terms of casualties (including the Secretary-General Dag Hammarskjöld who was killed in a plane crash). At least in hindsight, the operation was not very successful either. Sustainable peace remained elusive in the Congo. Supported financially by Belgium (former colonial power) and the United States, Mobuto Sese Seko consolidated his power in the late 1960s and installed his dictatorship that would last until 1997. Given the troubles of ONUC, it is not surprising that it took decades and an entirely new international environment for the UN to engage in peace missions in intra-state conflicts again. With millions of people dying, the UN – and also the African Unity (AU) and the EU – have tried to re-assert themselves in the Congo in the early 2000s. They have been able to reduce the violence. But they have not been able to put an end to it so far.

This chapter addresses this issue of re-making states by inquiring into the oughts and ought nots of diplomacy in facilitating peacebuilding. The chapter is organized into four sections. First, we take a closer look at the diplomatic dimensions of peacebuilding. Second, we deal with the question of whether peacebuilding is actually a warranted diplomatic endeavour. Third, we discuss the overall purpose of peacebuilding. Fourth, we scrutinize the means for building peace.

Diplomacy and peacebuilding

Diplomacy sets the parameters of peacebuilding. This includes the very definition of the concept of peacebuilding as well as the institutional infrastructure through which diplomacy comes to decide on concrete peacebuilding missions and their components.

The concept of peacebuilding was introduced to global diplomacy by the UN Secretariat. In his 1992 Agenda for Peace, UN Secretary-General Boutros Boutros-Ghali introduced the term peacebuilding. He defines it as “post-conflict . . . action to identify and support structures which will tend to strengthen and solidify peace in order to avoid relapse into conflict” (Boutros-Ghali, 1992: para. 21). In his 1995 Supplement for an Agenda for Peace, Boutros-Ghali broadened this definition beyond post-conflict actions. Elaborating on the concept, he links peacebuilding to conflict prevention, management and post-conflict reconstruction (Boutros-Ghali, 1995, paras 47–56). In documents by the Secretary-General, this definition has stayed more or less in place. A few amendments have been made. An influential decision of the Secretary-General’s Policy Committee (UN, 2007), for example, somewhat qualifies that peacebuilding is merely about reducing “the risk of lapsing or relapsing into conflict”, and further emphasizes the attempt to provide help for self-help with the formulation “by strengthening national capacities at all levels for conflict management”, and stresses that the kind of peace sought after is a “sustainable” one. Most UN Member States have been backing the concept. This applies in particular to Member States that define their role in international affairs strongly via their involvement in conflict prevention and peacekeeping (→ glossary), such as Canada.

This does not mean, however, that there is a generally accepted definition of peacebuilding. With different international agencies and states establishing an institutional infrastructure for peacebuilding, more and more definitions of the concept have been developed. In a study systematically dealing with different conceptualizations of peacebuilding, the authors count no fewer than twenty-four different definitions. They also highlight that this is far from being only an academic issue. It amounts to a major problem if different actors, say the World Bank, the U.S. foreign service and the UN Department of Peacekeeping, use the same label but interpret it rather differently. These conceptual difficulties *impede coordination efforts* and it is often exactly these efforts that are very important for peacebuilding to succeed (Barnett et al., 2007). Peacebuilding is, ultimately, a system of governance. There are many actors involved in it, and these actors are situated on very different levels: international, regional, national and local. Whether these actors succeed in accomplishing anything together has a lot to do with them sharing an understanding of what peacebuilding actually entails (Hänggi, 2005).

The coordination problems are well acknowledged by the diplomatic community. In order to overcome them, processes of institutionalization have accelerated since the late 2000s. In the mid-2000s, the UN Peacebuilding Commission (PBC) has been added to the UN system (see Box 11.2). The PBC is a forum to discuss concrete peacebuilding missions in given countries. It is also a forum for developing a general strategy for peacebuilding. According to Kofi Annan, the UN Secretary under whose watch the PBC was created, the lack of such a strategy amounts to a major problem (Annan, 2005). The UN has also established a number of Peacebuilding Offices for coordinating concrete peacebuilding efforts in a number of states, such as the Central African Republic, Guinea-Bissau, Liberia, Sierra Leone and Tajikistan.

Box 11.2 The UN Peacebuilding Commission (PBC)

In 2003, UN Secretary-General Kofi Annan created the High Level Panel on Threats, Challenges and Change in order to discuss the main security issues of the twenty-first century. The High Level Panel was composed of sixteen members, including former Prime Ministers, such as Gro Harlem Brundtland (Norway), and Foreign Ministers, such as Gareth Evans (Australia). It was chaired by Anand Panyarachun, former Prime Minister of Thailand. In 2004, the High Level Panel delivered its final report, entitled *A More Secure World: Our Shared Responsibility*. Among other things, the report laments the absence of an adequate institutional infrastructure for peacebuilding, and suggests forming a Peacebuilding Commission to remedy this problem (UN, 2004). In 2005, the Security Council and the General Assembly jointly created the United Nations Peacebuilding Commission (PBC). The Commission is an 'intergovernmental advisory body'. It is entrusted with the task of coordinating peacebuilding activities of all actors involved. The key task to be performed is institution-building in the target state (or, in other words, 're-making' the state). Seven of its members are elected by the Security Council, seven by the General Assembly, and another seven by the Economic and Social Council (ECOSOC). Completing its thirty-one members, the top five contributors to the UN budget as well as to military and police personnel to UN missions are also represented. One of the guidelines for electing members is that the Commission is representative of all world regions. The thirty-one members are sovereign states. Interaction with global civil society organizations is fostered by so-called NGO informal briefings, i.e. NGOs are encouraged to share their knowledge and information with the Commission. The PBC has administrative support, most importantly by the Peacebuilding Support Office (PBSO).

To some extent, there is a trend towards institutionalization of peacebuilding on the regional level as well. The African Union, for instance, established the Peace and Security Council (AU PSC) in 2004. The AU PSC deals with peacemaking, peacekeeping and peacebuilding (Murithi, 2007). Other AU organs do as well. This ranges from the AU Commission to the Assembly of Heads of State and Government, and from the elder statesmen in the Panel of the Wise to the AU Assembly. The EU has created several new institutions that touch upon the issue of peacebuilding. The Political and Security Committee (EU PSC) performs a general steering function in foreign and security policy. It is supported in doing so by more specific institutions, such as the European Union Military Committee (EUMC), the European Union Military Staff (EUMS) and the Civilian Planning and Conduct Capability (CPCC). The trend towards institutionalization can also be discerned on the national level. In the United States, for example, there is an Office of Conflict Management and Mitigation at the U.S. Agency for International Development and an Office of the Coordinator for Reconstruction and Stabilization at the State Department (Ricigliano, 2012: 13). Finally, think tanks and NGOs have also set up infrastructure to deal with peacebuilding. The Centre on Conflict, Development and Peacebuilding at the Graduate

Institute of International and Development Studies; the Geneva Centre for Security Policy; Interpeace; and the Quaker United Nations Office, all based in Geneva, for example, established the Geneva Peacebuilding Platform (GPP).

Peacebuilding remains a hotly debated issue area – among states, among agencies and offices of international organizations (such as the UN's PBSO, the Department of Peacekeeping and UNDP), among NGOs, among scholars and think tanks, as well as across all these different kinds of actors. The remainder of this chapter looks at the three key debates: (1) when ought the international community intervene to build peace, (2) to what end, and (3) with what means?

The fundamental question: to intervene or not to intervene?

In the peacebuilding literature, there are many authors who strongly endorse external help for a peacebuilding society. They contend that the international community enhances its authority if it engages in peacebuilding activities (Adibe, 1998), that such external help is the *sine qua non* of successful war to peace transitions (Regan and Aydin, 2006) and that the international legal order, developing a *lex pacificatoria*, increasingly supports external peacebuilding efforts (Bell, 2006). There are, however, also a number of critical voices. External peacebuilding efforts are likened to an imperial agenda by the Global North to re-mould the Global South (Chandler, 2006) and a victor's peace (von der Schulenburg, 2017). Another cautioning addresses the nexus of knowledge and hierarchy. In Roger Petersen's view, the West fashions itself the re-maker of states without knowing much about these states and their societies: "Western intervention strategies imply a set of 'rational' actions and norms being taught to a lesser people. They also imply a superior knowledge that allows the intervener or occupier to carefully calibrate sticks and carrots in an optimal way" (Petersen, 2011: 15). The U.S.-led interventions in Afghanistan and Iraq, which diplomatic and public discourses sometimes squeeze into the category of peacebuilding, fuel these criticisms further.

This is an important debate. Ultimately, it is a debate about whether diplomacy ought to authorize intervention for the sake of building peace and, if so, what kinds of intervention. At first glance, answering these questions seems to be straightforward. It is legally permissible if the government of the target state *agrees* to the external help. Cases of post-conflict and preventive peacebuilding usually take this route. The target state agrees to the intervention, for example with the UN, the AU or the EU. Intervention is also legally permissible if the UN Security Council, determining that there is a threat to peace and security and acting under chapter VII (enforcement measures) of the Charter, decides to include peacebuilding efforts in peacemaking activities. This latter route is unlikely to be travelled down very frequently, because peacebuilding in many ways presupposes an environment in which peacemaking is not – or no longer – necessary.

At second glance, however, the permissibility is more complicated. There are at least four reasons for this, ranging from formal-legal to politico-philosophical. First, in rare circumstances, *no internationally recognized government* exists (or this government exists on paper only). Somalia, after Siad Barre's regime had collapsed, amounted to such a case. The UN then based its peacekeeping operation on the agreement between rival factions to let such an operation into the country. This agreement soon collapsed, however, and the UN had to resort to enforcement measures.

Second, once a target state has agreed to peacebuilding and other sets of measures, the intervenors may decide to *adjust the intervention*, for instance by sending more personnel and extending the mandate for intervention. To what extent a deepening and broadening of intervention is legally permissible without explicit consent by the target state is very much a matter of debate in what amounts to a legal grey zone.

Third, the issue of legal permissibility becomes more complicated when external non-governmental actors are factored in. NGOs feature prominently in peacebuilding efforts, especially when it comes to reconciliation and mediation on the local levels. Yet to them, the legal route via the UN applies *at best indirectly*. When the host state agrees to external help for peacebuilding within the framework of the UN, NGOs tend to move swiftly and step up their efforts as well. To some extent, target states can curb and facilitate cooperation with NGOs, for instance through visa policies before international aid workers enter the country and support, or lack thereof, once they are in. Given the number of NGOs in many peacebuilding countries and the weakness of many target states, the latter tend to find these regulatory functions sometimes difficult to perform.

Fourth, there is the profound politico-philosophical question of *how much external intervention can help a society to build peace*. Some time ago, Michael Walzer (1977) contended that military intervention in a state is justified only under extraordinary circumstances, such as genocide. The main reason he gave for this assertion is an interesting one. He argued that nations, in principle, *can win their freedom only themselves*. This argument was a philosophical reflection about *ius ad bellum* (just reasons to go to war). More recently, Walzer also reflects upon *ius post bellum* (just reasons to help transition once war is over). Here, he (2012) argues for more permissibility. In principle, he considers external peacebuilding warranted. But he also adds two qualifiers to his argument: (1) peacebuilders ought to intervene in order to help a state complete the transition from war to peace and not in order to pursue a more general regime change and democracy promotion agenda in world politics – this qualifier is directed against George W. Bush’s notion of regime change; (2) he hints again at the argument he made earlier about freedom. It is the community of the nation that has to decide upon the basic parameters of how it is to be governed and make these parameters last. To a considerable extent, this argument overlaps with Peterson’s criticism mentioned earlier. External peacebuilders can only know so much about a domestic conflict situation and how to address it appropriately. In order to prevent them from superimposing a one-size-fits-all model, there has to be a strong domestic input in the peacebuilding process.

This politico-philosophical debate may appear to be rather abstract. But where one stands in this debate has major repercussions for every aspect of peacebuilding. Take reconciliation and transitional justice, for example. Is it possible to facilitate reconciliation and justice from the outside? Is it possible for the international community to devise mechanisms of reconciliation and justice that are applicable to conflicts as different as, say, in the Congo and Kosovo? There are arguments for such mechanisms. In Rwanda, formal courts and local Gacaca Courts have been overwhelmed by the sheer numbers of court proceedings required against alleged participants in the genocide (Sarkin, 2001). The International Criminal Tribunal for Rwanda has somewhat helped the situation. There are also arguments against international interference in reconciliation. Indigenous methods may work better for reintegrating certain offenders back into society (Park, 2010). Finally, there is a lot of room

for a middle path between international mechanisms and indigenous methods. Truth and Reconciliation Commissions may be seen as rooted in international norms, but the actual workings of the Commissions vary greatly from transition state to transition state. Furthermore, a division of labour may be found between Truth and Reconciliation Commissions and more locally based indigenous courts (Fiadjoe, 2004). Yet however such a middle path may look, it is important that the society that tries to heal itself is the principal author in how it goes about doing this. There cannot be a universally valid scheme for reconciliation that is applicable anywhere in the world (Crocker, 1999).

Answers to questions about permissibility converge more and more around inclusivity. This is a process that has been spearheaded by the literature on peacebuilding (Autessere, 2010; Leonardsson and Rudd, 2015). Authors have moved increasingly away from formalistic understandings of agreement to outside peacebuilding efforts that focused on the government of a state. Instead, they postulate broader agreements that include different segments of society and deeper agreements that ensure that these segments of society can exert ownership over peacebuilding efforts that affect them. The latest two-stage UN peacebuilding review emphasized these broader and deeper agreements. In 2015, the Advisory Group of Experts on the Review of the Peacebuilding Architecture strongly stressed the need to foster “inclusive national ownership” (A/69/968–S/2015/490: 4). In 2016, the intergovernmental stage followed the Advisory Group on this point. It reaffirmed “the importance of national ownership and leadership, whereby the responsibility for sustaining peace is broadly shared by the Government and all other national stakeholders” (/S/RES/2282 (2016)).

With diplomacy authorizing external peacebuilding measures, diplomats have to face even more abstract questions. The next sections deal with the purpose and the means of peacebuilding.

What ought to be the end of peacebuilding?

In a way, the answer to this question is obvious. The purpose of peacebuilding is peace. But it is not that obvious what peace actually is. This, too, is a question with strong philosophical connotations that has major repercussions for how diplomacy ought to approach peacebuilding. What kind of peacebuilding exercises diplomacy ought to support and what kinds it ought to reject has a lot to do with how the peace that is to be built is defined.

Scholarly research on peacebuilding tends to define the ‘peace’ in peacebuilding as the absence of war, and select clear-cut quantitative indicators for this absence of war. The most frequently used indicator is 1,000 battle-related deaths a year. If the number of casualties in a state is below this threshold, the state is considered at peace. If the number reaches this threshold or exceeds it, scholars equate it with the occurrence of an intra-state war (Sambanis, 2004). Some students of peacebuilding consider this threshold too high and rely on a different operational definition of absence of war. The threshold of twenty-five battle-related deaths a year, for instance, is used in the literature as well (Call, 2012: 9).

There are, however, major problems with these conceptual and operational definitions. Defining peace conceptually as absence of war, strictly speaking, tells us very little about peace. It tells us what peace is not; but it does not tell us what peace actually is. This problem of the conceptual definitions notwithstanding, the operational definitions

suffer from the additional problem that methodologically clear-cut thresholds of battle deaths are always arbitrary. There is no convincing scholarly justification for why 1,000 battle-deaths should indicate war whereas 999 indicate peace (the same problem applies to the twenty-five battle deaths' threshold).

Peacebuilding practitioners are somewhat more prepared to re-think what the 'peace' in peacebuilding means. As a rule of thumb, different bureaucracies employ their peculiar expertise and experience to try to move the understanding of peace beyond the inter-state analogy. The World Bank and the IMF, for instance, strongly rely on economic indicators in order to determine what constitutes peace in a post-conflict reconstruction effort and what does not. Furthermore, peacebuilders – the many different definitions of peacebuilding used notwithstanding – have moved towards an understanding of the 'peace' in peacebuilding as 'sustainable peace'. The above two-stage UN peacebuilding review is full of references to sustainable peace.

The UN traces the peacebuilding concept back to Johan Galtung, and understanding peace as sustainable peace is closer to the writings of this highly influential peace researcher than more restrictive definitions. Galtung coined the highly influential distinction between negative and positive peace. Negative peace, he submits, is the absence of direct, structural and cultural violence. Direct violence ranges from verbal to physical harm, structural violence is about marginalization and exploitation, and cultural violence is about ideational resources (taken, for instance, from religion and ideology) to legitimate direct and structural violence. Positive peace, with which Galtung associates peacebuilding, is something akin to harmony. There is no direct violence but kindness and even love. There is no structural violence but dialogue and solidarity. Finally, there is no legitimation of violence (cultural violence) but a legitimation of peace (Galtung, 1996: 31–33).

Moving away from Galtung's conceptualizations to the extent that the count of battle-related deaths is used as short-hand for peace, narrowing the 'peace' in peacebuilding down to the markers routinely used by a bureaucracy in its everyday work (no matter whether this has something to do with peacebuilding or not), or coining the pleonasm 'sustainable peace' (sustainability is a feature of any meaningful definition of peace) has very little to do with Galtung. Indeed, Galtung's work cautions us against these simplifications. By the same token, however, it is difficult to simply apply his notions of negative or positive peace to peacebuilding. His notion of negative peace has the advantage that it deals with violence more comprehensively. It does not narrow it down to battle deaths and not even to physical harm. But this still does not solve the problem of negative definitions. Galtung's definition tells us more about violence and, thus, more about what peace is not. But it still does not really tell us what peace is. Galtung tries to accomplish this by outlining his concept of positive peace. But this concept is too demanding for peacebuilding. It would be utopian even to hope – not even to speak of expecting – that peacebuilding efforts lead to the kind of harmony and love that Galtung has in mind when he writes about positive peace.

If Galtung is the one towering scholarly figure in peace and conflict studies, Anatol Rapoport is the other. Rapoport is very good at conceptualizing conflict. He contends that three modes of conflict can be distinguished: fights, games and debates. In a fight, the opponent is an enemy to be annihilated. In a game, the opponent is a fellow player to be outwitted. Finally, in a debate, the opponent is a different believer who has to be converted. In many conflicts, all three modes are present, although there are major variations across different conflicts in terms of how prevalent a particular mode is compared to others (Rapoport, 1960). Rapoport tells us more about conflict

than about peace. But the three modes of conflict are an important starting point for thinking about the ‘peace’ in peacebuilding.

They point to the following: *peace is when restraint, compromise and dialogue (→ glossary) become practices¹ of conflict management.* The key terms used in this definition are conflict management, practices, restraint, compromise and dialogue. Conflict management is not the same as conflict resolution; conflicts may persist but they are managed by means other than war. A practice, as discussed in the previous chapter, is something that has become second nature; actors simply do, without reflecting about what they do and why they do so. A practice of restraint is akin to what Norbert Elias refers to as a civilizing process; resort to physical violence becomes inconceivable (Elias et al., 2000). A practice of compromise is about a reflex of meeting somewhere in the middle when political stances by different social groups are not easily compatible (Bellamy et al., 2012). Finally, a practice of dialogue revolves around trying to understand the different stances of each other and even to generate consensus. The latter practice is especially difficult to achieve for a society trying to build peace. Yet some of it is necessary in order to be able to speak of peace. A minimum of consensus has to be produced on the narrative that the nation tells of itself, for example. This includes the past conflict among different social groups.

What ought to be the means to this end?

