Diplomacy

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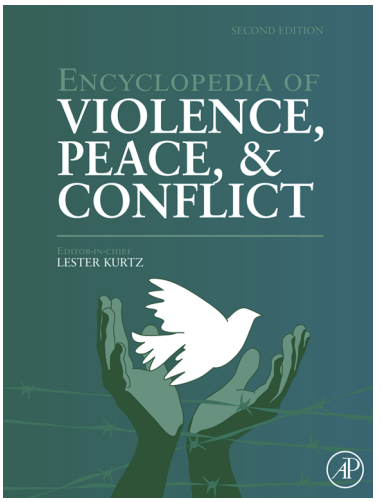

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Diplomacy

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Glossary

Citizen Diplomacy The establishment through ordinary people of unofficial channels of communication between opposing sides in order to increase trust and foster mutual understanding.

Diplomacy The conduct of international relations by negotiation and dialog or by any other means to promote peaceful relations among states. More comprehensively, diplomacy is a set of practices, institutions, and discourses that are key for the basic understanding of the historical evolution of the international system and its evolving functional and normative needs.

Diplomatic Good Offices A method of peaceful settlement of disputes in which a neutral third party tries to facilitate the communication between the parties, without offering any substantial suggestion on the possible terms of settlement.

Diplomatic Mediation A method of peaceful settlement of disputes in which a neutral third party, as requested by the parties, can make substantial proposals in order to seek a compromise, or facilitate a political agreement.

Diplomatic Negotiation The most characteristic method of peaceful settlement. It can be defined as the attempt to explore and reconcile conflicting positions among states in order to reach an acceptable outcome for all the parties in areas of common interest.

Inquiry The formal and impartial determination of facts, by a neutral team, requested by the parties in conflict, in order to elude misunderstandings and facilitate a peaceful settlement.

Sustainable Diplomacy An explicitly normative approach to diplomacy that advocates that instead of promoting the particular interest of states diplomacy ought serve the general interest of the whole humanity.

Diplomacy can be defined as the conduct of international relations by negotiation and dialog or by any other means to promote peaceful relations among states. Besides this widely accepted single definition, and more comprehensively, diplomacy is also a set of practices, institutions, and discourses which is crucial for the basic understanding of the historical evolution of the international system and its evolving functional and normative needs. Departing from some conceptual precisions, this article presents a general approach in discussing this topic, including a short note about the historical circumstances in which modern diplomacy was born, an introduction to its more prominent transformations over time, a brief discussion of bilateralism and multilateralism as its basic modalities, and finally some reflections about the relevance of negotiation and other diplomatic methods for the contemporary international relations of cooperation and conflict.

The Meanings of Diplomacy

It may seem that the basic condition for the extension of diplomatic relations throughout the world was the existence of independent states able to develop political relations among themselves. Notwithstanding, the history of diplomacy predates considerably that of the modern sovereign nation-state. For that reason, it seems necessary to discuss briefly the circumstances in which a set of practices of public and private communication among different political entities, existing since ancient times, underwent different historical transformations until they became conventionally defined as an exclusive attribute of the sovereign nation-state. Der Derian suggests that it was the attempt to mediate the conditions of estrangement among human beings and social groups since ancient times that created the basis for what we know today as diplomacy. The history of diplomacy would thus

reveal the changing conditions of this alienation, as well as the more or less contentious efforts to mediate it through the development of different practices, institutions, and discourses under different systems of thought, power, and law. Surely, it is this communicative dimension which gives diplomacy its enduring and cross-cultural relevance, as well as its value as a way of representation, mutual recognition, and negotiated exchange among organized social groups.

The Rise of Modern Diplomacy

Various forms of diplomatic behavior among diverse entities were well known during the Middle Ages in American, Asian, or African civilizations, but the most distinctive institution of modern diplomacy, the exchange of resident ambassadors, did not become a reality until the fifteenth century. This was due to the intensification of diplomatic activity in Europe, and the increasing awareness among the existing monarchies that diplomatic relations were more practical and efficient when establishing, under centralized political control, permanent representation in a foreign country. However, and apart from some interesting precedents from the Italian city-states, it can be said that during the Renaissance, the sixteenth-century French diplomatic system established for the first time some of the basic features of modern diplomacy: (1) the institutionalization of the permanent diplomatic missions and the definition of diplomatic protocolary and procedural rules; (2) the importance granted to secrecy of negotiation as well as to the personal caution and discretion of diplomats; (3) the extension of some important privileges and immunities for the ambassadors; and (4) the professionalization and administrative centralization of diplomatic services.

