

CHAPTER 4

CHANGING PERCEPTIONS AND PRACTICE IN MULTILATERAL ARMS CONTROL NEGOTIATIONS

Rebecca Johnson¹

SUMMARY

States' expectations and interests in multilateral negotiations are not fixed, but can be manipulated or altered by reframing the issues and disseminating knowledge, values, norms and ideas. The crisis in multilateral arms control is partly due to the fact that too many of the current rules, assumptions, institutional practices and negotiating strategies still reflect the Cold War's adversarial state-centric power structure. More must be done to adapt them to meet the human security concerns that are relevant for the twenty-first century and increase the opportunities for more mutual and participatory solutions to be created.

INTRODUCTION

*"The ultimate goal of multilateralism is the dissolution of power into law, the substitution of a contract in place of domination."*²

In 1978, the first United Nations Special Session on Disarmament stated:

All the peoples of the world have a vital interest in the success of disarmament negotiations. Consequently, all States have the duty to contribute to efforts in the field on disarmament negotiations. All States have the right to participate in disarmament negotiations. They have the right to participate on an equal footing in those multilateral disarmament negotiations which have a direct bearing on their national security.³

Whatever the "rights" expressed in this consensus proclamation from the UN Special Session, reality and practice are rather different. States do not

participate on an equal footing. They enter into multilateral negotiations with different expectations and interests. Some have a vast population and wide territories, others comprise a few thousand people on islands threatened by global warming; some are highly developed industrially and technologically, others less so; some are rich in highly valued resources such as fossil fuels, minerals or desirable crops, others less so; some have nuclear arsenals, some are infested with guns, and some have both. In short, states differ greatly in their resources, geostrategic characteristics and military and economic power. Their perceived security needs are different and they participate in multilateral negotiations with different assumptions about what they can achieve.

THREE APPROACHES TO MULTILATERALISM

Orthodox diplomatic usage juxtaposes multilateralism with unilateralism as the “two leading approaches available to states in pursuit of their ideals and self interests”.⁴ Viewed as a process linked with norms and ideals about greater international justice, legal equality (or at least non-discrimination) and legitimacy, multilateralism is not solely about the number of participating states.⁵ The perception that multilateralism entails a qualitative, normative dimension relating to collective security and the management of shared resources may be widely understood in real life; but international relations theorists do not necessarily share it. The Westphalian national security paradigm continues to dominate training programmes for government officials and diplomats, impeding their ability to explore more constructive approaches in multilateral negotiations.

Multilateral arms control processes are intended to coordinate agreement among a diverse international collection of parties, and may be conducted for single issues or weapons, specific treaties or agreements, or to codify the principles, norms, rules and decision-making procedures associated with building a regulatory or prohibition regime.⁶ It is not necessary for all states to have the weapon under consideration. In the case of anti-personnel mines, for example, possession was diffused among a wide group of states from all regions and political groupings, whereas in the case of nuclear testing, very few had nuclear test sites or capabilities.

Multilateral negotiations depend on the interplay of several related factors, including:

-
- the structure and procedures of the negotiating forum;
 - timing and the political–diplomatic climate;
 - the motivation, preferences, perceived interests and political will of the players, especially major players capable of impeding or facilitating progress;
 - the degree of trust, tension, conflict and cooperation between some or all of the parties (which may also be influenced by geopolitical relations and objectives or problems in parallel negotiations in other forums, such as trade);
 - relative levels of domestic public awareness, engagement and pressure;
 - the relative levels of political commitment and internal stability of governments represented in the negotiations;
 - personal and organizational leadership and corresponding alliances; and
 - negotiating strategies and tactics employed.

REALISM, NEOLIBERALISM AND NEW MULTILATERALISM

The dynamics of some recent cases of multilateral arms control indicate that—despite rhetoric in the United Nations—states understand their participation and objectives in multilateral negotiations differently. To understand why, it is useful to go back to the theories of regime formation developed during the 1980s to address questions relating to international cooperation and security. The major schools of thought in regime theory are associated with “realist” assumptions about state behaviour, though the “neoliberal” variation differs in its analysis of the determining roles of structure and power, the significance of state and non-state actors, and the influence of agent-centred processes such as bargaining, learning and institution-building. Both, however, make the theoretical assumption that states can be treated as unitary, rational actors pursuing their interests in an anarchic international system.⁷

A third approach has been given the unfortunate name “new multilateralism”, but that should not detract from its important insights: that realism’s *anarchy problematique* is outdated, and multilateralism needs to address the more substantive *global problematique* of trans-border human security challenges, such as poverty, pollution, climate change, terrorism, drugs, crime, and violence—not just state security, but human security.⁸

Diplomats are trained to be pragmatic, usually in accordance with realist and neoliberal precepts. As its name suggests, realism is presented as if it is true, merely reflecting and making sense of actual, if sometimes regrettable, drives of human nature. The assumptions inherent in this nomenclature are doubly problematic when realism is juxtaposed with “idealism”, which is then dismissed as utopian or impractical. Hence, peace, disarmament and sustainable development are represented as impossible ideals that fly in the face of reality. Being superficially obvious, however, does not make the assumptions underlying realism necessarily right. On the contrary, realism-based training provides a narrow perspective that may blind governments and diplomats to ways in which their notions of power and interests can be influenced and changed for the better (or worse). Disarmament and environmental sustainability may be ideals, but they may also be the only realistic path to human survival and security.

Realists frame the world in terms of sovereign states competing to maximize their power and individual security. Multilateralism is viewed as one kind of mechanism through which states that rely on self-help can cooperate on the basis of temporarily shared interests.⁹ By realist reasoning, states will seek cooperation with others only where coordinating their policies appears to be the most rational means of increasing their power or avoiding the greater insecurity of a “free-for-all” approach. Hence, the very forces of “autonomously calculated self-interest that lie at the root of the anarchic international system also lay the foundation for international regimes ... [T]here are times when rational self-interested calculation leads actors to abandon independent decision-making in favour of joint decision-making.”¹⁰ Accordingly, realists accept the need for multilateral coordination under certain circumstances: regimes may be useful for dealing with questions of common interest (for example, regulating trade) or to resolve dilemmas of common aversions (such as mitigating insecurity and proliferation threats).

Assuming cooperation is conditioned by the relative power of states, realists expect multilateral negotiations to be both a tool and a reflection of the interests of the more dominant states. The processes and products of multilateralism are expected to yield differential benefits, with the more powerful states ensuring that their significant interests are met. Even so, when rational actors would all benefit from cooperating, they are not necessarily able to do so. Failure to cooperate in rationally beneficial circumstances arises not just from what Kenneth Waltz called the

“interference” of political interventions and social customs,¹¹ but may be inherent in the structure of the interaction, such as the impasse in the Conference on Disarmament since 1998.¹²

Realists have structured multilateral institutions in the image of their conception of competing states and then assume it cannot provide long-term solutions for collective action. Longer-term stability might be deemed more likely in cases where the framework for negotiations and range of feasible solutions (called the “payoff matrix” in negotiations theory) are underpinned by a superpower or dominant regional power. In this case of “hegemonic stability”, multilateralism is assumed to operate in accordance with the interests of the hegemon or dominant power.¹³ If that leadership is constructive, it can play a useful part in enabling and supporting the multilateral regime. Similarly, a negative or unilateralist hegemon can erode and undermine multilateralism and cooperative security.