How to build peace? Diplomats debating about and deciding upon sending peacebuilding missions tend to look at the issue of peacebuilding through a liberal lens. In essence, the concept of peacebuilding assumes that market liberalization and democratization are the means to building sustainable peace. Thomas Biersteker provides a good overview of this lens and the means of peacebuilding that become intelligible when looking through it:

The theoretical underpinnings of the Peacebuilding Commission are profoundly liberal, even if they are not explicitly articulated as such. Support for respect of human rights, the promotion of the rule of law, the construction of representative institutions with periodic elections, the creation of forums for popular participation in politics and encouragement of the emergence of a vigorous and free media are all components of peacebuilding efforts, as well as of the construction of a liberal society.

(Biersteker, 2007: 39)

S  verine Autesserre elaborates on what this lens does. It makes it possible to see certain aspects of reality but makes it impossible to see others. Referring to peacebuilding efforts in the Congo, Autesserre contends that the liberal lens:

[s]haped what international actors considered at all (usually excluding continued local conflict), what they viewed as possible (excluding local conflict resolution), and what they thought was the “natural” course of action in a given situation (national and international action, in particular the organization of elections). It authorized and justified specific practices and policies while excluding others, notably grassroots peacebuilding.

(Autesserre, 2010: 11)

Most scholars agree that the liberal paradigm – or, more precisely put, the peculiar type of liberal paradigm that has prevailed since the late 2000s – has its weaknesses. Yet they disagree just how bad these weaknesses are. Some authors reject the existing liberal paradigm entirely. They try to uncover the contradictory assumptions that make up ‘peacebuilding discourses’ (Heathershaw, 2008) and link the means used in liberal peacebuilding to broader hegemonic designs by the West (Chandler, 2013). Most scholars, however, shy away from such fundamental criticism. They acknowledge major problems, but argue for adjusting and changing the existing paradigm rather than abolishing it altogether.

Five sets of changes are frequently postulated in the literature. First, starting with Roland Paris’s measured critique of the liberal paradigm, several authors make a case for taking *statebuilding* more seriously. He considers the approach of transforming societies into market economies in order to build peace, in principle, as logically sound but cautions that this process must not be rushed. His argument may be summarized in the formula: institutions first, liberalization later. The re-building of the state, in this view, is the foundation for peacebuilding (Paris, 2004). A number of authors support this view. Without strong state institutions, non-cooperative conflict parties find it easy to derail the peace process, especially during and immediately after free elections (Caplan, 2005).

Second, for many observers, it has become commonplace that *power-sharing* is a key requirement for successful peacebuilding. According to Hartzell and Hoddie (2003), there are several dimensions of power-sharing. Perhaps the most basic dimension is political in nature. Political power-sharing is diametrically opposed to winner-takes-all elections. All former warring parties ought to be represented in the government. But there are other dimensions as well. Economic power-sharing implies that no one party has all the access to economic resources and decision-making processes. Territorial power-sharing is diametrically opposed to a unitary state. Different parties fulfil different governing functions in different parts of the country. Hartzell and Hoddie, for example, endorse provisions of territorial autonomy. Taken together, the authors advocate something that may be labelled a domestic balance of power in which no one party can lay down the law on the others. This theme comes up in a number of studies, no matter whether they deal with peacebuilding processes as a whole (Roeder and Rothchild, 2005) or with a particular aspect of it such as restructuring military and police forces (Call, 2002).

Third, some authors develop the idea of power-sharing further and advocate a more general *political inclusivity*. Michael Barnett identifies representation, public deliberation and constitutionalism as key factors for successful peacebuilding. Representation is reminiscent of political power-sharing arguments. Elites from different conflict parties ought to be represented in key political decision-making fora. Deliberation goes beyond power-sharing. It emphasizes the importance of public deliberation. Such deliberation, criss-crossing elite and civil society levels, is expected to foster a ‘we-feeling’ across former conflict parties. Finally, constitutionalism is about rules that are difficult to change and make sure that the institutional foundations on which the newly created inclusive polity rests cannot be abandoned all too easily (Barnett, 2006). Charles Call also stresses the importance of inclusivity and links it to what he labels “legitimacy-focused peacebuilding” (Call, 2012: 6). Inclusive institutions last if they are considered legitimate. Peacebuilding, therefore, ought to prioritize efforts to facilitate the creation of institutions that actors consider right. Reflecting upon

them, they consider them effective (pragmatic legitimacy), or just (moral legitimacy). Or they take the rightness of these institutions so much for granted that they do not reflect upon them any more at all (cognitive legitimacy).

Fourth, there are more and more calls to include *local*-level actors. Perhaps the empirically best supported call has been made by Séverine Autesserre, an NGO activist turned scholar, in a study on the Congo (Autesserre, 2010). The prevailing orthodoxy is to talk to and negotiate with the decision-making elites of the primary conflict parties. The number of these parties is usually two. The problem with this orthodoxy is that it glosses over the complexity of conflicts. Conflicts reach much deeper and are much more multi-faceted. They they could be narrowed down to two opposing elite circles surrounding two opposing leaders. Take South Africa, for example. The transition in this country was not just about reconciling 'black' and 'white', as it was understood in the West. It was, more fundamentally, about re-unifying a country that had been territorially (homelands and townships), politically (e.g. tricameral legislative structure) and, therefore, also economically and socially carved up along racial and ethnic lines. The fate of the transition, therefore, was not only in the hands of the National Party (NP) and Frederic Willem de Klerk on the one hand, as well as the African National Congress (ANC) and Nelson Mandela on the other. But it was also dependent on, say, relations between the Inkatha Freedom Party (IFP), Gatsha Buthelezi and its local supporters on the one hand, as well as the ANC and its local leaders and supporters on the other, especially in the province of Kwazulu-Natal and the townships of the former Transvaal province.

Fifth, peacebuilding measures have to be tailored to a given conflict situation. There cannot be a 'one-size-fits-all' type of peacebuilding. Different situational factors require *different peacebuilding responses* (Richmond and Franks, 2009: 205). Take the power-sharing prescription and the cases of Angola and Mozambique, for example. In the early 1990s, Mozambique successfully implemented a peace agreement between the government and a decades-old insurgency movement. To this very day, the country has not lapsed back into war. The Mozambican success has happened although almost none of the power-sharing measures postulated by the literature have been in place. The *Frente de Libertação de Moçambique* (Frelimo) has been very successful at elections while the *Resistência Nacional Mocambicana* (Renamo) has found itself on the opposition benches in parliament. At the same time, the Angolan peace process collapsed no matter whether there were peace agreements to be implemented including power-sharing stipulations (Lusaka Agreement) or not (Bicesse Agreement). The *União Nacional para Independência Total de Angola* (UNITA) went back to war, trying to defeat the *Movimento Popular de Libertação de Angola* (MPLA) on the battlefield (Kornprobst, 2002b).

Mapping these five-fold problems of today's peacebuilding on the working definition of peace developed earlier cautions us that, first, the current repertoire of peacebuilding measures *is more geared towards restraint than to compromise and especially dialogue*, and, second, that peacebuilding measures focus more on *fixing immediate problems than working towards more sustainable practices of peace*.

Since peacebuilding practices are often still strongly associated with peacekeeping practices, there is a strong emphasis on measures of restraint. It is well established that the cessation of hostilities has to be verified by military observers and, if the

military situation is less stable, requires a peacekeeping operation (at times a very robust one) in order to keep the combatants apart. If cessation and verification are in place, the security sector reform (SSR) as well as the demobilization, disarmament and reintegration process (DDR) of the combatants begins. The international community usually dedicates sufficient resources for SSR and the 'DD' of DDR. With the remaining 'R', it tends to be a different matter.

From a perspective that understands peace as practice, this reintegration is of utmost importance. Leading the life of a civilian, being employed as a civilian, having the life of a civilian, being embedded in a civilian community – all of these things are of key importance for former combatants to make the shift from a practice of waging war to a practice of peace (or even waging peace). But they do not come easily. Leaving years – sometimes decades – of fighting behind and starting a civilian life again is something that takes time.

Today's peacebuilding measures put more emphasis on facilitating compromises between parties than, say, what used to occur in the late 1990s. To some extent, the literature's demands for power-sharing parallel the lessons-learned memos of international organizations and foreign services. Mediation efforts, including back-channel diplomacy, are used if the former warring parties find it difficult to arrive at concrete compromises. There are external efforts to shape the constitutions of transitional societies, including ingraining the rule of law, human rights and minority rights. What still remains to be strengthened though is support in developing a general culture of compromising. Democracy and the rule of law have to take root across a transitional country. This ought to include the capital, but it also ought to extend to provincial and local politics. Not everything is about the 'high politics' of the capital; local councils matter, too. Note that the demand for such efforts has implications for diplomacy. It points to new rather than old diplomacy. External state involvement is not enough. In political terms, peacebuilding has to be a network governance encompassing state and non-state actors. The term 'governance' in this context indicates that it is not enough that state and non-state actors are present in facilitating transitions. They have to find ways to steer their many activities in certain directions.

Current peacebuilding measures remain patchy when it comes to dialogue. Peacebuilding remains to be understood primarily as re-making states. But re-making states also entails – in some cases – even making nations that are constituted by a set of shared norms and a narrative that nations tell of themselves. Plurality notwithstanding, there has to be some ideational convergence that makes it possible for a nation to imagine itself as a nation in the first place. Truth and Reconciliation Commissions can play an important role in addressing the past with a view to preparing a common future (see Box 11.3). To establish such commissions has almost become an international norm by now. But we are only beginning to understand what it takes to move from war to a dialogical mode of communication and how this dialogical mode can be fostered from the outside. Robert Ricigliano lists several important measures, including trauma-healing initiatives, community-dialogue programmes, peace camps for youth from divided communities, and multi-ethnic media programmes (Ricigliano, 2012: 35). Many more could be added. School textbooks, for example, seem to be particularly important.

Box 11.3 Reconciliation vs justice?

Reconciliation and justice do not always go hand in hand. On the one hand, a strategy of avoiding speaking about the past or even forgetting it, may, at least in the short term, stabilize a war to peace transition. Perpetrators may be more easily persuaded to lay down their arms and participate in re-making society. Hearing the truth about past crimes may torment a society, leaving it with the belief that any kind of reconciliation is impossible. On the other hand, victims deserve justice. People deserve to know what happened to their loved ones when they disappeared. The newly established system ought not to gloss over the fundamental difference between victim and perpetrator; there ought to be an appropriate form of retribution. Some scholarly arguments solve this dilemma one-sidedly. John Locke, for example, argues against justice and in favour of stability of the polity (Stacey, 2004). Yet most contemporary political theorists try to strike a balance. Donald Shriver writes about the need for justice but also for draining “the memory of its power to continue to poison the present and future” (Shriver, 2003: 31). Jean Bethke Elstain makes a similar point with her argument for “knowing forgetting”. There ought to be remembering but there also ought to be some degree of releasing “present-day agents from the full burden of the past, in order that they not be weighed down by it utterly” (Elstain, 2003).

In the scholarly and practitioners’ communities, it is widely acknowledged that a lot remains to be done when it comes to the means of peacebuilding. Dale Walton (2009), for example, calls for a strategy and so does Kofi Annan (2005). The former Secretary-General had high hopes for the PBC to develop such a strategy. To some extent, these calls for a strategy are understandable. A strategy, very simply put, is a plan for how to employ what means in a given situation (including the moves of other players) in order to achieve one’s goal.

A general peacebuilding strategy, however, is only warranted if we can safely assume that the conflict situations in which peace is to be built are sufficiently similar for the strategy to work. It is doubtful whether this is a safe assumption to make. Conflict situations differ immensely. Such a strategy may amount to yet another attempt to force a ‘one-size-fits-all’ model of peacebuilding upon a highly heterogeneous set of conflict situations. We need less of a general strategy of peacebuilding than an *adaptive repertoire* out of which domestic and international actors select means of peacebuilding they consider appropriate for the conflict situation to be addressed, adjust these means and add new measures. In short, peacebuilders – domestic and international – ought to make use of the repertoire in order to tailor peacebuilding means to a particular conflict situation. There is only a little room for orthodoxy. Building peace requires heterodoxy, or, as some authors put it, courage to institutionalize hybrid domestic orders (MacGinty, 2011).

This, too, is no panacea for resolving problems pertaining to peacebuilding. The media and public opinion in the West often portray peacebuilding as something akin to the routine fixing of a machine. All one needs to do is find the fitting tools from the toolbox, and the machine is up and running again. Peacebuilding, of course, is very

far from being that simple. There are conflict constellations that make peacebuilding, even if supported by a major international peace mission, simply impossible. Yet we would submit that the diplomatic community can – and has to – improve on the current record. By one account, almost half of war to peace transitions lapse back into war within five years (Collier and Hoeffler, 2004). This has to make us think about how the broader diplomatic field – traditional and non-traditional diplomats – can help improve this record. After all, it is diplomacy that put the concept of peacebuilding on the global agenda, and it is diplomacy that crucially shapes the application of the concept to concrete situations.

Summary

- The institutionalization of peacebuilding raises a number of issues with different connotations, ranging from legal to philosophical. We discussed three issues in depth. Under what conditions is it appropriate for external actors to become involved in peacebuilding efforts (*intervention*)? What is the ‘peace’ in peacebuilding (*purpose*)? What are the appropriate measures for getting closer to this purpose (*means*)?
- Our discussion of the issue of intervention emphasized the need for *broad and deep agreements* by domestic actors. In principle, all social groups with a stake in the peacebuilding process ought to have the right to author the process through which peace is to be built. It is particularly crucial that this authorship applies not only to the top representatives of the major conflict parties but that peacebuilding is also authored from below.
- Diplomacy and the study of diplomacy cannot avoid philosophical questions. The question about what peace is amounts to such a philosophical question. How it is answered – in whatever provisional way possible – has major repercussions for peacebuilding. Our reflections led us to define the ‘peace’ in peacebuilding as *practising restraint, compromise and dialogue*. Restraint, compromise and dialogue have to become second nature for us to be able to speak of peace. This is a tall order and requires us to re-think the means employed for building peace.
- There can be no general strategy or one-size-fits-all model of peacebuilding. Instead, we argued for an *adaptive repertoire*, from which domestic and diplomatic actors select measures, add measures and adjust measures they consider appropriate to deal with a given conflict situation. These situations vary immensely. The measures have to be tailored to the conflict situation. The selected measures have to be geared towards establishing practices of restraint, compromise and dialogue.

Study questions

- How does diplomacy shape peacebuilding?
- How much external help in peacebuilding is warranted?
- What peace is to be built by peacebuilders?
- How is peace to be built?
- Is there a tension between just and effective peacebuilding? If so, how is it to be resolved?

Recommended further reading

Autesserre, Séverin. 2017. "International peacebuilding and local success: Assumptions and effectiveness". *International Studies Review* 19(1): 114–132.

This article features a comprehensive literature review that provides a good overview of the burgeoning field of peacebuilding studies. The author pleads with practitioners to pay closer attention to the local level.

Chandler, David, 2017. *Peacebuilding: The Twenty Years' Crisis, 1997–2017*. Basingstoke, UK: Palgrave.

Invoking E. H. Carr's highly influential book on the Twenty Years Crisis (1919–1939), the author seeks to trace the rise and fall of peacebuilding practices. His account focuses strongly on the liberal ideology that underpins peacebuilding.

Doyle, Michael W. and Nicholas Sambanis. 2006. *Making war and building peace: United Nations peace operations*. Princeton, NJ: Princeton University Press.

Drawing conclusions from a large analysis of all civil wars since 1945, the authors contend that peacebuilding is, above all, about tailoring the means of peacebuilding to the peculiarities of a conflict situation. When it comes to the aims of peacebuilding, the authors put a strong emphasis on economic factors.

Goetschel, Laurent. 2011. "Neutrals as brokers of peacebuilding ideas?" *Cooperation and Conflict* 46(3), 312–333.

This article advocates for neutral states to increase their presence in making international order in general and building peace in particular. This view of neutrality as an asset in conflict transformation and resolution echoes the literature on mediation.

Note

1 On defining peace as practice, see also Adler (2008).

12 The peaceful re-making of the world

Chapter objectives

- To identify key instruments of preventive diplomacy at the UN and regional level and examine the strengths and limitations they face in assisting the peaceful evolution of the international order.
- Discuss the rising importance of international criminal justice as an instrument of diplomatic relations.
- To overview the evolution of the negotiations establishing the International Criminal Court (ICC) and to explain the ICC role and challenges in fostering international order and peaceful change.

Introduction

Can diplomacy help re-make the world for the better? Arguably, the answer to the question much depends on the meaning we attach to the terms 're-make' and 'better'. In Chapter 9, we offered an interpretation for the first term. The diplomatic (re-)making of the world involves two layers, 'order as value' and 'order as fact'. What is less clear, however, is what kind of diplomatic processes and instruments can help re-make the world for the 'better'? For some, peaceful international orders cannot emerge without diplomats systematically addressing the deep causes of international conflict such as endemic poverty, global health disparities, undemocratic governance or lack of opportunities for human development. For others, these represent legitimate and ambitious goals but hardly feasible given the sheer complexity of the issues and the practical difficulties of mobilizing broad coalitions of actors and institutions in support of long-term projects. There is no easy formula to reconcile these two views. Short- and long-term priorities need obviously to be set, but the nature of these priorities remains a subject of intense debate.

In this chapter, we tackle this dilemma in two complementary ways. On the one hand, we adopt a narrow understanding of the normative dimension of the evolution of the world order, which we define in terms of the reduction of international and domestic violence. On the other hand, we discuss a two-pronged approach for reaching this objective. In the short term, diplomats ought to work to negatively alter the actors' structure of incentives for resorting to violence. In the long term, diplomats

ought to engage in actions that address structural causes of conflict (poverty, ethnic tensions, institutional deficiencies, environmental degradation, etc.), while also undermining the legitimacy of the idea of using force for settling disputes.

To this end, we focus on two important mechanisms by which diplomats can help reduce the use of violence both internationally and domestically: preventive diplomacy (→ glossary) and international criminal justice. The former is supposed to assist the peaceful evolution of the international order by anticipating threats to international peace and security and eliminating them before they take place, both in the short and the long term. International criminal justice is supposed to facilitate peaceful change by acting much deeper. By imposing criminal responsibility directly upon individuals, regardless of the national law, international criminal justice does not merely aim to deter actors from resorting to violence in the short term, but it also aspires to undermine the legal and moral legitimacy of the method of using force for settling disputes in the long term.

Preventive diplomacy

From a historical perspective, the notion of preventive diplomacy is not as modern as one might think. Machiavelli took great care, for instance, to advise young diplomats to gather information not only about matters in the course of negotiations or about those that are concluded and done, but also about matters yet to be done. He considered the latter to be the most difficult to address as “to conjecture the issue correctly . . . you have nothing to depend upon except surmises aided by your own judgement” (Machiavelli, 2001: 42). Cardinal Richelieu was even more adamant about the need for engaging in continuous negotiations for its own sake:

I dare say emphatically that it is absolutely necessary to the well-being of the state to negotiate ceaselessly, either openly or secretly, and in all places, even in those from which no present fruits are reaped and still more in those from which no future prospects as yet seem likely.

(Richelieu, 1961: 95)

If that is the case, then what exactly would preventive diplomacy imply, how could it be successfully deployed and what limitations would it most likely face? As the UN remains the main international decision-making body for addressing issues of collective security, we will address these questions first from its perspective.