Certainly, the completion of a web of ministers of foreign affairs, undoubtedly one of the basic institutions of modern diplomacy, did not appear until the late eighteenth century with the progressive consolidation of the modern nation-state. The great thinkers of the Enlightenment devoted considerable attention to the rational prospects for the establishment of peaceful international relations through the reform of diplomatic methods. Even so, the diplomatic world remained, during this long period, considerably isolated from philosophical discussions. So, it can be said that only after the revision and regulation of existing diplomatic institutions and practices during the Congress of Vienna, under the social and political impact of the French Revolution and its consequences, was modern diplomacy born in 1815. Later, during the classic era of European imperialism, the modern institution of diplomacy would be extended around the world without substantial changes, despite its increasing complexity, until the outbreak of World War I. Nevertheless, the emergence in this period of numerous international conferences on topics such as industrial standards, intellectual property, international trade, labor legislation, or health, among others, became a way for national governments to explore potential common interests without great political costs. Thus, it can be said that during the second half of the nineteenth century, the old institution of diplomacy was gradually adapted to the growing functional and legitimizing needs of world capitalism.

Old and New Diplomacy

After World War I, diplomacy experienced a number of important transformations, giving sense to the so-called transition from old diplomacy to new diplomacy. In a context in which states became more and more aware of their interdependence, and increasingly interested in obtaining popular support, the European and the colonial wars appeared both to politicians and citizens as the clearest expression of the failure of classic diplomacy. The postwar crisis consequently opened a period of social, political, and academic debate about the obsolescence of traditional diplomatic methods and the need for reforms. Public opinion, mobilized first by governments in support of war efforts, would later be one of the principal sources of change. From very diverse political positions, including the peace movement, it would be claimed that diplomacy should be more open to public scrutiny, effectively submitted to international and domestic legal constraints, and specifically directed to the peaceful settlement of conflicts and the prevention of war.

The most prominent result of this new climate of opinion in the critical postwar context was the creation of the League of Nations. Although the experience of the League would fail two decades later with the rise of fascism and the outbreak of a new world war, its relevance for the contemporary transformation of diplomacy is fundamental. The League of Nations established some important limitations on the use of force, institutionalizing different procedures for the peaceful settlement of disputes and creating a completely new system of collective security with the possibility of international sanctions. Besides the innovations in the field of collective security, the League of Nations was also very important in the gradual institutionalization of multilateral diplomacy over social, economic, and technical issues. Furthermore, the experience of the League of Nations substantially improved the techniques and methods of multilateral diplomatic negotiation, and created the first political basis to end the secrecy of the old diplomacy, in order to restore, as the Enlightenment thinkers had proposed, the duty of making public international treaties.

Certainly, none of these innovations avoided the outbreak of a new war, but this failure would be precisely the starting point for the next changes in diplomacy.

The transformation of diplomacy after World War II was the result of several prominent factors: (1) the repercussions of the institutional innovations introduced by the United Nations on diplomacy, particularly the new system of collective security, and the strengthening of multilateral diplomacy with the Security Council, the General Assembly, and the creation of diverse specialized agencies and other important organizations; (2) the Cold War impact, manifested in the importance, in an ideologically divided world, of new international organizations of security, as well as in the prominent diplomatic role of the Soviet Union and China; (3) the increasing role of modern intelligence and espionage, and the diplomatic management of conflicts in the presence of nuclear weaponry; (4) the impact of the decolonization process and the subsequent denunciation by the new independent states of Africa and Asia of the Western bias of contemporary diplomacy and international law; (5) the broadening and reform of the diplomatic agenda due to growing economic and technological interdependence, and the widespread recognition of the need to promote international cooperation through the creation of international institutions; (6) the growing international relevance of nonstate actors, such as substate governments, multinational corporations, or nongovernmental organizations and the intensification and diversification, impelled by new technologies of communication, of transnational contacts. Certainly, all these realities have, during the last decades, dramatically changed the environment in which diplomatic dialog takes place, imposing the need for rethinking the central role of diplomacy in contemporary international relations. In fact, all this seems to suggest that diplomacy needs to reconsider its methods and role in global governance, even if it is difficult to foresee its disappearance.