Realists have significant difficulty with the normative element in multilateralism implied in modern diplomatic usage.¹⁴ They reject the connotations of participatory justice or fairness in international decision-making, except when such ideals are evoked to serve as incentives to secure the cooperation of others. Where realists view the international system in terms of power distribution and perpetually competing states, neoliberals have developed a theory of complex interdependence in which power is more diffused.¹⁵

A further important difference is in the roles each accords to institutions and to other actors in facilitating and sustaining cooperation. Realists consider that the practices, processes and outcomes of multilateralism essentially reflect the participating states’ power and interests, which may shift over time. By contrast, neoliberals see the institution itself playing a role in embedding norms and practices that integrate themselves in further multilateral practice and institutions, which in turn feed back into and shape the interests of states. In the neoliberal view, “even if the realists are correct in believing that anarchy constrains the willingness to cooperate, states nevertheless can work together and can do so especially with the assistance of international institutions.”¹⁶ This feedback loop between states’ interests and institutional norms and practices helps to sustain cooperation even when strategic relations, relative power and the interests of particular governments fluctuate or shift.¹⁷

Realism accords little value to the activities of civil society, assumed to be of marginal influence on the state system. Though neoliberals view multilateral negotiations as primarily taking place among states, other actors, such as transnational corporations, international and national non-governmental organizations (NGOs) and interest groups, are seen to play a constitutive role in shaping states' interests and influencing the conditions for cooperation.

Leaving many realists behind in the Cold War, multilateralism has increasingly come to be perceived as a tool not only for managing cooperation problems among states, but for promoting the normative goals of global governance and international law. Global governance theories are critical of state-centred politics, and emphasize the multiplicity of actors: not just governments and intergovernmental institutions, but transnational corporations, citizens' movements, and NGOs. Accordingly, new multilateralism encompasses non-governmental, intergovernmental and trans-governmental relations, and is imbued with the normative "commitment to greater social equity, greater diffusion of power among countries and social groups, protection of the biosphere, moderation and non-violence in dealing with conflict, and mutual recognition of the values of different civilisations".¹⁸

To sum up the key differences between the three theoretical approaches, realists emphasize state power and view multilateralism as a mechanism for conflicting powers to coordinate for the purposes of increasing their relative power or mitigating security threats. States engage in multilateral negotiations, agreements or regime formation either to further their interests (achieve relative gains) or because non-participation would entail relative losses. Neoliberals emphasise inter-state cooperation for mutual benefits, and regard international regimes and institutions as being instrumental in stabilizing and sustaining cooperation. "New multilateralists" emphasize participatory decision-making by states and civil society to promote the norms and objectives of collective security, global governance and international law.

STATES IN THE UN SYSTEM

The UN system, by legal and diplomatic convention, is state-centric.¹⁹ In the Conference on Disarmament (CD) and the United Nations as a whole, states are treated as legally unitary, sovereign entities. By diplomatic

convention, a country's delegation and diplomats are taken to represent the policies of the recognized states behind whose name plates they sit. Though these convenient and practical conventions appear consistent with realist theory, it would be a mistake to confuse them with the assumption that states behave as unified rational actors. On the contrary, states in the real world are not consistent units, but "conditional entities"²⁰ that are "constantly subject to capture and recapture, construction and reconstruction" by social and political actors, through elections, coups, or other forms of governmental change.²¹

Diplomats, too, are temporary and contingent. They do not so much represent a long-term, stable, unified or rational entity as the policies, positions and interactions of their country's current policy makers. If an administration is changed, through election or some less democratic process, the state's objectives and strategies may correspondingly change. The degree to which a state's objectives and negotiating posture change depends in large part on the magnitude of the political differences between the outgoing and incoming administrations. If the distinctions are relatively weak, a change of party or government may have minimal effect on foreign policy. A coup or the election of a party with political and ideological precepts that are fundamentally different from those of the preceding government can result in a very significant shift in foreign policy or negotiating posture.

Power struggles among domestic actors, agencies and pressure groups (bureaucratic, diplomatic, civil, military and political) may shift foreign policies and alter a state's negotiating positions.²² While it is not the purpose of this paper to examine how different domestic actors and agencies interact in determining foreign policy, it is necessary to acknowledge the domestic/international interactive processes that influence decision-making.²³ It is important to recognize that there is seldom a one-way linear process from determination of a state's policies and positions and instructions from capitals to implementation by diplomats in the field. Though charged with the task of carrying out instructions, there is a feedback loop frequently observed between the perceptions and diplomacy of practitioners in the forum and the decision-making processes at home.

FRAMING OBJECTIVES AND OUTCOMES

Where the positions and perceived interests of parties to multilateral arms control may start quite far apart, the goal of negotiations is to bring about convergence. In the following section, two broad concepts of agreement are considered: distributive convergence, based on apportioning benefits and constraints, usually through mechanisms of power or the trading of compromises and concessions; and integrative convergence, which focuses on changing the perceived parameters of possible solutions to foster a more mutually advantageous outcome. Consideration is then given to the different ways in which power, knowledge, ideas and negotiating strategies and tactics are employed in constructing these different types of agreement.

DISTRIBUTING THE BENEFITS, DIVIDING THE PIE

The traditional, and still prevalent, approach to negotiations focuses on dividing or reconciling a pie that is assumed to be predetermined in size or content. Agreements reached through zero-sum bargaining and balancing gains and losses are known as distributive. The training programmes that dominate international relations and diplomacy still tend to be underpinned by the expectations associated with distributive bargaining.

Several types of distributive convergence may be reached. At one extreme, a hegemon or other dominant actor might impose a settlement that the rest are obliged to accept. For example, during the Cold War, arms control was developed as a mechanism to manage US–Soviet relations and mitigate insecurity, most notably in relation to their nuclear arsenals. Other states were expected to accept and fit in. This kind of hegemonically imposed fiat does not really qualify as a process of negotiations, even if it involves a division of gains and losses involving other states.

Negotiators, particularly in forums such as the UN Security Council, are more familiar with what can be called “imposed convergence”, when a state or dominant group determines the parameters or specifics of a solution to a particular cooperation problem. A form of negotiations may be conducted within the privileged group, but others have little say in the outcome. This does not necessarily mean the outcome is to other states’ detriment or that they must be coerced into accepting. The issue may come down to the perceived level of importance of the interests involved, for example, whether they are direct or indirect—who possesses the weapons

or capabilities concerned, and whether they are regarded as strategically crucial or of marginal utility. Other actors will accept an imposed convergence if they consider the tangible or regime benefits to be greater than the alternative of getting no agreement.²⁴

An example of imposed convergence is the 1963 Partial Test Ban Treaty,²⁵ which was negotiated between the Soviet Union, United Kingdom and United States and then opened for other states to sign on to. Most countries had no nuclear weapon programmes at the time and welcomed the benefits of a worldwide restriction on nuclear testing in the atmosphere, under water and in outer space, even if the treaty did not prevent new nuclear weapons from being designed and developed on the basis of data from underground explosions.

Even such a purportedly multilateral agreement as the Nuclear Non-Proliferation Treaty (NPT), which originated in an Irish–Swedish resolution to the UN General Assembly in 1961, was negotiated in earnest only after the United States and Soviet Union submitted identical draft treaties to the Eighteen Nation Disarmament Committee (ENDC) in August 1967.²⁶ Though the non-nuclear weapon states played an important role in ensuring that the NPT would link disarmament with non-proliferation and not curtail the right to nuclear energy, the superpowers maintained overall control in how they incorporated these into their last joint draft, which was adopted in 1968 and became the final treaty.

