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THE INERTIA OF DIPLOMACY

Juergen Kleiner

Diplomacy is used to manage the goals of foreign policy focusing on communication. New trends affect the institution of diplomacy in different ways. Diplomacy has received an additional tool in the form of the Internet. In various cases of interdependence and dependence interference in a country's affairs is accepted. Multilateral cooperation has created parliamentary diplomacy and a new type of diplomat, the international civil servant. States and their diplomats are in demand to curb the excesses of globalization. The fight against terrorism also brought additional work for diplomacy. Consulates are busy working to cope with the pressures of immigration. Though parts of the foreign policy agenda have been outsourced to other actors the range and importance of diplomacy did not shrink, but rather expanded.

FOREIGN POLICY AND DIPLOMACY

Diplomacy is an instrument of statecraft. It originally was an instrument of states to deal with other states. After international governmental organizations [IGOs] had been established, they also became involved in diplomacy. The focus of diplomacy was and is on communication. How statecraft is used towards the outside world is expressed in a country's foreign policy or an IGO's policy. Diplomacy is used to manage the goals of foreign policy.[1] As far as content is concerned, diplomacy is a dependent variable of foreign policy. Whatever goals are to be attained, diplomacy follows its own grammar. Diplomatic work proceeds along the same norms, rules, and practices that are appropriate to reach the target. As far as its functioning is concerned, diplomacy is an independent institution, only subject to historical contingencies.[2] The dualism between foreign policy and diplomacy is the starting point for an analysis of diplomacy.[3]

More details are in order. Foreign policy is the content of foreign relations, comprising the aspirations and aims a country wants to achieve in its relations with other states and international governmental organizations. States define their interests. Since interests of states are heterogeneous they cannot be subsumed under a common denominator. Some countries formulate

and publish their foreign policy goals.[4] Often a state's foreign policy goals are contained in various documents, including important statements, speeches and interviews of political leaders, releases for the media and instructions to diplomats. Sometimes a country's foreign policy goals are not published, but kept secret. International relations are, however, influenced only partly by strategic plans. External events often surprise policy makers and make adaptation necessary. In addition, the goals of a country's foreign policy are increasingly influenced by domestic forces. Thus, the objectives of a country's foreign policy undergo frequent changes. In democratic countries, foreign policy decisions are reached by those organs, which are given the responsibility by the constitution. In countries governed by other political systems, foreign policy decisions are made by those officials or bodies that are in power. Foreign policy is decided upon by politicians in capitals of nations.

There are many actors on the international stage. Among them, states are still the most important since only they have far reaching, comprehensive functions. Only they have law making and law enforcement powers. International agreements and treaties can only have binding nature if states so decide. International governmental organizations are founded and kept going by states. They are extensions of states and important for diplomacy in different ways. In working with and within IGOs, states manage parts of their foreign policy goals. The implementation of an IGO's policy decisions is regularly left to member states. However, IGOs have increasingly set up their own diplomatic machinery to manage their policies.

DIPLOMACY AS MEDIUM OF COMMUNICATION BY GOVERNMENTS

Diplomacy attempts to manage the goals of foreign policy, mostly by implementing goals but also by preparing foreign policy decisions. As an institution that is a pattern of behavior, diplomacy is based on an established body of rules and practices for communication.[5] The communication paradigm makes the institution of diplomacy comprehensible.[6] At first, the readiness to communicate must be declared. This is done by establishing diplomatic relations or becoming a member of an IGO. Since diplomacy is basically an intersubjective interaction and the artificial man, the state, and his little brother, the international governmental organization, cannot speak, persons must be designated who do the talking. Therefore, bilateral ambassadors are accredited, and the appointments of other diplomats are notified. Diplomats receive their instructions from governments, but they do not represent governments, but states.[7] A country is not obliged to accept the person nominated by the sending state as interlocutor. Even

after it has accepted a diplomat, the receiving state can at any time and without explanation declare a diplomat *persona non grata*. The diplomat is the one who has direct contact with the foreign partner. Diplomats do not only talk to official agents of the host state but to a variety of people and organizations. The official agent has been the backbone of diplomacy from the earliest times in recorded diplomatic history.[8]