Bilateral Diplomacy

For centuries, the most classic form of diplomacy was bilateral relations. However, besides some partial but important precedents, such as the Havana Convention of 1928 for Latin America, it was not until the signing in 1961 of the Vienna Convention on Diplomatic Relations, that the customary rules and practices of international diplomacy were codified. Many of them needed clarification; others required their adaptation to the contemporary conditions of international relations. Moreover, there was a strong feeling among Western states that international law on diplomacy needed the formal acceptance of the new independent states of Africa and Asia, in order to elude possible controversies and political conflicts in their diplomatic relations. The Cold War political context in which the negotiation took place was revealed with the initial exclusion of China and other communist states. But, finally, the Convention achieved considerable success.

The basic contents of the Vienna Convention can be summarized in four topics related to bilateral diplomatic relations: (1) the procedures for the establishment of permanent diplomatic relations between states based on mutual consent, and the required conditions for their unilateral reprieve or severance; (2) the identification of official representation and the promotion of friendly relations and international cooperation as the basic functions of permanent missions; (3) the protection of the legitimate interests of the sending state, and those of its nationals; (4) the inviolability of the mission's premises, assets, or communications as well as the personal inviolability and jurisdictional immunity of diplomatic agents, as the functional privileges required by diplomatic missions. Furthermore, as a clear expression of fear of foreign interference in domestic affairs, the Convention also detailed the duties which missions must observe toward the receiving state.

As some qualified observers have pointed out, the principal reason for the considerable success of the Vienna Convention in a particularly complex political context was surely its functional and pragmatic approach. Of course, the formal regulation established by the Vienna Convention did not reflect the wide variety of practices associated with contemporary bilateral diplomatic relations nor the real political functions fulfilled by resident embassies' daily work. Certainly, the traditional methods of diplomatic communication and practice have suffered important transformations during the last decades. The spectacular development of transport and telecommunications has taken much significance away from embassies, dramatically transforming the methods of information, and the possibilities of direct personal contact. Nevertheless, some of the most classic diplomatic procedures, such as diplomatic correspondence in the form of letters or memoranda, still play an important role in contemporary international relations. Diplomatic notes, for example, are widely used for a great variety of purposes, ranging from administrative matters to the expression of a formal protest.

The establishment of diplomatic relations among sovereign states is a matter of mutual consent. The correspondent agreement may contain different stipulations, always in accordance with the Vienna Convention, as well as some additional features such as limitations on the number and mobility of personnel at the embassies and consulates. Agreement with a newly independent state on diplomatic relations used to be considered an act of tacit recognition. Similarly, the maintenance of diplomatic relations can be interpreted, unless explicitly indicated to the contrary, as a form of tacit recognition of any

change, even unconstitutional changes, in the political system of the receiving state. The severance of diplomatic relations is a discretionary unilateral act by the state that can be an expression of disapproval or dissatisfaction with the other state. Notwithstanding, the ceasing of diplomatic relations does not affect the existing treaty obligations, particularly those related with the legal protection of the citizens of each state in the territory of the other. However, as the citizens of the sending state lose the protection of their home country, a third state, acceptable to both the receiving and the sending states, may be entrusted with their protection.

Multilateral Diplomacy

The main field of change and innovation in contemporary diplomacy during recent decades has not been the old institution and practice of bilateralism, but innovation due to the spread of multilateral and conference diplomacy. Although multilateral diplomacy is far from being an innovation of the present century, its dramatic growth during recent decades merits explanation. Undoubtedly, increasing international awareness of contemporary conditions of interdependence could explain the functional and rational basis for the growing institutionalization of international cooperation. Multilateralism seems to be a tool especially appropriate for dealing with current economic, technological, or ecological problems, through the establishment of diverse international regimes. In fact, the growing importance of international institutions and organizations, and the so-called parliamentary diplomacy, with its deep implications about diplomacy and international law, reveal the progressive institutionalization of international society. Furthermore, it can be said that contemporary multilateralism serves both the functional and legitimizing needs of global political economy, establishing new forms of international regulation over economic and technological issues, as well as new ways of managing potential social conflicts.