During the Cold War, many such treaties lacked effective verification, in part because the two superpowers were relied on to use their national technical means to monitor and their power to enforce compliance, at least within spheres of influence that encompassed much of the world. Even during the negotiations on the Comprehensive Nuclear Test Ban Treaty (CTBT), which took place in the Conference on Disarmament from 1994 to 1996, the five permanent members of the UN Security Council (P-5) conducted their own “minilateral” negotiations on issues relating most closely to their nuclear capabilities or privileges, such as scope and inspections. These P-5 negotiations epitomized the nuclear weapon states’ assumption that they had a right to negotiate privately, following which they expected to be able to impose their preferred outcome on the negotiators from other states. Things did not always work out that way, however, as my later discussion on CTBT scope convergence illustrates.

A further type of multilateral outcome may be brought about through various negotiating techniques, including concession trading and the manipulation of text and meaning. This kind of “managed convergence” is common in multilateral negotiations where participants regard the payoff structure as fixed or at least relatively inflexible. Though capable of delivering mutual or regime benefits, such managed, distributive convergence frequently results in lowest common denominator agreements where differences are split or the more powerful receive greater benefits.

INCREASING THE OPTIONS, EXPANDING THE PIE

In contrast to the assumptions and practices of distributive convergence, where states fight over portions of a limited pie, more interest is now being given to ways of enlarging the pie. Known as integrative convergence, this process places high priority in achieving a mutually advantageous solution, for example through changing the context or reframing the issues. Though one aim is to reduce the adversarial win–lose dynamic of traditional negotiations, integrative convergence does not imply that all states are treated the same or that all will benefit equally. While the objective is an outcome that benefits all parties, some may be required to compromise or concede more than others, depending on the circumstances. If the given pie is inadequate, for structural or political reasons perhaps, some or all of the negotiators could even decide to go and bake a different pie and share that instead.

This is what occurred in the case of anti-personnel mines, resulting in the 1997 Anti-Personnel Mine Ban Convention. Civil society had intensified pressure for a total ban on anti-personnel mines, but could get nowhere in the two forums assigned to the issue: talks under the auspices of the Treaty on Certain Conventional Weapons (CCW) were deadlocked over partial measures, and the CD was busy negotiating the CTBT (and was in any case unable to agree to include a landmine ban as part of its programme of work). Not prepared to wait indefinitely while many thousands of people were being killed or maimed by mines each year, a partnership between a few medium-sized states (including former manufacturers of landmines as well as mine-affected countries) and civil society—coordinated by the International Campaign to Ban Landmines (ICBL)—established an issue-specific negotiating forum independent of both the CCW and the CD, and then proceeded to negotiate and agree a total ban on anti-personnel mines.²⁷

The integrative problem-solving approach aims to expand or change the zone of possible agreements by creating or presenting a different range of options for convergence than first appeared to be on the table.²⁸ In contrast to the assumptions of distributive convergence, integrative convergence does not regard expectations and interests as fixed, but as factors that can be manipulated or altered by teaching or recasting knowledge, values, norms and ideas. It is therefore associated with the cognitive and communications strategies of civil society, particularly those that seek to change how negotiators view problems or perceive the value and achievability of potential solutions.²⁹

The CTBT scope outcome provides a good example of integrative convergence in all its complexity. Because Article I of the treaty carried the basic obligations and philosophical and political underpinnings of the treaty, a range of interest groups actively sought to influence national positions. The P-5, among whom interests were both complementary and competitive, tried to keep scope negotiations within their own unilateral negotiations. They shared a core interest of preserving their nuclear weapon programmes while curbing the options of others, but because of their unequal technological capabilities, political distrust and rivalry, the P-5 were unable to reach agreement on “activities not prohibited”, including safety tests, low-yield “hydronuclear experiments” (HNE) and so-called peaceful nuclear explosions. The turning point in the CTBT negotiations came toward the end of the second year of negotiations, and was almost entirely determined outside Geneva.

Some—not least the French—accord the resumption of French testing a decisive role in the zero-yield outcome. Closer analysis suggests that it was not the French decision in itself, but rather international public reaction, that provided the policy-shaping jolt that pushed US President Clinton into his announcement on zero yield in August 1995. The swiftness and intensity of public outrage, expressed through boycotts and demonstrations in many countries, much newsprint, and thousands of letters not only to Paris, but also Washington, reminded Clinton (ever sensitive to public opinion) that a total test ban was an important and popular objective. The protests also conveyed the warning that, if testing were not properly banned, there could be a revival of the kind of anti-nuclear protest movements witnessed in the 1980s. This may have contributed to a sense of crisis; if so, the crisis was not exogenously produced but engineered politically, mainly by transnational civil society. A second important factor in shaping the zero-yield decision

was the provision of technically relevant solution-oriented information by non-governmental scientists and arms control experts in Washington, a specific “epistemic” role discussed below.

Though the CTBT scope outcome did not correlate with attributive political power in realist terms, perceptions of power and self-interest are relevant to an understanding of why the nuclear powers’ rivalry outweighed their mutual interests. The zero-yield decision became possible not only because the P-5 were deeply divided over threshold levels, with no acceptable managed convergence in sight, but because there were also disputes within and between the various US agencies. Trans-governmental alliances between the nuclear scientists and military officials of more than one P-5 country further complicated the picture. In this situation, in which interests and power were fragmented and pressure was being exerted on all sides of the argument, norms and ideas won out: Clinton chose a scope more consistent with the disarmament objectives of test ban advocates.

While certain US government experts and officials were undoubtedly influential, international civil society played a crucial part in repositioning the issue of scope from a debate among the P-5 over “activities not prohibited” to one about the political purpose of a test ban, thereby shifting the payoff matrix from HNE thresholds toward zero yield. Although ideas and cognitive strategies were more influential in determining the scope outcome than power and direct interests, realist considerations were not wholly swept aside, as illustrated by French President Chirac’s decision to obtain simulation capabilities through testing and Clinton’s imposition of six safeguards and a massive budget for stockpile stewardship, which most if not all other nuclear weapon states then emulated. This analysis of the shaping of the outcome on scope highlights further important aspects of multilateralism in the twenty-first century: the need for a more complex, nuanced understanding of power and influence; and the role and relevance of non-state actors, expertise, ideas and norms.

POWER AND INFLUENCE

Had the P-5 been able to cooperate more effectively during the first half of the CTBT negotiations, it might have been possible for them, as the dominant nuclear powers, to have imposed a scope outcome on the rest that would have represented narrow P-5 interests far better than the actual outcome did. In negotiations conducted in accordance with distributive

assumptions, traditional concepts of power, which derive from a state's military and economic capabilities, continue to be a major factor. Yet, as this paper explains, such absolute or "attributive" power³⁰ is less a determinant in multilateral negotiations than conservative analysts assume. Unless we also consider what actors *do*, and not just what they *are* or *have*, we are at a loss to explain how those with less attributive power, such as medium-sized states or civil society, are able to exert such significant influence on the outcomes of negotiations.

In determining some outcomes, systemic or relational power may prove more relevant than "attributive", absolute power. Traditional theory sees systemic or relational power as determined by the distributive pattern of economic or military power in the system.³¹ In twenty-first century international relations, it would be wise also to pay greater attention to factors beyond the merely military and economic.

Power frequently has an issue-based dimension. Early in the Cold War, for example, nuclear weapons came to be viewed as indispensable tools to consolidate military power and political status. For many, this was illustrated by the congruity of the P-5 permanent seats on the UN Security Council with the five NPT nuclear weapon states. In the post-Cold War era the relationship between the possession of nuclear weapons and geostrategic influence is much weaker. Countries such as North Korea, Iraq and even India and Pakistan have sought nuclear weapons to compensate for inadequate military capabilities and to project disproportionate regional or political force. Similarly, declining military and economic powers such as Britain, France and Russia cling to nuclear weapons and appear to be afraid that if they disarm they will cease to be treated as major powers.

