

CHAPTER TWO

THE THEORIES AND ANALYSIS OF DIPLOMACY

2.1. INTRODUCTION

Based on the Encarta Premium 2009, diplomacy is a set of practices and institutions by which nations conduct their relations with one another. Originally, the English term *diplomatics* referred to the care and evaluation of official papers or archives, many of which were treaties. In the 18th century diplomatic documents increasingly meant those pertaining to international relations, and the term *diplomatic corps* was used to signify the body of ambassadors, envoys, and officials attached to foreign missions. In 1796 the British philosopher Edmund Burke castigated/criticized the French for their “double diplomacy” during the Napoleonic Wars; since then the term *diplomacy* has been associated with international politics and foreign policy.

Diplomacy, broadly defined as the peaceful dialogue and interaction between political units, is as old as civilization itself. The first known peace treaty was signed about 2300 BC between a king of Ebla, in what is today Syria, and the king of Assyria. The Amarna tablets record the diplomatic correspondence between Egypt and Syrian rulers more than 1400 years ago, while *Genesis 14 (Orit Zefitret 14)* talks of Abram’s “treaty of alliance” with Amorite kings. From the eighth to the third century BC, China was divided among several “warring states” that conducted diplomacy as well as made war on each other in order to survive and succeed, as Sun Tzu’s writings indicate. Other early civilizations offer similar examples of diplomatic activity.

2.2. HISTORY AND DEVELOPMENT OF DIPLOMACY

2.2.1. Early or Classical Development

The first civilization to develop an orderly system of diplomacy was ancient Greece. Ambassadors and special missions were sent from city to city to deliver messages and warnings, to transfer gifts, and to plead the cases of their own people before the rulers of other city-states. These diplomatic missions, however, were occasional and sporadic.

With the decline of Greece and the rise of the Roman Empire, the Greek system of diplomacy disappeared. As Rome expanded, its diplomacy served the purposes of conquest and annexation.

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

The Romans were not inclined to coexist with other states on the basis of mutual interests. Rome issued commands; it did not negotiate.

For almost a thousand years after the fall of Rome, Europeans thought of themselves not as members of separate nations but rather as members of smaller groups vaguely bound to some feudal overlord. Although localities had relations from time to time, no record exists of any formal diplomatic practices during the Middle Ages.

2.2.2. Renaissance Development

Modern diplomacy had its origins during the Italian Renaissance. Early in the 15th century, a group of city-states developed in Italy, but none could dominate the rest, and all feared conquest by the others. The rulers of most of the city-states gained their positions through force and cunning. Because they could not count on the loyalty of their subjects, these rulers hoped to maintain allegiance by seeking foreign conquest and treasure. They sought opportunities to increase their power and expand their domain and were always concerned about the balance of power on the Italian Peninsula.

Italy was the birthplace of the Renaissance and also of the first prototypes of the modern, geographically sovereign state. The reason for this was Renaissance Italy's vanguard status in most areas of European endeavor—art, literature, science, jurisprudence, philosophy, economics, and finance—but also in political development. Jacob Burckhardt's classic 1860 interpretive essay, *The Civilization of the Renaissance in Italy*, had as its central theme the problem of politics and of political anthropology. Burckhardt believed that it was the unique political environment of Renaissance Italy that led to the development of the Renaissance mind with its more liberated ideas, ideals, morals and attitudes. The two overarching organizing institutions of the pre-Renaissance West, of what people thought of, not as Europe, but as Christendom—the **universal Papacy** and the **universalistic Holy Roman Empire**—had been effectively absent from Italy and had therefore exerted little or no influence in Italian political life for over a century and a half. That absence, Burckhardt wrote, “left Italy in a political condition which differed essentially from that of other countries of the West” and explained why “in them we detect for the first time the modern political spirit of Europe.”

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

Although Renaissance diplomacy was especially vicious and amoral, the Italian city-states developed a number of institutions and practices that still exist: (1) They introduced a system of *permanent ambassadors* who represented the interests of their states by observing, reporting, and negotiating. (2) Each state created a *foreign office* that evaluated the written reports of the ambassadors, sent instructions, helped to formulate policies, and kept vast records. (3) Together they developed an elaborate system of *protocol*, *privileges*, and *immunities* for diplomats. Ambassadors and their staffs were granted freedom of access, transit, and exit at all times. Local laws could not be used to impede an ambassador in carrying out duties, but ambassadors could be held accountable if they actually committed crimes, such as theft or murder. (4) The concept of *extraterritoriality* was established. Under this principle, an embassy in any state stood on the soil of its own homeland, and anyone or anything within the embassy compound was subject only to the laws of its own country.

2.2.3. Diplomacy in the European State System

Europe created modern diplomacy because Europe created the modern, geographically sovereign state—the so-called Westphalian state after the Peace of Westphalia in 1648. The new form of international actor that has characterized the modern international system required a new kind of diplomacy, matched to its needs and consonant with its nature.

The rise of nation-states in 17th-century Europe led to the development of the concepts of *national interest* and the *balance of power*. The former concept meant that the diplomatic objectives of nations should be based on state interests and not on personal ambition, rivalries, sentiment, religious doctrine, or prejudice. For example, gaining access to raw materials was in the national interest. The balance of power theory was based on a general interest in maintaining the state system by seeking equilibrium of power among the most powerful nations. That diplomacy could be used to pursue both sets of interests was soon apparent. Increasingly, the presence of the major powers became a staple in international politics. Although small countries might disappear, as Poland did when it was partitioned in the 18th century, the great powers sought to manage their relations without threatening one another's survival. At the same time, European diplomats were becoming increasingly professional and learned. The seamier side of

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

diplomacy—the bribing, lying, and deceiving—was gradually replaced by a code of expected and acceptable conduct.

The European system of diplomacy suffered its first shock when Napoleon attempted to conquer Europe in the early 19th century. After Napoleon's defeat, the European system was “restored,” and no major wars occurred for the next hundred years. After the end of European prolonged conflicts, the new created state systems in the 17th (Westphalian State System) and 18th centuries brought a diplomatic flavor from the French systems. The French language and French writers were taken to be primary references to those diplomatic transactions. The entire French diplomacy, (though not exclusive since it took roots from Italian flavors), was characterized by the following characteristics. G.R. Berridge, (1995), outlined the following points on this issue.

- **Permanence**- the resident missions replaced temporary and narrowly focused tasks which were part time works. It also added concerns for the safety of envoys on journeys. The economic rationale was also significant since appointing resident ambassador was seen to be more economical. It was as having practical (functional) efficiency because permanent ambassador remains at a much frequented court – important for institutionalization of diplomacy. Moreover, the need for regular, up-to-date and reliable information gathering and political reporting back to home was a big need. Continuing representation by resident ambassador also found help cement (strengthen) inter-state bilateral relations. To reinforce (enhance) continuity in policy, whether friendly or adversarial, the resident permanent missions were found indispensable.
- **Secrecy** –keeping a negotiation, the content of a negotiation, knowledge that negotiations take place, the content of agreement, if any, secret was a must to run with the evolving dynamism of intelligence and friendship. In addition, to boost the safety of the diplomatic community and the negotiators, and to keep them out from any attempted assassinations which were everyday occurrences in diplomacy before, making diplomacy secret has been found imperative to a healthy functioning.
- **Ceremonial and Protocol** – protocol is an act of curtesy that is to refer a term of procedural rules of diplomacy; some but not of all are ceremonial. That means ceremony a diplomacy includes religious procedures in churches (more important before the renaissance even after it) which were important for princes’ prestige, flattering allies, solemnize agreements, and

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

preliminarily ratifying agreements of plenipotentiaries. Protocol incorporates issues of wearing of clothes, receiving diplomats, departing from the meeting, greeting a guests/strangers, feeding styles, seating arrangements, negotiating procedures, speaking rules, opening remarks, etc. the Vienna congress of 1815 further illuminated the French diplomatic protocols and ceremonies.