For communication language is crucial. Therefore, the knowledge of foreign languages, preferably proficiency, is important for diplomats. If a diplomat does not speak the language of the counterpart they can choose a third language. Latin, and since the middle of the 18th century, French served as lingua franca of European diplomacy. At present English is the most frequently used working language of diplomacy. If joint documents such as treaties are set up, a prior agreement about the language to be used must be reached. Furthermore, it has to be stipulated which text is authoritative. International governmental organizations must decide which languages they use as official and working languages. Often professional linguistic assistance is needed. Translators and interpreters contribute crucially so that diplomacy can fulfill its function of making communication between states and their agents possible. The words and style, which diplomats use, depend on the situation that they face. Sometimes diplomats have precise instructions about which language to use or to avoid. The forms of diplomatic correspondence practices have been developed. Chiefs of mission correspond with the foreign minister of the host country by formal notes written in the first person. Diplomatic missions correspond with foreign ministries by notes verbales written in the third person. Aide-memoires, bouts de papier, memoranda, non-papers and all types of letters offer a rich choice for diplomatic correspondence. In spite of the many calls for open diplomacy the confidentiality of diplomatic negotiations has survived since it alone guarantees to exclude interventions from outside and a loss of face for the partner who has made concessions. Those few rules of protocol that have survived up to now, such as those for receiving of a new ambassador, state visits, using titles, making calls or seating arrangements, are thought to show respect or to facilitate interaction. Signaling, that is communication by non-verbal means, supplements talks and correspondence.

An important part of diplomatic activities are negotiations, a special form of communication. Negotiating means trying to reach an understanding by discussion. Sometimes the understanding takes the form of an agreement—that is a treaty in writing. It is easy to reach an understanding if the national interests of the partners overlap. In this case the diplomat performs the traditional role of trying to balance the interests of states. The diplomat's aim of protecting his country's interests is realized by cooperation, by trying to avoid clashes between the diverging interests,

and by intervening if violations occur. Observing the developments in a host country or an IGO and reporting about them, facilitates the understanding and thus creates favorable terms for a dialogue. Diplomats face competition by the press, press agencies, radio, television and the World Wide Web. However, the diplomat is needed to assess the relevance of the information with regard to his country's and the host country's foreign policy. That is, the diplomat is needed for "proper contextualization."[9] Sometimes his evaluation will not reach home quickly enough. The diplomat's judgment is also needed to assess the validity of his interlocutor's statements. Reports of diplomatic missions regularly contain a section in which the validity of the information is assessed. The cultural policy of diplomatic missions also aims at improving the mutual understanding. The preponderance of economic issues in international relations has often led to a shift from a political dialogue to an economic one.

There are traditional taboo areas for diplomatic intercourse. Diplomats may use only lawful means, have to respect the laws and regulations of the host country and are prohibited from interfering in the internal affairs of that country. The host country also has obligations towards foreign diplomats. A meaningful communication is only possible if the diplomat is free from harassment. In order that they can perform their functions, diplomats enjoy inviolability. Some of the rules for diplomacy and diplomats have been laid down by international treaties. At the center of these regulations are those concerning the status of diplomatic missions and diplomats, i.e., their protection, inviolability, immunities and freedom of communication. Different treaties are in force for different categories of missions and diplomats, particularly for bilateral missions, consulates, special missions, permanent missions to IGOs, the international civil service and external missions of IGOs.[10] The rules contained in these treaties differ according to the functions of the missions and diplomats in question.

Summing up, diplomacy is to be understood as the management of a country's or an IGO's policy by official agents via communication with state and non-state actors of other countries and with international governmental organizations according to established rules and practices. This is more or less the conventional understanding of diplomacy. New trends, however, are developing. This article makes an effort to take stock of the effects of new trends on the institution of diplomacy. Before starting this analysis some clarifications are necessary.