In response to the growing importance of multilateralism and the new challenges posed to diplomacy by the increasing role of international organizations, in 1975 a new Vienna Convention tried, without success, to establish a regulation for the multilateral dimensions of diplomacy. The Convention, which did not come into force, covered topics such as those ranging from privileges and immunities of missions to international organizations as well as their diplomatic status. But besides these types of formal problems, key to the understanding of the growing role of international organizations, the most important implications of the rise of multilateralism on diplomatic practice are particularly clear in the domain of international negotiation.

Although the most powerful states have always tried to instrumentalize multilateralism, sometimes with unquestionable success, they are usually much more confident in their diplomatic skills in the bilateral field. Alternatively, weak states usually prefer multilateral methods because of the possibility of building coalitions based on functional, regional, or cultural aspects. For this reason, the growth of consensus and majority voting as forms of collective decision making is probably the most prominent feature of contemporary transformation of diplomacy.

Diplomatic Negotiation

Diplomatic negotiation can be defined as an attempt to explore and reconcile conflicting positions among states in order to reach an acceptable outcome for all the parties in areas of common interest. Although analysts usually identify a number of different sequential stages in diplomatic negotiations, the basic model can be characterized as a process in which parties first agree on the need to negotiate and then establish an agenda and the rules of procedure. Later, different opening positions are outlined and explored; and finally, compromises are sought in order to find a point of convergence, forming the basis for agreement. However, it cannot be assumed that any of the aforementioned stages should be necessarily easier than the rest. At times, states do not recognize the need to negotiate or are unable to agree on an agenda for talks, due to either its excessive precision or its vagueness, its eventual propagandistic value, or simply because of their preferences in the order of topics to be discussed.

Another question that is equally relevant is the agreement on procedure. Frequently, more than two parties are involved in the talks and the negotiation could require both bilateral and plenary sessions. This can have the effect of making the election of the delegation members more complex according to their level and competence, as well as complicate the decision-making procedures. The procedure by which decisions are made differs considerably depending on negotiation objectives. But, if the parties seek to obtain substantial agreements, it is necessary to clearly establish the rules of procedure. The preparation and discussion of a resolution is usually a lengthy and laborious process. Moreover, the states can sometimes deploy diverse tactical devices of pressure and persuasion, according to their objectives, or even quit the table, breaking the negotiation.

After discussing different drafts, the proposed resolution can be submitted to final approval. Although the adoption of decisions by consensus is very common, the most frequent method is voting. In fact, the unanimity rule might induce paralysis when large numbers of states

are involved. There are three particularly relevant aspects of voting. First, the weight of votes, ranging from the classic system of one vote per country, to diverse forms of vote qualification according to some formulas, such as the country's financial contribution to the agreement, or others related to their size or relevance to a particular topic. Second, the specification of quorum requirements in order to elude controversies among the parties during voting. Third, and the most prominent, are majority requirements. Decisions can be made by a single majority or qualified two-thirds majority of those present and voting, but sometimes unanimity can be required, or even the majority of some specified members, as in the United Nations Security Council.

Besides the formal aspects, the parties shall also establish a certain agreement as to the level of discretion required in the negotiation, but it must always be developed in accordance with the rules of diplomatic protocol and the general principles of international law. As the enduring relevance of the so-called quiet diplomacy shows, the principle of publicity does not impede discretion in diplomatic negotiations but it is incompatible with the adoption of secret international commitments with compulsory content. Nevertheless, due to contemporary requirements of legitimacy in the democratic political process, diplomatic negotiation must sometimes be extended to society, eventually establishing consultative meetings with nongovernmental organizations, pressure groups, and noncentral governments. A sign of the increasing public interest in multilateral diplomacy is also the growing relevance of the international conferences, organized by nongovernmental organizations (NGO), with the objective of achieving influence on the diplomatic agenda, on topics such as development, human rights, peace talks, or environmental issues, among others. This trend is particularly notorious in the field of conflict resolution, as we will briefly discuss later in this work.