The UN context

From a political perspective, UN Secretary General Dag Hammarskjöld was the first to articulate the concept of preventive diplomacy as an extension of the ability of the Secretary General (UNSG) to act neutrally (see Box 12.1). Other UNSGs such as U Thant and Kurt Waldheim further developed the notion of ‘good offices’ (→ glossary), Javier Perez de Cuéllar built capacity for early warning (→ glossary: early warning systems) through the Office for Research and the Collection of Information (ORCI), whereas Boutros Boutros-Ghali integrated ORCI into the Department of Political Affairs and drafted the ground-breaking report on the *Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*. Following on these steps, Kofi Annan pushed ahead with a bold agenda for the prevention of armed conflict, while Ban Ki-moon

has used his authority to repeatedly call attention to the link between climate change and conflict prevention (Ramcharan, 2008: 31–58). Recently, Antonio Guterres “urged a new integrated approach that would include addressing root causes, such as improving sustainable development and lowering youth unemployment, with greater internal U.N. efforts to enhance mediation abilities and decision-making processes” (Besheer, 2017).

Box 12.1 Origins of the concept of preventive diplomacy

“What I should like to call active preventive diplomacy . . . may be conducted by the United Nations through the Secretary-General or in other forms, in many situations where no government or group of governments and no regional organization would be able to act in the same way. That such interventions are possible for the United Nations is explained by . . . the acceptance of an independent political and diplomatic activity on the part of the Secretary-General as the ‘neutral’ representative of the Organization” (Hammarskjöld and Falkman, 2005: 137–138).

These initiatives suggest a gradual evolution of the concept of preventive diplomacy from a classical diplomatic act of provision of ‘good offices’ (e.g. neutral mediation by the UNSG), to a more complex and pro-active form of diplomatic engagement, which involves issues pertaining to the management of conflict and post-conflict situations. The definition currently used by the UN for preventive diplomacy supports this understanding: “diplomatic action taken, at the earliest possible stage, to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur” (UN Secretary-General, 2011: 2). This move invites two questions: is there legal support for the extension of the concept of preventive diplomacy and, if yes, what kind of institutional framework is necessary to sustain it?

From an international legal perspective, the International Court of Justice (ICJ) acknowledged in his advisory opinion concerning the 1962 *Certain Expenses of the United Nations Case* that peacekeeping operations fall under the purview of chapter VII of the Charter (McCorquodale and Dixon, 2003: 566). Pursuant to Articles 10 and 11 of the Charter, the General Assembly enjoys broad authority to consider conflict prevention in all its aspects, develop recommendations as appropriate and call the attention of the Security Council to situations that are likely to endanger international peace and security. The effectiveness of the UNGA’s actions in the area of preventive diplomacy is nevertheless constrained by the fact that its resolutions have a non-binding character. This may be compensated by the fact that, according to Art. 34 of the Charter, the Security Council has the responsibility to:

[i]nvestigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

In the same vein, Art. 99 gives the UN Secretary General the power to “bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security” (UN, 1945), a role that has been taken up by succeeding UNSGs with different degrees of success.

From a bureaucratic perspective, the UN framework on preventive diplomacy currently encompasses three important components, which confirms the ongoing broadening of the mandate of the concept: crisis management, peacekeeping operations and post-conflict reconstruction (see examples in Box 12.2). The first component is coordinated by the UN Department of Affairs and includes good offices provided by the Secretary General (UNSG), mediation efforts undertaken by special envoys appointed by the UNSG, conflict de-escalation initiatives sponsored by regional offices in West Africa, Central Africa and Central Asia, and crisis management strategies prepared by resident political missions.

Box 12.2 UN cases of preventive diplomacy

- In Sudan, preventive diplomacy ensured the successful holding of the January 2011 independence referendum for Southern Sudan. The Security Council was actively engaged, including through its statements and visits to the country. The Secretary-General appointed a high-level panel that also encouraged actions and agreements to permit the smooth holding of the referendum.
- In Guinea, during 2009–10 the United Nations Office for West Africa (UNOWA) worked to keep on track a political transition from a military coup to the country’s first democratic elections since independence.
- In Sierra Leone, the United Nations Integrated Peacebuilding Office (UNIPSIL) helped prevent the potential escalation of violence following tensions between the governing and opposition parties in 2009.
- In Western Sahara, the United Nations Mission for the Referendum in Western Sahara (MINURSO) was deployed in 1991 to oversee a cease-fire and a UN settlement plan.
- In Kenya, following the outbreak of post-electoral violence in 2008, the UN quietly provided strong support to the AU-led mediation efforts that succeeded in stopping the violence and resolving the political-electoral conflict through negotiations.
- In Kyrgyzstan, the United Nations Centre for Preventive Diplomacy for Central Asia (UNRCCA) worked closely with key governments and OSCE to encourage an end to the 2010 inter-ethnic violence and a return to constitutional order. The office is also encouraging agreements on the peaceful sharing of water resources in the region.
- In the Democratic Republic of the Congo, the timely dispatch of an envoy of the Secretary-General in autumn 2008 helped to quell unrest and ease tensions between Rwanda and the DRC that might have deteriorated into renewed regional war (UN Department of Political Affairs, 2017).

Working on the basis of the consent of the parties involved, peacekeeping operations deliver security, political and early peacebuilding support. They are led by the UN Department of Peacekeeping Operations (DPKO) and as of 31 May 2017, they include fifteen missions served by 83,499 serving troops and military observers, and 12,494 police personnel from 124 countries, in addition to 5,043 international civilian personnel, 10,276 local civilian staff and 1,599 UN Volunteers (UN Department of Peacekeeping Operations, 2017). Recognizing that around half of civil wars are due to post-conflict relapse, the Security Council and the General Assembly established the Peacebuilding Commission (PBC) in 2005. As of July 2017, Burundi, Sierra Leone, Guinea, Guinea-Bissau, Liberia and Central African Republic are on the agenda of the Commission. The UN Secretary General also launched a Peacebuilding Fund in 2006 to support activities, actions, programmes and organizations that seek to build a lasting peace in countries emerging from conflict.

Aside from the perennial funding problem that has been plaguing the UN system from its inception, preventive diplomacy faces a few other important challenges. First, the quality and level of coordination of the various early warning units within the UN require further improvement (see Box 12.3). At the moment, the Secretariat has no officers dedicated solely to collecting, analysing and integrating all the UN early warning reporting. Second, closer and more operational cooperation is needed between the UN and those regional and sub-regional organizations that have already developed strong capacity in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding (e.g. EU, OSCE, AU, OAS). Finally, the sustainability of results may require the broadening of preventive diplomacy engagements from the circle of decision makers to senior officials to the civil society at large (track-two diplomacy).

Box 12.3 UN Early Warning systems

- The UN Department of Political Affairs (UNDPA) produces analytical reports and briefing notes warning of incipient crises to the Under Secretary-General for Political Affairs, who chairs the Executive Committee on Peace and Security.
- Created in 2001, the UNDPA's Bureau of Crisis Prevention and Recovery has a mandate "to help countries prevent and recover from armed conflicts and natural disasters".
- DPKO maintains a 24-hour Situation Centre that serves as a continuous link between UN Headquarters, field missions, troop-contributing countries and relevant NGOs. The Situation Centre has two early warning components, the Operations Room and the Research and Liaison Unit.
- The Office for the Coordination of Humanitarian Affairs (OCHA) maintains an Early Warning and Contingency Planning Section within its Coordination and Response Division, which advises the Under-Secretary for Humanitarian Affairs and Emergency Relief Coordinator and senior management of potential emergency scenarios and preparedness actions.

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- The World Food Programme (WFP) pioneered the inter-agency Humanitarian Early Warning website (HEWS-Web), which was based on the WFP's already-extant Global Early Warning system. HEWS-Web reports on sources of natural disasters – including storms, flooding, and volcanic and seismic activity – based on data from external partners.
- The Office of the High Commissioner for Human Rights (OHCHR) monitors and publicly reports on human rights situations in specific countries. When a special rapporteur or working group notices human rights violations portending conflict, they can sound the alarm through mechanisms including regular reports to the Human Rights Council and the General Assembly.
- The Office of the Special Adviser of the Secretary-General on the Prevention of Genocide was created in 2004 to act as a mechanism of early warning to the Secretary-General and the Security Council about potential situations that could result in genocide.
- The Global Pulse initiative was launched by the UN Secretary General in the aftermath of the 2008 financial crisis with the aim to create a decision support network that would enable rapid and effective action to protect poor and vulnerable populations in times of compound global crises.

The financial and organizational difficulties mentioned earlier should not obscure through some important conceptual tensions inherent in the UN approach to preventive diplomacy. First of all, it is not evident whether the expansion of the mandate of preventive diplomacy from 'good offices' and mediation to peacekeeping and peacebuilding is really warranted. On the one hand, successful management of international crises largely depends on active mediation efforts of a neutral party, with strong negotiation skills, and with a good credibility in the eyes of the conflicting factions. By contrast, peacekeeping and peacebuilding involve actions requiring a different repertoire of skills ranging from proficiency in military tactics, humanitarian assistance and post-conflict reconstruction, which generally fall outside the traditional realm of diplomatic competences. In addition, diplomacy is shaped by a set of norms and rules of conduct (e.g. recognition, openness, dialogue, constructive ambiguity) that may sit uneasily with certain strategies of peacekeeping and peacebuilding. Put differently, diplomats may find themselves overwhelmed and ill-prepared for shifting gears from the practice of negotiating agreements to that of implementing and sustaining them by means of peacekeeping and peacebuilding.

On the other hand, one may argue the expansion of preventive diplomacy to the full spectrum of conflict prevention measures reflects the changing nature of diplomacy within the context of emerging security issues such as terrorism, organized crime, fragile states, environmental threats, etc. This explains the growing appeal of the idea of training 'guerrilla' or 'expeditionary diplomats' to complement the work of traditional diplomats (see details in Chapter 10). One important finding of the UN experience in mediating conflicts is that building sustainable peace requires strong leadership not only in negotiating but also in implementing agreements.

The role of the mediator does not end once an agreement is reached as the terms of the settlement are being constantly renegotiated by the parties during the implementation phase. If the arising issues are left unattended, the entire peace process may collapse as happened, for instance, with the failure of the Arusha Accord that led to 800,000 deaths in Rwanda in 1994.

Second, the objectives of preventive strategies are not always clearly stated, and they often get mixed up in practice with negative results. Broadly speaking, preventive measures take aim at correcting direct and structural sources of conflict (glossary: direct and structural prevention). Direct prevention has a short time agenda and aims to reduce or eliminate the immediate causes of violence between parties (e.g. cease-fire, peacekeeping, disarmament). Structural prevention has a longer time perspective and aims to provide a more comprehensive solution to the deep-seated causes of the conflict (e.g. democratization, economic development, transitional justice, ethnic integration, arms control, etc.) (Wallensteen, 2002: 213–214). In principle, UN-sponsored mediation efforts are supposed to address direct sources of conflict, peacebuilding takes care of structural ones, while peacekeeping falls somewhere in between. In practice the situation is a bit more complicated as the life-stage of the conflict is critically important for when and how to engage in preventive actions (see Figure 12.1).

Ideally, direct prevention should take place at the first signs of violence between the aggrieved parties. In the case of Kosovo, for instance, ethnic tension and armed unrest began to escalate in 1993 following systemic discrimination and acts of police violence against ethnic Albanians by Serbian authorities. One could argue through the six-nation ‘Contact Group’ (United States, Russia, Britain, France, Germany and Italy)

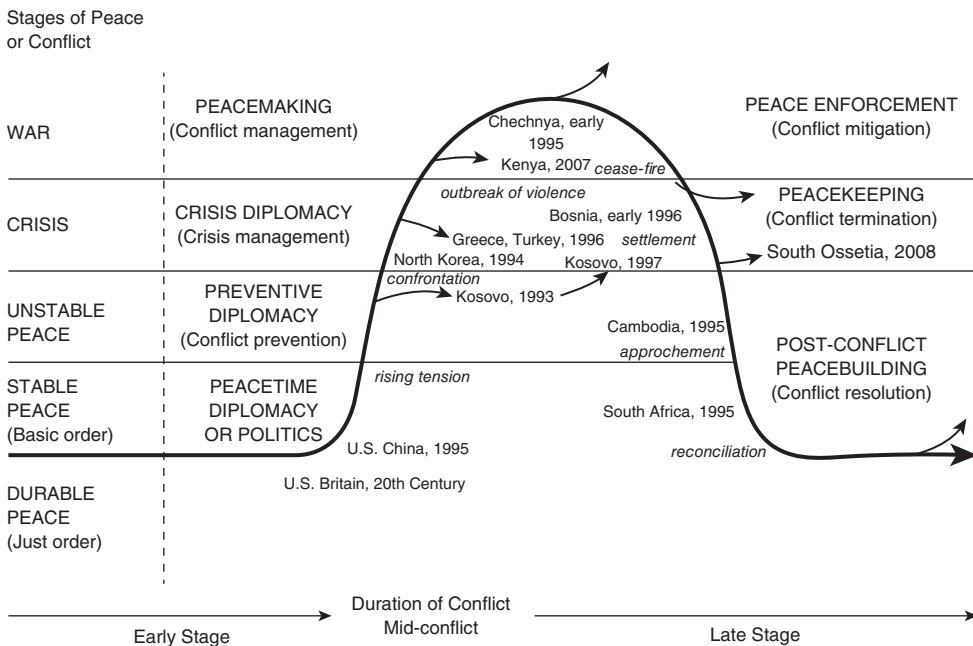


Figure 12.1 Life-history of conflicts and phases of diplomatic engagement (Lund, 2008: 290)

formed in 1994 for negotiating peace in the Balkans decided much too late to engage in preventive diplomacy and that might explain its subsequent ineffectiveness. As the revocation of Kosovo's autonomy by the Serbian President, Slobodan Milosevic, in 1989 provided the catalyst for conflict, the question arises as to whether measures of structural prevention (economic assistance, democratization programmes, etc.) would not have been more appropriate and feasible to apply in 1990 to prevent the conflict from turning violent a few years later.

By contrast, the 2008 conflict in South Ossetia challenged the time sequence between direct and structural prevention from the other end. By the time it violently reignited in the summer of 2008, the Georgian–Ossetian conflict had been lying relatively dormant for sixteen years with the help of a joint force of peacekeepers, generous economic assistance and technical support from the EU, U.S., World Bank and UNDP. These efforts proved insufficient though to convince the Georgian government led by President Mikheil Saakashvili to continue to comply with the terms of the 1992 cease-fire and to avoid re-uniting the country by force. The main lesson to draw from this case is probably that confidence in structural prevention should not stifle international vigilance about re-engaging in direct prevention when the conditions on the ground significantly shift. Although different strategies may be necessary at distinct phases, there is a growing consensus among practitioners that an integrated approach in which both types of prevention, direct and structural, work in tandem is the most effective course of action for successful preventive diplomacy in any given conflict-affected area.

Third, aside from the scope and objectives of preventive diplomacy, there is also the thorny question of who should be authorized to conduct it. The UN is the obvious player, not only because of its long-standing experience in conflict prevention, but also because it enjoys strong international legitimacy due to its symbolic association with what is often referred to as the international community. At the same time, the UN has a propensity for engaging in 'conflict resolution from above', such as elite-based negotiations, which have been found problematic on account of the fact they have often resulted in unfortunate outcomes, including giving public legitimacy to individuals who are criminals responsible for grave human rights abuses (Aggestam, 2003: 15). In addition, due to its constant financial strain, the UN has limited institutional capacity to fully engage in conflict prevention, hence the pressure it regularly faces to prioritize operation prevention (e.g. crisis management and peacekeeping) over structural and long-term engagement.

NGOs have emerged after the end of the Cold War as credible partners of both states and the UN in assisting conflict resolution efforts (see Box 12.4). NGOs are able to fulfil a variety of conflict management roles by serving as early warning monitors of impending conflict, channels of communication, mediators or facilitators of official or unofficial negotiations or promoters of the process of reconciliation through grassroots engagements (Ahmed and Potter, 2006). Despite this, the relationship between NGOs and international organizations and states remains improvised and unstable. Each side remains distrustful and uncomfortable about working together, partly because they differ in their understandings of diplomacy and conflict resolution, and partly because they speak to different constituencies. There are, for example, many governments who evaluate information emanating from NGOs as inaccurate and unbalanced, because NGOs are considered to have their own agendas which do not conform to the views held by many governments.

Box 12.4 Examples of NGO conflict prevention initiatives

- Founded in Rome, Italy, in 1968, the Community of Sant'Egidio is a religious organization that has been involved in peace processes in Mozambique, Algeria, Guatemala, Albania, Kosovo, Burundi, Togo, Casamance and, most recently, the Democratic Republic of the Congo, Sudan, Northern Uganda and Ivory Coast. The community offers direct connections to non-state actors, especially violent ones, which find themselves without proper connectivity to the international system.
- The Carter Center established by former U.S. president Jimmy Carter in 1982 employs a full-time staff dedicated to programmes including human rights, democracy, conflict resolution and health. Aside from its key role in monitoring elections worldwide, the Carter Center is well reputed for its ability to create direct frameworks of political dialogue between belligerent parties such as in Korea (1993), Yugoslavia (1994), Burundi (1991), Haiti (1994), Uganda (2002), Sudan (1990) and Liberia (1992).
- The Center for Humanitarian Dialogue was established in 1999 as a Swiss foundation intended to explore new concepts of humanitarian dialogue. It brings to the table senior-level diplomats and leaders of armed groups to resolve their differences peacefully, while discreetly managing these processes. Since 1999, the Center has been involved in peacebuilding activities, including mediation, in Asia, Africa, Latin America, the Balkans and the Middle East, and developed humanitarian ceasefire agreements in Darfur and 'cessation of hostility' agreements in Aceh.
- The Crisis Management Initiative (CMI) was founded in 2002 by former President of Finland, Martti Ahtisaari, as an organization that works to strengthen the capacity of the international community in crisis management and conflict resolution by using traditional settings and innovative strategies of engagement. The most prominent activity of mediation undertaken by CMI was in Aceh where President Ahtisaari offered the effective formula of 'self-government' as a way to frame the parameters of a solution amenable to all parties (Bartoli, 2008).

Regional preventive diplomacy

Aside from the UN framework, preventive diplomacy is also very active at the regional level, as illustrated by the sustained diplomatic efforts to prevent the escalation of the crisis in the South China Sea (SCS). In principle, the crisis should be a regional matter as it involves a dispute between Asian states: China, Vietnam, Brunei, Taiwan, Malaysia and the Philippines. However, the rising tensions have caught the attention of major maritime powers, in particular the United States, but also Japan, Australia and India. The situation has been also actively monitored with interest by various nations that trade with or within East Asia, including South Korea, Hong Kong, and countries in the Middle East, Latin America and Europe (Simon, 2012: 995).

The SCS crisis concerns the freedom of navigation and sovereignty over a 3.2 million square km area of ocean stretching from the Strait of Taiwan in the northeast, to

the Strait of Malacca and Singapore in the southwest. The area includes many reefs, rocks and small islands, the majority of which are located in the Spratly island chain (U.S. Energy Information Administration, 2013: 1). The sovereignty of the Spratly island chain is disputed by all six claimants for its economic and strategic importance. Three countries (China, Vietnam and Taiwan) claim the whole island chain; the Philippines and Malaysia claim certain parts, and Brunei claims part of the surrounding waters. Sovereignty over the islands is thus important to the disputants, not because of their intrinsic value, but because of the significant maritime resources which ownership would provide (Storey, 1999: 96).

More specifically, the SCS is believed to house a significant amount of resources. With an estimated 11 billion barrels of oil and 190 trillion cubic feet of natural gas reserves underneath the sea bed, the claimants each have a vested interest in securing national sovereignty over the area. Projections indicate that non-OECD countries (the claimants included) will have an annual growth rate of 2.6%, increasing from roughly 20% in 2008 to over 30% of total world consumption by the year 2035. Similarly, the consumption of natural gas by these countries will grow 3.9% annually from 10% in 2008 to 19% of global consumption by 2035 value (U.S. Energy Information Administration, 2013: 2). Having a domestic supply of both offers a significant economic and developmental advantage as well as national stability.