SOME CLARIFICATIONS

In the relationship between the foreign ministry and the diplomatic mission the difference between foreign policy and diplomacy is obvious. The foreign

ministry decides about the goals and the diplomatic mission gets into direct contact with the authorities of the foreign country. The foreign ministry of the sending country, for example, decides that it will work for a wide membership of a treaty and instructs its embassies in various receiving countries to make interventions to persuade these countries to join the treaty. The embassies then get in direct contact with the authorities of their host countries. Even if the ministry gives detailed instructions how to carry out the interventions it does not venture into diplomacy since these instructions are of an internal nature. Sometimes, diplomatic missions suggest to their foreign ministries how to react to changes in the host countries and thus contribute to shaping foreign policy.

The distinction between foreign policy and diplomacy becomes more difficult when those who make the foreign policy decision also engage in contacts with foreign partners. Today, summitry has become a part of diplomacy. Direct contacts between the leaders of states are normal and frequent events. Chief executives of countries, presidents, minister president, prime ministers, or chancellors, who are responsible for political decision making, often take part in conducting foreign policy. They know each other, they call each other and they meet each other. Meetings of chief executives have also been institutionalized in various settings. The chief executives of the eight industrialized countries meet within the G 8 framework. The chief executives of the North Atlantic Treaty Organization [NATO], the European Union [EU], the African Union [AU], the Association of Southeast Asian Nations [ASEAN] and the Asia-Pacific Economic Cooperation [APEC], for example, regularly get together. Foreign ministers meet with even greater frequency. Sometimes, travel diplomacy develops into shuttle diplomacy. The travel of foreign ministers often seems hectic, particularly if compared with the style of their predecessors a century ago. Indeed, Sir Edward Grey never once traveled abroad during his long tenure as Britain's foreign secretary from 1905 to 1916.[11]

The discussion between statesmen can aim at foreign policy or diplomatic issues. For example, when statesmen of two or more countries decide to fix a precise limit for emissions that are harmful for the climate it is a foreign policy decision. When a foreign minister calls a colleague asking him to support a candidature in an IGO it is a diplomatic effort. As long as statesmen work from their offices at home these activities do not award them a special status. When heads of state or of government, or foreign ministers or other persons of a high rank travel to a foreign country on official business they enjoy exceptional privileges.[12] These special missions are arranged through normal diplomatic channels. In diplomatic practice there is nearly never a discussion of the privileges and immunities before such a visit happens. Both sides start from the assumption that the host country with the common goal in view will treat the guests with respect.

Both sides rely on reciprocity, which is a characteristic feature of diplomacy. Questions of privileges and immunities only come up if something goes wrong.[13]

CYBER-DIPLOMACY

The intention to influence public opinion in other countries has been a part of the foreign policy of many governments long before the term public diplomacy was coined. Diplomats not only talk to officials of the host government but also reach out to the public. Diplomats talk to representatives of political parties, trade unions, churches, universities, business, and a wide array of the civil society. The intention is mostly to gather information and develop a network of people inclined to cooperate with the mission. At the same time these contacts are thought to create or reinforce friendly feelings in the targeted country with the hope that these feelings result in friendly relations. The promotion of cultural relations also pursues the aim to make friends and forge ties. Public relations are a more systematic approach to influence the public of the host country. Public relations work of old tries to use the host country's media. Embassies distribute releases and other publications to the press, taped programs to radio stations, and film and TV programs to TV stations. Missions also try to get into direct contact with the host country's public. To this end, they distribute magazines and brochures, organize lectures and seminars, set up friendship associations and give interviews to the media. All these steps are taken with a view to influence a foreign government through influencing a country's public. The final goal of public diplomacy, though only pursued in an indirect way, is the host country's foreign policy.

The Internet has provided governments, diplomatic missions and IGOs with a new powerful tool to promote their policy and improve their image abroad.[14] Many foreign ministries, IGOs and diplomatic missions have their own Web sites and use them to disseminate information. This fact means that it is now possible to reach beyond the receiving state's government by directly addressing a broad public of the targeted country. Even a dialogue with the public of the host country is possible. Since in various countries the influence of public opinion on government decisions is increasing, public diplomacy becomes more and more important. Public diplomacy is now not only a vastly improved tool for diplomacy but also a challenging task for diplomats. Only the efforts of governments to influence a foreign government through interacting with its citizens deserve to be termed public diplomacy.