Attributive power and relational power may be components of issue-based power, but two further elements need to be highlighted: the capability to influence other actors and the capability to influence the structure and framing of the interaction, including the rules, who plays and who is sidelined.³² Thus, interactive, bargaining power is of particular relevance in multilateral negotiations. More likely to be issue-specific than generic, bargaining power constitutes the ability to get others to do what they had not originally intended to do. In effective bargaining, the means are persuasion rather than coercion: the desired outcome is to achieve an agreement that all concerned can regard as reasonable.

When negotiators are described as having “bargaining power” it means that they are successful in deploying their resources and capabilities either to change other actors’ perceptions of what constitute acceptable gains or losses or to change the zone of possible agreements to integrate preferred options that had not previously been recognized as possibilities. Another type of power, known as “charismatic power”, may contribute to bargaining power, and is associated with leadership and individual personality. Charisma can be exercised not only in the context of political leadership, but is also seen within the diplomatic community. A charismatic ambassador or official can more effectively muster support and gather coalitions around particular initiatives. Conversely, an awkward or arrogant diplomat can provoke antagonism and opposition regardless of the merits of the case.

Although the exercise of attributive power or cheque book diplomacy can undoubtedly achieve some objectives, the outcomes tend not to be as sustainable as those achieved through a more consensual process. To be successful in multilateralism depends increasingly on knowledge, negotiating skills, and the ability to shape perceptions and build alliances—power *of*, rather than power *over*.³³ This is not the prerogative of states alone, as the next section shows.

KNOWLEDGE, NORMS AND IDEAS: THE CONTRIBUTION OF CIVIL SOCIETY

As discussed above, expectations and interests in multilateral negotiations are not fixed, but are factors that can be manipulated or altered by teaching or recasting knowledge, values, norms and ideas. Strategies for promoting integrative convergence recognize this fact and incorporate cognitive and communications tactics to change the payoff matrix. The strategies and skills of civil society actors are now recognized as playing critical roles in influencing how negotiators view problems or perceive the value and achievability of potential solutions.

The term civil society is itself subject to interpretation, and has changed over time. It is here used to encompass NGOs,³⁴ informal associations and loose coalitions, forming connections across national borders and inserting themselves into a wide range of decision-making processes on issues from international security to human rights to the environment.³⁵ Two other concepts that are relevant to consideration of the role of civil society in arms control negotiations are epistemic communities, developed by Peter Haas

in his exploration of how experts with cognitive authority shape policy outcomes,³⁶ and norm entrepreneurs identified by Ethan Nadelmann and Richard Price as civil society actors who mobilize and lead public opinion.³⁷ Civil society does not always oppose government policies or challenge the state; some actors may organize to reinforce the policies of particular governments or opposition parties.³⁸ Hence, depending on the specific goals and strategies under consideration, civil society may be progressive or retrogressive; it may seek emancipatory outcomes or harness its energies to resist change or promote outcomes that would stabilize the status quo.

With regard to multilateralism and regime building, civil society has often played an important role in the pre-negotiation phase, during which states are brought to the negotiating table. Civil society is likely to be both more interested and more successful in influencing outcomes with high political salience than in brokering agreement on legal, technical or institutional issues. From their point of view, the difference between the scope of a treaty comprising a comprehensive ban or partial restrictions is more crucial—and can be better explained in messages for building public support—than whether an on-site inspection should be triggered by the votes of half or two-thirds of the executive council of the implementing body.

Civil society groups and individuals employ a range of elite, public movement or direct action strategies to influence government policies and public opinion. Tactics may include the targeted use of information (for example, the number of people killed or maimed by landmines each day) or high-profile messages from influential “stars” (for example, Princess Diana in the minefield). Norm entrepreneurs may also act as “citizen diplomats”, developing strategies and advising government delegations on tactics or the technical and political implications of various options. They seek to turn ethical concerns into international norms, and deploy their resources to change governments’ perceptions of the desirable objectives and parameters of feasible, acceptable agreement. Instead of self-interest, their goals are outcomes that will enhance human security.

Elite strategies rely on professional, epistemic actors, such as doctors, scientists or academic specialists. With cognitive tactics based on expert knowledge and professional status, they frequently favour limited, incrementalist objectives that are either realizable in the short and medium

term or perceived as pragmatic steps toward a larger goal.³⁹ Norm entrepreneurs may be associated with elite, public movement or even grass-roots campaigns. Generally associated with the high-profile promotion of particular ethical, philosophical or humanitarian views, they may engage nationally or transnationally, and seek to mobilize public opinion and influence governments within their own countries and abroad.

Public movement campaigning usually includes both grass-roots membership and skilled organizers, who may be voluntary or paid. Aiming to influence decision-making through the mobilization of public concern or outrage, they will use elite tactics or direct action, as appropriate. Hence their tactics may include a mixture of petitions, meetings, demonstrations and targeted letters to raise public awareness and obtain media coverage and political leverage. The larger the numbers they can mobilize, the more effective they are seen to be. Public movement campaigning may be national or transnational and is not necessarily limited to a single issue.

Activists contribute to transnational civil society, but are seldom constituted as NGOs per se. Except in the case of an organization like Greenpeace, which employs non-violent direct action as a tactic, activists tend to reflect grass-roots campaigns. Frequently exhibiting fluid participation, with few if any paid staff, activists may act alone or in small "affinity groups". Decision-making is likely to be based on personal responsibility, with processes similar to the consensus building developed among Quakers. Like the public movement NGOs, non-violent direct action is meant to raise public awareness. While some actions are therefore designed to be highly visible public events, others may seek to undermine the operations and power of that which the activists oppose, for example by blocking or disrupting polluting facilities or military bases.

While activists in some campaigns, such as animal rights, have been known to choose violence and intimidation as tactics, this is rare in the field of disarmament. Disarmament activists are generally opposed to the use of coercion, violence and weapons, considering such means to be self-defeating, since they reinforce the logic of conflict and governments' own justifications for weapons and war. Not all disarmament activists would define themselves as pacifist, and many consider that terms like "passive resistance" are outdated, since it takes a great deal of imaginative and assertive resistance to oppose the dominant paradigm based on "might is right". Disarmament activists derive moral authority from their commitment

to the principles of non-violence and personal accountability, which extend to the disruption of military work, such as disabling weapons or machinery or occupying military vehicles or sites, as long as people—including military and law-enforcement personnel—are not threatened, abused or harmed. Though activists in some countries still characterize their actions in terms of civil disobedience, as in the civil rights movement in the United States, when it became a duty to disobey unjust laws, a more usual strategy for disarmament activists these days is to argue that they are actually upholding the rule of law. Though their actions may result in arrest and trial, they will often argue that they are not guilty of any crime or legal offence, and that it was “necessary” to breach a domestic law protecting illegal military activities (for example) in order to uphold international laws, such as the NPT, the Geneva Conventions and rulings of the International Court of Justice (ICJ). For most disarmament activists, non-violent direct action is not solely a tactic, but rather a manifestation of the principle that means should be consistent with ends and people are personally responsible for acting in accordance with their conscience.