- **Honesty** – Nicolson underlying that cynical, duplicitous, corrupt and opportunistic, deceitful behaviors have no place in diplomacy. Greater honesty is a sign of the maturing of diplomatic system. The 1st original feature of the French system apart from its Italian predecessor was its quality of honesty.
- **Professional**-It is the second original feature of French diplomatic flavor. Diplomacy is too important and too much in need of extensive knowledge and technical expertise, clear diplomatic ranks, regular payment, controlled entry. The appearance of diplomatic corps is headed by its Dean (doyen). Diplomatic corps are professional solidarity of diplomats in the capital of a given country that those professionals played important part in the conduct of state diplomacy.

Even though the French diplomatic fashion possessed the above qualities and features, the following are its drawbacks or limitations.

- **The habit of Secretiveness:** this gradually becomes inconsistent with democratic values and principles of the late 19/20 centuries. It intensified suspicion, fear and duplicitousness/ tricky. This gradually reached its peak by changing whole global system, and resulted in the outbreak of the First World War in 1914. However the French system was resisted by Wilson's 14 points which terminated and replaced it by the new American diplomatic system.
- **Tendency to "go Native":** here the diplomat carrying the permanent official mandate face occupational and professional hazards: losing sentiments with home government; being a receiver than a sender; supporting policies of appeasement against government; involving in corruptions (personal "selling" of the national interests in exchange for gifts, decorations); facing the tendencies of ignoring home cultures, interests; marrying foreign wives, adopting foreign lives; etc.....Once, Queen Elizabeth I of the England said "I would not have my sheep branded with any other mark than my own."

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

- **Aristocratic characters:** though the earliest professional resident diplomats were generally of highest social standing, they were also required to boost the prestige of the queen, prince, etc. European states became the provinces of traditional aristocracy. The aristocratic dominance of diplomacy was significant and there was a uniform diplomatic culture that accommodates aristocratic interests across resident embassies.
- **Excessively leisurely pace:** this was associated with the slow progresses of the diplomatic system and high explosion of the number and interaction of states. Since the French system was too slow, it was not able to cope up with the emerging dynamics; that was simply checked by the outbreak of the First World War and huge rash of conferences. Therefore, the old type of diplomacy was replaced (even though it is importantly alive) by the new diplomacy more specifically the American systems (mainly of English language and American writers) after the first world war following Wilson's 14 points and the explosion of different multilateral, and organizational (such as League of Nations) actors and factors. But after the WW II, the European traditional system reappeared with new modified forms.

2.2.4. The New Diplomacy

In 1914 the countries of Europe were thrust into another violent confrontation. The carnage of World War I brought the European system of diplomacy into disrepute. U.S. President Woodrow Wilson was the chief critic of the European diplomatic system and the proponent of a new type of open diplomacy and collective security. Wilson's primary targets were the theory and practice of the balance of power, the distinction between great and small powers, the pursuit of national interests, secret agreements and treaties, and professional diplomats. In place of the old system, Wilson offered a "new diplomacy" in his Fourteen Points. Open covenants would be drafted in international conferences with great and small countries participating on an equal basis. Peace would be maintained by making national boundaries coincide with ethnic boundaries. All members of the international community would pledge to fight for these boundaries against any nation that used force to change them. Countries would pursue community interests instead of national interests and submit their disputes with each other to international arbitration for peaceful resolution. Many of Wilson's ideas were incorporated into the 1919 Treaty of Versailles (*see Versailles, Treaty of*) and the League of Nations. After the United States rejected the league and returned to a policy of isolationism, however, the European states reverted to the balance of

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

power system and the pursuit of national interests through professional diplomats. During World War II, the U.S. president Franklin D. Roosevelt again sought to establish a new type of diplomacy, but he and the British prime minister Winston Churchill built the postwar international order on the basis of agreements with the Soviet leader Joseph Stalin that conformed more to the old European system than to the new ideas embodied in the Atlantic Charter and the United Nations. Although the United Nations remains a symbol of what a new diplomatic system might be, international politics since the end of World War II has adhered closely to the European model and has, in part, returned to some of the worst aspects of Renaissance diplomacy. The following historic moments contributed a lot to modern diplomacy.

*In the “**Fourteen Points**” (On January 8, 1918), United States President Woodrow Wilson’s grand proposals for achieving “peace without victory” in World War I (1914-1918) became his most tragic disappointment. Wilson sought a mediated peace and postwar cooperation rather than the bitter peace of a victor over a loser. The terms of the Fourteen Points, as his 1918 recommendations came to be known, ultimately induced German acceptance of an **armistice** and helped shape some territorial adjustments. But they failed to avoid the post-Bolshevik Revolution crisis in Russia or to win support at Versailles to remove some of the causes of war.*

*In the **Atlantic Charter**, August 14, 1941, President of the United States of America and the Prime Minister of the United Kingdom met together, deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.*

*In the **Bush Doctrine** (In September 2002), the administration of United States president-George W. Bush outlined a radically new foreign policy. Known as the Bush doctrine, it sought to prevent other nations from obtaining weapons of mass destruction by adopting a policy of **preemptive war (striking first)**. It also announced that the United States would maintain unquestioned military supremacy by not allowing any other nation to emerge as a potential military rival. The Bush doctrine removed two key pillars that held U.S. foreign policy in place for more than 50 years: the policy of **deterrence**, which sought to prevent a nuclear attack by threatening massive retaliation and the policy of **containment**, which held that U.S. military forces needed only to be strong enough to contain any aggressor. Critics characterized the new*

stance as an arrogant statement of power that threatened to alienate world opinion and jeopardize the role of international institutions such as the United Nations (UN).

2.2.4.1. The Traditional vs. the Modern Diplomacy

Traditional Diplomacy: this image of diplomacy has synonyms: ‘statist’, ‘state centric’ or ‘rationalist’ – realist school of thought emphasizing the centrality of the state to diplomacy even though it has been challenged by new developments in today’s world. Traditionalists share five common assumptions that allude to diplomacy:

- *First*, diplomacy is an exclusive state function and, hence, ‘is the privileged domain of professional diplomats, conducted almost exclusively by Foreign Service personnel and officials from Foreign Ministries’ – elitist perspective
- *Second*, they interpret diplomacy as the study of the international realm of sovereign states, with the central purpose of diplomacy being to overcome the anarchical nature of that system and to facilitate peaceful relationships amongst sovereign states through familiar, historical channels of diplomacy
- *Third*, concentrate on diplomacy’s role in relation to a classic political-military agenda, which includes issues such as balancing of force, demarcation of territories, arms control negotiations and alliance cohesion
- *Fourth*, considering diplomatic and political history as central to their School of thought
- *Fifth*, traditionalists write prescriptive guides to diplomacy where they theorize on the practice of diplomacy

The New Diplomacy: after the end of the Cold War, the increasing complexity of the diplomatic environment has led to the emergence of innovative works on diplomacy, challenging the hitherto monopoly of the state centric approach to the studies in the field of diplomacy. Today, the traditional diplomatic professionalism is declining because it is being conducted notably in multilateral settings, and via the special envoys (ad hoc diplomacy), manifested in personal diplomacy/summit diplomacy, public diplomacy/citizen diplomacy, etc. Advancement in transportation and communication technology has revolutionized the business of diplomacy. In olden days, instant delivery of information was impossible. Diplomatic corps had been slow to incorporate new technologies. The advent of the Internet and teleconferencing has transformed the environment of and tools for diplomacy. Given the shortening of time and space through

development of information and communication technologies now, foreign ministries have seen marked changes. If anything, foreign ministries no longer monopolize the power in the processes of diplomacy. They have to respond to a world complicated by rising media and non-state actors.

The functions of professional diplomats that have been adversely or directly affected today are: collecting information, receiving and relaying/imparting messages; and representing the country in both negotiations and in the public forums.

