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THE DIPLOMACY OF NON-STATE ACTORS

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After nearly a century in gestation, the diplomatic system developed by, and for, states since the seventeenth century was crowned and codified by the international convention on Diplomatic Relations signed at Vienna in 1961. It is an irony that its making marked both the culmination and the beginning of the end of classical diplomacy. Thirty years later, the global bipolar system collapsed. With it went the last stage of what was still essentially a version of classical diplomacy in which the bulk of international transactions remained international, that is to say they passed between states and between entities created by states. In truth, the collapse of the USSR and consequential termination of a US/USSR dominated international system was not the cause of contemporary changes so much as its occasion. The underlying condition had been changing for some time but had been largely hidden behind the apparently solid edifice which the cold war had created. When the veil was ripped away, the degree to which things had changed was revealed. The main lines of change can be quickly summarized: there has been a sharp increase in the number and activity of global actors who are not states; the information revolution has changed the playing field as far as information gathering is concerned; diplomacy now involves many more participants who are experts in matters other than diplomacy and hold their positions outside foreign ministries; it is no longer possible or rational to try to determine what any particular national interest is and pursue it; there has been a vast increase in the importance of economic diplomacy, particularly where governments are seeking inward investment flows or giving development assistance; and the sudden rise in the number of states has brought an end to the idea that representation among states should be broadly universal. The net effect of all this has been to threaten the continuing role of both foreign ministries and overseas

missions and relatively speaking to raise the profile of heads of government and other parts of the government machine domestically. Externally it has similarly increased the significance of global institutions and globally operating private entities, both public and commercial.

THE END OF THE DIPLOMATIC PRIMACY OF STATES

The strategic weapons and administrative demands of the cold war had developed a communications revolution of such power that it escaped the control of its makers and began to create an independent, self-generating, life of its own. The result of that has been the emergence of a wide range of human activities which owe little or nothing to geographical location, time of day and, most important of all, to government permission or regulation. Much of this activity has little direct political or diplomatic significance except in so far as it weakens government authority in a general way, diminishes its role and thus loosens the bonds of loyalty between populations and their governments. This can have indirect but significant results in the sense that weakening state structures lead to state collapses and thence to domestic political violence. These episodes have proved to be very difficult for the traditional international and diplomatic machinery to deal with. The result has been that other non-state organizations have adopted much higher profile roles, particularly humanitarian and human rights entities. This in turn has meant that the mix of groups at very different levels of competence operating within the general global system has become much more complex with corresponding consequences for diplomacy. There is therefore a logical if indirect link between the communications revolution which underpins the processes of globalization and a contemporary evolution in diplomacy. This evolution is ending the principle that only states and their creations have the right to diplomatic representation and bringing inexperienced, uncertain and sometimes reluctant actors onto the diplomatic stage.

   This is why the management of global issues increasingly involves new actors beyond the state. When crises seem to lie beyond the control of governments or the relevant intergovernmental organizations, "non-state" actors come to play significant roles. They appear in the familiar guises of non-governmental organizations, corporations, and intergovernmental organizations and they promise levels of efficiency and responsiveness that transcend the constraints of the state. At the same time, the category of "non-state" actors often seems little more than a cacophony of forms and interests with no clear means of articulating their respective roles vis à vis each other or the state. The ensuing proliferation of new actors has begun a significant period of reorganization of the mechanisms and actors that make up the international system.

One of the clearest manifestations of the change lies in the changing character of diplomacy. States, the venerable managers of the system, now incontrovertibly share the global stage with public and private entities, with whom they must also share the machinery of global politics. Some of the newly powerful non-state actors are developing formal means of participating in the system, others do so more or less accidentally, some do not do so at all. The cumulative effect is an important evolution in the practice of representation.

This crisis of representation emerges most clearly when the finely-tuned diplomatic system of the traditional state confronts the ad hoc emergence of globalized networks of authorities and entities. These latter are just beginning to appoint representatives in the face of necessity. Past experience demonstrates the need for an accepted system of represent-ation and the emergence of credible representatives. In the contemporary situation, this has yet to happen in any complete way; nonetheless evolving methods for routing and validating communication between actors are developing into recognizable patterns, and in this can be seen the germination of a new diplomatic system.