Neoliberals and new multilateralists incorporate the agency of civil society into their theorizing, though they may disagree about the nature, mechanisms and significance of non-governmental influence on national and international decisions and events. Realists, however, continue to ignore or devalue civil society’s contributions, as reflected in the structures and rules of multilateralism. It is no coincidence that civil society participation is more excluded and circumscribed in security- and disarmament-related negotiations than in any other area of multilateralism. Even so, examples from negotiations spanning from nuclear weapons to small arms show a growing range of civil society actors, networks and activities with the knowledge and skills to influence policy choices and negotiating outcomes. These show how civil society can contribute to multilateral arms control by stigmatizing a weapon or practice, raising political awareness and focusing public opinion to demand its abolition or control.

Once negotiations have commenced, civil society experts will increasingly work with constructive governments to formulate strategies and advise on tactics and options. As negotiations proceed, civil society will work to harness support for particular outcomes (or, conversely, opposition against certain proposals). Finally, if the negotiations have been able to deliver an outcome that significant sections of public and expert opinion can endorse,

governments may find that they need civil society to continue to be engaged to monitor compliance and promote entry into force. The more the structures and rules of multilateralism try to exclude civil society, the less successful and relevant the negotiations are likely to be.

NEGOTIATING TACTICS

Regardless of the specific issue, multilateral negotiations have spawned a variety of strategies and tactics that diplomats, and other actors, can employ to promote constructive outcomes, obstruct or delay negotiations, or try to increase relative gains. Though progress has been made, more needs to be done to develop the kinds of strategies and tactics that would change how other players view the negotiations and expand the zone of feasible agreements, thereby fostering integrative solutions.

The boundaries between constructive and obstructive tactics are not always clear cut, and can depend on the interests and preferences of both the user and the perceiver. Depending on a negotiator's intention and the circumstances of the interaction, a particular demand or action—calling for an inquiry, for example—can either be used as a delaying tactic or as a constructive, cognitive tactic aimed at facilitating convergence through shared understanding. In this final section, I have developed a topology of negotiating tactics used to delay, conceal, link, defect, trade concessions, bridge differences, change perceptions and bypass obstructions.

DELAY

If negotiators wish to obstruct negotiations they may employ a variety of tactics of delay, concealment or defection. Delaying tactics are frequently exhibited in the pre-negotiations phase, for example, to prevent a programme of work, agenda or negotiating mandate from being adopted. Johann Kaufmann⁴⁰ identified three kinds of delaying tactics, which he called Waiting for Godot, quicksand and Ping-Pong. In Waiting for Godot, a negotiator continually insists that the time is not yet ripe, while impeding all attempts by others to create more positive conditions. Quicksand is produced by bogging down a proposal or initiative in questions, objections or demands for definitions, or by insisting on an inquiry or further expert consultations. Ping-Pong, a third, popular delaying tactic, is to have an initiative or issue referred to another committee, forum or authority and, if

possible, to get it shunted back and forth between rival bodies for as long as possible.

This tactic was employed for several years by opponents of a total ban on anti-personnel mines, who variously insisted that the issue must be addressed under the auspices of the CCW, where it was bogged down, or in the CD, which was busy negotiating the CTBT and highly unlikely to deal with anti-personnel mines for a very long time. Similarly, opponents of negotiations to promote outer space security have stymied progress in different forums by evoking a rigid separation between civil and military activities that is not borne out by the commercial and technological realities of space operations. This tactic has resulted in the issues being bounced between the First and Fourth Committees and between Vienna (home of the Office of Outer Space Activities) and Geneva (where the United States has for years opposed prevention of an arms race in outer space, or PAROS, talks in the CD).

CONCEALMENT

States may also employ a variety of tactics to conceal their real objectives, intentions or interests. Concealment tactics are used by weak, insecure states or governments that are acting contrary to stated ideology, national policy or public opinion. They may also be deployed by alliance or group members who do not wish to be exposed as pursuing national self-interest at the expense of collective policy, or even by diplomats that disagree with their instructions or government's position, which is more common than might be expected.

Frequently observed examples of concealment tactics include "hide and seek", "slipstreaming", "fronting" and "faking". In the hide and seek tactic, real objectives are masked by high-minded rhetoric or a mass of technical data and extraneous detail. With slipstreaming, a delegation keeps quiet about its own preferences and coasts behind another delegation that holds the same position. Fronting is a frequently observed collaborative form of slipstreaming, in which one delegation adopts a position that is stronger than its own interests would require, enabling others to benefit by coasting in its wake. This has often been demonstrated by the United States and Israel or by China and Pakistan. The fronting delegation is usually but not always the stronger: Britain has also fronted for US positions, in situations where the United States does not wish to be exposed.

Faking is the tactic of pretending to support a proposal that you actually oppose or vice versa.⁴¹ It may involve manipulating another country (or countries) to take the lead in advocating or opposing a position, leaving them responsible if it fails. As is sometimes the case in slipstreaming, faking is deployed by states that want to keep favour with allies or dominant states, or by governments with positions that they assume would attract domestic criticism if made public. There are instances, however, of states being taken up on their fake positions and having then to stand by them, as happened when the Soviet Union suddenly accepted NATO's "zero option" in the mid-1980s, leading directly to the Intermediate-Range Nuclear Forces Treaty in 1987.

LINKAGE AND DEFECTION

The third category of tactics involves linkage and defection, with the aim of blocking agreement or providing grounds for pulling out of any agreements that might be reached. Two commonly used defection tactics are "moving the goalposts", in which standards are shifted or objectives are moved further away to ensure that agreement is rendered more inaccessible; and "best versus good", which is a version of moving the goalposts in which a remote or unobtainable ideal is persistently evoked to prevent agreement on a more practical, achievable measure. India used these tactics to considerable effect during the CTBT negotiations. For example, India's position at the beginning of the negotiations was to oppose any threshold, safety tests or exemption for "peaceful nuclear explosions", as advocated by different P-5 delegations. When, against all odds, a zero-yield scope without these provisions was agreed half-way through 1995, India quickly moved the goalposts to link the ban on nuclear testing with a time-bound framework for complete nuclear disarmament. This laudable demand was not realizable in the context of the test ban negotiations, but it could allow India to claim the moral high ground when it refused to adopt or sign the final treaty.

It is sometimes difficult to determine whether a state is genuinely holding out for a more radical solution or deploying best versus good tactics for the purposes of obstruction or defection: one basis for judgement would be the degree to which a government actively worked towards achieving the "best" outcome or merely evoked it in criticism every time it appeared as if the "good" alternative might be achieved.

Some states defect by means of the maximalist “all or nothing” demand, which is closely related to the linkage tactics that tie progress on agreement on one issue with agreement or gains on another issue. The hallmark of “all or nothing” is the mantra “nothing to be agreed until everything is agreed”. Various states deploy this tactic to ensure that commitments important to them cannot be dropped once the dominant states have got what they wanted. As such, it may reflect not an intention to obstruct the negotiations as such, but an assertion of a political objective that outweighs the perceived gains of agreement on other elements. One such example in the NPT context would be a nuclear-weapon-free zone in the Middle East; the League of Arab States invariably ensure that this demand is included to their satisfaction before they will back the rest of the final document.

Linkage is a two-edged sword that may be used for positive reasons but which frequently contributes to deadlock. Linkage tactics that prevent negotiations being started on one issue until there is agreement to work on or omit some other subject, which may or may not be related, have long bedevilled the CD. In negotiations, linkage may be exerted in a different way when dominant countries like the United States or Russia try to coerce other parties by pronouncing a particular issue a “treaty breaker”. To be convincing, this coercive “hostage-taking” tactic has to be used selectively and sparingly, as when Russia claimed that the inclusion of India, Israel and Pakistan in the CTBT’s entry-into-force provision was non-negotiable, or when the United States characterized a certain on-site inspection provision as a treaty breaker. A particularly frustrating, though sadly not unusual, linkage tactic is “tit for tat”, in which—regardless of the merits of the question—a negotiator will “pay back” another that has offended in some way, whether intentionally or not. This unhelpful tactic probably has less to do with substance than with rivalries or negative dynamics within the negotiations.