2.2.4.2. Tracks of Diplomacy in the Modern Diplomatic system

- 1) **Track 1 – Government to government diplomacy (G-to-G):** This is the world of official diplomacy, expressed through formal aspects of the governmental process.
- 2) **Track 2 – Nongovernmental/Professional:** This is the realm of professional nongovernmental action attempting to analyze, prevent, resolve, and manage international conflicts by non-state actors.
- 3) **Track 3 – Business (or Peacemaking through Commerce):** This is the field of business and its actual and potential effects on peacebuilding through the provision of economic opportunities, international friendship and understanding, informal channels of communication, and support for other peacemaking activities.
- 4) **Track 4 – Private Citizen (or Peacemaking through Personal Involvement):** This includes the various ways that individual citizens become involved in peace and development activities through citizen diplomacy, exchange programs, private voluntary organizations, nongovernmental organizations, and special-interest groups.
- 5) **Track 5– Research, Training, and Education, (or diplomacy through Learning):** This track includes three related worlds: research, as it is connected to university programs, think tanks, and special-interest research centers; training programs that seek to provide training and education, including PhD programs that cover various aspects of global or cross-cultural studies, peace and world order studies, and conflict analysis, management, and resolution.
- 6) **Track 6– Activism, (or Peacemaking through Advocacy):** This track covers the field of peace and environmental activism on such issues as disarmament, human rights, social and economic justice, and advocacy of special-interest groups regarding specific governmental policies.

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

- 7) **Track 7– Religion (or Peacemaking through Faith in action):** This examines the beliefs and peace-oriented actions of spiritual and religious communities and such morality-based movements as pacifism, sanctuary, and nonviolence.
- 8) **Track 8– Funding (or Peacemaking through Providing Resources):** This refers to the funding community-those foundations and individual philanthropists that provide the financial support for many of the activities undertaken by the other tracks.
- 9) **Track 9– Communications and the Media, (or Peacemaking through Information):** This is the realm of the voice of the people: how public opinion gets shaped and expressed by the media-print, film, video, radio, electronic systems, and the arts.

2.3. Types of Diplomacy

- **Economic or Commercial Diplomacy:-**Today a nation's strength depends, to a great extent, on its economic resources. So, every state attempts to augment its economic resources through diplomacy and pacific means. Powerful nations also often try to extend their influence through skillful handling of different economic measures. Of these economic instruments, trade is most important. Along with trade and commerce, sanctioning economic aid also has become now-a-days an important tool of diplomacy. We can call this type of diplomatic dealing as commercial diplomacy or diplomacy by economics. Conversely, by giving economic advantages, a powerful state can exert considerable influence over the weaker nations.

The threat of a nuclear war is now a great deterrent to the use of force to settle disputes, especially when the interests of big powers are involved. So to settle differences, instead of plunging into armed conflict often other measures, chiefly the economic measures, are adopted to bring about a favorable solution of the disputes. With the passage of time economic interdependence is increasing and economic assistance is assuming vital role in diplomacy. Economic factors have always played a part in diplomatic dealings.

- **Cultural Diplomacy:-**Culture comprises the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. Cultural diplomacy, diplomacy through cultural presence is expressed through exchange of program/ cultural agreements, covering fields like science and technology.

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy


- **Bilateral Diplomacy:-**It signifies /connotes communication in international relations limited to two parties on matters of exclusive interest on bilateral agenda. It is about the conduct of relations on state to state basis via resident missions when the states enjoy diplomatic relations through official representatives located in permanent missions. This method is much more important when states may have not exchanged missions or one state may not have mission on the other's territory.
- **Multilateral diplomacy:-**Refers to conference attended by three and more states. Multilateral diplomacy is prompted by multitude of reasons that includes symbolic and practical ones. Multilateral diplomacy has now become established and diverse feature of modern diplomacy, conducted through global institutions, permanent conferences and a variety of regional and sub regional institutions. Today the use of multilateral diplomacy has increased for the following *reasons*: **1).** Technological progress and advances in travel and communication technology **2).** More state and leaders recognize that many of the issues, such as arms levels, the environment and economic growth, facing the world can never be solved thorough the domestic policies of any state or through traditional bilateral diplomacy alone. **3).** Diplomacy through multi-lateral organizations like the United Nations has been attractive to smaller states **4).** Multilateral diplomacy tends to increase international criticisms of unilateral decision making power of a state, especially involving the use of force.
- **Summit diplomacy:-**This is diplomatic communication at the level of heads of government and heads of states. It is a multilateral diplomacy of very special kind and bilateral diplomacy also takes place at this level. The high level exchange of views by heads of governments and states who visit several countries on a foreign tour usually engage in this kind of activity.

Summit diplomacy however is criticized on some grounds like; it ignores detailed policy issues that might be crucial to be addressed, usually oversensitive to needs of their fellow heads of government, it might also develop personal likes and dislikes attached to enjoyment of generosity and protocol or lack of it and also leaders who frequently involve in summit diplomacy give insufficient time to domestic affairs. It is often referred as the nemesis of professional diplomacy because it is conducted at the expense of local ambassadors. They play very limited role when heads of states massively involve in diplomatic activities.

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

- **Visits:** Visits are the most famous diplomatic methods employed by especially in bilateral relations. **Official vs. working.** The purpose of official visits might fall in to the following five categories as; (a), **Symbolic**; visits at head of government or foreign minister level in whole or part is symbolic. In this case the visit may serve to draw a line under a past historical period and initiate improved relations after a period of political or other tension. (b), **improving diplomatic space**: visits could also be part of efforts to improve the diplomatic space and overall freedom of action of a state. Thus states use visits to develop their credibility or international reputation, stake a claim to an idea, propose international reforms to acquire lead role or influence on an issue. (c), **Addressing substantive issues**: Visits are used for substantive purpose, such as an exchange of views, coordination of policy prior to regional or multilateral gathering or the negotiation of a bilateral issue. (d), **Signaling**: an important shift in a policy (e), **Foreign policy reorientation**: A further important use of visits by heads of governments or foreign ministers is to indicate foreign policy reorientations. e.g. to announce change of policy or to show to other states that it is forming a new alliance
- **Shuttle diplomacy:-** Shuttle diplomacy is another major characteristic of crisis diplomacy. This kind of diplomacy is conducted by traveling between capitals of the parties in conflict. Such move is made possible by state of the art, transportation and communication, involving flying air plane and telephone talks.... This form of diplomacy involves negotiation that takes place through the travels of a high-ranking official serving as a mediator between the capitols of disputing states.
- **Side Diplomacy:-** The use of diplomacy, that is the holding of short discussions and meetings on matters other than the main formal business, at the margins of multilateral, regional and other events, is an established part of modern diplomatic practice. The annual meeting of the United Nations for example provides opportunities for a variety of contacts and exchanges. In general side diplomacy has the following advantages;
 - ✚ It avoids public visits
 - ✚ It is conducted in a relative privacy
 - ✚ It enables key leaders to focus on their issues
 - ✚ It provides opportunity for initial contact after break or hostility
 - ✚ It provides opportunity for personal diplomacy

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

 It facilitates meetings or contact with several leaders in one location

- **Open Vs Secret diplomacy:-** Up to the time of the First World War, the diplomatic negotiations were mostly conducted secretly. Some vital clauses in agreements were often kept secret not only from the general public but also from the elected representatives as well. Only some influential members of the Government know the full detail of what these agreements. This raised strong claim that diplomacy shall proceed frankly and openly and in full public view.

The implication was that the business of diplomacy was too vital to be left to the discretion of diplomats alone. The principles of democratic form of government demanded that in matters affecting the vital interests of the nations the public should be kept informed about every stage of the negotiation. The problem with open diplomacy is that diplomats cannot be effective in a fishbowl environment. Public negotiating will lead to posturing for public effect, with diplomats either making empty gestures or taking rigid positions. Public negotiations are difficult. Early disclosure of your bargaining strategy will compromise your ability to win concessions. Public negotiations are also more likely to lead diplomats to posture for public consumption. Concessions may be difficult to make amid popular criticism. In sum, it is difficult to negotiate while many more people are squabbling from behind.