However, the definitions of public diplomacy have changed.[15] Sender and addressee got wider interpretations. Social channels were added to the sponsoring side. Political parties, corporations, academic institutions,

religious organizations, NGOs and many other institutions and individuals may help to improve a country's image abroad. These private efforts, however, do not necessarily happen within the framework of a country's foreign policy. Therefore, there is no need to term these activities diplomacy. It is interesting to note that the Foreign and Commonwealth Office, when considering the definition of public diplomacy, rejected a proposal that lacked "an essential reference to public diplomacy being in support of Government goals or objectives." It preferred the definition of public diplomacy as "work aiming to inform and engage individuals and organizations overseas, in order to improve understanding of and influence for the United Kingdom in a manner consistent with governmental medium and long term goals."[16] While this definition put public diplomacy within the framework of the sending state it dropped the idea that the activities are supposed to influence the foreign policy of the targeted country. Thus the receiving end of public diplomacy was widened. In some countries there are heterogeneous networks of private organizations, which cooperate with equally heterogeneous networks of private organizations of other countries and influence each other. There is a new tendency to consider public policy as directed at influencing the society of another country, but not necessarily that country's foreign policy.[17] Nothing is gained by terming these exertions of influence diplomacy. It boils down to summarizing all influences from the society of one country to the society of another country under the heading of public diplomacy.

The possibilities offered by modern information technology [IT] seem to make public diplomacy unlimited. Nevertheless, the question how the digital age has affected the dissemination of information by foreign ministries, IGOs, and diplomatic missions should be considered with some caution. If public diplomacy ought to be effective the language or the languages of the targeted country must be used. Public diplomacy in the Republic of Korea, for example, is only useful if it is done in Korean. It is, however, difficult for missions and IGOs to recruit enough staff suited for public diplomacy. There are other practical limits. Only a minority of people, concentrated in industrialized and newly industrialized countries, is connected to the Web and can be reached via the Web. In 1998 it was estimated that three quarters of the world's population did not even have a telephone.[18] Thus, there cannot be a truly global conversation at this time.[19] The village might be global, but it is not universal. The enthusiasm for public diplomacy seems to result from an OECD view of the world.

The extent to which the efforts to explain a country's foreign policy are successful, is doubtful. Political news travel fast and may create prejudices before public diplomacy can try to correct the negative impression. Furthermore, images of countries, "once created remain stable."[20] This

condition has to do with the way information is received: People have a tendency to select information that is in agreement with the image they already have.[21] Thus, prejudices may live on for decades. The tremendous effort of the United States to win over the Muslim countries in the Middle East by public diplomacy may serve as an example how difficult it is to win a hostile public over.[22] According to the 2007 Pew Global Attitudes Report the image of the United State "remains abysmal in most countries in the Middle East and Asia."[23] A good show cannot substitute for good policy. Far more effective than public diplomacy is a clear, unambiguous and consistent foreign policy that takes well-founded interests of the partners into consideration and thus has credibility.

ACCEPTED INTERFERENCE

International cooperation has enhanced the interdependence of states. Many states have an interdependent relationship with another state, i.e., both states depend economically, financially, technically and/or politically on each other. The degrees of interdependence, however, vary greatly and have to be assessed case by case. The question whether and how these linkages contribute to prevent conflicts has been discussed frequently. The focus here is on the question how interdependence has influenced diplomacy. If the forces of interdependence are strong the discussion of internal affairs of the partner is necessary and accepted. The difference between "we" and "them" is melting away. Governments often no longer refer to the prohibition of interference in their internal affairs.

For example, the United States and Japan have reciprocal relations. For Japanese exports the United States is still the most important market. In 2005 it absorbed 22.9% of Japanese exports. The United States is a favorite place for Japanese foreign direct investment, its share value amounting to $190 billion in 2007. The United States is also Japan's only military ally that guarantees the country's security. For the United States on the other hand Japan is the third largest market for its exports and a source for strategic goods like semiconductors. Japan is a major buyer of American Treasury bonds that are sold to finance the huge deficit of the US trade balance. Japan is also a reliable military ally. This close relationship makes it unavoidable that many issues are discussed between partners and some of them are controversial.

