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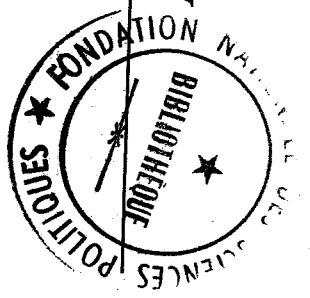
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Modern Diplomacy

Third Edition

2006

R.P. Barston



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MODERN DIPLOMACY

THIRD EDITION

R.P. BARSTON

Modern Diplomacy provides a comprehensive exploration of the evolution and concepts of the institution of diplomacy.

This book equips students with a detailed analysis of important international issues that impact upon diplomacy and its relationship with international politics. The subject is 'brought to life' through the use of case studies and examples which highlight the working of contemporary diplomacy within the international political arena. Organised around five broad topic areas – including the nature of diplomacy, diplomatic methods and negotiation, the operation of diplomacy in specific areas and natural disasters and international conflict – the book covers all major topic areas of contemporary diplomacy.

New to this edition:

The third edition has been extensively revised to include:

- An additional chapter on diplomatic methods, to reflect substantial developments in this area.
- A new chapter that explores the development of diplomatic practice.
- Examination of the international aspects of diplomacy around recent major disasters and emergencies.
- Exploration of the influence of international terrorism and violence upon the international system of diplomacy.

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UNIFIL	United Nations Interim Force in Lebanon
UNMOVIC	United Nations Monitoring, Verification and Inspection Commission
UNOGIL	United Nations Observation Group in Lebanon
UNPROFOR	United Nations Protection Force
UNTS	United Nations Treaty Series
UST	United States Treaties and Other International Agreements
VERS	voluntary export restraints
WCO	World Customs Organisation
WEU	Western European Union
WHO	World Health Organisation
WIPO	World Intellectual Property Organisation
WTO	World Trade Organisation
ZOPFAN	zone of peace, freedom and neutrality

Chapter 1

The changing nature of diplomacy

Diplomacy is concerned with the management of relations between states and between states and other actors. From a state perspective, diplomacy is concerned with advising, shaping and implementing foreign policy. As such it is the means by which states through their formal and other representatives, as well as other actors, articulate, co-ordinate and secure particular or wider interests, using correspondence, private talks, exchanges of view, lobbying, visits, threats and other related activities.

Diplomacy is often thought of as being concerned with peaceful activity, although it may occur within war or armed conflict or be used in the orchestration of particular acts of violence, such as seeking overflight clearance for an air strike. The blurring of the line, in fact, between diplomatic activity and violence is one of the developments distinguishing modern diplomacy. More generally, there is also a widening content of diplomacy. At one level the changes in the substantive form of diplomacy are reflected in terms such as 'oil diplomacy', 'resource diplomacy', 'knowledge diplomacy', 'global governance' and 'transition diplomacy'. Certainly what constitutes diplomacy today goes beyond the sometimes rather narrow politico-strategic conception given to the term. Nor is it appropriate to view diplomacy in a restrictive or formal sense as being the preserve of foreign ministries and diplomatic service personnel. Rather, diplomacy is undertaken by a wide range of actors, including 'political' diplomats, advisers, envoys and officials from a wide range of 'domestic' ministries or agencies with their foreign counterparts, reflecting its technical content; between officials from different international organisations such as the International Monetary Fund (IMF) and the United Nations (UN) Secretariat, or involving foreign corporations and a host government transnationally; and with or through non-governmental organisations (NGOs) and 'private' individuals.

In this chapter we are concerned with discussing some of the main changes that have taken place in diplomacy since the 1960s - the starting-point for the overall study. Before looking at the changes, some discussion of the tasks of diplomacy is necessary.

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Tasks of diplomacy

The functions of diplomacy can be broken down into six broad areas - ceremonial, management, information/communication, international negotiation, duty of protection and normative/legal. Particular functions within those categories are set out in Table 1.1. The significance of each will vary from state to state. For some, diplomacy may be largely devoted to ceremonial representation; others may allocate resources to high-level roving envoys or in support of an established role in international rule making. The functions of diplomacy are also particularly closely related to evolving events and issues such as international crises, human and natural disasters or outbreaks of violence, which shift the diplomatic spotlight on to previously remote geographic areas or issues.