- **Gunboat Diplomacy:-** In international politics, gunboat diplomacy refers to the pursuit of foreign policy objectives with the aid of display of military power. It implies the direct threat of warfare as an aspect of coercive diplomacy, diplomacy backed by the threat of use of force to advance policy objectives. Gunboat diplomacy historically originated in Europe when a country negotiating with European power demonstrated naval might or gun boats with canon fire that appeared of its coast to symbolize an advanced military. Hence, gun boat diplomacy is the use or threat of naval force in order to secure foreign policy advantage in international dispute or to avert loss against foreign nations within the territory of the state.

2.4.The Legal Setting of Diplomacy

A. Establishing diplomatic relations

Establishment of diplomatic relations takes place by **mutual consent** of the concerned parties. In this regard there are no rights and duties under international law to establish diplomatic relations.

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

In establishing diplomatic relation there could be three general patterns that states usually follow; (a), Exchange of diplomatic missions between states like; opening of embassies or consular and assignment of ambassadors and other diplomatic crews. (b), Permanent diplomatic representation to international organizations: (c), Ad hoc or special mission that may include the head of state or government or even other individual ministries. In this case officials may go to another state on a state mission to discuss on certain timely matters or to forge further link in many areas.

B. Procedures for establishing diplomatic link

- 1. Agreement:** the sending state must make certain that the proposed person (for ambassadorship) to be accredited has got the agreement of the receiving state.
- 2. Letter of credence or credentials:** is issued to diplomats signed and sealed, asking the receiving state that the bearer be trusted as a representative of the sending state. The appointed person presents the letter of authorization to the head of state or government or the office of the foreign affairs seeking for the receipt of his assignment. It is also called as letter of confidence or But assigning an ambassador to more than one state may require due notification of the receiving states concerned and there is no express objection from any of the receiving states.
- 3. Members of the diplomatic mission: Nationality, Class, rank**

Members of the diplomatic staff should be members of the sending state and may not be members of the receiving state. Appointment of the nationals of the receiving state for the post of technical staff in the diplomatic mission may require the consent of the receiving state and such consent may be withdrawn at any time.

The class of diplomatic mission is determined by the level of diplomatic relations between the concerned states and this is agreed between states. The ranks include; (1), **Ambassador (nuncios) accredited to heads of state:** ambassadors represent the person and dignity of the head of the state, have special honor and are entitled to public audience of the head of state. (2), **Envoy, minister and inter nuncios accredited to heads of state:** this class does not represent the dignity of the head of state and have only private audience with the head of state. (3), **Charge d'affaires (minister resident) accredited to ministers for foreign affairs:** Inferior to minister, do not have the right to even private audience with head of state and do not enjoy the title "Excellency" even by courtesy. The charge d'affaires acts provisionally as head of the mission

when the post of the head of the mission is vacant and the head of the mission is unable to perform his /her function. In such a case, the sending state (the head of the Ministry of foreign affairs) notifies the receiving state the name of the charge d'affaires

4. Members of the diplomatic personnel

In a diplomatic mission many individuals besides the ambassador participate actively. Distinctions can be made between the official and non official members of a mission. In this regard, all officials employed by the sending state or by the chief of mission to whom they are subordinate, are regarded as official personnel. The family members of the chief of mission also fall within this category. On the other hand, servants of the chief of mission and the embassy such as chauffeurs, gardeners etc... are regarded as non official personnel. The legal position of these unofficial personnel is subject of much dispute. The diplomatic personnel's are broadly classified in to **three** categories as;

1. *The diplomatic staff*: the staff of the mission having diplomatic rank.
2. *The administrative and technical staff*: members of the staff of the mission employed in the administrative and technical service of the mission.
3. *The service staff*: members of the staff of the mission in the domestic service of the mission composed of private servants.

Attaches: - An attaché works in an embassy under the control of an ambassador but represents a government department other than the foreign ministry. **Military**, cultural agricultural immigration and tourism attaches are typical of the specialized information seekers that countries send out to their embassies. The types of attaches depend on the interests of the sending state. A military attaché for example might make recommendations concerning weapons acquisitions while agricultural attaché may make crop reports about the host country that will guide food aid or agricultural sales on the part of the sending country.

Consular: - In theory, ambassadors and their embassies are responsible for their nationals, but ambassadors usually concentrate on intergovernmental problems. In practice, a consular network is more likely to take care of the specific concerns of nationals. This network is based on consular posts or consulates headed by a consul in important cities that serve as seaports and

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

trade and tourist centers. A sending country may have several consuls in the same country. The consular staff can exist in a separate hierarchy from the diplomatic staff.

A consul's deals mostly with trade interests, helping stranded or incarcerated national and handling passports. A consul serves as a "*family lawyer*" of fellow citizens. Concentration of a particular nationality in a foreign city on a long term basis can easily keep a consul serving as a witness and notary, handling weddings, births, and deaths. Rapid, modern travel also puts millions of foreign nationals in other countries for short-term visits. The transnational sojourns of tourists, athletes, Journalists, and others guarantee busy lives for consuls and their staffs.

C. Law of diplomatic relations

The most important point to remember about the legal setting of diplomacy is the rules governing diplomacy. First based on custom and then codified in law in the early 1960s, law of diplomacy exist (e.g. The Vienna Convention Diplomatic Relations and the Vienna Convention on Consular Relations in 1961 and 1963 respectively) to protect diplomats with immunity and to facilitate their work through protocol. Because of immunity and protocol, diplomats have a better chance to represent the interests of their states and at the same time, to preserve peace. The convention is adopted by the UN conference in April 1961 and entered in to force in April 1964. It is one of the most ratified multilateral treaties signed by 149 states in 1986. The main principles underlying the convention include;

a. Diplomatic Privileges and immunities

Diplomatic immunity is a fundamental rule of international law that allows a diplomat to engage in international diplomacy without fear or interference. Governments would be reluctant to send ambassadors to other states if someone might harm them or take them hostage. Immunity is broad enough to protect the diplomat from normal law enforcement and civil suits. After centuries of customary and legal development, widely accepted diplomatic practices were set down in the Vienna Convention on Diplomatic Relations of 1961. Diplomatic staffs also enjoy the same immunity the ambassador does, and this immunity extends to the attaches and the spouses and families of the diplomats. Diplomatic immunity is an early and clear example of states preferring to find ways to cooperate rather than accepting greater conflict.

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

If war breaks out, diplomatic immunity continues until diplomats have departed from the host country. If the host government wants to get rid of an individual with diplomatic immunity, it must declare that person *persona non grata* and ask for his or her recall by the sending government. An unacceptable diplomat has to return to the sending state, and the host state does not have to give an explanation. The principal reasons a host state might declare a diplomat *persona non grata* are personal misconduct, espionage, and retaliation by a state that has had one of its diplomats found unacceptable. Sovereign immunity is recognized with regard to sovereign or public acts (*jure imperii*) of a state, but not with respect to private acts (*jure gestionis*). From this has developed functional immunity.

Enjoy immunity from criminal jurisdiction:-The person of a diplomat is virtually exempt from the jurisdiction of the receiving state. Ordinarily no civil or criminal action can be taken against him by the receiving state. A diplomat cannot be required to appear as a witness in a court proceeding. A diplomatic agent also cannot be required to attend in court to give evidence of facts within his knowledge, nor can a member of his family or suite be so compelled. The evidence of a diplomat, however, can be taken down in writing by a secretary of the mission, or by any other official whom the diplomat may have consented for the purpose. The evidence thus taken may be communicated to the court.

Inviolability of Mission Premises:- Diplomatic premises are immune from search, requisition, attachment or execution. Government agents of the receiving state may not enter the mission except with permission (express consent) of the head of the mission. Archives and documents of the premises are inviolable.