In addition to the estimated hydrocarbon resources, the SCS is a globally important source of minerals, and it also comprises a biologically diverse marine ecosystem. A variety of fisheries exist, which are significant to the economies and food security of the claimants (Heileman, n.d.: 1, 3, 9). Furthermore, an estimated \$5.3 trillion worth of trade passes through the region annually, making the passage crucial for global commerce (Council on Foreign Relations, 2016). For example, roughly 14 million barrels of crude oil, accounting for almost a third of total global oil movement, passes through the SCS each day. A highly significant amount of liquefied natural gas is also transported via the SCS. In 2011, it was estimated that 6 trillion cubic feet – over half of global trade – passed through (U.S. Energy Information Administration, 2013: 8–9). Acting as a global highway for sea traffic, the crisis also revolves around concerns for the freedom of navigation in the area, including the implications for international military movement.

China has been a key player in the conflict, and has led an assertive, yet peacefully coercive campaign, to gain greater control over a vast sea area already claimed by other countries and in some regions, considered international waters (McDevitt, 2014: iv). China's interests "are a complex mix of the desire to exploit the SCS's natural resources (real and perceived), the wish to prove its sovereignty, [as well as] the desire to maintain its security" (McDevitt, 2013: 177). Under international law, maritime claims are determined by sovereignty over land features. Thus for China to have a foundation upon which to claim resources in the water and beneath the sea bed, they must have secured the islands in the region. Citing historical justifications that go back 2,000 years and illustrated by the "nine-dashed-line", China claims almost the entirety of the SCS (approximately 80%). The "nine-dashed-line" appeared on Chinese maps in 1947, but has neither been internationally recognized, nor nationally defined in terms of sovereignty (McDevitt, 2013: 178). As a result of China's extensive claim (the most extensive of all parties involved), the majority of the provocations that have occurred between claimants have involved China. In what has been characterized as a 'salami slice' strategy, China incrementally absorbs small sections of the SCS, which are not likely to provoke a military response from the other claimants nor other

maritime powers such as the United States. However, over time, these small pieces of territory gradually add up to the extent that they hold the power to change the status quo of the claims in its favour. Today, the Spratly island chain is the only part of the SCS which is not completely under Chinese control (McDevitt, 2014: vi, iv). In its pursuit of the SCS, China has “embarked on a substantial modernization of its maritime paramilitary forces as well as naval capabilities” (Glaser, 2012: 1).

In the early 1990s, with the end of the Cold War, many leading scholars argued that the decline of the Soviet Union and the rise of China would create an unstable multipolar order in East Asia. This, however, has not been the case. “Instead an interim order that incorporates the United States, China, and other regional players” has prevailed (Goh, 2008: 113). Great power dynamics have kept the region from erupting into significant turmoil. This has largely been due to the fact that the United States has maintained its web of alliances and its deep economic and strategic involvement in the region (ibid). It has also been due to China not challenging the status quo through aggressive means. These actions and decisions have, in turn, been influenced by the persuasion and actions of other regional states, including the multilateral efforts undertaken by the Association of Southeast Asian Nations (ASEAN).

ASEAN has played a significant role in the attempt to abate the escalation of tensions in the SCS into violent conflict. In 1994 the ASEAN Regional Forum (ARF) was formed “with the purpose of engaging China across a whole range of troubling issues including the South China Sea” (Buszynski, 2010: 94). In 1997 the ARF started to develop mechanisms of preventive diplomacy to try and foster regional security as well as stability (Yuzawa, 2006: 785). The ARF goal to institutionalize cooperation among the Asian states and socialize China is yet to show convincing results.

Elite interactions through ARF meetings did help build up some level of trust and mutual understanding among the leadership of East Asia, and in so doing a lid has been kept on tensions in the SCS relative to what scholars predicted in the early 1990s. At the same time, the ARF’s potential to foster preventive diplomacy has remained rather limited and in fact questioned. Opposition from both China and several ASEAN members regarding particular matters has barred the ARF from effectively dealing with certain issues that hold much potential for violent escalation (Yuzawa, 2006: 802, 803). For example, in July 2016, an arbitration case was brought to the Permanent Court of Arbitration in The Hague by the Philippines against China. The Philippines charged that China’s claims based on the “nine-dashed-line” are inconsistent with the UN Convention on the Law of the Sea; questioned entitlement to certain maritime zones based on the claim of certain maritime features; and finally argued that China was in breach of the sovereignty of the Philippines (*The Republic of the Philippines v The People’s Republic of China*, PCA Case No2013-19, 2016: 11). China did not participate in the case and has not accepted the ruling favouring the Philippines. China’s unwillingness to heed international law has increased uncertainty surrounding the development of the conflict. With growing suspicions and gradual militarization of the claimants, escalation to a violent stand-off has not been eliminated.

Power balancing against China facilitated by a continuing U.S. security commitment to the region seems to keep the crisis contained for the time being, but only marginally. The United States has a stake in the SCS crisis for a variety of reasons. It wishes to protect its economic, political and security interests in the region, guard freedom of navigation (including its ability to continue to operate in China’s 200-mile exclusive economic zone), maintain good relations with allies and partners, as well as uphold international norms and laws (Glaser, 2012: 1; Bader et al., 2014: 1). To meet

this end, the United States has challenged China's assertive policies to claim territory in the SCS, through the support of other claimants. For example, the United States has a longstanding defence treaty with the Philippines forged at the beginning of the Cold War. This agreement has been seen as a pillar of the strategic U.S. rebalance of the region; it has provided the United States with a foothold from which forces can better promote peace and stability (Albert, 2016). President Obama also lifted the U.S. ban on selling weapons to Vietnam in the first half of 2016. This can be interpreted as a bid to help the country defend itself against China. With this in mind, the United States needs to tread carefully, however. It is in U.S. interest to make sure that the conflict in the SCS does not become the centrepiece of U.S.-Chinese relations, although with the election of President Trump this principle can no longer be taken for granted.

International criminal justice

Preventive diplomacy is supposed to assist the peaceful evolution of the international order by anticipating threats to international peace and security and eliminating them before they take place. International criminal justice (ICrJ) (→ glossary) is supposed to facilitate peaceful change by acting much deeper. The purpose of ICrJ is not merely to dispute the effectiveness of the use of force, but also its legitimacy. In other words, actors are encouraged to forgo the use of force not only because it does not 'pay off', but also, because it lacks the moral authority to serve as a legitimate instrument for settling international disputes, except for a few and very limited circumstances identified in chapter VII of the UN Charter (see also Chapter 3). Arguably, ICrJ faces a more difficult challenge than preventive diplomacy in facilitating peaceful change largely because states are notoriously jealous of their sovereignty and, hence, they are very suspicious of any attempt to seriously weaken their legal instruments of protection against external interference.

Research suggests that international law is not epiphenomenal to states' interests and their willingness to restrain their resort to military force, but it actually plays a central role in peaceful dispute resolution. For example, the strength of the legal claim has been found to be the decisive factor in determining whether parties will seek to resolve their dispute peacefully or by force. Disputes that are marked by an asymmetry in the strength of the parties' legal claims are more likely, for instance, to be resolved than disputes where neither side can marshal a compelling legal case for the contested territory (Huth et al., 2011: 433). These are, of course, encouraging findings, but they raise the further question of how to boost the authority of legal norms in a way that maximizes their impact on international actors' behaviour with respect to the use of force. The solution to be discussed in this section is international criminal justice, which, broadly speaking, refers to the doctrines by which international law imposes criminal responsibility directly upon individuals, regardless of the national law (Broomhall, 2003: 10), via either international or hybrid courts.

The International Criminal Court

The institution at the centre of ICrJ is the International Criminal Court (ICC), the first permanent, treaty-based, criminal court with international jurisdiction, to help end impunity for the perpetrators of the most serious crimes of concern to the international community. ICC is an instructive case to examine from a diplomatic perspective for two important reasons. First, the long and convoluted negotiation process preceding

the establishment of the ICC offers an excellent opportunity for understanding why diplomats may succeed in forging strong international legal norms, despite occasional setbacks and states' resistance. Second, the evaluation of ICC's performance thus far sheds light on why ICtJ still remains a work in progress and what kind of challenges may lie ahead for diplomats to transform the ICC into a solid instrument of international order and peaceful change.

How can we make sense of the establishment of the ICC? The creation of the Court illustrates very well how diplomats, putting to use existing international law, may come to converge on new international law. Benjamin Schiff captures this process with a very apt metaphor. He contends that it was a "river of justice" that led to the creation of the ICC (Schiff, 2008). The streams feeding the river are evolving sets of established international law. From the mid-nineteenth to the early twentieth century, there was the growing codification of *ius in bello*. During the negotiations for the 1864 Geneva Convention, judicial panels were proposed to overlook compliance, but the proposal did not make it into the Convention. Before World War II, two more Geneva Conventions followed (1906 and 1929) as well as the two Hague Conventions (1899 and 1907). The 1928 Kellogg-Briand Pact focused on *ius ad bellum* and outlawed war "as an instrument of national policy". During the same time period, the institutionalization of permanent international courts began. The Permanent Court of Arbitration (1899) and the Permanent Court of International Justice (1922) were created as facilitators for the peaceful resolution of inter-state disputes.

International responses to a shocking event constituted another stream. World War I allies took a stance during the Armenian Genocide. On 24 May 1915, they sent the following message via the then still neutral United States to the Ottoman government:

In view of those new crimes of Turkey against humanity and civilization, the Allied governments announce publicly to the Sublime-Porte that they will hold personally responsible [for] these crimes all members of the Ottoman government and those of their agents who are implicated [involved] in such massacres.

(Quoted in Schiff, 2008: 20)

The formulation 'hold personally responsible' is of key importance. It is not that any of these threats ever materialized. The 1923 Treaty of Lausanne extended amnesties to those who could have been held responsible. But an idea had entered diplomatic discourse that would not go away.

At a League of Nations' conference in 1933, the Polish prosecutor Rafael Lemkin proposed the definition of the international 'crime of barbarity'. In a later publication, written during World War II, Lemkin coined a neologism: genocide. At the same time, NGOs moved in the same direction. In the mid-1920s, the European Inter-Parliamentary Union and the International Association of Penal Law made proposals for the Permanent Court of Justice to extend its jurisdiction over states and individuals to the crime of aggression. In 1937, it seemed that these initiatives would pay off. The League of Nations adopted a treaty for the creation of an international criminal court. But with too many states refusing to ratify it, the treaty never entered into force.

Germany's and Japan's horrific war crimes, and especially the Holocaust, pushed the question of individual responsibility onto the agenda. German and Japanese perpetrators were tried at the Nuremberg Trials and Tokyo Trials, respectively. It is especially the Nuremberg Trials that set an important precedent in international law. The Trials dealt with four categories of crimes: participation in crimes against

peace; planning, initiating and waging wars of aggression; war crimes; and crimes against humanity. These four categories were defined in an agreement among the United States, the Soviet Union, Great Britain and France, reached at the London Conference in 1945. On the one hand, the four powers applied existing law, such as the Kellogg-Briand Pact as well as the Geneva and Hague Conventions. On the other, they developed the legal understanding of international crimes further by including the category of crimes against humanity. This time, holding someone accountable for genocide was not just an empty threat as it had still been in the Ottoman case. This time, the offenders really were held responsible and there was a legal category in place that enabled a court to do so.

As Schiff shows, these streams of law swell further in the post-World War II era (see Box 12.5). Much of this happened under the umbrella of the UN. The Convention on the Prevention and Punishment of the Crime of Genocide and the Universal Declaration of Human Rights were giant steps forward towards protecting innocent people and holding perpetrators accountable. The International Law Commission (ILC), a body of legal experts assisting the General Assembly to progressively develop and codify international law, submitted a draft statute for an international criminal court to the General Assembly in 1954. Yet the initiative stalled amid the tensions of the Cold War. From the 1970s onwards, civil society movements – especially in the West – pressured for a more peaceful world. Organizations such as Amnesty International became voices to be taken seriously. These voices have vigorously advocated for legal instruments such as the Convention against Genocide and the Universal Declaration of Human Rights to be implemented, and have provided important information on states' records in doing so.

Box 12.5 The negotiation process of Rome Statute establishing the International Criminal Court (ICC)

- 1948: UNGA adopts the Convention on the Prevention and Punishment of the Crime of Genocide.
- Initiatives for establishing an International Criminal Court abandoned within the context of the Cold War.
- 1989: Proposal resurrected by Trinidad and Tobago.
- 1994: At the request of the UN General Assembly, the International Law Commission prepares a preliminary draft.
- 1996–1998: Six sessions held at the UN HQ by the Preparatory Committee (established by the UNGA) to prepare a consolidated draft.
- 1997: UNGA decides to convene the United Nations Conference of Plenipotentiaries on the Establishment of an ICC.
- 17 June–17 July 1998: 160 countries participate in the negotiations and the 200 NGOs closely monitoring these discussions; 120 nations vote in favour of the adoption of the Rome Statute of the ICC, with seven nations voting against the treaty (including the United States, Israel, China, Iraq and Qatar) and twenty-one states abstaining.
- 11 April 2002: The 60th ratification necessary to trigger the entry into force of the Rome Statute was deposited by several states in conjunction.
- 1 July 2002: The treaty enters into force.

With the end of the Cold War came a different opportunity structure for creating an international criminal court. The Security Council – much more cooperative in the 1990s than the decades before – authorized the creation of the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. The creation of these ad hoc tribunals, the first ones since Nuremberg and Tokyo, originally expected to be more of a gesture towards international justice than substantial progress, generated momentum for a permanent international criminal court. The ILC, directed by the Cambridge-based legal scholar James Crawford, prepared a draft ICC statute. Sometimes referred to as the ‘father of international criminal law’, Mahmoud Cherif Bassiouni – also a legal scholar – involved NGOs and discussed with them how to develop this draft further in a meeting in Siracusa, Italy. It then took four more years, from 1994 to 1998 for the diplomats of states to agree on a statute. They did so in a final round of negotiations in Rome in 1998.

Let us zoom in on one single diplomat at these negotiations: Philippe Kirsch. The Canadian diplomat with extensive multilateral experience was the chairman of this final round of negotiations. He used the prerogatives of the chairman very effectively. He encouraged the input from NGOs, which pushed for a strong ICC (i.e. a court with an independent prosecutor and the ability to initiate investigations without Security Council approval). He crafted a package deal out of proposals of like-minded states in favour of establishing a meaningful ICC and defended this deal with all procedural powers at his disposal; in a controversial move, for instance, he refused to send potentially contentious parts of the package to the Drafting Committee, in order to keep the whole package intact. He was very prudent in choosing the right point in time to fight off hostile amendments from the Indian and U.S. delegations; in what is a rather unusual move given UN practices, he put the amendments to the vote, which were defeated by “enormous majorities” (Washburn, 1999: 372).

All of these moves proved crucial for the adoption of the Rome Statute. But these moves alone – and Kirsch alone – could not have accomplished anything. The dynamics among the delegations played into the hands of Kirsch. The Like-Minded Group (LMG) was a group of states advocating together for the ICC. Another approximately twenty states closely cooperated with the LMG. There was also close cooperation between these states and the NGO Coalition for an International Criminal Court (→ glossary). Taken together, they formed a key negotiating bloc. This bloc was supported by the UN Secretariat, especially the Secretary-General, who argued that the ICC would be an important institution for upholding the UN Charter. The United States, by contrast, was a rather isolated player in this arena, finding it very difficult to shape the negotiation process. In other words, for all of Kirsch’s prudence, there is something that made a great majority move in the same direction. And this something is the evolution of the law on which the Rome Statute is built. On 17 July 1998, 120 states adopted the Rome Statute. After being ratified by sixty states, it came into force on 1 July 2002. Since then, 124 states have become parties to the Statute of the Court, a fact that speaks well of its worldwide support, especially in South America, Europe and partially in Africa and Asia.

Three important lessons can be derived from the long and tortuous process of negotiation of the ICC. First, historical events are decisive in creating opportunities for change that can lead to the creation of robust norms of international law (i.e. Schiff’s ‘rivers of justice’). The role of diplomats under the circumstances is informed by two contrasting conditions: on the one hand, they are best placed to seize opportunities opened up by international crises and to build diplomatic momentum behind

initiatives to strengthen international law; on the other, as state representatives, they are less likely to enthusiastically pursue and negotiate agreements that would significantly constrain state actions. This tension leads to the second lesson: non-state actors play a key role in keeping ICtJ issues on the international agenda and in facilitating coalitions between state and non-state actors that can deliver results. Without the efforts of Lemkin, IAPL, Bassiouni and CICC, the ICC would have likely remained in the project phase to this very day. Third, diplomatic work is not concluded with the signing of the agreement. As illustrated by the situation of the thirty-two states that signed the Rome Statute but have not ratified it yet (including Israel, Sudan and the United States which have ‘unsigned’ the treaty), the future of ICC much depends on its ability to maintain diplomatic consensus regarding its relevance for upholding international peace and ensuring peaceful change.

What did negotiators of the Rome Statute agree upon? First of all, they approved the scope of ICC’s jurisdiction, which includes four categories of crimes: genocide, crimes against humanity, war crimes and aggression. Second, the negotiators decided the composition and organization of the ICC. The eighteen judges working at the ICC are split into three Judicial Divisions, i.e. the Pre-Trial, Trial and Appeals Divisions. The President and two Vice-Presidents are recruited from among the judges. Including administrative staff, the Court has over 700 employees. Third, and critically important, the Rome Statute introduced the Office of the Prosecutor (OTP) (→ glossary), which is headed by an independent Prosecutor and assisted by the Deputy Prosecutor. The main duty of the Prosecutor is “to establish the truth, extend the investigation to cover all facts and evidence relevant to an assessment of whether there is criminal responsibility under [the] Statute, and, in doing so, [to] investigate incriminating and exonerating circumstances equally” (Art. 54.1(a) UN, 2012).

It is difficult to overestimate the novelty and significance of this permanent criminal court. The usefulness of the ICC is not only retroactive by virtue of its capacity to provide justice to victims. ICC has also a preventive character by instituting a credible threat of prosecution aimed to deter many would-be perpetrators of gross human rights abuses. To be sure, the ICC is anything but a guarantee that all perpetrators of horrific international crimes will be put behind bars. Some crucial states, including China, Russia and the United States, stand outside of the Rome Statute, and thus, in principle, put their citizens outside of the regime as well. The Security Council (and with it the Permanent Five) has the right of referral, which seems to amount to a de facto veto against Court proceedings in particular cases. Finally, the complementarity rule stipulated in Art. 17(a) give states some discretion in avoiding the ICC jurisdiction as long as they show ability and willingness to carry out the investigation or prosecution on their own.

At the same time, the future of the ICC remains uncertain in the face of a serious diplomatic challenge: how to maintain support among its members and prevent further defections? As most other international organizations, the ICC does not possess any instruments of hard power to ensure compliance with its objectives, procedures and decisions. The best ICC can do is to rely on the ‘soft power’ generated by its ability to deliver justice in an effective, impartial, consistent manner. Therefore, the future of ICC is contingent on diplomatic efforts to enhance the legitimacy of the Court in the eyes of its members, both in the short and the long term. As a first priority, ICC needs to address concerns over the perceived investigation bias. As of July 2017, twenty-four cases have been brought before the ICC. All cases, though, deal with events

taking place mainly on the African continent, although recently legal investigations have been also extended to Afghanistan, Georgia and Columbia. The best known of these cases is probably the one concerning Sudan. In response to the policies of the Sudanese President Al Bashir during the Darfur Crisis, Chamber I of the Pre-Trial Division has issued an arrest warrant against him. Al Bashir is the first sitting head of state charged with genocide by the ICC.