Table 1.1 Tasks of diplomacy

- 1) Ceremonial
 - Protocol
 - Representation
 - Visits
 - 2) Management
 - Day-to-day problems
 - Promotion of interests (political, economic, scientific, military, tourism)
 - Explanation and defence of policy / public's diplomacy
 - Strengthening bilateral relations
 - Bilateral co-ordination
 - Multilateral co-operation
 - 3) Information and communication
 - Assessment and reporting
 - Monitoring
 - 4) International negotiation
 - 5) Duty of protection = consular / visa
- Contribution to international order
- Normative
 - Rule making
 - Mediation/pacific settlement

Traditionally, diplomacy has been associated with the first of the functions in Table 1.1. Formal representation, protocol and participation in the diplomatic circuit of a national capital or international institution continue as important elements in state sovereignty and as part of the notion of international society. At a substantive level, much of the business of diplomacy is concerned with the management of short-term routine issues in bilateral and multilateral relations (co-ordination, consultation, lobbying, adjustment, the agenda of official or private visits).

These include the promotion and management of interests, which for most states are dominated by financial, economic, resource issues and tourism, along with threat management. The term 'threat management' is used here to differentiate this form of diplomacy from defence, security policy or traditional military security activities, and refers to coping with adverse developments affecting key interests.

Other management activities include the explanation and defence of a particular decision or policy. These particular functions rely heavily on diplomatic negotiating skill, linguistic and technical expertise.

A third function of diplomacy is acquisition of information and assessment, including acting as a listening post or early warning system. Next to substantive representation, an embassy, if it is functioning conventionally - and not all are - should identify any key issues and domestic or external patterns, together with their implications, in order to advise or warn the sending government. As Humphrey Trevelyan notes on embassies:

Apart from negotiating, the ambassador's basic task is to report on the political, social and economic conditions in the country in which he (she) is living, on the policy of its government and on his conversations with political leaders, officials and anyone else who has illuminated the local scene for him.²

Timely warning of adverse developments is one of the major tasks of an embassy, in co-operation with intelligence services, requiring considerable co-ordination, expertise, judgement and political courage.

Monitoring functions, which are generally omitted from discussion of diplomatic purposes, should be distinguished from assessments. The latter provide an analysis of short-run or longer-term developments relating to a state, region, organisation, individual or issue. Monitoring exists in a number of forms, including covert intelligence gathering. However, in terms of diplomatic functions it is defined here as the acquisition of data from public sources in a receiving state, such as press, television, radio, journals and other media outlets, about the reporting or presentation of the sending state. The concern is with the image being presented of that state, and the accuracy of press reports on its policy or actions in the media. Monitored reports are used to form the basis for a variety of diplomatic responses, including press rebuttals by a resident ambassador, television interviews, informal exchanges, through to formal protest. Other types of monitoring involve detailed tracking of foreign press, media and other communications sources for information on attitudes, foreign policy activity and indications of shift or changes. In laying the groundwork or preparing the basis for a policy or new initiatives, diplomacy aims to float an idea or promote information or evidence relating to an issue, in order to gain acceptance or political support for the proposals.

The function of international negotiations is at the core of many of the substantive functions set out so far. It is, however, no longer the preserve of the professional diplomat.

The duty of protection is a traditional function, which has assumed increased significance in contemporary diplomacy. The growing mobility of citizens, international sport and international conflicts have all added a variety of types of protection problems with which embassies and consulates now must deal.

In the final category are the diplomatic functions relating to conflict, disputes and international order. As part of the development of international order, an important function of diplomacy is the creation, drafting and amendment of a wide variety of international rules of a normative and regulatory kind that provide structure in the international system.

In the event of potential or actual bilateral or wider conflict or dispute, diplomacy is concerned with reducing tension, clarification, seeking acceptable formulae and, through personal contact, 'oiling the wheels' of bilateral and multilateral relations. An extension of this is contributing to order and orderly change. As Adam Watson suggests: 'the central task of diplomacy is not just the management of order but the management of change and the maintenance by continued persuasion of order in the midst of change'.³

The converse of this can also be put, in that diplomacy may be a vehicle for the continuation of a dispute or conflict. In other words, differing state and non-state interests and weak or contested norms concerning local, regional or international order, produce quite substantial differences between parties, in which diplomacy through direct initiatives, informal secret contacts or third parties simply cannot provide acceptable or workable bridging solutions. Diplomacy is stalled, and meetings routinised without expectation of progress. In addition, for some the purpose of 'counter-diplomacy' is the use of diplomacy to evade or frustrate political solutions or international rules. Counter-diplomacy seeks the continuation or extension of a conflict and facilitation of parallel violence.