Exemption from due, taxes, and military services:- The diplomatic mission is exempted from all national, regional or municipal dues and taxes in the receiving state.

Freedom of movement and communication:- The receiving state shall ensure, the following, to all members of the diplomatic mission:

- Freedom of movement and travel in its territory subject to its laws and regulations. e.g. prohibiting entry for reasons of national security;
- Freedom of communication for all official purposes. For this the mission may employ all appropriate means including; diplomatic couriers and messages in code

or cipher/secret. However, to install and use wireless transmitter the consent of the receiving state shall be obtained.

Inviolability of correspondence:- All official correspondence (relating to the mission and its functions) are inviolable.

- The diplomatic bag or pouch shall not be opened or detained + searched,
- The packages constituting the diplomatic bag must bear visible external marks of their character and may contain only diplomatic documents or articles intended for official use,

Generally a diplomat should also fulfill the following obligations; **1)**, All persons enjoying privileges and immunities have to respect the laws and regulations of the receiving state. **2)**, Have a duty not to interfere in the internal affairs of the state **3)**, All official business shall be conducted with or via the Ministry for foreign affairs of the receiving state **4)**, The premises of the mission should not be used in any manner incompatible with the functions of the mission **5)**, A diplomatic agent shall not practice for personal profit any professional or commercial activity.

There are three main theories regarding the exercise of immunity for diplomatic missions;

- A. **Extraterritoriality:** the premises of the mission represented a sort of extension of the territory of the sending state.
 - B. **Representative character:** immunities of the head of a mission were based on the idea that the diplomatic mission personified the sending state.
 - C. **Functional necessity:** justifies immunities as being necessary to enable the mission to perform its functions. Therefore, the *raison d'être* of diplomatic immunities is not to benefit an individual but for performing diplomatic functions effectively and without interference.
- The following are some of the immunities and duties of a diplomat:

➤ **Termination of a diplomatic mission**

Termination of a **non-permanent** diplomatic mission takes place automatically with the expiration of the period for which it has been appointed. Termination of a **permanent** diplomatic mission on the other hand may occur for any of the reasons discussed below. As the accrediting of a diplomatic agent is a personal act from the sender to the receiver-it terminates

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

when one of the two parties, for any reason what so ever, ceases to represent his state. For example, in case a change of government takes place as a result of successful **revolution**, coup, rebellion etc. in either state, renewal of credential becomes necessary. A renewal of credential will mean that the change in the government has been recognized by the other party. In case the change is not recognized the diplomatic mission may be recalled by the sending state or asked to be recalled by the receiving state according to the situation.

A mission may be terminated by recalling of the diplomat. Recalling may come about in a number of ways. He may be recalled by his own government if it feels that the relationship between the diplomats concerned has somehow **offended** the host state, or because the relations between the sending and receiving states have become so strained that the recall is demanded. This demand may be a prelude to the beginning of active hostilities.

If the sending state does not respond to a request for the recall of a diplomat, persisting that the charges hurled against the diplomat concerned are baseless, then obviously some strains are bound to appear. In such circumstances the receiving state may decide to ignore him completely which ends his usefulness to his own state-or dismiss him altogether. But if even after that his own government refuses to honor the request for his recall, the foreign government may take measures to send the diplomat back to his country.

Ambassadors and other diplomatic agents are usually declared ***persona non grata*** when his usefulness has been impaired by indiscreet political statements, interference in internal affairs of the host country or, by indulging in espionage activities under the cover of their status. ***Persona non grata*** refers to declaring a member(s) of diplomatic staff not acceptable any more to the receiving state. The receiving state may take such a decision at any time and without any duty to explain it and notify the sending state thereof. Under such circumstances the sending state shall either recall the person concerned or terminate his/her function with the mission which is called as ***waiver of immunities***. If the sending state fails to take action within a reasonable period, the receiving state may refuse to recognize the person concerned as a member of the mission followed by withdrawal or denial of immunities and deport him/her.

When a diplomat is recalled by his government on its own volition, the diplomat gives his letter of recall, ***letter de rappel*** to the appropriate authority. In return, normally he is given a ***letter de***

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

recurrence, which contains an acceptance of the letter of recall as well as some sort of tribute to the effective role played by the departing diplomat in cementing and improving the relations between the two governments. When, however, a diplomat is recalled because of strained relations between the two states, or between the receiving state and the diplomatic agent in question, these formalities are not observed.

Termination of a diplomatic mission may also be caused by the resignation of a diplomat. He may resign due to some personal reasons or because of disagreement with the policy of his own government. Break of diplomatic relations between the sending and the receiving states or the outbreak of war between these states may also terminate their diplomatic missions. In these cases limited diplomatic contacts are maintained through the agents of a third state which is neutral and maintains relations with both of them.

Finally, disappearance of the sending or receiving state or a radical change in its form of government may cause termination of diplomatic missions. Sometimes, however, even after extinction of a state or its existing form of government other states may not accept this fact. They continue to behave as if the state or the form of government in question is still in existence. In such cases the diplomatic missions may be continued for a time until the reality of situation is established and the missions are terminated.

2.4. Essence of the Power Approach in Defining Diplomacy

The broader meaning of power refers to the capacity of a person or, more often, a group and institution to *be able to manipulate and shape the views and interest of others*. Power can also be defined as a social relationship between two agents, principal and subaltern, which creates social order. The *principal* is the one who exercises the power and the *subaltern* is a subordinate who obeys the order. Political power that emanates from the sovereign right of the state differs from other forms of social power, in that most of the time it is located at the centre, bound to territoriality and exercised outwardly. Power is *the ability to influence the behavior of others to get the outcome one wants*. Power is the term used to represent *the sum of a country's capabilities*.

2.4.1. Taxonomies of National Power:

A. Tangible vs. Intangible

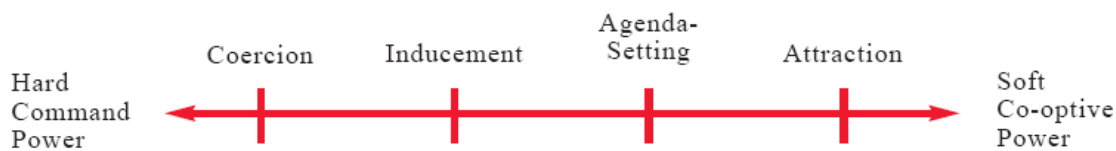
A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

Tangible power includes military muscle, wealth, etc. while the intangible power incorporates National willpower, diplomatic power, national prestige, ideology, etc.

B. Hard Power, Soft Power, Smart Power and Structural Power

- **Hard Power:** the ability to make someone else do something or suffer the consequences.

It is sometimes called command power. It incorporates *negative incentives*: such as threats or sticks (use of military force, Economic sanctions, Coercive diplomacy). This also includes *positive incentives*: such as inducements or carrots (a multi varieties and typologies of foreign aid; removal of trade barriers such as tariffs; promise of military protection, etc.



From J. Nye, *Bound to Lead*, p. 267.

- **Soft Power:** As coined by Joseph Nye at the end of the Cold War, as an expression of the ability of an actor to get what it wants in the international environment because of the attractiveness of its *culture rather than military or economic leverage*. Soft power is also the ability to persuade others to follow your lead by being an attractive example. It also refers to power based on intangible or indirect influences such as culture, values, and ideology. It is, indeed, the ability to get what you want through attraction rather than coercion or payment. According to him, it includes culture, values and foreign policies. The ability to affect others through the co-optive means of framing the agenda, persuading, and eliciting positive attraction in order to obtain preferred outcomes. Includes intangible factors such as institutions, ideas, values, culture, and perceived legitimacy of policies. In addition, the ability to attract or repel other actors to want what you want makes Soft power (unlike hard power) as it can be wielded by actors other than states. Plus, it uses attraction, intangible powers (*“invisible hand”*), and co-options, unlike hard power.
- **Smart Power:** it is a proper combination of Hard and Soft Powers.