The fact that Africans have featured prominently on the ICC's lists has not gone unnoticed, especially among African leaders. Rwandan President Paul Kagame once said the ICC was "put in place only for African countries", while African Union Commission chief Jean Ping complained about Africa being made "an example to the world" (Jacinto, 2012). The situation has become so problematic that it led the African Union to adopt a non-binding resolution in February 2017, calling for the mass withdrawal of member states from the ICC (BBC, 2017). Under the leadership of the current Prosecutor, Fatou Bensouda – a Gambian lawyer who previously held the position of Deputy Prosecutor during 2004–12 – the ICC has expanded its scope of scrutiny to non-African states as well. Successful prosecution of non-African cases could boost the legitimacy of the Court in the short term, but more sweeping measures arguably need to be taken in the long term in order to solidify the reputation of the Court as an indispensable legal instrument of international order.

Hybrid courts

An alternative way of delivering international criminal justice is through hybrid courts. International tribunals have been known to have recurrent, structural problems including limited resources, virtual impunity for a variety of offenders and being highly vulnerable to becoming politicized. Domestic courts too have faced a range of limitations. Oftentimes they lack the necessary legal infrastructure and tools to effectively undertake a trial. Communication failures, financial difficulties, managerial flaws, questions of legitimacy and accusations of corruption have and can hinder the domestic justice process (Higonnet, 2006: 347). The challenges faced by both fora have resulted in delayed verdicts and in some cases no trial at all. Hybrid courts aim to incorporate the best of both. The most well-known examples of hybrid courts in Lebanon, Sierra Leone, Kosovo, Bosnia and Herzegovina, East Timor and Cambodia deal with adjudicating claims of gross violations of human rights, crimes against humanity and other war crimes. They aim to tackle the deficiencies and shortcomings of international tribunals as well as those of national courts.

On the one hand, hybrid courts can harness the credibility of international law and the legitimacy particular to international institutions, whose participation can lend hybrid courts a degree of authority as fair mechanisms for holding perpetrators accountable. On the other, they can connect with populations and tap into local expertise. By integrating local norms, hybrid courts can culturally adapt justice to the people that international courts attempt to serve, but often do not reach. If hybrid courts are embedded into local judicial systems (incorporating national laws and hiring local judges and prosecutors), their mandates can be broadened to help reform that particular system. Hybrid courts thereby hold the potential to anchor justice mechanisms into the local culture, genuinely altering cycles of impunity by changing local judicial institutions in a sustainable way, and moving beyond retributive justice and fostering accountability (Higonnet, 2006: 2).

In establishing each hybrid court, the UN has stressed the need for each to be tailor-made to the situations which they are to address, avoiding a ‘one-size-fits-all’ formula.

In the construction of hybrid courts, political, historical, cultural and national prerequisites of the country in question must be considered to create a suitable judiciary institution (Bertelman, 2010: 343). Through national participation, the evaluation of local needs and post-conflict aspirations, hybrid courts are expected to produce outcomes specifically suited to the society in which the violations have occurred. Once a hybrid court has been established, participation, accountability and decision making are shared between the international community (embodied in the UN’s involvement) and the country through various national actors (Bertelman, 2010: 343).

The Extraordinary Chambers in the Courts of Cambodia (ECCC), which was created in 2004 through an agreement made between the Cambodian government and the UN, offers a good example for discussing the relevance of hybrid courts in more detail. ECCC was created with the purpose of addressing a variety of crimes (including war crimes, crimes against humanity and genocide) committed in Cambodia between 1975 and 1979 by the senior leadership of the Khmer Rouge regime during the Pol Pot era (Bertelman, 2010: 341).

In the course of the ECCC’s lifetime, it has faced a number of shortcomings (see Table 12.1). It has been argued that the court gives too “much deference to allegedly undemocratic domestic penal codes” and provides insufficient legal protections as it is based on Cambodian law, with limited references to international law in its founding papers (Carroll, 2013: 10; Scully, 2011: 322). This poses an issue as Cambodian law is disputed, is thought to have many loopholes and gaps that fail to meet international human rights standards, and has not been meaningfully applied since French colonists left in the early 1950s. In addition, the Khmer Rouge regime wiped out almost the entire legal profession, leaving only a few experts with knowledge of the legal system and how to apply it (Scully, 2011: 322). On the other hand, concerns have also been raised that the ECCC presents too much of an international presence in judging domestic affairs infringing on national sovereignty (Carroll, 2013: 10). With this presence, it has also been argued that the ECCC and other hybrid courts have tended to impose Western hegemony and Western values onto other non-Western states. This has been especially controversial in countries that were formerly under colonial rule.

It has also been claimed that the ECCC has limited jurisdiction and has failed to address the widespread crimes committed by the Khmer Rouge regime at all levels.

Table 12.1 Shortcomings and successes of the ECCC

<i>Shortcomings</i>	<i>Successes</i>
Insufficient legal protections	Creation of a common history
Limited jurisdiction	Ending impunity
Political interference and lack of judicial independence	Capacity building
Bias	Instilling faith in domestic institutions
Corruption	Outreach
Too much domestic power	Victim/civil party participation
Questions over Western interference	

It has dealt with suspects that were either senior leaders or top personnel who instigated the crimes committed. Lower personnel who may have physically committed the crimes will not face any form of trial. With the undertakings of the ECCC, concerns have been raised (and in some cases confirmed) that political interference, the lack of neutrality of national staff and judges, as well as corruption in the form of bribes and kickbacks, has severely affected the justice process (Scully, 2011: 321–344).

That being said, ECCC has had a variety of successes (see Table 12.1). To begin with it has contributed to the creation of a common history; one which acknowledges the mass atrocities that the country has experienced. This form of recognition can help traumatized societies emerge from conflict and transition into a state of social and political stability. While being criticized for its limited jurisdiction and ability to try perpetrators, the ECCC has played an important role in ending the culture of impunity that had become common practice in Cambodia. Creating a culture of accountability further helps a society to transition. The ECCC has also played a significant role in capacity building within the Cambodian judiciary. Exposing local judges and lawyers to the international legal system through practical experience, it is hoped that similar norms and rules of law will be adopted within the Cambodian legal system. The ECCC has also helped to instil faith in domestic institutions, by showing the local people that they will be treated fairly and equally by the law of the land. Being so close to the victims and involving local professionals, it is argued that the legal proceedings are gaining legitimacy, and a sense of national ownership over the trials is growing. The ECCC has also conducted a significant amount of outreach, educating the local population about the trial, reassuring people that Cambodia is governed by rule of law and that the national judiciary is able to put people to trial. Finally, the ECCC is engaging the local population by having people participate in the trials as civil parties. This allows them to follow all aspects of the trial and can offer some form of personal fulfilment (Scully, 2011: 338–346).

Hybrid court systems thus hold much potential not only in delivering transitional justice but also serving as a building block for enabling the establishment of a better and more reasonable judicial system, and as an important element in the process of societal reconciliation where that is needed.

Summary

- Diplomats help re-make the world for the better if they reduce or eliminate the use of force as a means for resolving international conflicts. Preventive diplomacy has emerged in the post-Cold War period as a pro-active application of the principle of collective security. It aims to prevent disputes from escalating into conflicts and to limit the spread of conflicts when they occur via three components: mediation and 'good offices' initiatives, peacekeeping operations and post-conflict reconstruction. Regional preventive diplomacy may combine informal and institutional approaches to build up trust and mutual understanding between parties, but its effectiveness much depends on the distribution of power between the main stakeholders.
- International criminal justice (ICrJ) refers to the doctrines by which international law imposes criminal responsibility directly upon individuals, regardless of the national law. On the one hand, ICrJ makes clear that certain types of crimes (against peace, war crimes, crimes against humanity or genocide) are international crimes and hence they may be prosecuted before both national and

international courts. On the other, the relationship between before national and international courts is complicated, not only by conditions over how the jurisdiction between the two systems of courts is to be exercised but also by the political role of the UN Security Council in potentially limiting recourse to courts in certain situations.

- As a way to tackle the deficiencies and shortcomings of international tribunals as well as those of national courts, hybrid courts hold the potential to anchor justice mechanisms into the local culture, altering cycles of impunity by changing local judicial institutions in a sustainable way, and moving beyond retributive justice and fostering accountability. In the construction of hybrid courts, political, historical, cultural and national prerequisites of the country in question must be considered to create a suitable judiciary institution.

Study questions

- Is it possible for diplomats to re-make the world for the better? If yes, what would that involve?
- Should diplomats be involved not only in conducting mediation and ‘good offices’ but also in peacekeeping and peacebuilding?
- What tensions exist between direct and structural prevention and how should diplomats deal with them?
- What diplomatic measures are necessary for increasing the effectiveness and legitimacy of the International Criminal Court?
- Can hybrid courts be more effective in delivering international criminal justice than the International Criminal Court?

Recommended further reading

Bercovitch Jacob, Viktor Aleksandrovich Kremeniuk and I. William Zartma (eds.). 2008. *The Sage handbook of conflict resolution*. Thousand Oaks, CA: Sage Publications.

This book brings together various conceptual, methodological and substantive elements of conflict resolution into one volume of over thirty-five specially commissioned chapters. The handbook is designed to reflect where the field is today by drawing on the contributions of experts from different fields presenting, in a systematic way, the most recent research and practice.

Cassese, Antonio. 2009. *The Oxford companion to international criminal justice*. Oxford and New York: Oxford University Press.

This book provides a thorough overview of the emerging field of international criminal justice. In the first part, twenty-one essays by leading thinkers offer a comprehensive survey of issues and debates surrounding international humanitarian law, international criminal law and their enforcement. The second part contains 320 entries on doctrines, procedures, institutions and personalities. The final part contains over 400 case summaries on different trials from international and domestic courts dealing with war crimes, crimes against humanity, genocide, torture and terrorism.

Hampson, Fen Osler and David Malone (eds.). 2002. *From reaction to conflict prevention: Opportunities for the UN system*. Boulder, CO: Lynne Rienner Publishers.

This book introduces the reader to illuminating scholarly and policy-relevant work on the practical challenges of conflict prevention within the UN system. The authors consider the causes and dynamics of war, the tools that are being developed to predict the outbreak of conflict, and what is being done – and what could be done better – in the effort to move from theory of conflict prevention to practice.

Schiff, Benjamin N. 2008. *Building the International Criminal Court*. Cambridge: Cambridge University Press.

The book analyses the International Criminal Court, melding historical perspective, international relations theories and observers' insights to explain the Court's origins, creation, innovations, dynamics and operational challenges. The author also examines how the Court seeks to combine divergent legal traditions in an entirely new international legal mechanism.



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Part VI

Conclusion



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13 *Quo Vadis* diplomacy?

Studying diplomacy as communication

This book is titled *Understanding International Diplomacy*. What is there actually to understand about diplomacy? In a nutshell, our answer to this question is communication. Or, more precisely put, a peculiar kind of communication: diplomacy is institutionalized communication. It is communication among internationally recognized representatives of internationally recognized entities. The communication is about the public good, it involves the production of decisions, relations and global norms, and it is not confined by the boundaries of the state. This conclusion summarizes how we propose to study diplomacy as communication, discusses how our proposal differs from other textbooks and monographs on diplomacy, discusses the neglected relationship between gender and diplomacy, juxtaposes diplomacy with its conceptual nemesis, anti-diplomacy, and explains how new forms of diplomacies may assist diplomats in coping with future challenges.

Communication constituting diplomacy and shaping world politics has evolved over time. To mention just the most important landmark developments, the emergence of sovereign statehood provided an impetus for establishing resident embassies that represent these sovereign states abroad. Trying to cope with disaster and learning the lessons of history has transformed diplomacy at several critical junctures. Perhaps most importantly, lessons learnt from World War I singled out secretive practices as causes of war, and embraced the belief in institution-building, above all collective security mechanisms, as a vehicle for leaving behind an age of major wars. More recently, ever increasing flows of globalization have stretched the perimeters of diplomacy. We are witnessing a double-multiplication: one of issue areas and one of actors.

The double-multiplication increases the complexity of diplomacy. Indicating this complexity, we frequently use the term 'diplomatic field' when we address the global age of diplomacy. Navigating this field for the purpose of doing research is not an easy thing to do. We provide a simple map for helping us do so. The map consists of two major building blocks: context and tasks. The context consists of international public law as well as the repertoire of ideas that practitioners take so much for granted and which largely inform how diplomats think about issues in global politics and what to do about them. We refer to this repertoire as deeper backgrounds. The context helps actors orient themselves in the diplomatic field and perform their tasks. All their tasks revolve around communication. We distinguish four clusters of

tasks, i.e. messaging, negotiating, mediating and talking. Each of these clusters can be specified further. Talk, for example, is about cheap talk, rhetorical strategies, persuasive attempts and dialogue. Performing these tasks, in turn, does something to the context. Some performances simply reproduce it as is. Others push and shove it into different directions.

The map provides us with clues for what basic units for analysis to look at when studying diplomacy. The diplomat is embedded in context. This context shapes the agency of the diplomat (performance of tasks), and these, in turn, re-shape the context. But all of this is still at a rather high level of abstraction. Explaining diplomatic outcomes requires more zooming in. We discuss explanations for three degrees of complexity: decisions, relations and world. When diplomats perform their tasks, they make decisions. But how do they make their decisions? We provided the reader with an overview of ongoing debates in the social sciences about what makes agents tick. Four logics of action feature prominently in these debates: consequences, appropriateness, argumentation and practice. Discussing empirical cases revolving around questions of whether to continue diplomacy or go to war, we highlighted the strengths and weaknesses of these logics, and made a case for creative eclecticism.

There are few terms that are as closely associated with diplomacy as relations. It matters whether relations between states are good or bad, whether they are close or distanced, amicable or hostile, and so on. To a very considerable extent, diplomacy communicates these relations into being. We put three different schools of thought under scrutiny that – explicitly or implicitly – deal with the diplomatic making of relations: Realism, Liberalism and Constructivism. To put it very simply, for a (Classical) Realist the art of making relations revolves around standing apart and balancing; for a Liberal it is about cooperation and even integration; and for a Constructivist it is about generating community. We empirically illustrated the strengths and weaknesses of these frameworks by discussing the evolution of the relations between North Korea and the United States, the coordination of EU Foreign Policy, and the dramatic worsening of relations between Eritrea and Ethiopia.

Diplomats not only take decisions and make relations, but they also shape the world we live in. They do this at two levels. At the deeper level, diplomats help engineer, legitimate and reproduce organizing principles of global politics; that is, shared understandings about who has the right to create global order, by what means, and how responsibilities for upholding global order should be distributed among the stakeholders ('order as value'). At the policy level, they apply these principles to build a stable and regular pattern of global activities and institutions ('order as fact'). While claiming immunity against 'order as value', geopolitics actually relies on heavy normative assumptions that combine social-Darwinist views of interstate relations and hierarchical conceptions of international order. By forging relationships of friendship, rivalry and enmity between states, diplomats establish 'order as fact' via competing cultures of anarchy. By establishing international deontologies ('order as value'), diplomats define, in turn, what objectives (security, redistribution or recognition) are important for them to pursue in a particular historical context and what strategies are most appropriate to use to that end.

It would be misleading to think that diplomacy is only about shaping international affairs. It is also, although to a lesser degree, about shaping domestic affairs. Since the end of the Cold War, the re-shaping of political systems in a number of states has preoccupied diplomats, especially at the UN. We are witnessing a new age

of interventionism. External intervention is often aimed at re-making states: turning authoritarian systems into democratic ones, and replacing war with peace. This raises thorny normative questions. When is intervention warranted? What ought to be the end of such interventions? What ought to be the means used to attain this end? Discussing these questions, we developed three concepts: societal authorship; peace as restraint, compromise and dialogue; and adaptive repertoire. Taken together, these concepts emphasize that diplomacy ought to reach far – our definition of peace is ambitious – and, at the same time, refrain from superimposing one-size-fits-all recipes onto a highly diverse universe of cases.

As the international order evolves, so does the role of the diplomat. These transformations have invited debates about the principles to guide what issues to become subject of diplomatic representation, who is to be recognized as a diplomat, how diplomats are to relate with each other, and how they should be recruited and trained in order to effectively face these challenges. The answers we have discussed are not free from controversy. Diplomats have to balance how to represent the interests of their governments while also considering the impact the representation of these interests may have on the international order. It may encourage the professional diplomat to strike a middle ground between ‘realist’ power play and the humanist need to connect to and engage with others. It may push diplomacy beyond state-centric forms of representation, or it may unfold a site of political contestation between the traditional and the ‘new’ diplomats. ‘Smart power’ remains a valuable tool of diplomatic influence as it seeks to bring together hard and soft power via the strategic and simultaneous use of coercion and co-option. We have also argued that digital diplomacy is likely to penetrate the deep core of the diplomatic DNA if technological acceleration is to be seen by MFAs as an opportunity for ecosystem-based, pro-active and network-oriented adaptation.

Last but not least, diplomats also play an important role in the peaceful re-making of the world. Diplomats have now two important instruments at their disposal by which they can reduce the use of violence, both internationally and domestically: preventive diplomacy and international criminal justice. By harnessing the power, legitimacy and resources of global and regional institutions, the former is supposed to assist the peaceful evolution of the international order by addressing the direct and structural incentives for resorting to violence. By imposing criminal responsibility directly upon individuals, the latter aims not only to deter actors from resorting to violence in the short term, but also to undermine the legal and moral legitimacy of the method of using force for settling disputes in the long term. Both approaches remain controversial though. On the one hand, the extension of preventive diplomacy from ‘good offices’ to peacekeeping and peacebuilding might involve a fundamental revision of diplomatic tasks, which few practitioners might agree with. On the other, the relationship between diplomacy and international criminal justice remains inchoate, not least due to the difficulties experienced by the International Criminal Court and, more recently, hybrid courts, in accomplishing its mission and in maintaining the support of its members.

Adding to our understanding

The purpose of this book was not only to take stock of the literature on diplomacy. It was also to discuss how to apply sets of literature to the study of diplomacy that are usually applied to political and social phenomena other than diplomacy. In other

words, we took a detailed look at the existing tools for how to study diplomacy as well as added new tools to the toolbox. We took these new tools from inside and outside of Political Science and International Relations, reaching into adjacent disciplines such as Communications, Economics, Law, Ethics, Psychology and Sociology.

This helped us address a number of issues that otherwise remain marginalized or entirely neglected. Three are particularly noteworthy. First, diplomats do much more than negotiating and mediating. There is no question about it that these are key tasks of the diplomat. But there are other key tasks as well. We dealt with them under the headings of *messaging* and *talk*. Messaging – especially the kind with lots of room for interpretation for the messenger and the receiver of the message – can have major constitutive effects. Diplomatic talk is anything but inconsequential either. Cheap talk and rhetorical strategies, for example, have major consequences for the outcomes of negotiations. More generally, different forms of talk also have system-relevant consequences. They contribute to reproducing orders, ranging from a narrowly confined issue area such as nuclear non-proliferation to the *raison de système* more broadly.

Second, it is not enough to discuss diplomatic tasks (as important as they are), but we also have to pay attention to diplomatic contexts in general, and to *deeper backgrounds* in particular. The context constitutes diplomacy and diplomats. It provides orientation for diplomats about how to make up their minds and how to act. Part of the context consists of law, especially public international law (and, here, diplomatic law), or more recently, international criminal law. This part of the context is very much out in the open. Diplomats are experts in law. This applies to as foundational a legal text as the UN Charter as much as it applies to the nitty-gritty details of the rules of procedure of a particular committee, or to how to deal with suspected war criminals. Another part of the context, much more easily overlooked but as important, is the deeper background in which diplomats are embedded. Diplomats take many ideas for granted. Without doing so, they would be unable to act. Seemingly self-evident ideas serve as their compass for navigating the diplomatic stage. International deontologies (status functions and deontic powers) shape, for instance, the broader context in which diplomats learn about how to address fundamental questions of international security, redistribution or status recognition.