In a speech on US–Japanese relations delivered before the Yomiuri International Economic Society on 15 June 2007, US Ambassador to Japan Schieffer addressed US concerns such as the protection of intellectual property rights, freer trade in manufacturing, agriculture and services, more transparency of government regulatory processes and better opportunities for American investments.[24] He even discussed the lack of

productivity of the Japanese economy, Japanese protectionism, the privatization of government institutions and the need for reforms of the financial markets. For many years the US government had worried over the Japanese reluctance to open their markets for American imports and investments. A particular concern was American beef exports to Japan. As could be seen from the "Hot Topics" on the Web site of the US Embassy in Tokyo US in June 2007 American beef exports to Japan were still facing obstacles.

The Japanese government on its part insists on regulatory reform and changes of the competition policy by the United States. It has summarized its recommendations in a paper published on the web site of the Japanese Embassy in Washington.[25] Japan complains among other things about arbitrary anti-dumping measures, the lack of transparency for investment conditions, measures of counter-terrorism that impede the transport of goods, delays in consular procedures, the patent system, the Buy American laws, extraterritorial application of US domestic laws, antitrust laws, burdensome aspects of the American legal system, and barriers in the area of telecommunications.

When American diplomats discuss their concerns with the Japanese government in Tokyo and Japanese diplomats their concern with the US administration in Washington they deal with subjects that are within the sole jurisdiction of the partner. Only the Japanese government can change its regulation in order to facilitate economic exchanges with the United States and vice versa. By their discussions the diplomats interfere in the internal affairs of the host country. Exactly this is forbidden by Article 41, para.1, of the Convention on Diplomatic Relations [CDR].[26] A diplomat who disregards this prohibition can even be declared *persona non grata* (Article 9 of the CDR).[27] Interdependence, however, works in both directions. Both sides are interested that their arguments are heard. Therefore, it does not help to refer to the prohibition of intervening in the internal affairs of another country. In such cases of interdependence interference is accepted. At the same time, the scope of diplomatic issues has widened.

There also exist imbalances in international relations that defy the description of interdependence. This is nowhere more obvious than in the relationship between industrial nations and developing countries. The relations between Norway and Tanzania may serve as an example.[28] Norway has only approximately 12% of Tanzania's population of approximately 39 million but is an industrialized country and has chosen Tanzania as one of its main recipient of development aid. At the beginning of 2007 Ambassador Jon Lomø stressed that Norway preferred to move "towards a more equal relationship" but that the areas of cooperation should also reflect Norwegian political priorities.[29] The areas of cooperation comprise among others: general budget support, anti-corruption initiatives, education, local government reform, building roads, the management of natural resources,

health care, and electrification. Since it is the task of the embassy to oversee the development of cooperation the Norwegian diplomats will discuss all of these subjects with the government of Tanzania. They will certainly try to treat the Tanzanian government officials as partners but cannot avoid getting deeply involved in internal affairs of the host country. Tanzania has no chance but to accept Norway's involvement in Tanzanian policies. Thus, development assistance has also widened the scope of issues of diplomacy.

Much of development aid is distributed by international governmental organizations, such as the United Nations Development Program [UNDP]. When a receiving country discusses assistance with a country office of UNDP it also has to accept that its domestic policies are discussed. Since the lack of good governance is often the main obstacle to successful development, receiving countries are forced to even discuss their way of government. In these cases, the prohibition of non-interference is meaningless.

The promotion of human rights by a diplomatic mission of a Western country abroad, however, is often met with resistance by the host country. Host countries often call it interference in their internal affairs. It is interference indeed because the embassy is attempting to protect citizens of the host country against their own government. The same is true for the efforts to promote democracy in another country. Independence includes the right for every country to decide which path it wants to follow and by which means. Host countries make use of their right to declare a diplomat in such a case *persona non grata*. The promotion of human rights and democracy suffers additionally from the fact that they are selective efforts.