- **Structural Power:** it is the sum total of Hard Power, Soft Power, Smart power. This category is a “Power and inequality embedded in (and produced by) *economic, social, political, and ideological structures*.” Based on Haviland, 2001, it is a "power that organizes and orchestrates the *systemic interaction* within and among societies, directing economic and political forces on the one hand and ideological forces that shape public ideas, values and beliefs on the other.”

2.4.2. Characteristics of Power

Power is a Means and Goal: Power is an asset that can be applied to help countries achieve goals. Power is also a goal as countries seek, acquire, or preserve sufficient power to pursue their goals. So, it has both intrinsic and extrinsic values.

Power is a Political Resource: it includes national capabilities plus attributes; it has also a coercive vs. persuasive nature. **Power is just like money:** power is a political currency. Sometimes used in a charitable way. Most often used to further self-interest.

Power is dynamic, constantly in flux: it cannot be kept constant. For example, international power is broadly defined in terms of *Super Power* and *Great Power* on the basis of its resources, economic development and military power. A super power is different from great power in the sense that unlike the latter, the former has no rival having the same capacity to impose the will upon small states. In this sense, before 1991, Great Britain, France, China, Japan (which is at present on devastating stage) can be considered as Great Powers whereas Soviet Union and United States belong to the category of Super Power. The superpowers can impose their will upon small states *without any significant curb from the great powers* whereas great powers impose their will only within the framework of the *permission of the super powers*.

As the status of a state in international arena is largely determined by its economic status which categorized the nations of the world into **Superpowers**(US); **Major Powers**(EU--Germany, France, United Kingdom; Japan, Russia, China, and India; **Middling Powers**(Israel, Iran, Pakistan, Poland, Spain, Republic of South Africa, Brazil, Argentina); and **Minor or Small Powers**(Serbia, Denmark, Cuba). There is a power cycling which transfer the superpowers into a major or middling or small one whereas vice-versa is also true. The example is Japan before tsunami as Major Power but now it is not possible to say in which category it will fall. In case of

vice-versa India can be cited as one of the best examples to transform from Under-Developed to the Major Power. It is so, even, within the global system – **Core, Semi-Peripheral and Peripheral**.

Power is both objective and subjective: Even though the power a state may be objectively measurable, it also has subjective sides. E.g. When asked for his evaluation of the U.S. military in 1917, a German admiral replied, “Zero, zero, zero.”

Power is relative: In comparison to whom? We cannot say that China is powerful unless we specify in comparison to whom. For example, whatever China’s power resources may be, China’s relative power compared to Japan’s is not as great as China’s relative power is when compared to Vietnam.

Power is situational: Power that can realistically be brought to bear varies depending on the situation. E.g. At other times, military power is virtually useless. During the Iranian hostage crisis, American military power had little value, given the goal of getting the hostages out alive.

Power is multidimensional: to say so, one needs to consider all facets and contexts: Military [Military spending, weapon types and capabilities, personnel numbers, training, morale, and leadership], economic, technological, leadership, infrastructures, geopolitical positions (territorial size, climate conditions, locations, and topography), population (quantity and quality), government, natural resources, etc.

- **The Three Broad Dimensions of power:** Power has three fundamental faces.

The *first* face of power is the ability to *make decision through coercion* (threats or rewards). The centre of the power structure is the ability to make decisions (first dimension) on key issues, collectively and individually. It induces subordinates to act in a power holder’s interest because of the latter’s control over wealth and the threat of violence (Dahl, 1961; Lukes, 2005). The *second* face of power is the *capacity to set agenda*. Agenda control is the other issue by which power holders subjugate subordinates because they control what issues will be decided and what potential issues are removed from the political agenda. The power holders decide on an agenda of decision-making through strong manipulation of lobby groups (Lukes, 2005). The *third* face of power is the *ability to shape beliefs, preferences- (thought control)*. This dimension of power entails domination by thought control in which the subordinate acquiesces and even celebrates their own domination. They are ideologically indoctrinated to be submissive to the authority of power holders (Lukes, 2005).

2.5. Theories on Diplomacy

So far, there are little books to theorize diplomacy. However, the “Game Theory” and the “Carrot and Stick Theory” best explain the art, concept and practice of diplomacy.

2.5.1. Game Theory

Based on Theodore L. Turocy and Bernhard von Stengel’s (2002) definition, Game theory is the formal study of decision-making where several players must make choices that potentially affect the interests of the other players. *Game theory is the formal study of conflict and cooperation.* Game theoretic concepts apply whenever the actions of several agents are interdependent. These agents may be individuals, groups, firms, or any combination of these. The concepts of game theory provide a language to formulate structure, analyze, and understand strategic scenarios. *Game theory – this is like chess playing on a board.*

Games can be described formally at various levels of detail. A coalitional (or cooperative) game is a high-level description, specifying only what *payoffs* each potential group, or coalition, can obtain by the cooperation of its members. What is not made explicit is the process by which the coalition forms. As an example, the players may be several parties in parliament. Each party has a different strength, based upon the number of seats occupied by party members. The game describes which coalitions of parties can form a majority, but does not delineate, for example, the negotiation process through which an agreement to vote is achieved.

Cooperative game theory investigates such coalitional games with respect to the relative amounts of power held by various players, or how a successful coalition should divide its profits. This is most naturally applied to situations arising in political science or international relations, where concepts like power are most important. For example, Nash proposed a solution for the *division of gains* from agreement in a bargaining problem which depends solely on the relative strengths of the two parties’ bargaining position. The amount of power a side has is determined by the usually inefficient outcome that results when negotiations break down. Nash’s model fits within the cooperative framework in that it does not delineate a specific timeline of offers and counteroffers, but rather focuses *solely on the outcome* of the bargaining process.

In contrast, **non-cooperative game theory** is concerned with the analysis of strategic choices. The paradigm of non-cooperative game theory is that the *details of the ordering and timing* of players’ choices are crucial to determining the outcome of a game. In contrast to Nash’s

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

cooperative model, a non-cooperative model of bargaining would posit a specific process in which it is *pre-specified* who gets to make an offer at a given time. The term “non-cooperative” means this branch of game theory *explicitly models the process* of players making choices out of their own interest. Cooperation can, and often does, arise in non-cooperative models of games, when players find it in their own best interests.

Branches of game theory also differ in their assumptions. A central assumption in many variants of game theory is that the players are *rational*. A rational player is one who always chooses an action which gives the outcome he most prefers, given what he expects his opponents to do. The goal of game-theoretic analysis in these branches, then, is to predict how the game will be played by rational players, or, relatedly, to give advice on how best to play the game against opponents who are rational. This rationality assumption can be relaxed, and the resulting models have been more recently applied to the analysis observed. This kind of game theory can be viewed as more “*descriptive*” than the *prescriptive* approach taken here. There are different games’ outcomes, including:

- i. **Win-Win Game:** in which both parties in the game benefit,
- ii. **Win-Lose Game:** in which one party gains and the other loses
- iii. **Zero-Sum Game:** in which one party’s absolute gain is absolute loss for the other.
- iv. **Loose-Loose game:** in which both parties loose. E.g. negotiation on budget cuts

*To illustrate it, one of the best-known games to treat negotiations is the **Prisoner's Dilemma** Game. Two prisoners are awaiting trial for a crime they committed. They are the only sources of evidence. Each must decide between two courses of action: **cooperate/Defect**. If no person confesses against each other, so in other words, they cooperate with each other; i.e. each prisoner will have to serve a prison term of two years. On the other hand, if both prisoners chose to ‘defect’ and turn evidence against one another, both prisoners will face a four-year prison term.*

Limitations and Criticisms of Game Theory

- i. Game theory better works only if the players don’t have information about each other.
- ii. It only works to predict realistic behavior where every action is rationalized in the name of self-interest.
- iii. It tries to define, limit, isolate or account all factors that affect the strategy and outcome. But every factor cannot be accounted by any strategy, e.g. the case of a man in throes of religious revelation.