As we have seen, diplomacy is a necessary and natural part of the international order, though it need not be limited to nation-states, as it was not prior to the seventeenth century. It is supported by all the reciprocal necessities that underlie the idea of raison de système and thus it shapes the system even as it is shaped by it. This symbiotic character of diplomacy is epitomized by the process of representation, understood as the reciprocal recognition of an actor as a legitimate party with the power to influence the both the flow of affairs and the functioning of a given system. Recognition of a state by other states is the holy grail of legitimacy. But although states today are richly equipped with a highly developed method of representing themselves to each other or to associations of states, their governments and tax-paying constituents are no longer certain that they need the services, particularly the information supplying services, that the traditional diplomatic machine delivered. Nor are governments sure that the essentially inter-state structure which history imposed upon the practice of diplomacy quite fits the contemporary, globalizing world. Thus they face a crisis because they do not wish to pay for a complex machine which they no longer quite believe does the job they want done. More-over the situation is worsened by the fact that they are also not sure what job it is that they do want done. New actors partly fill, and partly exacerbate, this discrepancy. But these new actors similarly face a cri-sis of representation because it is unclear who is to represent them, what sort of representation is meaningful, and how their role is to be made credible. Moreover, these new actors face problems that are more

fundamental in that they are unsure of the source of their authority and are plagued by doubts and questions about their legitimacy as full participants in contemporary international relations.

CHANGING FORMS OF REPRESENTATION

Thus the changing practices of representation today are both reactions to and harbingers of new diplomatic forms that mark wider changes in the global political system. Just as diplomatic immunity evolved when it became clear to an early society that it might be better to hear the message than reject the messenger, in a similar fashion, new customary rules of the game are emerging to allow the international system to function securely and efficiently. The difficult task at this historical juncture is to identify and describe them accurately.

The desire for recognition is driven by five familiar core needs, common to all actors. All of these are interlocked, yet require somewhat different methods of pursuit. When a form of representation emerges that can satisfy at least most of these core needs it achieves customary status. The modern circumstances under which such forms can emerge are becoming clear enough. The new forms of representation are being moulded during the growing humanitarian, environmental, economic and social crises that elicit intervention from old and new actors. It is the interactions of these actors in response to crises that force the issue of representation.

Intervention used to be carried out primarily by the old actors in the system—national states and their organizations. As many states have been reducing their global networks, new actors, such as humanitarian and human rights NGOs, have begun to (re)create them, but in an ad hoc manner. Other new actors—the global markets in capital, stocks and currencies, for example—are steadily entering the field. The diverse actors that are increasingly involved in interventions can be divided into broad, though by no means exhaustive, categories.

The first consists of the traditional elements of the international system: states, governments, and associations of states. States function as the legal successors of the earlier European version of the concept of supreme sovereign territorial power with attendant rights and duties. Governments are the executors of a state's rights, and can exist even when the state itself is absent, nascent or otherwise unrealized. The most well-known example of this today concerns the Palestinian Authority, but the so far unique continued cyber existence of Kuwait during the Iraqi occupation is another interesting example. Finally there is the more complicated matter of associations of states, such as the United Nations, the IMF and the WTO. The European Union is a separate case because of the uncertainty about whether it is a proto-state or an association of states. Clearly these

"intergovernmental" organizations have a dynamic of their own that exceeds their original mandate of representing member-states interests, and that dynamic increases as contemporary conditions conspire to adapt the roles of the IMF and the WTO. Yet their legitimacy and funding still rests with their member-states. For the sake of clarity it is convenient to define an association of states as three or more states that consult regularly in a formal fashion requiring membership.

The second includes that all-purpose term, non-governmental organizations, whose negative definition robs the term of its dynamic connotations. A better term is Transnational Social Movement Organizations (TSMOs) to describe a wide swathe of voluntary and charitable organizations, but restricted to those whose membership comprises, and whose operational sphere includes, different states. Clearly not all NGOs are social movements in the strict sense, but their normative intentions and their cross-border activities make them stand out. Transnational Commercial Organizations (TCOs) make up the last category, including corporations and business groups whose operations, staff and infrastructure are located in different states. It is also necessary to include self-organizing phenomena that defy easy classification, such as financial markets and stock exchanges.

These actors find themselves intertwined in unexpected ways by the exigencies of crises from droughts to war, from bursting financial bubbles to the disintegration of the state apparatus. The interventions that arise around these new crises determine the type of interaction crucial to emerging forms of representation. These interventions fall into three broad categories: immediate crisis, the threat of social and administrative collapse, and regulation.