Linkage can also contribute towards convergence, for example through concession trading,⁴² which is a bargaining process in which concessions are made on one issue to win favourable compromises on another, which may or may not be substantively related. Other bridging strategies include mediation, when underlying causes of disagreement are addressed; bridge building, in which demands and positions are modified or conceded for the sake of agreement; and third-party bridging, in which an honest broker—for example, a third party or group of middle powers—facilitates agreement by exploring solutions somewhere between the extremes and identifying

and fostering concessions that bring antagonistic parties closer together. In 1995, South Africa proposed that indefinite extension of the NPT should be linked with a strengthened review process and principles and objectives for nuclear disarmament and non-proliferation. This became the basis for the consensus outcome, bridging the considerable gap between those that wanted indefinite extension and the non-aligned countries that feared that indefinitely extending the treaty would remove the pressure for full implementation, especially with regard to the disarmament obligations.⁴³

COGNITIVE TACTICS

In contrast to obstructive negotiating tactics such as delay, concealment and defection, cognitive tactics are associated with strategies to facilitate integrative convergence and regime building. Four kinds of cognitive tactics are identified here: norm shaping, reframing, stepladder and unpacking.

The aim of norm shaping and reframing is to change the perceptions of other negotiators in order to recast and enlarge the zone of possible agreement. The New Agenda Coalition, for example, used these tactics in its successful strategy from 1998 to 2000, which resulted in agreement on an explicit 13-paragraph programme of action for nuclear disarmament at the 2000 Review Conference.⁴⁴ Though cognitive tactics are also utilized for the purposes of bridge building or mediation, the New Agenda example was more than this. Representing their own stated interests in obtaining stronger commitments on disarmament, the New Agenda drew from the 1996 Canberra Commission and ICJ advisory opinion, shaped their findings and repackaged them as part of a strategy to change the perceptions and positions of others and bring about a much stronger and more specific outcome than most had considered possible.

In the cognitive tactic that I have dubbed stepladder, new insights, for example technical information or data about the consequences of differing policy choices, are introduced to enable parties to surmount obstacles or at least to perceive them from a different vantage point. Similarly, the chances of agreement may be enhanced in some cases if negotiators unpack complex issues, disaggregating them so that they can be resolved incrementally.⁴⁵

BYPASS

Finally, when political or institutional obstacles appear intractable, negotiators can choose to perform a bypass operation. The Ottawa process, which bypassed both the CD and CCW to create an alternative forum where a total ban on anti-personnel mines could be negotiated, provides a now famous example of effective use of this tactic. Similarly, leap-frogging is performed when one or a group of states jumps over obstructions placed in the way of agreement. In one notable example from the CTBT, Australia took the finalized treaty text out of the CD, where its adoption had been blocked by India in August 1996, and tabled it in the UN General Assembly, where it was resoundingly adopted by 158 votes in favour, with only three against and five abstentions. Such tactics should probably be treated as a last resort, and the initiator(s) need to have some confidence that the majority will endorse. Leap-frogging, in particular, may be a high-risk strategy, and even when successful, can cause resentment.

Box 4.1. Summary of negotiating tactics

Delay

Waiting for Godot—interminably delaying for the time to become ripe

Quicksand—bogging an initiative down in questions, objections or demands for definitions or an inquiry

Ping-Pong—shunting an issue back and forth between different committees or forums

Concealment

Hide and Seek—concealing real objectives in high-minded rhetoric or a mass of technical data and extraneous detail

Slipstreaming—concealing preferences behind the positions of another delegation

Fronting—a form of collaborative slipstreaming, in which one delegation adopts a position that is stronger than its own interests would require, enabling others to benefit by coasting in its wake

Faking—a tactic of pretending to support a proposal that you actually oppose, or vice versa

Box 4.1 (continued)**Defection and Linkage**

Moving the Goalposts—whatever is achievable becomes by definition inadequate and is ditched for a more inaccessible position

Best versus Good—rejecting adequate or useful agreements on the grounds that they do not match up with some grander but less accessible ideal

Linkage—tying progress or agreement on one issue with achievement of agreement or gains on another issue

All or Nothing—a linkage tactic asserting that “nothing is agreed until everything is agreed”

Hostage-taking—coercively presenting a contested point or outcome in your favour as a “make or break” issue for the whole negotiations

Tit for Tat—“you’ve done something to annoy me, so I’ll do something to annoy you back”

Bridging and Trading

Concession-trading—a bargaining process of trading concessions to facilitate convergence

Mediation—when a third party or parties help to promote agreement by enabling antagonists to address underlying causes of disagreement

Bridge Building—in which one or more of the antagonistic parties are prepared to concede or modify demands to promote convergence

Third-party Bridging—an “honest broker” explores ways in which to bring antagonistic parties closer together

Cognitive

Norm-shaping—stigmatizing the weapon or problem, associating with legal or ethical prescriptions, and presenting alternatives and desirable solutions

Reframing—recasting hurdles, problems and options for solution in less adversarial terms, offering an integrative solution with mutual gains

Stepladder—deploying new information to enable parties to view problems from a different perspective and surmount obstacles

Unpacking—in which a problem is disaggregated or separated into its constituent parts to facilitate incremental agreement or progress

Box 4.1 (continued)**Bypass**

Bypass Operation—radically redefine the context and create or use an alternative forum for negotiations to bypass political or institutional obstacles

Leap-frogging—to jump over an obstacle and take an issue or treaty to a different forum or authority for agreement

CONCLUSIONS

Recent experiences from the CTBT, Chemical Weapons Convention, NPT and Anti-Personnel Mine Ban Convention show that multilateral negotiations are conditioned not only by relative capabilities, power and interests, but by a clash of conflicting worldviews. States and diplomats clearly hold significantly different assumptions about the role and value of multilateral regime building, the character and determination of the possible solution set, and the ways in which decisions can be shaped by groups of less powerful countries and civil society.

The continuing dominance of realist assumptions in diplomatic training and among policy makers acts against the interests of constructive multilateralism. Failing to describe the contemporary context of multilateral decision-making, realism does not adequately reflect the actual choices facing states and negotiators. Similarly, the ways in which multilateral arms control is usually structured, such as the rules and procedures of the United Nations and the CD, privilege states perceived as having direct interests, through possession or control of the weapons and military practices of concern, above the security interests of other affected parties. Yet these affected parties include populations victimized or impoverished by the trading and accumulation of armaments, and states that have voluntarily renounced such weapons or practices. The current structuring of multilateral arms control continues to leave little room for actors (states and civil society) that advocate alternative concepts of security, based on progressive disarmament rather than arms management and differential non-proliferation.

The CD's Cold War genealogy shows through every time negotiators limit their role to tinkering with the tools of arms control and non-proliferation. Too many of the current rules, assumptions and institutional practices reflect the obsolete Cold War power structure and not the human security concerns that are more relevant for the twenty-first century. In so doing, they marginalize alternative approaches that focus on enhancing human security, more comprehensive disarmament and the transformation of power relations to address global security threats and reduce reliance on military capabilities.

Out-dated realist assumptions also foster adversarial interactions and suppress important factors like players' perceptions, uncertainty, learning and change. Though some adaptation of multilateral institutions and rules has already occurred, largely driven by civil society campaigning, more needs to be done institutionally to maximize the opportunities for participatory regime building.