COORDINATING FOREIGN POLICY AND DIPLOMACY

When diplomats work at home in the foreign ministry they get involved in foreign policy making and diplomacy. They draft policies for the political leadership of the country by producing submissions (memoranda) for their superiors. They draft speeches, articles for newspapers, press releases and presentations for the legislature. In this capacity they have an impact on policy making. Their instructions to their diplomats abroad are often of a tactical nature. They also are the interlocutors of the foreign diplomats accredited to their country discussing with them diplomatic issues.

The points of contact between states have increased dramatically. International trade, tourism, migration, development assistance and cultural exchanges have linked countries together. Issues that used to be considered part of the domestic domain like matters of the police or administration of justice, figure today on the international agenda. Foreign ministries have

neither the knowledge nor the manpower to deal with the widening scope of foreign relations issues. Therefore, many other government agencies fill in. For example, to solve international environmental problems the expertise of the officials from the ministry of environment protection is necessary; to fight international threats to health the experts from the ministry of health have to get involved; to develop international standards for working conditions the ministry of labor has to cooperate. How many ministries are having contacts with foreign partners and how intense these contacts are, mainly depends on the issues in the center of a country's foreign policy and/or the closeness of the relationship between the countries in question. For the United States it has been said that departments and agencies responsible for economics, defense and law enforcement played "an active role in pursuit of American interests abroad."[30] In an EU country such as Germany, for example, nearly all ministries have contacts either with the embassies from EU countries in Berlin or directly with their counterparts in the capitals of EU member states. It has been suggested to make a distinction between foreign policy and foreign relations of the specialized ministries.[31] This, however, is an artificial differentiation. Whatever is said and done by government officials in relations with foreign partners, however, is attributed to the state they represent. Governments are striving to follow a coherent foreign policy into which all details fit. Officials from ministries other than the foreign ministry mainly negotiate with their foreign counterparts. They are preparing foreign policy decisions as well as taking part in diplomacy just as the officials from the foreign ministry do. As long as they work from their offices at home they do not enjoy a special status and are not diplomats in the technical sense.

In Western countries the precedence of foreign policy [*das Primat der Aussenpolitik*], a cornerstone of the realist theory of international relations, no longer exists as constant feature. No other development has affected foreign ministries more than the outsourcing of the responsibility for foreign relations. This is particularly true for democratic countries with their pluralistic societies. The diffusion of responsibilities for foreign affairs has often resulted in confusion. Therefore, it is the task of the foreign ministry to see to it that the many activities of all the other ministries with foreign states or organizations are based upon the country's foreign policy and follow the same strategy. Thus, the task of a foreign ministry is often just a coordinating one. Coordination can be made difficult by conflicts between ministries regarding political goals. The situation will be even aggravated by the all too common turf battles. In the United States, for example, conflicts between the President's National Security Adviser team, the State Department, the Department of Defense and the Central Intelligence Agency [CIA] are notorious. It is easier for foreign ministries to fulfill their coordinating function if they have the necessary instruments

at hand. Municipal law or government practice can, for example, stipulate that negotiations with foreign official partners need the foreign ministry's prior agreement an/or that the foreign ministry chairs commissions, committees and working groups that deal with foreign relations. In many EU countries foreign ministries have lost the coordination of national EU policies to the office of the head of government (president, chancellor, prime minister).

Increasingly officials from ministries other than the foreign ministry are assigned to a diplomatic mission abroad or to a special delegation. In that capacity they enjoy the same protected status as all other members, that is diplomatic status. The percentages of officials from special ministries and agencies in diplomatic missions differ from sending state to sending state and from embassy to embassy. In 1997, for example, 63% of the personnel of US diplomatic and consular missions abroad were not State Department employees.[32] It must be assured that the chief of mission has the final say internally. In view of the delegations that may be active in a receiving state the embassy must have a coordinating function in order to make sure that the delegation's work fits into the sending country's policy. The German Foreign Service Act mentions expressly the task of a diplomatic mission to coordinate official business carried out by officials from home in the host country.[33] American regulations give US chiefs of mission authority over all US government employees (except those under a military commander) in the host country.[34] The question, however, remains whether the chiefs of mission are strong enough to realize their authority.[35]