Today, a great deal of bilateral and multilateral diplomacy takes place at the level of heads of government. Summitry is certainly as old as any other form of diplomacy, but during the last decades and due to the fast development of transport and communications it has gained considerable prominence. Both serial and *ad hoc* summits are usually subjected to greater public attention than standard multilateral or bilateral diplomacy. For this reason, without denying its diplomatic relevance, summitry may frequently be used as an excellent tool for foreign or domestic propaganda, as was clearly exhibited during the Cold War. Because of this, unless it has been meticulously prepared, summitry has come to be seen by professional diplomats as a certain intrusion in their daily work, which sometimes creates more inconveniences than advantages.

From Peaceful to Coercive Diplomacy

Probably, the foremost role of diplomacy over its long history has been the peaceful settlement of disputes. Indeed, it can be said that some of the basic contributions of contemporary peace research such as the techniques of mediation and reconciliation were well known from the early beginnings of modern diplomatic practice. Notwithstanding, until the innovations established by the League of Nations, the adoption of different means of peaceful settlement of conflict was certainly a choice but never a legal duty for the states. Later, the Charter of the United Nations established the duty of peaceful settlement of disputes as a general principle of international law, considerably developing its institutional aspects without changing substantially its traditional methods. In fact, one of the more prominent innovations of the United Nations was precisely the possibility of nonpeaceful application of international law, through the coercive competencies of the Security Council. Consequently, the contemporary methods of peaceful settlement of disputes, in spite of their adaptation to contemporary institutional and technological conditions, remain similar to their traditional antecedents. Previously we have referred to negotiation as the most prominent and widespread method for settling international differences and the most characteristic method of diplomatic practice. However, not always it is possible to easily achieve direct discussion among the parties in a dispute.

For this reason, throughout history, the states have developed diverse political and jurisdictional methods of peaceful settlement: (1) 'Good offices' is the participation of a neutral third party in order to facilitate the communication between the parties, but without offering any substantial suggestion on the possible terms of settlement. (2) 'Inquiry' is the process of obtaining evidence by a neutral team of investigators, requested by the parties in conflict. The clarification of facts can be very important in order to avoid misunderstandings and facilitate a political agreement. (3) 'Diplomatic mediation' is another type of third-party intervention that is especially adequate in disputes in which compromise seems to be very hard to achieve, due to the hostility among the parties or the nature of the conflict. Although the mediator ought to be neutral, his or her ability to make substantial proposals in order to see a compromise is particularly important, even if they could be understood by one party as favorable to the other side. (4) 'Conciliation' is another form of mediation in which a particular international institution has been requested by the parties, due to its recognized neutrality and experience in seeking to find an acceptable solution. (5) 'Arbitration' is a method of applying legal principles to a controversy in which the parties have agreed previously on legal principles and procedures,

and have chosen the court – permanent or *ad hoc* – they prefer. In agreeing to submit the dispute to arbitration the parties are bound by the final decision. (6) 'Judicial settlement' implies that the states in conflict consent in submitting their dispute to the International Court of Justice.

However, it should be noted that the states are usually more willing to negotiate directly, or even to accept mediation rather than to consent in a judicial settlement, the sentence of which is of compulsory compliance. Contemporary international law established the duty of peaceful settlement of disputes, but nothing assures its political success. So, it can be reasonably stressed that a good diplomatic method in dealing with international disputes should be the deployment of different strategies of preventive diplomacy. Those strategies can be of a very different nature, military as well as nonmilitary, according to their diverse objectives, such as crisis prevention, preemptive engagement, or preconflict peace building.

Although diplomacy is generally defined as the conduct of international relations through negotiation and dialogue or by any other means able to encourage peaceful relations among states, it is difficult to deny that threats and coercion have played an important role in international relations. Moreover, despite the contemporary erosion of militarism and the decreasing role of military force in world politics, nothing seems to suggest that coercion will disappear. A possible solution to this apparent contradiction is to reserve the analysis of international coercion to foreign policy analysis, acknowledging its widely accepted incompatibility with diplomacy. Nevertheless, there is also an increasing amount of literature devoted to the study of 'coercive diplomacy'. Coercive diplomacy would be a defensive strategy that is employed to deal with the efforts of an adversary to change a status quo situation. Coercive diplomacy needs to be differentiated from offensive strategies. The latter employs threats in an aggressive manner against target states. It is also quite different from deterrence, the preventive employment of threats to dissuade an adversary from undertaking a damaging action not yet initiated. This was certainly a type of diplomacy particularly prominent and controversial during the Cold War, but has today lost a great deal of its relevance.