Development of diplomacy

→ from behaviour of the international system

In discussing the development of diplomacy an overview of the period will help to give some perspective in which to consider the major changes that have taken place. The purpose is to provide a benchmark and highlight aspects that have been noted as part of the development of diplomacy. The argument is, however, not about 'old' and 'new' diplomacy, but rather, as Hocking and others suggest, to see diplomacy in an evolutionary sense,⁴ Diplomacy is the subject of constant change, rather than major shifts constituting a new form.⁵ Harold Nicolson's analysis, written in 1961 in *Foreign Affairs* on the theme 'Diplomacy then and now'⁶ is coloured especially by the impact of the Cold War, the intrusion of ideological conflict into diplomacy and its effect on explanation, and the transformation from the small

international elite in old-style diplomacy to a new or 'democratic' conception of international relations requiring public explanation and 'open' diplomacy, despite its growing complexity. A further striking change for Nicolson was in values, especially in the loss of relations based on the 'creation of confidence, [and] the acquisition of credit'.⁷ Burrows contrasted the *raison d'état* of that period with ethical foreign policy: 'Raison d'état predominated and personal feelings had to be forgotten. It was lucky ethical foreign policy had not yet been invented.'⁸

Writing shortly after Nicolson, Livingston Merchant noted the decline in the decision-making power of ambassadors but the widening of their area of competence through economic and commercial diplomacy; the greater use of personal diplomacy; and the burden created by multilateral diplomacy, with its accompanying growth in the use of specialists.⁹ In reviewing the period up to the 1970s, Pilschke¹⁰ endorsed many of these points, but noted as far as the diplomatic environment was concerned the proliferation of the international community, including the trend towards fragmentation and smallness,¹¹ and the shift in the locus of decision-making power to national capitals.¹² Writing at the same time, Pranger additionally drew attention to methods, commenting on the growing volume of visits and increases in the number of treaties.¹³ Adam Watson, reviewing diplomacy and the nature of diplomatic dialogue, noted the wide range of ministries involved in diplomacy; the corresponding decline in the influence of the foreign minister; the increase in the direct involvement of heads of government in the details of foreign policy and diplomacy; and the growth in importance of the news media.¹⁴ The theme has been underscored by Small, who notes the 'new communications architecture' and suggests the 'concomitant death of distance': 'When the cost of communication approaches zero, geography doesn't matter anymore'.¹⁵

Hamilton and Langhorne, writing in the mid 1990s, in the post-Soviet and Yugoslav contexts, highlight that 'established diplomatic procedures have, as in earlier periods of political upheaval and transition, been exploited for distinctly undiplomatic ends'.¹⁶ Other developments influencing diplomacy include the implications of informal e-diplomacy¹⁷ for diplomatic management, records and control.¹⁸ Commenting that the telegram was now obsolete, US Ambassador Reis argued that: 'If we don't rescue it, we the managers of the system won't have the ability to reliably instruct embassies to do things and will lose all ability to shape a coherent and effective foreign policy'.¹⁹ Other developments are also noted by McRae, including the emergence of 'network' diplomacy and cross regional groupings. Meyer examines the nature and limits of bilateral diplomacy; Greenstock UN diplomacy.²⁰

It remains unclear (as Sharp and others have noted) whether some developments are ephemeral or part of a more substantial change.²¹ Further, as Ruggie notes, a number of elements in the international system remain poorly mapped.²²

Diplomatic setting

Three aspects of the diplomatic setting are explored in this section – membership, bloc and group development, and international institutions.