Third, studying diplomacy is not just about how things are, but also about how they *ought to be*. Diplomacy is full of important normative questions. What political issues to put on the diplomatic agenda, where to put them, how to deal with them – all of these are political decisions with strong normative dimensions, no matter whether these are acknowledged or not. Some normative decisions pertain to a narrowly confined issue, for instance developing the institution of Additional Protocols in the nuclear non-proliferation regime. Others are very broad in nature. How diplomats ensure peaceful transformations of the international order is, for example, an absolute key question for diplomacy. Similarly, who has the right to be recognized as a diplomat in an increasingly globalized world, or what forms of power are appropriate for diplomatic intercourse, are questions that fundamentally challenge how diplomacy is supposed to be practised in the twenty-first century. Scholars and practitioners alike tend to dismiss addressing these broad normative questions all too easily as being purely ‘philosophical’ and, thus, outside of the realm of diplomacy. We would submit that it is precisely these philosophical questions that we have to address in a much more nuanced manner because they constitute the foundations of our international order.

Gender and diplomacy

It is beyond dispute that various sociocultural, ideological, economic and institutional barriers have historically ensured the exclusion of women from the political arena: the professional space in which the most consequential decisions are made. From Kings, Sultans, Princes, Emirs, Prime Ministers, to their governments, envoys and representatives, men have functioned as the primary authors and facilitators of the geopolitical order since the beginnings of human history. Indeed, the culture and structure of diplomacy has been defined and constructed by the chronicles of men. While modernity continues to challenge archaic patriarchal infrastructures, the practice of diplomacy remains adherent to conventional notions of gender. As a result, diplomacy continues as a sphere rife with power dynamics, which serve to reinforce gender inequality and perpetuate the historical 'otherization' of women (Cassidy and Althari, 2017).

Using gender as an analytical lens through which to study diplomacy opens up a rich vein of scholarship that does not take the participation of men in diplomacy for granted; rather, it interrogates how conventionally masculine norms and values have shaped diplomacy, enabling students of diplomacy to conduct near-objective assessments of the extent to which normative ideas about manhood inform policy makers and decision making in both academic and political contexts. This choice of analytical investigation helps reveal the gender subordination embedded in our conceptualization of political phenomena, and our studies of political events, and enables the student of diplomacy to reconstruct models of the practice which are more conceptually and causally accurate. Such an analytical approach is important not only for understanding the gendered nature of diplomacy, both theoretical and practical, but also for exposing the locus of power and the shifting contours of political sovereignty and statecraft over time (Cassidy and Althari, 2017).

By all measures, we are on a steady path towards non-gendered diplomacy despite various obstacles which persist to this day. These play a wide-ranging prohibitive role which spans everything from complete absence of female participation in some countries to an absence from highest political office in other nations and virtually every scenario in between. While eliminating these obstacles is one way towards achieving equal involvement and representation of women in the diplomatic sphere, such a strategy would depend largely on the open-mindedness of institutions, by whom the barriers were set up in the first place (Cassidy and Althari, 2017).

Possible solutions to address gender disparity in the diplomatic sphere, however, can be framed as threefold: (1) an institutional awareness of the gender of diplomacy, and a recognition by all levels of management of the continuing obstacles women face while serving them; (2) emboldened by this recognition, policy makers should continue the quest for greater numerical parity within diplomatic institutions. Improving the gender composition of diplomatic bodies may not be enough on its own when dealing with seemingly gender-neutral norms, but it does help challenge the more overt sexism that prevails within these institutions; and (3) while future leaders and policy makers should continue to work towards increasing women's numerical representation, their efforts need to be equally focused on restructuring the system to allow for proportionality between numbers and authority, and to create policies which allow institutions to begin questioning their assumptions about what characteristics matter within diplomatic practice, who carries authority and what an acceptable institutional

make-up consists of. It is only through increasing awareness and striving to create numerical and substantive change through policy, that we can fully begin to eliminate gender disparity within the practice of diplomacy.

Anti-diplomacy

For a book examining the instruments, institutions and processes that make diplomacy work, it may appear odd to conclude it with a discussion about its conceptual nemesis, anti-diplomacy. We do this for two reasons. On the one hand, when diplomats act they do it against a wall of public expectations, both domestic and international, about what objectives not to pursue and how they are not supposed to perform their tasks. A brief examination of these issues helps shed light on the risks the diplomats may take in breaching these expectations and the methods they may employ to avoid such outcomes. On the other, the juxtaposition of conventional diplomatic methods with their opposites is also instructive for providing a framework for assessing the quality of diplomatic endeavours. While diplomatic methods vary in scope and effectiveness, sometimes a certain type of ‘anti-diplomatic’ behaviour may help ‘shake things up’ and provide a much needed ‘jolt’ to stalled negotiations or bland methods of diplomatic communication.

As we pointed out in the Introduction, our definition of diplomacy encompasses four components: institutionalized communication, double recognition, focus on delivering public goods and productive capacity (i.e. making decisions, relations and global norms). In line with this understanding of diplomacy, we define anti-diplomacy as the set of practices, instruments and processes that significantly challenge diplomatic competences for communication, legitimate representation, public good management and international cooperation. But what does this mean concretely? From a communication perspective, anti-diplomacy implies the erosion of the dialogical quality of diplomatic intercourse. As discussed in Chapter 6, the most important resource diplomats have is the power of the word, whether expressed through messaging, negotiation, mediation or talk. This power can be taken away from diplomats when communication turns from dialogue to monologue. Diplomats may still engage each other communicatively, but they talk past each other, failing to take notice of each other’s arguments, or even refusing to acknowledge the right of the other side to speak. The abrasive and antagonistic talk between the United States and its European allies at the height of the Iraq crisis in 2003 is a clear example of anti-diplomatic communication (Bjola, 2010).

From a representation perspective, anti-diplomacy is about pursuing strategies aimed at subverting or even delegitimizing the right to sovereignty of political communities that meet the Montevideo conditions of statehood (see Chapter 5) *and* the collective recognition of the majority of other states. The key function of diplomatic representation is not to make two actors like each other or even work together, but to provide an institutional channel by which they can raise concerns about each other’s policies so that they can address them before they become unruly. When such recognition is subverted or declined, exactly the opposite happens. The estranged relationship between the two political communities only continues to aggravate, paving the way for a possible violent resolution of the dispute. The use of Iranian consulates for the distribution of arms to political allies in the Lebanon and Muslim

republics of the former Soviet Union (Sharp, 2009: 31) or the refusal of the Iranian government to even acknowledge the right of existence of Israel are examples of anti-diplomatic behaviour.

From a public good perspective, anti-diplomacy implies a consistent effort to exploit diplomatic institutional channels and resources for private ends in a manner that critically undermines diplomats' capacity to provide public goods. As discussed in Chapter 4, diplomacy has changed significantly in the past century and it continues to evolve. It now has to cope not only with matters of war and peace, but also with serious issues of economic and financial governance, development, environment, global health and migration. These are core global public goods that require sustained and concerted action at different diplomatic levels: bilateral, regional and multilateral. When diplomatic instruments are being hijacked in pursuit of private ends, either at the individual or corporate level, the provision of goods that are beneficial for the international order to reproduce itself is being left out. In extreme situations, the validity of international treaties might even come into question – as per Art. 50 of the 1969 Vienna Convention on the Law of Treaties – if diplomats are found to be involved in acts of corruption.

Finally, from the perspective of the ability of diplomats to be productive in making decisions, relations or global norms, anti-diplomacy goes beyond the quantitative dimension of the process (whether diplomats are effective in concluding treaties) and also refers to its qualitative aspect (whether the decisions, relations or norms produced by diplomats assist or not political communities to live peacefully together despite their differences). Obviously, the boundary between diplomacy and anti-diplomacy is more difficult to prescribe in this case as diplomatic outcomes that may look beneficial today, may have major negative consequences tomorrow. The Responsibility to Protect (R2P), for instance, is viewed today as a potentially useful diplomatic instrument for deterring governments from abusing their own citizens. At the same time, without proper institutional restraints, it may also lead to catastrophic military interventions. The qualitative difference may well rest with how diplomats employ or not diplomatic prudence in their production of decisions, relations or norms. As pointed out in Chapter 10, systemic violations of principles of consensus building, responsibility taking and reasonableness are more likely than not to lead to bad outcomes.

At the same time, diplomacy has been often criticized for its laborious, slow-paced and formalistic method of addressing pressing issues of international politics. For example, the 1970 pledge of developed countries to allocate 0.7% of their gross national product to Official Development Assistance has remained work in progress to the present day. Similarly, after twenty years of diplomatic talks, international negotiations on climate change are actually moving backwards despite the growing intensity of the climate crisis. In such conditions, a certain type of anti-diplomatic behaviour may be actually productive, by infusing energy into the process and motivating actors to take action. Celebrities have been particularly skilful in engaging in such anti-diplomatic behaviour through their advocacy campaigns. The series of super-concerts organized by singers Bob Geldof and Bono in the past twenty-five years as well as their unconventional public statements have been instrumental in mobilizing international support for addressing debt cancellation and the deeper structural causes of poverty in Africa.

A glimpse into the future: the new diplomacies

As mentioned earlier, the multiplication of actors and issue areas has altered the environment in which diplomacy operates, partly by increasing the complexity of the global affairs that need to be diplomatically managed and partly by challenging the very boundaries of the diplomatic profession. The rise of ‘new diplomacies’ in the past few years is arguably a novel adaptation of the diplomatic profession to these environmental pressures. They define specialized fields of diplomatic activity and serve to generate tailored knowledge and practical approaches for understanding and managing the new challenges that diplomats face in the twenty-first century. The following two case studies, one focused on new actors and the other addressing an important new issue area, offer a good illustration of the growing relevance of new diplomacies.

City diplomacy

City diplomacy (→ glossary) can be defined as the practice of mediated international relations [undertaken] by local governments (Acuto, 2013: 48). It involves the engagement of cities with other actors in the international sphere through a variety of processes and institutions to further local interests (Melissen and van der Pluijm, 2007: 33; Sizoo and Musch, 2008: 10). While often presented as a new and innovative form of diplomacy, cities have been stable diplomatic actors since their creation in Ancient Mesopotamia (Acuto, 2016: 511). Throughout history, cities have constituted nodes of human activity. Civilization and politics have increasingly been organized around them, moving much of human activity from rural to urban areas. To further their interests as they grew, cities started to exchange envoys on a regular basis to arrange trade and conduct negotiations (Melissen and van der Pluijm, 2007: 5; Acuto, 2015: 3). Many of the characteristics that constitute the diplomatic system as we know it today, such as the foreign permanent mission, have evolved out of continuous city diplomacy.

The nation-state, which is often identified as the main diplomatic actor on the international stage, in comparison to the city, is a relatively new entity. It was first with the 1648 Peace of Westphalia and later the 1815 Congress of Vienna that nation-states became the main international actors. As this occurred, cities gradually lost their monopoly on the conduct of foreign policy, as diplomatic practice gradually entered the domain of the newly formed states and their institutions (Melissen and van der Pluijm, 2007: 5). Cities did, however, remain relatively important within the realm of foreign affairs as they constituted the pillars on which the nation-state was built. Today, it can be argued that cities are gaining a new level of significance as diplomatic actors.

People living in large metropolitan areas are becoming increasingly separated from areas with a traditional economic basis of manufacturing and agriculture, typically situated in secondary and rural areas with little or only negative impact from the latest developments in the modern globalized economy. This trend has been highlighted lately by protest election results in the UK and the U.S., where the so-called progressive voting majorities typically are concentrated in urban areas in opposition to the rest of the country. Major metropolitan areas are the national powerhouses both politically, economically and culturally, and these mega cities typically have more in common with their international counterparts than with the more sparsely populated

areas within their nation. As a consequence, it is likely that the importance of city diplomacy will grow due to continuing “globalization, technology development and emerging common problems of society” (Zarghani et al., 2014: 35).

Cities and the international system are already highly dependent on one another, so much to the extent that it may become impossible to understand and situate one without having knowledge of the other. On the one hand, cities are hubs of human activity that impact, weave and ultimately hold the international system together. They “represent a sort of international critical infrastructure underpinning the global economy” (Nussbaum, 2007: 214). For example, in the United States, the combined gross domestic product of the ten largest metropolitan areas is greater than the combined GDP of the thirty-six lowest producing states. The economies of Los Angeles and New York City produce more than every U.S. state except for California, Florida, New York and Texas (Perry, 2016). On the other hand, the governance, growth and prosperity of cities are intricately connected with and highly dependent on, the international system and the institutions, processes and foreign policies which constitute it (Acuto, 2013: 2, 3).

Contemporary city diplomacy is rooted in the post-World War II era, where “the evolution of decentralized cooperation” started with reconstruction initiatives in the form of city-to-city programmes undertaken between German and French cities (van Overbeek, n.d.: 15). Today, cities and their local governments continue to directly engage with their foreign counterparts in a variety of ways and for a variety of reasons which can be cultural, educational, economic or strategic interests to form special relationships with foreign counterparts. For example, “through cooperation, cities can add to their financial capabilities, increase professionalism, gain the benefits of large-scale operations, and cope with problems that extend beyond their boundaries” (Siffin, 1964: 21). A means by which some cities do this is through ‘twinning’ or ‘sistering’ programmes, which:

[a]re formal agreements of understanding between two cities, usually based on a written memorandum of understanding through their mayors. These memoranda can be based on several things, ranging from broad declarations of friendship to more specific agreements on business cooperation or on issues such as education or environment.

(Acuto et al., 2016: 6)

Cities can also undertake diplomatic practice within ‘city networks’. City networking involves formal organizations facilitating cooperation between multiple cities as well as between cities and/or public or private entities.

These include associations of three or more cities, which meet periodically to discuss issues of mutual concern, lobby lawmakers or work on joint initiatives. These include both international . . . and domestic institutions created to represent cities in national politics, and vary in scope.

(Acuto et al., 2016: 6)

Often cities engage each other to promote social cohesion, the advancement of human rights and the safe-keeping of international public order. In the case of conflict, cities can also work together in conflict-prevention, conflict-resolution as well as

peacebuilding (Sizoo and Musch, 2008: 10). Direct engagement with foreign municipalities is not the only means by which cities can undertake diplomatic practice. The governing body of a city can join lobbies striving for international attention, they can become observers at international organizations, they can organize and legitimize dialogues, and they can collaborate with others on projects focused on municipal service delivery (Sizoo and Musch, 2008: 10).

An issue area in which city diplomacy has been undertaken is law enforcement. For example, “New York City and London have internationalized their policing efforts in an unprecedented way”, largely as a reaction to terrorism (Nussbaum, 2007: 213, 228). The London Metropolitan Police was the first of the two to expand its operations beyond its borders as a response to activities conducted by the Irish Republican Army (IRA). Further expansion later occurred in response to the jihadist terrorist threat. The New York Police Department (NYPD) internationalized their efforts in the aftermath of the attacks on 9/11. Since then the NYPD has partnered with eleven other international cities to enhance police training, crime prevention, counterterrorism and promote collaboration. The liaison officers stationed abroad in these cities have no police authority but work alongside local law enforcement to enhance and exchange best practices and information (NYPD, 2013). Today, both cities have members of their law enforcement stationed in key areas of the world where threats to their municipals may stem from (Nussbaum, 2007: 228).

Another issue where cities have engaged in city diplomacy is climate change. For example, C40 Cities Climate Leadership Group is an international organization committed to addressing climate change and reducing greenhouse gas emissions. The organization, now ten years old, has over eighty megacities as members that represent a quarter of the global economy and encompass 600 million people (C40 Cities, n.d.). The aim of the organization is to harness the assets of each member, collaborating and sharing expertise on best practices to “drive meaningful, measurable and sustainable action on climate change” (C40 Cities, n.d.).

Disaster diplomacy

The United Nations Office for Disaster Risk Reduction (UNISDR, 2009) defines a disaster as “a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources”. In times of disaster, international interactions continue and in most instances, intensify in the form of disaster diplomacy delivering humanitarian aid. Disaster diplomacy (→ glossary) is different from regular day-to-day diplomacy as it is generally able to cut through barriers that would normally prevent cooperation due to the pressing nature of the situation.

The short-term and primary goal of disaster diplomacy is to provide immediate relief to affected populations and minimize the effects of the disaster. If disaster diplomacy is conducted on a long-term basis, it aims to help build protective and preventive mechanisms that will reduce the fallout of similar events in the future. For example, if a city is prone to earthquakes, short-term disaster diplomacy would involve foreign countries providing immediate aid such as food, water and shelter. Long-term disaster diplomacy would involve cooperation between these parties beyond the initial disaster. For example, to prevent a city from suffering similar

devastation if an earthquake were to happen again, foreign counterparts would work with the affected country to construct earthquake safe buildings and install an earthquake warning system.

Ilan Kelman, who has written extensively on the subject, understands disaster diplomacy to encompass more than just immediate humanitarian initiatives or long-term post-disaster prevention efforts. He uses the concept to evaluate the role that diplomacy undertaken during disasters plays in initiating cooperation between parties, who were engaged in conflict before the disaster occurred. In other words, he seeks to investigate, whether or not diplomacy undertaken in response to disasters reduces conflict and catalyses peace more so than regular day-to-day diplomacy. In this evaluation, pre-disaster efforts including preparedness and prevention as well as actions taken post-disaster are considered (Kelman, 2008: 8). Utilizing the concept of disaster diplomacy in this manner does, however, prove problematic, as it is difficult to quantify the often complex and multi-faceted outcomes of disaster diplomacy. Case studies reveal inconsistent post-disaster political outcomes in areas where disaster diplomacy has been undertaken. In some cases, an area that has experienced a disaster and engaged in disaster diplomacy enters a state of peace, or experiences positive enhancements in its foreign relations. In others, pre-existing conflicts intensify.

For example, disaster diplomacy was undertaken following the 2004 tsunami that swept Indonesia and Sri Lanka. When the tsunami struck Indonesia, the Indonesian government was dealing with a thirty-year insurgency in the Aceh region, which is located in the northwestern province of Sumatra. Aceh had been in a state of conflict since the Aceh Freedom Movement was formed in 1976, with the aim of gaining independence from Indonesia. The resistance continued until 1998, concluding with the end of the Suharto military dictatorship. In the time between 1998 and 2004, when the tsunami occurred, three critical events laid a strong foundation for the possibility of peace. The first was the de-militarization of Indonesia. The second occurred when parliament passed a law in 2004 which required the military to divest of all business ventures. The third occurred when the military was no longer able to reserve seats in parliament (Maciver, 2012: 5). While disaster diplomacy may have added positively to the process and therefore was an added benefit, it is difficult to ascertain if there indeed was a direct correlation between the conducted disaster diplomacy and the peace deal.

The situation of Sri Lanka following the tsunami offers a slightly different example. A civil war, which had roots in the country's colonial past, was ongoing between the Tamil population and the rest of the Sri Lankan population. The Liberation Tigers of Tamil Eelam formed and lead the initiative against the Sri Lankan government. In 2003, Sri Lanka suffered severe flooding, and the Tigers donated aid to affected populations, which included people outside their own group. When the tsunami struck, the Tamil population offered further aid, which the Sri Lankan government refused. The government also banned foreign organizations from entering the Tamil area. As a result, the divisions and ill-will within the country increased and the conflict was intensified (Maciver, 2012: 6–7).