Notes

- ¹ This paper is derived from Dr. Johnson's PhD thesis for the London School of Economics and Political Science, entitled "The 1996 Comprehensive Test Ban Treaty: A Study in Post Cold War Multilateral Arms Control Negotiations".
- ² Marie-Claude Smouts, "Multilateralism from Below: a Prerequisite for Global Governance", in Michael Schechter (ed.), *Future Multilateralism: The Political and Social Framework*, United Nations University Press, 1999, p. 294.
- ³ UN General Assembly, *Final Document of the First Special Session of the General Assembly on Disarmament*, document A/S-10/4, 1 July 1978, paragraph 28.
- ⁴ Jayantha Dhanapala, then UN Under-Secretary General for Disarmament, "Multilateralism and the Future of the Global Nuclear Nonproliferation Regime", *The Nonproliferation Review*, vol. 8, no. 3, The Center for Nonproliferation Studies, 2001, pp. 99–100.
- ⁵ The terms bilateral, trilateral, and plurilateral denote negotiations among a certain number of parties with direct interests, usually possession of the arms under consideration. Multilateral negotiations

often involve states that do not possess the relevant weapon in addition to those that do.

- 6 Stephen Krasner defined regimes more specifically as “sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area of international relations”. See Stephen Krasner (ed.), *International Regimes*, Cornell University Press, 1983.
- 7 Neoliberal institutionalism centred on a group of American analysts and policy shapers, such as Joseph Nye, Robert Keohane and John Ruggie. For the purposes of this paper, the theoretical distinctions between traditional realism, neorealism, neoliberal institutionalism and the form of synthesized “structural realism” put forward by Buzan, Jones and Little, though important in other contexts, are not as relevant as the broad assumptions associated with the schools of realism and neoliberalism respectively.
- 8 Where rationalist regime theory derived from the realist and neoliberal schools of thought, the new multilateralism advanced by Cox and Schechter is associated with the reflectivist approach of the “third paradigm” of late twentieth century and early twenty-first century international relations theory, variously identified as structuralism, neomarxism or globalism. The term “new multilateralism” is reputed to have been coined during discussions in the “Multilateralism and the United Nations System” programme under the auspices of Cox during the late 1990s.
- 9 The realist state is deemed to be a coherent unit, capable of applying rational calculations to the available information to secure its survival, pursue its interests and increase its relative power. While it is recognized that a variety of domestic actors contribute towards determining a state’s policies, realists consider that a centralized political authority unifies these disparate influences, so that “the state” represents the collective will and interests of its citizens. Kenneth Waltz, *Theory of International Politics*, McGraw-Hill, 1979, pp. 90–93 and 102–128.
- 10 Arthur Stein, “Coordination and Collaboration: Regimes in an Anarchic World”, in Stephen Krasner (ed.), *International Regimes*, Cornell University Press, 1983, p. 132. Note, realist and neoliberal theories hold that the international system is “anarchic” because there is no overarching political authority.

- ¹¹ Waltz dismissed many of the influences on state policy and international decision-making as extraneous interferences. Kenneth Waltz, *Theory of International Politics*, McGraw-Hill, 1979, p. 91.
- ¹² See, for instance, John Borrie, "Cooperation and Defection in the Conference on Disarmament", *Disarmament Diplomacy*, no. 82, Acronym Institute, 2006, pp. 34–40.
- ¹³ This is assumed particularly in the high politics of security, war and peace. Hegemonic stability theory, developed around Western objectives of a liberal, free trade economic order under US leadership, held that international order depends on a dominant state prepared, in effect, to shoulder the burden of responsibility. The classical statements of hegemonic stability theory are found in the writings of Robert Gilpin and Charles Kindleberger. See, for example, Robert Gilpin, *War and Change in World Politics*, Cambridge University Press, 1981.
- ¹⁴ The so-called liberal realists, also known as the English School, are an exception. See Martin Wright, *Power Politics*, 2nd ed., Leicester University Press, 1978; and Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, Macmillan, 1977.
- ¹⁵ Robert Keohane and Joseph Nye (eds), *Transnational Relations and World Politics*, Harvard University Press, 1972. Robert Keohane and Joseph Nye, *Power and Interdependence*, 3rd ed., Longman, 2001.
- ¹⁶ Joseph Grieco, "Anarchy and the Limits of Cooperation: A Realist Critique of the Newest Liberal Institutionalism", *International Organization*, vol. 42, no. 3, Cambridge University Press, 1988, p. 486.
- ¹⁷ Robert Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*, Princeton University Press, 1984, chps 5–6. How the artificial concept of the unified state relates to government authority is a problem for realists, and the oft-found disconnection between state interests and a state's government poses difficulties for realist policy approaches in multilateralism. See Chris Brown, *Understanding International Relations*, Macmillan, 1997, pp. 33–35.
- ¹⁸ The quotation, attributed to a paper given by Robert Cox to the United Nations University, August 17, 1993, is from the preface of Michael Schechter (ed.), *Innovation in Multilateralism*, United Nations University Press, 1999, p. ix.
- ¹⁹ Two of the constitutive principles of the United Nations are that membership is open to all "peace-loving states" and that the organization is based on the "principle of the sovereign equality of all

- its members". See United Nations, *Charter of the United Nations*, articles 2 and 4.
- ²⁰ Paul Taylor, "The United Nations and International Order", in John Baylis and Steve Smith (eds), *The Globalization of World Politics*, 2nd ed., Oxford University Press, 2001, p. 338.
- ²¹ Andrew Moravcsik, "Taking Preferences Seriously: A Liberal Theory of International Politics", in Paul Viotti and Mark Kauppi, *International Relations Theory*, 3rd ed., Allyn and Bacon, 1987, p. 250.
- ²² An early, groundbreaking analysis that challenged notions of rationality in foreign policy decision-making was Graham Allison, *Essence of Decision: Explaining the Cuban Missile Crisis*, Little, Brown and Co., 1971. For an updated analysis, see also Graham Allison with Philip Zelikow, *Essence of Decision: Explaining the Cuban Missile Crisis*, 2nd ed., Longman, 1999.
- ²³ While many analysts have recognized that decision makers must be concerned simultaneously with domestic and international pressures, Robert Putnam's early theorizing about the domestic–international dynamic, which he characterized as a two-level game, was particularly influential. Robert Putnam, "Diplomacy and Domestic Politics: The Logic of Two-level Games", *International Organization*, vol. 42, no. 3, Cambridge University Press, 1988, pp. 427–460. For an alternative approach, see Jeffrey Knopf, "Beyond Two-level Games: Domestic–International Interaction in the Intermediate-range Nuclear Forces Negotiation", *International Organization*, vol. 47, no. 4, Cambridge University Press, 1993, pp. 599–628.
- ²⁴ On alternatives to accepting agreement and no-agreement dilemmas, see James Sebenius, "Challenging Conventional Explanations of International Cooperation: Negotiation Analysis and the Case of Epistemic Communities", in Peter Haas, *Knowledge, Power, and International Policy Coordination*, University of South Carolina Press, 1992, pp. 323–365.
- ²⁵ *Treaty Banning Nuclear Weapon Tests in the Atmosphere, Outer Space and Under Water*.
- ²⁶ These were ENDC/192 (US Draft) and ENDC/193 (Soviet draft). These superseded US–Soviet drafts from 1965.
- ²⁷ The 1997 Anti-Personnel Mine Ban Convention enshrined a multilateral (but not yet universal) ban on this weapon type. The "Ottawa process" that led to the treaty was celebrated for its groundbreaking "partnership" between civil society and governmental actors, a fact acknowledged when the Nobel Prize was awarded to Jody