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

- iv. It considers rationalized payoffs of the parties in the game, regardless of its impacts on others.
- v. The possibility that the test giver may have a chance of concealing the information to trick the player/s for optimal outcome is so huge.

2.5.2. Carrot and Stick Theory

“Carrot and stick” approach is one of the Motivational Theory of Gerty Bentham, English Philosopher whose ideas were developed in the early years of Industrial Revolution. So long as all individuals are self-interested and motivated by the desire to avoid pain and find pleasure, any worker will work only if it brings a reward which is big enough and the punishment is sufficiently unpleasant. This metaphor relates, of course, to the use of rewards and penalties in order to induce the desired behavior in diplomatic negotiation.



From diplomatic perspective, carrots may include foreign aid, removal of trade barriers, promise of military protection, etc. Sticks may apply the use of military force, economic sanctions, coercive diplomacy, etc.

The Concept, Practice and Strategies of Negotiation in Diplomacy

Negotiation is a process whereby two or more parties reach a mutually agreeable arrangement. It is one of the most commonly used and beneficial skills that needs to be developed. Negotiation is

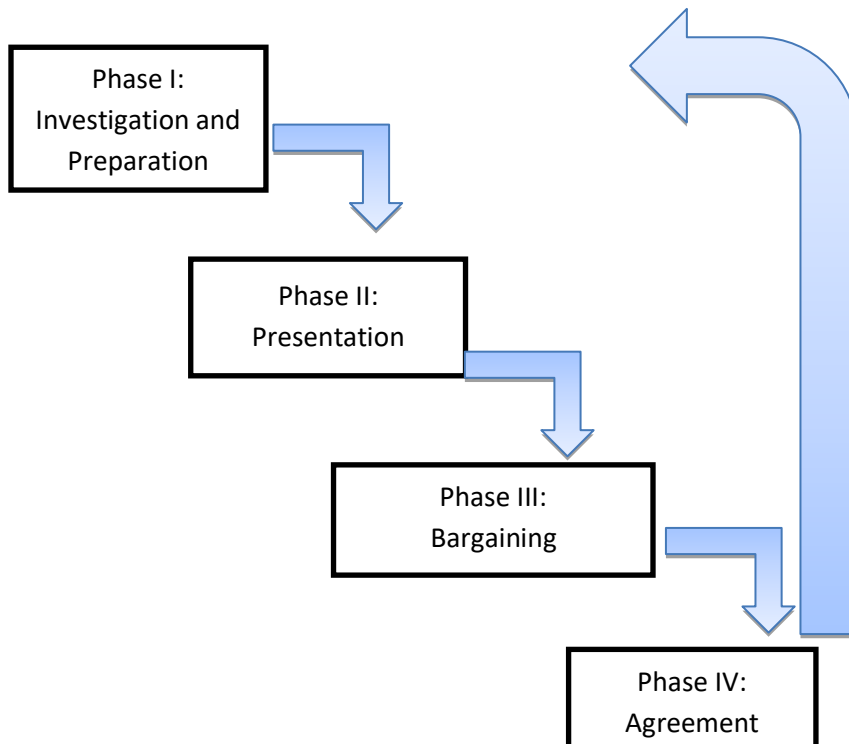
widely regarded as one of the major functions of diplomacy. In fact, diplomacy is frequently equated with negotiation. Negotiation is a communicative “process through which people with conflicting interests determine how they are going to allocate resources or work together in the future.”

The Negotiation Process

All negotiations share four common characterizing elements:

- The parties involved are in some way interdependent
- The parties are in conflict over goals and processes
- The parties involved are motivated and capable of influencing one another
- The parties believe they can reach an agreement

The *first* or **preparation** phase includes gathering factual information about the issues and alternatives and acquiring “softer” information about the other party’s interests, positions, personality, and style. Intense preparation not only leads to a better outcome, but also reduces the anxiety of negotiation.



The *second* phase is the **presentation** of *initial offers and demands*, either orally or in writing. Careful choices of words and self-presentation to project the right image through effective verbal and nonverbal communication are essential in this phase. The *third* phase is the actual

bargaining in which negotiators use various negotiating strategies to reach an agreement. Their preparation concerning facts and people can strengthen their position. Active listening, feedback, persuasion, and the various communication techniques and barriers are used. The *final* phase is the ***agreement*** that closes the negotiation process. The agreement is finalized and put into a format that is acceptable to both parties. The process of negotiation is continuous. Once an agreement is reached, negotiation over clarification and implementation are likely to continue. Additionally, one party can stop the negotiation process at any time, forcing all to restart the process.

Ethics of Negotiation

Negotiating to get what you need raises a number of ethical dilemmas. Should you always tell the truth? Should you be up front and reveal your game plan? What can you ethically not tell? These are difficult questions that arise regularly in all formal and informal negotiations. Below are some typical ethical violations to avoid; they are progressively more serious.

- **Selective disclosure:** Negotiators highlight positive information and downplay or fail to mention negative information
- **Misrepresentation:** Negotiators misstate facts or their position; for example, they misrepresent the lowest price they are willing to accept
- **Deception and lying:** Negotiators give the other party factually incorrect information or information that leads to incorrect assumptions or conclusions
- **False threat and false promises:** Negotiators provide misinformation about actions that they may take and concessions they may be willing to make
- **Inflict direct or indirect harm:** Negotiators intentionally sabotage the other party's chance of success. Any of these violations is likely to occur in negotiations. The last two, giving false information inflicting harms, are the most severe violations, although how a negotiator ranks the others depends on his values and morals, and in some cases, his culture.

Common Mistakes in Negotiation

Even skilled negotiators make mistakes. One of the most common is the fear that we may be conceding too much either because we appear to give in too easily or because we make a major blunder. While we worry about how we look, many of us simultaneously believe that we are more reasonable and rational than others. These fears distort our judgment and add to a number

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

of other mistakes we make while negotiating. The perceptual biases play a particular role in negotiation because the process heavily depends on social perception. Selective attention and other perceptual filters and biases, such as stereotyping and halo effects (over generalization), affect our perception of others and ourselves.

The Winner's Curse and Overconfidence stem from lack of information and misperceptions concerning the correctness of our position. Considerable research indicates that we tend to underestimate our chances of being wrong. We tend to not rely on experts and end up making mistakes that can be avoided. Careful preparation and awareness of biases can help avoid many of these common mistakes. Bill Richardson, former governor of New Mexico, Ambassador to the United Nations, and 2008 U.S. presidential candidate, has skillfully negotiated with foreign countries on behalf of the United States. He suggests: "You have to be a good listener. You have to respect the other side's point of view. Certainly you want to have a goal. You want to come out of a meeting with something, even if it's only a second meeting. And basically you have to use every single negotiation technique you know—bluster, reverence, humor." He also emphasizes his preparation: "I talk to the people who know the guy I'll be negotiating with. I talk to scholars . . . experts, journalists."

Mistake	Description	Causes
Irrational escalation of commitment	Continuing a selected course of action beyond what is considered rational, and in spite of contrary information	<ul style="list-style-type: none">• Wanting to win at all costs• Impression management (ego)• Perceptual biases
Mythical fixed pie	There is a set amount on the table and one party has to win and the other lose	Lack of creativity in problem solving
Winner's curse	Making a quick high offer and feeling cheated when the offer is accepted	<ul style="list-style-type: none">• Lack of preparation• Lack of expertise• One party having more information than the other
Overconfidence	Overestimating your ability to be correct	<ul style="list-style-type: none">• Lack of information• Arrogance• Distorted perception

--	--	--

Negotiation Principles and Strategies

In addition to preparing carefully and avoiding mistakes, skillful negotiators need to be ready to use the following variety of skills, strategies, and qualities.