The Falkland Islands is another case that illustrates the difficulties of drawing conclusions from the effect of disaster diplomacy on pre-existing conflicts. In 1982 Argentina invaded the Falkland Islands, a British territory, leading to a brief war between the two countries. The UK managed to maintain control of the island but tensions between the two governments failed to improve for a long time after the end

of the military operations. However, it is argued that disaster diplomacy in the form of search and rescue exercises provided the opportunity for goodwill and collaboration between the two countries' militaries. Upon the completion of these exercises, there has been, however, no further progress in the diplomatic relations between the UK and Argentina, indicating that the diplomacy undertaken at the time was successful only in its humanitarian sense (Maciver, 2012: 6).

It must nevertheless be emphasized that if disaster diplomacy manages to achieve its short-term goals and bring aid to those who need it, then it has been a success in itself and its main objective has been met. If this action leads to the resolution of any pre-existing conflict, then that is just an added benefit, but should not as Kelman indicates, constitute the primary success criteria. Post-disaster diplomatic efforts should take advantage of the channels that have been opened up by the relief efforts, but that action should not be used to evaluate the success or the value of disaster diplomacy in itself.

To conclude, deep transformations in global politics are sometimes seen as the end of diplomacy. Evidence given for this claim usually includes the pressures on foreign ministries to compete with new actors or to address new issue areas. We submit that far from signalling the end of diplomacy, these transformations provide a great opportunity for its adaptation and rejuvenation. Most likely than not, diplomats will increasingly have to function as facilitators and social entrepreneurs between domestic and civil society groups, to establish and manage global policy networks, and to skilfully manage the tensions that arise from the pressure for institutional adaptation to technological innovations. In other words, our global age requires a more agile form of diplomacy that takes part in steering global politics effectively, diligently and thoughtfully. This is not the end of diplomacy. But it is the beginning of a new diplomatic age. We hope that our book contributes to our understanding of the perils and opportunities of this new diplomatic age.

Glossary

Accreditation In line with the 1961 Vienna Convention on Diplomatic Relations, a would-be ambassador of a sending state has to present his or her letters of credence to the host state's head of state. The signature of the latter constitutes the status of the former as ambassador in the host state. Outside the context of the state-centric Vienna Convention, accreditation processes do not only apply to state-to-state relations. NGOs, for example, seek accreditation with international organizations to attend major conferences.

Actor Actor is a metaphor taken from drama that is widely used in the social sciences to describe an individual or an anthropomorphized social or political entity (for the sake of simplification, the entity is assumed to have the faculties of a human being) that is taking part in interaction. Additionally, for many authors, the term actor also indicates that the individual or entity has the capacity to leave a mark in political encounters. The agency-structure debate links the term closely to structure.

Anticipatory self-defence As a customary norm of state conduct, which emerged in the aftermath of the *Caroline* incident in 1837, this principle could be legitimately invoked as a justification for pre-emptive action only if two conditions are met, those of necessity and proportionality. The state would need to demonstrate that the threat of an armed attack by another state is imminent and the response will be proportional to the threat.

Back-channel diplomacy When it proves difficult for conflict parties to find an agreement, negotiators and mediators sometimes resort to back-channel diplomacy. This form of diplomacy is geared towards opening up new communication channels between the conflict parties. These channels have two crucial features: (1) they are shielded from the public; (2) they are shielded from possible spoilers.

Balance of power With Realists (see below) putting a strong emphasis on this concept, the balance of power is one of the key concepts in International Relations. Depending on how Realists use the term, it is also of major salience for the study of diplomacy. Waltz claims that the balance of power is a nomothetic law. Comparable to an apple falling from the tree (law of gravity), states always balance. Diplomacy has no room in this conceptualization. For Morgenthau, by contrast, the balance of power is something that occurs rather rarely and, if it does, it is due to the art of diplomacy. To some extent, current debates about off-shore balancing in the United States echo Morgenthau's more diplomacy-focused conceptualization of the balance of power.

- City diplomacy** City diplomacy involves the engagement of cities with other actors in the international sphere through a variety of processes and institutions to further local interests. Cities can undertake diplomatic practice within ‘city networks.’ City networking involves formal organizations facilitating cooperation among multiple cities as well as between cities and/or public or private entities, for example in the area of law enforcement or climate change negotiation.
- Coalition for an International Criminal Court** Created in 1995, this NGO is composed of around 2,500 civil society organizations in 150 countries coordinated to strengthening international cooperation with the ICC, ensuring that the Court is fair, effective and independent, and advancing stronger national laws that deliver justice to victims of war crimes, genocide and crimes against humanity. The Coalition was crucial in establishing the Rome Statute and the nascent phases of the ICC and strives to increase the number of States Parties to the ICC.
- Coercive diplomacy** As an application of a state’s hard power, this type of diplomacy refers to the effort to change the objectionable behaviour of a target state or group through the credible threat of economic sanctions or of the use of military force. The effectiveness of coercive diplomacy and the legitimacy of its use are both controversial, as its success rate in post-Cold War international relations is debatable and its use is prohibited by the UN Charter.
- Cold War** The Cold War was the major defining feature of the post-World War II order that ended in the late 1980s. The metaphor is, for the most part, adequate when it comes to interactions between the Cold War’s superpowers, i.e. the United States and the Soviet Union. There were, with minor exceptions during the Korean War (and these were kept secret for a long time), no direct military clashes between them. The term is not appropriate, however, when it comes to the Third World. The United States and the Soviet Union, often helped by their allies in NATO and Warsaw Pact, respectively, fought wars by proxy in order to install or back a regime of their liking.
- Collective intentionality** The set of beliefs, desires and intentions shared by individuals as part of a group committed to working together, such as a group of diplomats working together to avoid a dangerous diplomatic escalation leading to a military conflict, comprises collective intentionality. Collective intentionality, based on “a sense of doing (wanting, believing, etc.)” something together, as Searle explains, is important because it enables “order as value” by collectively assigning and accepting status-functions.
- Concert of Europe** Established in the aftermath of the 1814 settlement of the Napoleonic Wars, this form of summit diplomacy held regular face-to-face consultation between Great Britain, Austria, Prussia, Russia and France with the purpose of maintaining peace, containing revolution and restoring the system of law in Europe. This congress system encouraged self-restraint among its members by making visible the balance of power to those who constituted it, and helped prevent a direct conflict between the Great Powers until the Crimean War in 1856.
- Constructivism** Constructivism is a set of approaches in International Relations that understands the world actors inhabit as socially constructed by these actors. Constructivist scholarship deals with context (especially what we label deeper background, i.e. taken-for-granted ideas), the processes through which actors come to act politically while putting this context to use, and the mechanisms through which actors, acting politically, come to make and remake context. On an ontological scale from material to ideational, constructivism tends towards the ideational (see below under ontology).

- Contexts** Actors are enabled to do what they do by the contexts in which they are embedded. These contexts constitute them as actors with a particular authority in the first place, provide them with clues for what moves to make, and, more generally, provide orientation in the world. In diplomacy, two overlapping kinds of context are of major importance: law (especially international public law) and deeper backgrounds, e.g. identity-constituting norms.
- Continuous negotiation** Cardinal Richelieu introduced the principle of diplomacy of “continuous negotiation”, which called for diplomats to maintain sustained engagement through negotiation and dialogue with their counterparts, even in conditions of political tension and war. This concept led to the establishment of the first foreign ministry by France in 1626, the *Ministère des affaires étrangères*.
- Culture of anarchy** Given the lack of a central authority and the atmosphere of distrust induced by the security dilemma within the international system, diplomats actively make, shape and reproduce distinct cultures of anarchy, which consist of disparate dynamics of diplomatic conduct and patterns of state interaction, ranging from antagonism based on self-help to cooperation based on collective security. The Hobbesian, Lockean and Kantian cultures of anarchy are three such competing examples.
- Deliberative legitimacy** Diplomats seeking to build the strongest case possible in favour or against the legitimacy of use of force can ensure the persuasiveness of their arguments by meeting conditions of deliberative legitimacy. In short, facts supporting their case must be truthful and complete, all affected parties are allowed to participate in the debate with equal rights to present or challenge a validity claim, and participants must show genuine interest in using argumentative reasoning for reaching an understanding on the decision to use force.
- Democratic war** A complementary term for “democratic peace”, this concept refers to cases of democracies resorting to the use of force. Democratic war can refer to cases of the use of force for individual or collective self-defence, humanitarian intervention, individual action authorized by the UN Security Council, and collective action authorized by the Security Council and carried out under UN command. This concept is particularly relevant in analysing post-World War II state conduct given the increase in the number of democracies and the setup of the United Nations legal framework.
- Deontic powers** The rights, duties, obligations, requirements, permissions, entitlements that come with particular status-functions are known as deontic powers. Ranging from positive to negative natures, deontic powers can grant rights or privileges to a person to do something otherwise prohibited, as how a diplomat is empowered to negotiate and conclude on behalf of states, and can also prescribe particular obligations and duties to a person, as diplomats are not allowed to interfere in the host country’s domestic affairs. Deontic powers can be held by individuals just as they can be held by states and governing bodies.
- Dialogue** Diplomatic discourse is full of references to dialogue. This usually signals the preference for leaving communication channels open with a view to influence the other side and make it change its mind in certain ways (e.g. critical dialogue between EU and Iraq). In scholarly discourse, dialogue means something different. Through communicating with one another, two (or more) parties seek to improve their understanding of one another; they try to step into the shoes of the other. The scholarly definition of dialogue is a much more demanding form of communication than the practitioners’ one.

Digital diplomacy Digital diplomacy that is, the use of digital technologies for diplomatic purposes, primarily resides in the field of public diplomacy, but consular services, policy management and international negotiations are increasingly seen by MFAs as suitable areas for digitization. The future of digital diplomacy lies with the ability of MFAs to exploit the opportunities generated by technological disruption (ecosystem-based, pro-active and network-oriented adaptation), while guarding itself against the potential pitfalls its early success might create (emotional contagion, algorithmic determinism and policy fragmentation).

Diplomatic precedents The use of a states', or a group of states' previous behaviour is one mechanism available to diplomats who seek to articulate, revise or replace international deontologies. For example, diplomats seeking to boost the doctrine of Responsibility to Protect as an emerging diplomatic deontology of international conduct on matters of collective security and status recognition can harness the behavioral pull of diplomatic precedents such as the NATO interventions in Kosovo in 1999 and in Libya in 2011.

Diplomatic prudence The capacity to judge what action is appropriate to pursue in a particular context, especially under conditions of high uncertainty, constitutes diplomatic prudence. The willingness to build consensus with other members of the international society, to take responsibility for one's actions and to demonstrate a minimum degree of reasonableness in collaborating with the other side and remaining open to their arguments are all important dimensions of this capacity.

Direct vs. structural prevention Preventive measures aim at correcting both direct and structural sources of conflict. Accordingly, direct prevention has a short-term agenda and aims to reduce or eliminate the immediate causes of violence between parties, e.g. ceasefire, peacekeeping, disarmament. Structural prevention has a longer-term perspective and aims to provide a more comprehensive solution to the underlying causes of the conflict, e.g. democratization, economic development, transitional justice, ethnic integration, arms control. Theoretically, direct prevention is conducted through UN-sponsored mediation efforts while structural prevention is done through peacebuilding efforts.

Disaster diplomacy Disaster diplomacy is different from regular day-to-day diplomacy as it is generally able to cut through barriers that would normally prevent cooperation due to the pressing nature of the situation. The short-term and primary goal of disaster diplomacy is to provide immediate relief to affected populations and minimize the effects of the disaster. If disaster diplomacy is conducted on a long-term basis, it aims to help build protective and preventive mechanisms that will reduce the fallout of similar events in the future.

Early warning systems Early warning systems aim at integrating information and data that portend imminent socio-political crises or natural disasters from various sources, such as UN bodies, NGOs, states and other sources, in order to enable rapid and effective reaction. Examples of early warning systems within the UN include the 24-hour Situation Centre at DPKO, which serves as a continuous link between UN Headquarters, field missions, troop-contributing countries and relevant NGOs. The main challenge for the effectiveness of early warning systems is the deficiency of operational coordination between the various early warning units within the UN.

Emotions Although emotions were considered very important by Jeremy Bentham, who, in many ways, paved the way for today's Rationalist approaches, rational choice frameworks leave no room for them. A rational decision, in the latter view, is one that is made without any interference from emotions. Political psychology approaches this issue very differently. There are more and more authors contending that human beings cannot make the world intelligible to themselves and figure out what to do without putting emotions to use for doing so.

Episteme This concept was originally coined by Michel Foucault who likened it to a lens through which to look at the world. The lens enables actors to make the world intelligible to themselves but channels this making intelligible into certain directions rather than others. The Idea of Europe (see below), for example, is such a lens. The formula of 'integration breeds peace and standing apart breeds war' is the prism through which pro-European decision makers have looked at intra-European relations in the last half century. This predisposed them to an integration scheme that has softened the boundaries among European nations. The episteme is part of the deeper layer.

Fourteen Points On January 8 1918, U.S. President Woodrow Wilson delivered his "Fourteen Points" speech to the U.S. Congress in which he outlined, among other imperatives, the need for accountability and transparency in diplomacy (Point 1), the importance of self-determination for peoples as an extension of individual rights at the state level (Point 5), and the need for a general framework of collective security between states based on mutual trust and cooperation (Point 14). These liberal guiding principles of diplomatic conduct remain valid in state conduct today.

Games Game theory uses the term game as metaphor for the kind of strategic interaction (see below under **strategy**) through which actors are assumed to make decisions. Similarly to a chess game, actors are portrayed as being selfish and concerned with outwitting one another. In more technical language, they play in order to maximize their expected utility. Very well-known games are the prisoner's dilemma and the chicken game. Game theory is criticized by rival perspectives (for instance psychological approaches) for assuming super-human computational capacities.

General Assembly (GA) The Charter places the GA at the core of the United Nations system. At least on paper, it is the key forum for debate and policy-making. All UN members have a seat in the GA. The GA meets from September to December each year. Additionally, *ad hoc* sessions are scheduled depending on need. The GA deliberates on the full range of issue areas in which the United Nations becomes involved. This includes international security. With the 1950 Uniting for Peace Resolution (Res. 377 (V)), the GA even authorized itself to make recommendations about collective security measures in cases where the veto of a permanent member of the Security Council (see below) blocks action to be taken by the Security Council. Yet, in practice, it is the Security Council that has stayed firmly in charge when it comes to determining whether a threat to the peace has occurred and, if so, what action should be taken.

Geopolitics As a theory of maximizing state power through the pursuit of territorial ambitions and the control of natural resources, geopolitics has had a significant influence in shaping international order. Its classical version rested on tenets:

(1) a bio-organic notion of the state, (2) a social-Darwinist view of inter-state relations defined as a struggle for Lebensraum (living space) and (3) the deduction of the political from spatio-natural determinants. Modern versions favour an understanding that emphasizes geopolitics as a way of 'seeing' the world; a means of obtaining a birds-eye view of the entire international political landscape. While claiming immunity against ethical considerations, geopolitics actually relies on heavy normative assumptions that combine social-Darwinist views of inter-state relations and hierarchical conceptions of international order.

Globalization Globalization has been a catch-word since the 1990s. Given that it is such a broad and deep-reaching phenomenon, it is difficult to define. Scholars tend to look at two different dimensions of the phenomenon: the material side, especially more and more rapid and frequent economic transactions (e.g. finance) and ongoing technological revolutions (in particular telecommunications), and the ideational side of coming to imagine communities beyond the nation-state. Globalization pressures have a lot to do with the multiplicities of global diplomacy. Globalization pushes items on the global agenda that used to be (at least primarily) on the domestic political agenda.

Good offices Usually used by the leaders of international or regional organizations, 'good offices' generally refers to the diplomatic functions provided by state leaders or heads of international organizations, premised on their credibility, prestige and the weight of the international community they represent. This classical diplomatic act of providing 'good offices', such as holding conversations between conflicting parties or launching a full-fledged neutral mediation by the UN Secretary-General, is one means of preventing disputes from escalating into conflict and of limiting the spread of conflicts. Its use, as part of preventive diplomacy, is now evolving into more complex and pro-active forms of diplomatic engagement.

Governance Governance is governing without a central authority that can put down the law. In global politics, there is no equivalent to a government or a parliament in domestic politics. Even in highly integrated regional polities such as the European Union, there is no clear equivalent. Instead, multiple actors, communicating with one another on various levels, have to converge on common courses of action in order to steer the polity into certain directions. For the salience of diplomacy, governance is a two-edged sword. On the one hand, diplomacy becomes even more important because more and more communication occurs among state representatives and other diplomatic actors. On the other hand, traditional diplomats (foreign services) become sidelined when communication addresses the many technical aspects of problem-solving in our globalizing age (e.g. trade, finance, environment, etc.).

Guerrilla diplomacy Conducted by "guerilla" or "expeditionary" diplomats, this new form of international engagement refers to the diplomatic process of facilitating post-conflict reconstruction and stabilization projects. For a diplomat to stay relevant, in this age of scientifically and technologically driven era of globalization, they must step out of their traditional channels of state-to-state interaction and start engaging the populations with whom they build relations, through a "special-forces-style sensibility" combined with local knowledge and technical expertise fit for the, typically volatile, region.

Habitus The habitus is a conceptualization of the deeper background. The habitus is a concept that is used by a number of scholars, but it has become most closely associated with the work of the French social theorist Pierre Bourdieu. He conceptualizes the habitus as common sense knowledge that provides actors with orientation when doing things. This knowledge is so much taken-for-granted that the actors putting it to use do not reflect upon it. Actors, in other words, have reasons upon which to act. But these reasons remain underneath the radar screen of explicit communicative encounters.

Humanitarian intervention Humanitarian intervention is the interference into the domestic affairs of a state by using (the threat of) military force that is aimed at improving the humanitarian situation of the population in this state. The defining feature of a humanitarian intervention, therefore, is the humanitarian intention of the intervenor (states or international organizations).

ICC Office of the Prosecutor Headed by an independent Prosecutor and assisted by the Deputy Prosecutor, this office was created by the Rome Statute and has three functional divisions: Investigations Division, Prosecution Division and Jurisdiction, Complementarity and Cooperation Division. The Prosecutor's main duty is "to establish the truth", conduct investigations to cover all relevant facts and evidence, and to assess whether there is criminal responsibility under the Statute, in so doing investigating incriminating and exonerating circumstances equally.

Identity Interacting with significant others, every actor – individual or collective – comes to define and redefine his or her identity. Identity is often conceptualized as narrative. Thus, it is the story that an actor tells of itself. History features very prominently. But there are other components as well, such as an **episteme** (see above) and **norms**.

International Court of Justice (ICJ) The International Court of Justice is the main judicial organ of the United Nations. The Court decides about contentions issues and provides legal opinions. It rules about contentions issues after states have agreed to submit a dispute to the Court and to abide by its ruling. According to the UN Charter, the UN has the authority to enforce its ruling if parties end up not complying with it. In practice, however, the UN Security Council (and the five veto powers) has proven highly reluctant to engage in such enforcement measures. The Court provides legal opinions at the request of UN bodies and agencies. Although these are only opinions, they can be rather influential. The ICJ does command a significant amount of respect in the diplomatic community.

International criminal justice This field of legal practice encompasses the doctrines by which international law imposes criminal responsibility directly upon individuals, regardless of national law, for certain types of crimes, mainly crimes against humanity, war crimes and genocide. The practice is complicated by not only how the jurisdiction between national and international courts will be determined but also the political role played by the UN Security Council in determining recourse to courts in certain situations. Further, states are notoriously protective of their sovereignty and are thus suspicious of attempts to weaken their legal instruments of protection against external interfere.

International organization An international organization is an institution featuring formal decision-making procedures, formal membership and a permanent

secretariat. In order for an institution to qualify as an international organization, it has to have at least three members. Thus, an international organization is always a multilateral arrangement.