Crisis intervention is the most familiar in response to an immediate outbreak of violence or armed conflict, such as Bosnia, Kosovo, or Rwanda. While intra- and inter-state conflict is the most prominent, other forms include economic crises, as in the 1997–98 Asian financial crisis and the 1995 Mexican Peso crisis. Additionally, there are complex humanitarian emergencies, such as combating the AIDS epidemic in Africa, or environmental catastrophes often compounded by chaos or war, as in Somalia. A step removed from the immediacy of crises is intervention where social and administrative weakness threatens stability—long-term efforts to shape development, prevent crises and institutionalize networks and cooperation. Here intergovernmental agencies, states and TSMOs work on poverty reduction, public health issues, conflict prevention, and a myriad of other important but less media-attractive essentially humanitarian undertakings. "Development" projects, both traditional and entrepreneurial, such as private–public partnerships, fall into this category.

In a broader sense, we find regulatory intervention, a category that includes efforts by non-state actors of all types (including business, labor,

and consumer groups) to influence standard setting and maintain a voice on the floor or at the table. Examples include demands by TSMOs for an enhanced role in the World Bank or business lobbying that nears the appearance of a continuous representation of interests.

When actors engage each other in versions of the above interventions they face a paradox: they are propelled into action by the lack of clarity about who provides public and private goods in the international system, and are thus forced to clarify their individual roles as best they can. This tension is one of the pressures leading to the emergence of new forms. Its first effect enables the transfer of functions either formerly (and formally) ascribed to other actors or the creation of entirely new functions relevant to the crises and forms of intervention. The second effect allows for institutionalization and formalized means of communication necessary for consistency and effectiveness. What emerges are practices which create precedent and new forms of representation.

ASSOCIATIONS OF STATES

Associations of states have a long history of struggling with this problem and the emerging practices are many. The UN is perhaps the furthest along in this regard due to the frequency and scope of the interventions it has undertaken. Among the practices that have been developed, the most visible is the Special Representative of the Secretary-General (SRSG). The dispatching of a SRSG to a conflict zone was at first rather rare and largely ad hoc. But almost any type of intervention by the UN now involves the assignment of a Special Representative or Envoy to represent the organization to any and all other actors involved in the situation. So not only are there SRSGs for specific conflicts like Kosovo or East Timor, but also "thematic" Special Representatives, such as the Special Representative of the Secretary-General for Children and Armed Conflict. This practice is now being replicated by other organizations in the UN system, like the World Health Organization who, for example, recently appointed the president of the Nippon Foundation as WHO's special ambassador of its Global Alliance for the Elimination of Hansen's Disease (also known as leprosy), as well as other intergovernmental organizations on the regional level. It is worth noting that the European Union is trying to develop more conventional mechanisms of representation as compared to other intergovernmental organizations. The role of the European Commission has been steadily broadened from its primary function of regulating and managing the European common market to encompass executive "powers" in political and foreign affairs. The EU demonstrates acute difficulties in finding the political will to make a reality of common policies, and never more so than during the crisis over

disarming Iraq; but the fact that a quasi-foreign ministry for the EU has been instituted in the last few years, with Chris Patten and Javier Solana acting as the EU's foreign policy ministers, indicates that the EU may be starting to move down a similar path to that which states took earlier rather than developing "new" forms of representation.

THE DIPLOMACY OF GLOBAL BUSINESS

Global businesses such as Microsoft, BPAmoco, Philips, Sony, Mitsubishi, and General Motors have increasingly found themselves intervening in a variety of crises around the world either to protect their investments or buttress the integration of emerging and transitioning economies into the global economy. As the process of industry consolidation continues it further concentrates resources and assets of whole industries into fewer firms. The power and reach of transnational corporations and the global strategic alliances they are building now rival that of states. The prominence of corporations and their expanding interests within the global political economy has catapulted many corporate executives onto the global political stage and into some very unconventional situations. An indication of the changing relationship between the private and public sectors is the treatment accorded CEOs of the largest transnational corporations by governments and IGOs. During the heyday of the economic boom of the 1990s, it was common for CEOs like Microsoft founder, Bill Gates, to be given "head of state" treatment by governments of countries they visit. Ostensibly, meetings between private sector leaders and public officials at the highest level are not out of the ordinary and have been going on for many years, but today the practice is different in that such meetings are not strictly confined to discussions about business ventures and investment. Indeed, the conversation between business and governments is much more far reaching and involves issues of social and political development. Similarly, global commercial enterprises have started to develop more elaborate collective instruments, such as the World Business Council for Sustainable Development and the Intellectual Property Committee, to represent their common interests within intergovernmental deliberations and to be more effective when interacting or engaging states and TSMOs, particularly on environmental, economic and social policy questions.