Membership

The continued expansion of the international community after 1945 has been one of the major factors shaping a number of features of modern diplomacy. The diplomatic community of some 40 states that fashioned the new postwar international institutions – the UN, IMF, International Bank for Reconstruction and Development (IBRD) and the General Agreement on Tariffs and Trade (GATT) – had tripled less than a quarter of a century later.²³ A fourth phase of expansion occurred after 1989 with the break-up of the former Soviet Union and Yugoslavia.²⁴ The expansion in membership has affected diplomatic styles and altered the balance of voting power within the UN General Assembly. The growth in the number of states, and hence interests and perspectives, has continuously fashioned the agenda of issues addressed by the Assembly, and led to the emergence of UN conference management styles, lobbying and corridor diplomacy. Other features, such as the institutionalisation within the UN of the Group of 77 (G-77), have also had a significant influence on the development of the way in which diplomacy is conducted within the UN.²⁵

Another important effect of expanded membership has been on the entry into force of conventions. For example, the entry into force of the 1982 Convention on the Law of the Sea was triggered by the smaller members of the UN, such as Honduras, St Vincent and eventually Guyana in November 1994, without ratification or accession at that time by major powers.²⁶ Although the possibility of conventions entering into force without the participation of major players remains, e.g. the Montreal Protocol on ozone depleting substances,²⁷ thresholds or specific barriers to entry into force have been created in some agreements.

A further aspect of the membership of the international community is the existence of *de facto* states.²⁸ In considering such entities a distinction needs to be made between entities that have or seek sessionist or breakaway status (Chechnya, Transnistria, Northern Cyprus, Bougainville) from trans-border or transboundary co-operation, e.g. the Three Borders Area (Austria, Italy, Slovenia).²⁹ The latter involve external relations between sub-state entities, which in effect constitute increasingly deeper functional co-operation in various sectors (economy, transport, social) contributing to the 'distinctiveness' of the entity, so that it is a recognisable entity within a wider regional framework. Overseas territories and enclaves are a distinct category but perform many state-like functions (e.g. Caymen Islands), particularly in the financial sector.³⁰

Blocs and groupings

A second structural feature of the post-1945 diplomatic setting is the growth of bloc groupings from 1947 to 1990; the transition or interregnum, 1991–2000; and a third period of realignment and regrouping from 2000 to the present. The diplomatic setting from 1947 to 1990 was distinguished by the East–West diplomatic system; the establishment of an initially charismatic-led non-aligned movement after the Bandung Conference; and the trade-development agenda setting, advanced by the developing countries from 1964 through the United Nations Conference on Trade and Development (UNCTAD) and developed by the G-77 as the New International Economic Order (NIEO) doctrine at the 1973 Algiers Conference. In addition, specialist developing country bloc groupings were set up, loosely linked to the G-77, including the Group of 24 (G-24) within the IMF, to articulate the financial and economic objectives of developing countries.

The diplomatic setting was subject to a number of fundamental changes by the late 1980s, with the demise or disappearance of the East–West and North–South bloc elements. At an economic level, developing country economic redistribution objectives, channelled through periodic large scale North–South conferences, were largely unsuccessful. Further, at a global institutional level, UNCTAD had become ineffective as a vehicle for global trade and development reform. The perceived end of the Cold War accelerated the break-up of the Soviet bloc, and Eastern Europe, along with the associated East–West diplomatic system (US–Soviet bilateral superpower meetings, summit conferences, alliance systems). In the transition international system from 1990 to 2000, the diplomatic setting was distinguished by three main elements. First, the largely unsuccessful diplomatic efforts of the Russian Federation to construct a new grouping based on the former Soviet Union and Eastern Europe. Second, the non-aligned movement in effect became defunct through loss of *raison d'être*, competing ideologies, interests and above all unwieldy size. In addition the G-77 and associated UN General Assembly process of stylised global debate diplomacy became largely ineffective by the transition period.³¹ In terms of other groupings, it is noteworthy that during the transition period 1990–2000 a number of temporary international groupings (shifting membership) based upon economic, trade or other interests were formed, for specific purposes.

Since 2000 the diplomatic setting in the multipolar international system has been distinguished by realignment and bloc or loose coalitions involving the individual principal actors: the USA, European Union (EU), Russian Federation, China, Japan and UN (Secretary General, Security Council). A number of the groupings are forms of resource alliances or act as vehicles for military technology transfer and operate in a clandestine manner or in secret. Other groupings have been formed, led by individual major actors (India, Brazil, Mexico), middle powers (Canada, Australia, Pakistan, Iran) and smaller powers. The reorganisation of the Organisation of African Unity