Jus fetiale (ius fetiale) A feature of Roman conduct of foreign relations carried over to Greek diplomacy, any declaration of war had to follow the proper procedure, as determined by *jus fetiale*, or fetial law. The College of Fetiales, a religious body composed of priests whose duties also included overseeing international treaties, informed the enemy of Rome's grievances and, barring any other event occurring during a fixed period, a declaration would be made at the border of the enemy's territory and a javelin would be thrown across the border.

League of Nations Established at the Paris Peace Conference following the end of World War I, this multilateral institutional framework was created to facilitate the peaceful resolution of disputes. Its objective was to facilitate the peaceful resolution of disputes by disallowing member states recourse to war until they had exhausted procedures for arbitration and conciliation provided by the League. The League was a precursor to the United Nations in efforts of institutionalizing collective security among states.

Liberalism Liberalism, as we refer to it in this book, is a set of approaches in International Relations that share a focus on the individual and its political efficacy, assume this individual to pursue its interests, and hold that some of these interests are shared. Individuals can develop cooperation out of these shared interests. Compared to Realism, this is a more optimistic view of world politics. Liberalism believes in human progress, whereas Realists insist that power politics – and with it conflict and war – always haunt world politics.

Lifeworld A lifeworld is a conceptualization of the context in which actors are embedded. The lifeworld enables actors to make sense of the world in a certain way. A shared lifeworld is of crucial importance for Habermasian and Habermas-inspired approaches because this is seen as the prerequisite for actors to be able to communicate meaningfully with one another. A shared lifeworld, in this reading, is the *sine qua non* for reaching agreements. The concept of lifeworld has been employed by several philosophers and social theorists. Yet it is the social theorist Jürgen Habermas with whom the concept is associated the most.

Lingua franca It was required for the permanent resident ambassador to be a good linguist and fluent in Latin, the *lingua franca* of the time, meaning the language that was systematically used for communication between individuals who do not share their mother tongue. The actual language of the *lingua franca* used by diplomats has changed over the centuries and is a function of agreement between the interlocutors of the era, having evolved from Latin to French to English.

Localitis Also known as 'going native', *localitis* occurs when a diplomat becomes more sympathetic to the host country than to their sending government. The four- or five-year rotation system of diplomatic staff aims to mitigate this grave risk, since *localitis* is deemed to impede the diplomat's capacity to provide proper diplomatic representation.

Logics of action How do actors come to act a certain way and not another one? On a rather abstract level, logics of action seek to provide broad frames for answering this question. Four logics of action are frequently discussed in the social sciences: The logic of consequences hold that actors carefully calculate the consequences of the courses of action available to them (e.g. game theory). The logic of

appropriateness assumes that actors follow identity-constituting norms when they embark on a certain course of action. The logic of argumentation revolves around persuasion (an argument outperforms another argument). The logic of practice is about following the common sense that is ingrained in the habitus (see above).

Monroe doctrine U.S. President James Monroe articulated this doctrine on 2 December 1823 to U.S. Congress, laying an ideological cornerstone of U.S. foreign policy. President Monroe demanded the European powers to respect the Western Hemisphere as the U.S. sphere of interest and to not interfere in affairs of the region. Monroe also noted that the United States would not interfere with existing European colonies or in internal affairs of European countries.

Mutually assured destruction (MAD) Mutually assured destruction is a military doctrine which bases deterrence on the distribution of nuclear military capabilities between states. State A and B have the capabilities to annihilate one another in an exchange of nuclear weapons, no matter whether state A or state B attacks first. A and B have a full second-strike capability. MAD was a highly influential military doctrine during the **Cold War**.

New diplomacy Diplomatic conduct post World War I was inspired from three liberal principles espoused by President Woodrow Wilson: public accountability, self-determination and collective security. As new diplomacy assumed that these elements, crucial to conducting domestic affairs in a liberal democracy, could be translated to the conduct of a state's foreign relations, its proponents sought to introduce more honesty, cooperation and deterrence of the use of force in International Relations. For the opposite, i.e. old diplomacy, see below.

Nomos The term *nomos* originates in ancient Greece, where it described, broadly speaking, 'laws' that were so fundamental to a political order that they did not only profoundly shape this order normatively but also cognitively. These 'laws' could be explicit or implicit. In current social theory, authors use this term to capture something very similar. Order is built on a partly normative and partly cognitive lens through which to look at the world. This lens addresses key questions such as who has authority and what the stakes are in a political order.

Norms Norms define the oughts and ought nots of conduct in a collective of actors. For any collective, norms amount to shared expectations about what to do and not to do. Norms are part of the context in which actors are situated. Norms, as any component of the context, change and evolve over time. The territorial integrity norm, for example, is something that only found its firm entry into diplomatic relations in the twentieth century. By now, international diplomacy has moved even further towards a territorial status quo norm. There is not only a norm that recognized state borders must not be violated, but there is also more and more evidence for a norm according to which territorial status quos have to be recognized (even if only provisionally).

Nuncius The main form of diplomatic representation in Europe during the early Middle Ages, a *nuncius* was an agent whose main function was to provide a channel of communication between rulers and to explore opportunities for concluding treaties and alliances. Sending a *nuncius* was chosen over a written letter, in certain occasions, for his actual wording and responses to his interlocutor. While benefitting from immunity from harm, the *nuncius* spoke in the person of the principal but was not given full powers (*plena potestas*) to enter into private contracts and to negotiate agreements on behalf of their leaders.

- Nuremberg Trials** A series of military tribunals were held in the city of Nuremberg, Germany, between 1945 and 1946 to prosecute prominent members of the leadership of Nazi Germany. The Trials dealt with four categories of crimes: participation in crimes against peace; planning, initiating and waging wars of aggression; war crimes; and crimes against humanity. The legacy of these Trials was fundamental in setting an important precedent for the field of international criminal justice, having established that certain types of crimes are international crimes and so can be prosecuted before both national and international courts.
- Old diplomacy** Diplomatic conduct among European powers during the eighteenth and nineteenth centuries can be understood on the basis of five premises: (1) the five major European powers were central to politics, (2) a global hierarchy existed between Great Powers and Small Powers due to wider range of interests, responsibilities and resources, (3) Great Powers were responsible for maintaining peace, (4) a professional diplomatic service was required and (5) continuous and confidential negotiation was crucial for diplomacy. When ‘old diplomacy’ was blamed for failing to restrain the Great Powers from warfare, the pre-eminence of this type of diplomatic conduct was fundamentally undermined. For the opposite, i.e. **new diplomacy**.
- Ontology** There are two key ontological debates in the social sciences: (1) the agency-structure debate interrogates to what extent an actor is autonomous in his or her actions and (2) the material-ideational debate inquiries into the salience of material and ideational forces as well as how the ideational and material hang together. A Constructivist answer to this question privileges the ideational: ideas attach meaning to the world (including its material dimensions). A typical Rationalist answer privileges the material: ideas are epiphenomenal. This means that material factors are the actual causes of human action; actors merely use ideas to justify what they do.
- “Order as fact”** As one layer of the diplomatic making of the world, “order as fact” refers to the stable and regular pattern of relationships of global activities and institutions which ensure the stability and predictability of actors’ behaviour in global politics. This pattern of relationships is constantly evolving under the impact of three primary status-functions: security, redistribution and recognition. “Order as fact” must be analysed with “order as value”, the normative framework that makes “order as fact” possible in the first place.
- “Order as value”** A second, deeper layer of the diplomatic making of the world, “order as value” refers to the set of norms, principles and shared understandings that frame diplomatic action. As the normative dimension of world-making, this set of values create the conditions of possibility for “order as fact”. Symbolic interactionism, defended by Alexander Wendt, and deontological theory, expounded by John R. Searle, provide different explanations of how “order as value” is shaped. The former theory underlines the importance of relationships between diplomats while the latter focuses on the role of collective intentionality in shaping this normative dimension.
- Paradiplomacy** This concept refers to the diplomatic involvement of *non-central* yet *governmental* bodies in International Relations. Paradiplomacy is conducted through the establishment of permanent or ad hoc contacts with foreign public or private entities, with the aim to promote socioeconomic, cultural and any

foreign issues of their constitutional competences. Examples include agreements between regions of different states and multilateralism between global cities.

Paradigm A paradigm is a prism through which to look at the world. The term was coined by Thomas Kuhn in his work on scientific revolutions. Scholars, he maintains, see the world through certain lenses. This enables them to see certain things but makes it impossible for them to see others.

Peacebuilding The term peacebuilding originates with the peace researcher Johan Galtung. He used this term in order to postulate a bottom-up process of institutionalizing a comprehensive and sustainable peace in a society. The term forcefully entered diplomatic discourse with UN Secretary-General Boutros Boutros-Ghali's 1992 *Agenda for Peace*. Being attached to outside intervention, the concept puts less emphasis on bottom-up processes but on outside facilitation of re-building societies after war (and, at times, also to prevent them from escalating into war in the first place). Peacebuilding efforts require the consent by the parties concerned.

Peacekeeping Although peacekeeping is nowhere mentioned in the Charter, it may very well be the most widely known means of UN conflict management. Originally designed as interposition force to stabilize a ceasefire between states or state-like entities, peacekeeping operations have become much more comprehensive over time. Since the 1990s, most operations have been multifunctional in nature. They have military, civilian and police components. The civilian components often-times blend into peacebuilding efforts. Peacekeeping, too, requires the consent by the parties concerned.

Peacemaking While peacekeeping and peacebuilding are about stabilizing situations in which parties have stopped fighting one another on the battlefield, peacemaking is designed to bring war to an end. Peacemaking does not wait for the consent by the parties concerned. It forges an agreement between the parties. In cases where diplomacy fails to forge such an agreement, the peacemaker may resort to enforcement measures. Within the Charter system, it is, in principle, only the Security Council that can authorize such measures.

Perceptions Political psychology suggests that human beings do not have privileged access to the objective reality. Instead, making sense of the world is a subjective endeavour. Different people, therefore, make sense of the world differently; they perceive it (and particular aspects of it) differently. Where there is perception, there is also misperception.

Power Power is one of the most important concepts for making sense of world politics. It is also one of the most contested ones. Traditionally, power has been understood as power *over* someone. This view, being forcefully formulated by the German sociologist Max Weber, assumes that power is something that has to be exercised. Over time, the scholarly understanding of power has broadened. Power is now often understood as power *to* do something. Power, in this reading, is not something that has to be necessarily exercised in order for it to leave its mark in political encounters.

Preventive diplomacy According to the UN, this refers to “diplomatic action taken, at the earliest possible stage, to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur”. Diplomatic preventive measures, whose use has

emerged in the post-Cold War period as a pro-active means of collective security, can dissuade state and non-state actors of the use of force as an effective instrument for dispute settlement. The UN used preventive diplomacy in Sudan to ensure a successful independence referendum in January 2011 through active engagement by the UN Security Council and the appointment of a high-level panel by the Secretary-General.

Proxenos As one of three types of diplomatic representation in the ancient Greek system, the proxenos would reside in his own state while acting for another state, out of a general sympathy for the political system or culture of that other state. To facilitate inter-state negotiations, the proxenos was expected to protect their nationals residing in the receiving state, while performing duties ranging from providing hospitality and assistance to visitors from the relevant state to contributing to public policy making.

Public diplomacy Public diplomacy aims at influencing the publics in host states. Thus, it departs from the traditional state-to-state communication of diplomacy. The influencing can be directed at a particular public in a particular state. It can also be directed more generally at publics around the world. As the means to create, maximize and render soft power into diplomatic influence, diplomats use various tools of public diplomacy to advance the interests and extend the values of their state to another country's public. As Joseph Nye explains, this type of diplomacy includes daily communication, strategic communication and relationship building with key individuals through scholarships, exchanges, training, seminars, conferences and access to media channels.

Raison d'état According to this doctrine of international conduct, literally meaning 'reason of state', a ruler or government will conduct its foreign policy with state interests as the ultimate objective, and with disregard for ethical considerations. This doctrine was specifically influential in the establishment of the Westphalian concept of sovereign state. The norms, rules and principles of the international system legitimated by this doctrine thus gave rise to eighteenth-century dynastic absolutism and recourse to war. The diplomatic pursuit of the doctrine of *raison d'état* is known as Realpolitik. States assure their survival through the accumulation and rational use of power, defined primarily in military terms. Realpolitik helps ensure the survival of the state through a foreign policy that skillfully balances or cuts favours with the dominant power(s).

Raison de système Coined by Adam Watson, this doctrine refers to "the use of diplomacy to achieve the ultimate purpose of an international society of independent states". In contrast to the doctrine of *raison d'état*, members of the international society have an inherent interest in preserving the system and thus subsume national interests to broader systemic considerations. Looking to the EU as one such example, the diplomats' jobs is to balance their national interests with the inherent interest of preserving the system.

Rationality Rationality is, very simply put, about figuring out what to do. How human beings figure out what to do is highly contested among scholars. On the one hand, there are demanding assumptions about the computational capacities of human beings (rational choice). On the other, there is an array of approaches that is more skeptical about these computational capacities. They pay more attention to emotions, routines, common sense, trial and error methods etc.

Realism Realism may very well be the most influential school of thought in International Relations. Different Realist strands share the following assumptions in common: the actors on the global stage are states (statism); there is no common power in international politics (anarchy); because there is no common power, states have to safeguard their security by themselves (self-help); and the only kind of tenuous peace possible is the balance of power. These shared assumptions notwithstanding, there are important differences among Realist strands. Classical Realism, for example, puts strong emphasis on diplomacy. Neo-classical Realism echoes this emphasis to some extent. Neo-realism, by contrast, leaves very little room for diplomacy or indeed any kind of agency and focuses on structural forces (distribution of military capabilities) instead.

Resident ambassador A major innovation in diplomatic representation at the end of the fifteenth century which soon became common practice in Western Europe, the office of resident ambassador was established mainly to gather information on domestic political conditions in the host state and to report back relevant developments to their home state. Thus, the resident ambassador was required to build close relationships with those who held power, form good channels of communication between the two governments, and advise the sending government on the best course of action.

Responsibility to protect (R2P) Provocatively put, state sovereignty tends to amount to a government's privilege to do whatever it wants to do within the borders of a state. The R2P principle qualifies this privilege. According to the principle, sovereignty is not an absolute privilege but a responsibility. If the government fails to exercise this responsibility, the principle of external non-interference no longer applies. Failing to exercise this responsibility means, in the context of R2P, a government's targeting of its own population (genocide, war crimes, ethnic cleansing and crimes against humanity), and, more generally, a government's inability to protect its population.

Rogue states A country that consistently acts in defiance of international law, stability and cooperation, and which seeks to undermine the international system can be considered a rogue state. While this term has no standing in international law, it has been used in state rhetoric to define 'outlaw' states. More specifically, coercive diplomacy can be effective with rogue states when the coercer is firm about not accepting too little and is trustworthy about not pushing for too much.

Security community The members of a security community are states. Within a transnational region, peaceful change is a deeply taken-for-granted norm among these states. Dealing with conflict by violent means, therefore, becomes unthinkable. Security communities vary in terms of how tightly coupled the states constituting the security community are with one another. The transatlantic security community (NATO), for instance, is less tightly coupled than the European security community (EU).

Security Council The UN Charter puts the Security Council in charge of maintaining international peace and security. The Security Council has three sets of means available for doing so: chapter VI measures (peaceful settlement of disputes); chapter VII measures (enforcement); and, located in between the two (but closer to chapter VI), peacekeeping. The Security Council has five permanent and ten non-permanent members. Reflecting the outcome of World War II, the five

permanent members are China, France, Russia, the UK and the United States. Each of the five permanent members has the power to veto decisions on substantive matters (but not on procedural ones). Since the end of the Cold War, the veto has been used more sparingly. But it is still being used. In a recent case, China and Russia vetoed a resolution on Syria in July 2012. The resolution would have threatened enforcement measures in case of non-compliance.

Soft law Diplomats use soft law instruments, which include conference declarations, executive statements, resolutions, codes of conduct and policy recommendations, to articulate, revise, or replace international deontologies. Soft law can shape the authority of these emerging deontologies in three ways: (1) by making the legality of opposing diplomatic positions much harder to sustain, (2) by having a formative impact on the *opinio juris* or state practice that generates new international customary law and (3) by influencing the development and application of binding international treaties.

Sovereignty Sovereignty is the right to exercise supreme authority over a piece of territory. The 1648 Peace of Westphalia codified many aspects of what we refer to as state authority today. Our current state system is the contingent outcome of a historical process. In the Europe of the Middle Ages, for instance, there was no exclusive authority over a piece of territory. Instead, there was a system of overlapping authority, in which the Pope, the Holy Roman Emperor and local princes feature prominently.

Status-functions Certain functions are performed by objects or persons only by virtue of the collective acceptance of that object or individual's particular status. Referred to as status-functions, they are essential for understanding how social reality is constructed because they prescribe agents what they are allowed and forbidden to do in their conduct with each other. The process of assigning status-functions is summed up by the formula: X counts as Y in C, which states that an object, person, or state of affairs X has been assigned a special Y status, in the context of C.

Strategy Put very simply, strategy is a plan for action. Different theoretical frameworks conceptualize the term differently. Literature on grand strategy tends to equate strategy with linking interests to means in the issue area of peace and war. In game theory, strategy is a key concept; actors are assumed to behave strategically, i.e. they seek to outwit other players in order to maximize their benefits. In rhetorical studies, there is the concept of rhetorical strategies. Here, the concept is closely associated with communicative moves, ranging from persuasion by the better argument to vilifying other actors.

Struggle for recognition Responsible for defining, negotiating and applying the foundational principles of recognition in international politics, diplomats are the key players in the struggle for recognition, or the inter-subjective process by which agents are constituted as respected and esteemed members of the society of states. According to Wendt, political entities establish international orders that progressively satisfy individuals' desire for recognition, which encompasses needs for physical security and equal and respectful treatment by others.

Track-two diplomacy Track-one diplomacy is state-to-state diplomacy with states being represented by their governments, foreign ministries and/or other ministries. Track-two diplomacy is only loosely linked to governments. It can involve a host of actors such as parliamentarians, private citizens, activists, scholars,

religious communities and so on. The advantage of track-two diplomacy is that it does not require the many formalities and routine posturing of official diplomacy. Opening up the second track, therefore, can provide a stabilizing element in troubled relations among states and help to improve these relations. The literature points, for instance, to the importance of track-two diplomacy to help manage and reduce tensions between the Soviet Union and the United States during the Cold War.

UN veto system Within the UN Security Council, the five permanent members each hold the right to veto decisions considered by the Council, as per Article 27 of the UN Charter. This feature, which provides major powers with strong incentives to remain engaged in the system, was specifically designed to address a key weakness of the League of Nations framework, or the alienation or exclusion of a major power from the decision-making body responsible for setting and implementing rules of international conduct.

Uti possidetis (uti possidetis iuris) The norm of *uti possidetis* found its most important application during the decolonization processes in the nineteenth century (Latin America) and the twentieth century (Africa, Asia). Newly independent states recognized former colonial borders as state borders. This meant, especially in the African case, the recognition of highly arbitrary boundaries. Yet the rationale behind this recognition is probably rather compelling. Not recognizing colonial borders would open up Pandora's box; there would be a plethora of territorial claims and potential for war. *Uti possidetis* is still applied in world politics when states disintegrate. When Yugoslavia disintegrated, for instance, the former boundaries between the Yugoslav republics became state borders of the newly independent states. The case of Yugoslavia also illustrates that there have always been exceptions to the rule of *uti possidetis*. The recognition of the Kosovo as sovereign state by many states in the international community is such an exception. During Yugoslav times, the Kosovo was part of the Yugoslav republic of Serbia (albeit an autonomous region until Slobodan Milosevic did away with this status in the late 1980s).

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