Companies have had to build an organizational capacity to represent themselves effectively to organizations and communities that were not among the company's traditional stakeholders. The normal mechanisms of large transnational corporations—namely, corporate communications, marketing or advertising departments—were not equipped to be an in-house "foreign ministry" and this function could not be outsourced to a public relations agency. Increasingly corporations are hiring retired diplomats to

advise the CEO and senior management or to lead an international affairs division as a way to manage the increasingly complex relations of the company with other firms in the industry, states and intergovernmental organizations, and the ever changing networks of non-governmental organizations. As more and more companies acquire talent and experience in this area, the forms of representation for transnational commercial organizations will become more formalized and uniform, thus expanding corporate representation within the existing state diplomatic system.

THE ENTRY OF PRIVATE ORGANIZATIONS

Finally, the most complicated practices are those of transnational social movement organizations. This is in part due to the immense diversity of actors and their rapid rise to prominence in global affairs. The traditional roles of TSMOs and private voluntary organizations have been dramatically altered in recent years. They are no longer on the margins of the international system. Organizations like the International Rescue Committee, Médecins Sans Frontières, Amnesty International, and Greenpeace have started to develop a range of mechanisms to communicate their views, to coordinate their actions and to clarify their roles vis-à-vis states, intergovernmental organizations, and transnational corporations. The different complex humanitarian emergencies that have brought these organizations together with the other international actors have pushed many TSMOs to build or expand the "diplomatic" capacity within their organizations. For example, the bigger and better endowed TSMOs, like Amnesty International or Save the Children International, have upgraded their organization's representation to the United Nations system, expanding their office(s) at the UN in New York or Geneva with more professional staff. Other organizations have taken steps to professionalize their representation to the UN, a function that had been primarily covered by volunteers— a practice that is still very common among smaller TSMOs who cannot afford to set up an office or have paid staff dedicated to its representation at the UN. Yet, it must be acknowledged that most TSMOs do not have the resources to build such capacities and many are still experimenting with alternative methods and practices that are less costly and leverage existing capabilities through applications of modern telecommunications. It is most likely that transnational social movement organizations will produce the more innovative and novel forms of representation in the years ahead. Already the old dynamics that characterize TSMO relations with the public and private sectors—largely confrontational—is shifting and new patterns of interaction, which are clearly less contentious, are starting to surface. It is still too early to tell how enduring this shift in interaction is and how much it will change the international diplomatic system.

However much the first stages of the Iraq crisis during 2003 emphasized the continuing significance of traditional state-based diplomatic behaviour, these examples demonstrate that since the end of the Cold War a convergence of circumstance, opportunity, and necessity has provoked a reconfiguration of the way state and non-state actors interact and deal with each other; and that faint outlines of a new international diplomatic system beyond the traditional diplomatic practices of states can be discerned. With business and non-governmental organizations on near equal footing with states and associations of states within the international system, a triangular arrangement appears to be emerging, though it is not clear how stable this arrangement is or how long it will last under the pressures of globalization.

The finely honed traditional machinery of inter-state diplomacy is coming to seem increasingly like an antiquated machine of almost baroque refinement. The methods which secure reciprocal recognition and allow actors to exert influence—the mechanism of representation itself—has become hazy as the ascendant actors fit uneasily with conventional notions of representation. This is not only because these actors are 'not states,' but because they tend to be self-organizing—growing and mutating through informal communication networks which cut across the already thickly-textured traditional international system. The irony is that the very elements that allow for their rapid growth also mitigate against their congealing into clearly representable units. The properties of globalization make a neat progression from diverse to unitary actors unlikely.

Accordingly, focussing on new types of actors calls into question the traditionally conceived functions of diplomacy. Here we encounter the constraints of existing vocabulary: the very term "non-state actors" implies, by negative definition, that such organizations can only be conceptualized within the general scheme as defined by states. This may prove to be severely misleading in the long run. Nonetheless "non-state actors" do seek representation within intergovernmental organizations and influence among states with the explicit purpose of affecting state practices. Is this evidence of the resilience of the state system or evidence of its fundamental transformation? Are state governments fighting a rear-guard action or spurring on these changes by "outsourcing" touchy or costly tasks to the murky non-governmental realm? The answer is both, and the challenge for policy-makers and scholars is to not to be too eager to proclaim the stabilization of a new formal international order, for as its groundwork is being laid, the ground itself is shifting. Rather, the challenge is to chart the emerging forms of representation. We are likely see a shift from the economic logic of comparative advantage to a logic of collaborative advantage, where power lies in the ability to work with and through new constellations of actors.