According to the proponents of coercive diplomacy, there are three basic types of coercive strategy, which should preferably be used after the failed resort of other more peaceful alternatives, such as a negotiated settlement. The first tries simply to persuade the opponent to stop the hostile action. The second seeks the reversal of the action already accomplished. The third, and undoubtedly the most controversial, seeks to terminate the opponent's hostile behavior through the promotion of change in the adversary's domestic political system. Certainly, the diplomatic nature of coercive diplomacy can be questioned, given that it can be seen as a violation of contemporary international law. However, it is difficult to deny the relevance of these practices for the contemporary understanding of international relations. Precisely for this reason, it must be remembered that the United Nations' system of collective security, in spite of the growing importance given to preventive diplomacy and peace building, is the only contemporary legal expression of coercive but multilateral diplomacy firmly recognized by international law.

Against this trend, which pretends to make compatible diplomacy and coercion, during the last decades different voices have claim for a more active role of diplomacy in peace building, human development, and global environmental sustainability. This is the case of both the so-called citizen diplomacy and sustainable diplomacy approaches. Citizen diplomacy, also called frequently second-track diplomacy, comes to emphasize the importance of ordinary people and unofficial channels of communication between opposing sides in order to increase trust and foster mutual understanding. Sustainable diplomacy advocates, by their side, defend an explicitly normative approach to diplomacy that instead to promote the particular interest of states shall serve to the whole humanity. If the former is largely the result of the growing transnational dimension of social movements and NGOs, the latter appeared within the diplomatic world itself, and is slowly gaining support among the increasing number of disappointed practitioners who refuse the subordination of diplomacy nowadays to economic or strategic interests.

Our brief description of the classic methods of diplomatic settlement of disputes, as well as the short discussion on the importance of preventive and coercive diplomacy, can easily suggest that the theory of diplomacy has invariably considered the relations among states as the source of international conflicts. Notwithstanding, during the Enlightenment it was suggested by some prominent thinkers, and particularly by Kant, that true peaceful diplomacy would only be possible through the complete abolition of absolute monarchies. This type of examination of the existing relation between domestic political systems and international peace has been extensively reintroduced during the past years by an increasing amount of literature. The common point of departure is the empirical evidence that democracies seem to be much less willing to use violence among themselves than against nondemocracies. There are two prominent explanations to the so-called 'democratic peace'. Some scholars have suggested that the reason may be the intrinsic complexity of the institutional procedures of democratic political process. Others find the source of more peaceful diplomacy in normative constraints imposed by social values of the general public in democratic states. Any thorough analysis of this question considerably exceeds the limits

of this article, but its mention can suggest an interesting starting point for the analysis of domestic sources of peaceful diplomacy.

Conclusion

Since the beginnings of modern nation-states, the ability to conduct diplomatic relations was considered one of the basic attributes of state sovereignty. Much more problematic is the associated assumption that it is also an exclusive one. Historical research has unquestionably established that diplomacy considerably predates the modern sovereign nation-state. In fact, the origins of diplomacy were the multiple practices of public and private communication among different political entities existing since ancient times. Certainly, these practices underwent different historical transformations until they became conventionally redefined as an exclusive attribute of the sovereign nation-states. Today, the conventional study of diplomacy tends to exclude a wide range of practices, such as corporate, nongovernmental, and noncentral governmental involvement in international affairs, in spite of their increasing relevance. Notwithstanding, the widely extended consideration of diplomacy as an exclusive attribute of the sovereign state is more an institutionalized political discourse than a corollary of empirical evidence. Beyond this however it is important to note that the foremost role of diplomacy over its long history has been the peaceful settlement of disputes of the most diverse nature. Indeed, it can be said that some of the basic contributions of contemporary peace research such as the techniques of mediation and reconciliation were well known from the early beginnings of diplomatic practice across the world.

See also: Collective Security; Conflict Management and Resolution; International Relations, Overview; Mediation and Negotiation Techniques; Peace and Democracy

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Direct Action, Non-Violent *See* Non-Violent Action