- Williams and the International Campaign to Ban Landmines (ICBL) in 1997. See Maxwell Cameron, Robert Lawson and Brian Tomlin (eds), *To Walk Without Fear: The Global Movement to Ban Landmines*, Oxford University Press, 1998; Kenneth Anderson, "The Ottawa Convention Banning Landmines, the Role of International Non-Governmental Organizations and the Idea of International Civil Society", *European Journal of International Affairs*, vol. 2, no. 1, European Centre of International Affairs, 2000; and John Borrie and Vanessa Martin Randin (eds), *Disarmament as Humanitarian Action: From Perspective to Practice*, UNIDIR, 2006.
- ²⁸ Richard Walton and Robert McKersie are credited with coining and defining the term "integrative bargaining", in Richard Walton and Robert McKersie, *A Behavioral Theory of Labour Negotiations*, McGraw-Hill, 1965. On integrative bargaining and mixed motive games, see Thomas Schelling, *The Strategy of Conflict*, Harvard University Press, 1960.
- ²⁹ James Sebenius, "Challenging Conventional Explanations of International Cooperation: Negotiation Analysis and the Case of Epistemic Communities", in Peter Haas, *Knowledge, Power, and International Policy Coordination*, University of South Carolina Press, 1992, pp. 346–365.
- ³⁰ Hans Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, revised by Kenneth Thompson, brief ed., McGraw-Hill, 1993.
- ³¹ Kenneth Waltz, *Theory of International Politics*, McGraw-Hill, 1979.
- ³² Buzan calls this "interaction capacity", which he defined as having systemic importance as an "absolute quality of technological and societal capabilities across the system". See his analysis of attributive, relational and control power in Barry Buzan, "Beyond Neorealism: Interaction Capacity", in Barry Buzan, Charles Jones, and Richard Little, *The Logic of Anarchy: Neorealism to Structural Realism*, Columbia University Press, 1993, pp. 66–80.
- ³³ The distinction between power of—sometimes used interchangeably with the "power within", understood as the empowered capability to do—and power over, related with traditional concepts of force and coercion, became a key element in feminist analyses of militarism and patriarchy.
- ³⁴ The UN's institutional concept of NGO includes private businesses, such as the pharmaceutical industries, and their industrial associations, as well as the non-profit "businesses" or "charities" more usually associated with the term. The concept of civil society used in this

chapter excludes non-state actors who seek political change through violent and militarized means, such as guerrillas, terrorists, and freedom fighters (recognizing that such terms depend on political perspective for their meaning and attributes). This distinction is not based simply on a value judgement, but has important conceptual underpinnings. In particular, such non-state actors' use of violence is the antithesis of common understandings of "civil", epitomized by the usual antonymic juxtaposition of civil and military and the historical association of civil society with "the cultivation of a set of social and political virtues" such as "civility, trust [and] tolerance". Accepting as part of the operative definition of civil society the exclusion of militarized violence as a strategy or tactic does not entail any normative assumptions of a positive, democratizing and progressive role for civil society, in opposition to the state. Such a role may be desirable, but it is not intrinsic to the definition of civil society. See also Mustapha Kamal Pasha and David Blaney, "Elusive Paradise: The Promise and Peril of Global Civil Society", *Alternatives*, vol. 23, no. 4, 1998, pp. 417–450.

- ³⁵ Ann Florini (ed.), *The Third Force: The Rise of Transnational Civil Society*, Japan Center for International Exchange and Carnegie Endowment for International Peace, 2000, p. 3.
- ³⁶ Haas defined an epistemic community as "a network of professionals with recognised expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area". Peter Haas, *Knowledge, Power, and International Policy Coordination*, University of South Carolina Press, 1992, p. 3.
- ³⁷ Richard Price, "Reversing the Gun Sights: Transnational Civil Society Targets Landmines", *International Organization*, vol. 53, no. 3, Cambridge University Press, 1998, pp. 613–644; Ethan Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society", *International Organization*, vol. 44, no. 4, 1990, Cambridge University Press, pp. 479–526; and Emanuel Adler, "The Emergence of Cooperation: National Epistemic Communities and the International Evolution of the Idea of Nuclear Arms Control", in Peter Haas, *Knowledge, Power, and International Policy Coordination*, University of South Carolina Press, 1992.
- ³⁸ See, for example, the role of the US firearms lobby in Keith Krause, "Multilateral Diplomacy, Norm Building, and UN Conferences: The

Case of Small Arms and Light Weapons”, *Global Governance*, vol. 8, no. 2, Lynne Rienner, 2002, p. 258.

- ³⁹ Though the “epistemic communities” intersect with civil society, some effective epistemic actors may be found in government departments or laboratories. For example, Adler noted that, with regard to nuclear arms control during the 1950s and 1960s: “[T]hey were one community, yet they were everywhere: dispersed among government bureaux, research organisations and laboratories, profit and non-profit organisations, university research centres, and think-tanks”. Emanuel Adler, “The Emergence of Cooperation: National Epistemic Communities and the International Evolution of the Idea of Nuclear Arms Control”, in Peter Haas, *Knowledge, Power, and International Policy Coordination*, University of South Carolina Press, 1992, p. 112.
- ⁴⁰ The list of obstructive tactics has drawn on the perceptions of Johan Kaufmann, in his analysis of multilateralism in the North–South context. Johan Kaufmann, *The Diplomacy of International Relations: Selected Writings*, Kluwer Law International, 1998, pp. 11–30. While retaining some of Kaufmann’s categories and names of negotiating tactics, I have greatly expanded the list as a result of my observations of multilateral arms control negotiations during the past 15 years.
- ⁴¹ Likened to a “two-faced” approach, the faking tactic was given the name “Black Peter” by Kaufmann, who described it as: “I do not like this proposal, but I tell people I support it, expecting that country X which is against it, will be left with the stigma of having been responsible for its rejection.” Johan Kaufmann, *The Diplomacy of International Relations: Selected Writings*, Kluwer Law International, 1998, p. 22. The concept of faking that I have employed is a bit broader than Kaufmann’s definition of Black Peter.
- ⁴² Dean Pruitt calls this concession-trading tactic “logrolling”, a term adopted by Hampson. However, shifting a logjam can sometimes be accomplished by the removal of just one strategically placed log, which is a rather different matter than trading the removal of obstructions in more than one place, though either method may eventually get the logs rolling. On logrolling and bridging tactics, see Dean Pruitt, *Negotiation Behaviour*, Academic Press, 1981, pp. 153–155; and Fen Hampson, *Multilateral Negotiations: Lessons from Arms Control, Trade, and the Environment*, The Johns Hopkins University Press, 1995, pp. 40–43.

- ⁴³ See Rebecca Johnson, *Indefinite Extension of the Non-Proliferation Treaty: Risks and Reckonings*, Acronym Institute, Acronym Report no. 7, 1995.
- ⁴⁴ Rebecca Johnson, "The 2000 NPT Review Conference: a Delicate, Hard-Won Compromise", *Disarmament Diplomacy*, no. 46, Acronym Institute, 2000. The New Agenda Coalition comprised Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden.
- ⁴⁵ This is similar to what Fen Hampson called "issue decomposition and sequencing". See Fen Hampson, *Multilateral Negotiations: Lessons from Arms Control, Trade, and the Environment*, The Johns Hopkins University Press, 1995, especially introduction and conclusion.