- **Flexibility** allows both parties to consider alternatives and change course when needed.
- **Keeping the climate positive** even when strong conflict and disagreement exist increases the chances of success.
- **Creativity** allows for developing novel solutions and seeking win-win solutions.
- Being aware of how much **control** one does and does not have is essential. No one can control all aspects of the negotiation process; instead, good negotiators identify the issues they can control and focus on them.
- Managing the **balance of power** and using appropriate sources of power to persuade and influence the other parties allows negotiators to address needed issues.
- Knowing your **goals** and your own **motives** [WATNA vs. BATNA] is also essential to keeping a focus on what matters to you most. Success depends on focusing on the real issue and not getting sidetracked by irrelevant and unimportant factors.
- Finally, every negotiator should be able to **say no** to deals that do not match his/her goals and be prepared to walk away.

Specific negotiation strategies are basically focused on either a win-win or a win-lose approach. The traditional view of negotiation (which corresponds with the traditional view of conflict) considers *negotiation a zero-sum game* in which one party's gain always leads to the other's loss. This view is called **distributive negotiation** because the rewards and outcomes are divided among the parties. Another approach, called **integrative negotiation**, offers a win-win scenario whereby parties try to reach an agreement that benefits them both by focusing on creating new options and solutions. Although integrative strategies create a positive climate by eliminating winners and losers, they are not easily achieved.

When selecting a negotiating strategy, negotiators must consider two factors. First, they must determine the **importance of the relationship** with the other party. Does the negotiator want to establish a positive, long-term relationship with the other party? Do the other party's thoughts and feelings matter? Is it important that the other party leave the negotiation satisfied and happy?

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

It is known that women, for example, are often too focused on this aspect of negotiation. If the answer to these questions is yes, the relationship with the other negotiating party is important and must be preserved.

Second, negotiators must ascertain the *importance of the outcome*. Is this an important deal? Does this agreement affect organizational performance? Does it affect the negotiator's career success and chances for promotion? If the answer to these questions is positive, then the outcome of the negotiation is important. The negotiator must therefore ensure that s/he achieves goals. The combination of these two factors leads to the four negotiation strategies.

Trusting collaboration: involves cooperation, give and take and compromise, and collaborative problem solving to achieve a win-win outcome. Negotiators use this strategy *when both the relationship and the task outcomes are important*. Parties can share motives, ideals, and goals openly as they want to reach a mutually acceptable agreement that promotes long-term relationships and continued cooperation. Using trusting collaboration in teams or within organizations where people are mutually interdependent is essential. When using trusting collaboration, negotiators must do the following: use a neutral setting where both parties are comfortable; take turns making offers; explain and clarify their reasons and motives; offer an honest consideration and appraisal of their own and the other party's position; be willing to yield on some issues.

Strategy	Basic Questions	
	Is the Relationship Outcome Important?	Is the Substantive Outcome Important?
Trusting Collaboration <ul style="list-style-type: none">• Openness• Cooperation• Win-win• Problem solving	Yes	Yes
Open Subordination <ul style="list-style-type: none">• Openness• Yielding• Yield-win• One-way	Yes	No

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

acceptance		
Firm Competition <ul style="list-style-type: none"> • Aggressive • Forcing issues • Win-lose • Imposing a solution 	No	Yes
Active Avoidance <ul style="list-style-type: none"> • No interaction • Refusal to negotiate • No win • No solution 	No	No

Firm competition: is appropriate when you do not care about the long-term relationship with the other party but the outcome is important. It is an aggressive win-lose strategy in which negotiators concentrate on imposing their own solution. Using firm competition as a negotiating strategy requires access to power, organizational support, and the willingness to forgo future relationships. Tactics of firm competition include: impose the negotiation location; present your own offers and demands first; refuse to discuss the other party's issues; exaggerate your own positions and the extent to which you have made concessions; and yield little

Open Subordination: should be used when the task or substance of the negotiation is not as important as the relationship. It involves yielding to the other party on all or most points and openly accepting the other's solutions. Open subordination may be the only option when negotiators do not have much power or leverage to negotiate. However, they can also use this strategy when they have power but want to create goodwill or reduce hostilities when conflict is high. For instance, it is important for many start-up operations and small businesses to have well-known clients, however unreasonable they may be, to gain access to other high-profile customers. Tactics of open subordinate include: letting the other party present all offers and demands; make high offers and low demands; magnify the other party's concessions and down-play your own; and concede on as many demands as possible.

Active Avoidance: involves refusing to negotiate, as the negotiator does not care about either the task or the relationship. In this case, one neither seeks to win nor to lose. The individual is simply not party to the exchange and interaction. Often negotiators avoid negotiating because they have no stake in the results.

To determine which of the four strategies to use, negotiators must consider the situation. Their conflict management style and personality may also influence their selection of strategies. For example, if your primary conflict management style is competition, you are likely to feel most comfortable with firm competition as a negotiating strategy. Similarly, a person with a **collaborative style** of conflict management is more likely to use trusting collaboration. Personal style and preferences notwithstanding, negotiators should evaluate the situation and apply the strategy that will most likely achieve the relationship and task outcomes that they seek.

Styles of Conflict Management in Negotiation

Two dimensions are used to identify different conflict management styles. The first is concern for self or *assertiveness*; the second is concern for others, or *cooperativeness*. **Assertiveness** is defined as taking action to satisfy one's own needs and concerns. **Cooperativeness** is defined as taking action to satisfy the other party's needs and concerns. The combination of these two dimensions creates five conflict management styles: collaboration, competition, accommodation, avoidance, and compromise.

Collaboration: involves high concern for satisfying both your own needs and the needs of others. People with this conflict management style focus on styles of openness, cooperation, and exchange of information. They focus on a win-win style and on finding a solution that is in both parties' best interest. This style typically takes more time, but can deliver long-term gains.

Competition: is a style that is high on assertiveness and low on cooperation. Individuals who consistently use this style are interested in their own positions, ignore the needs of others, and view the world as a zero-sum game with winners and losers. They view conflict as competition and their goal is to win. Although this is a common way of handling conflict, it is not viewed as beneficial to individuals or groups that have repeated interaction. But it might be appropriate when an unpopular action needs to be implemented for the greater good of the organization.

A Handout to the Course of Ethiopian Foreign Policy and Diplomacy

Accommodation: is a style that is low on assertiveness but high on cooperation. The person who relies on accommodation is willing to sacrifice his own needs to satisfy the needs of others. The individual doing the accommodating is able to build credibility for the next conflict. Accommodation may be useful in the short run but harmful in the long run. If one party continuously accommodates while the other party has its needs and concerns met, then the accommodating party eventually will begin to resent the other party.

Avoidance: is a style that is low on assertiveness and low on cooperation. The person using it to manage conflict does not satisfy her needs or the needs of the other person. Instead, she avoids the issues and does not want to explore the sources or solutions to the conflict. People can avoid conflict by withdrawing or creating a physical separation so that they do not have to engage in the conflict. Avoidance may be useful for trivial issues or in the short run in that it allows individuals time to cool off and regain perspective, but it can be quite harmful in the long run. Individuals might resent having to suppress their feelings about the conflict, and they might find other dysfunctional ways of dealing with the issues.

Compromise: falls in the middle of both assertiveness and cooperation. People using this style take the middle ground. They explore issues to some extent and move to a give-and-take position where there are no clear winners or losers. Everybody ends up with something, though not everything he wanted. This style focuses on negotiation and diplomacy. Although it may appear to be ideal and it allows parties to work together, it focuses on **satisfying**—finding an acceptable solution that everyone can minimally accept—rather than taking the time to find optimal solutions. Additionally, people using this style often will focus on what they have given up rather than on what has been gained. Even with these disadvantages, *compromising* may be the only style that works in situations where the parties have equal power and strongly opposing views, such as is often the case in diplomatic negotiations.