MULTILATERAL DIPLOMACY

Whenever more than two states have to deal with an issue multilateral diplomacy is in demand. International conferences are a traditional tool of diplomacy. Since the world has become smaller the calls for multilateral diplomacy have become louder. The Doha Round of the World Trade Organization [WTO] tries to lower trade barriers around the world. Since August 2003 six-party talks are held between the United States, China, Russia, Japan, South Korea and North Korea concerning North Korean nuclear activities. Also since 2003 the Foreign Ministers of France, Germany and the United Kingdom, the so-called E 3, are discussing questions concerning the Iranian nuclear program in Teheran with Iranian government officials. Diplomats from the United States, European Union, Russia and the United Nations, called the Quartet, are charged with promoting peace in the Middle East. The UN Climate Change Conference that was held in Indonesia in December 2007 tried to revive the Kyoto Agreement.

Many international problems need to be dealt with on a permanent basis. Therefore, international governmental organizations were founded. To facilitate technical cooperation, to accelerate economic cooperation, to fight hunger, promote development assistance, foster cultural relations, protect human rights, save the natural environment and avoid wars are some of the aims pursued by international organizations. Their numbers have proliferated, and the scope of their decision-making authority has expanded. IGOs represent shared interests of states. They fulfill functions for which states would be responsible if the organizations did not exist. No doubt, states are in retreat in favor of IGOs. This is nowhere more obvious than in the case of a supranational organization like the EU that demanded a considerable sacrifice of authority by its member states.[36]

That states are in retreat in favor of international governmental organizations does not mean a weakening of diplomacy, but a shift from bilateral to multilateral diplomacy. Diplomacy at IGOs is focusing on negotiations intended for the preparation of the organization's decisions. International governmental organizations have added new platforms and new functions to diplomacy. Multilateral diplomats who work in permanent missions to international organizations have a double function: they represent their states to the organization and participate on behalf of their states in the proceedings of the organs of the organization.[37] Representing the sending country to the organization means maintaining contact with the organization and protecting the country's interests towards the organization. They not only negotiate among themselves, but also often include the staff of the secretariats. Providing the sending country's participation within the organization means filling their country's seats within the various organs of the organization. Thus, they "become, in a sense, a part of the Organization."[38] The decision making within an IGO resembles that within a parliament. Therefore, the work of multilateral diplomats is often called "parliamentary diplomacy."[39]

Multilateral diplomacy has created a new type of diplomat, the international civil servant. This was originally not intended. The secretariats of the early IGOs such as the Universal Postal Union [UPU] were supposed to perform only supportive, administrative functions. Later the tasks of the secretariats of IGOs expanded.[40] The secretariats also fulfill political functions.[41] The staffs of international governmental organizations, the international civil servants, take care of the organization's common interests.[42] They have become more independent and often take part in shaping the organization's policy. Since they carry out international functions they are exclusively international agents.[43]

Regularly, intergovernmental organizations have to rely on member states for the implementation of their policy decisions. For example, when the Security Council of the United Nations imposes sanctions it has to call

on member states to comply with those measures. This means that diplomacy results in the organization's policy but that there is no diplomatic machinery to apply the policy. As a reaction to this unsatisfactory situation IGOs have established, in increasing numbers, external missions at other IGOs, in member and non-member states. UNDP has more than 140 country offices.[44] The UNDP Resident Representative has an important role to play since he normally serves also as the Resident Coordinator of all UN development activities in the host country. Many other IGOs, particularly the specialized agencies and other bodies of the UN system, are represented abroad by resident or special representatives or country directors. Most of the external missions sent by various UN agencies and bodies are dealing with development assistance to the receiving country. Wherever the diplomats of external missions of IGOs work they remain international civil servants.

The process of integration among EU countries and the widening responsibilities of the European Commission resulted in the creation of an external service of the Commission. From modest beginnings this external service has developed into one of the largest foreign services worldwide. At present the European Commission maintains 118 delegations in third countries and five delegations at IGOs.[45]

All of these actors work together thus creating a complicated and interactive network. Only the representatives of an IGO's secretariat serve the organization and not their state of origin. The representatives of states use the platform provided by an international governmental organization to promote their countries' interests. The strength and effectiveness of an IGO depends largely on the will of member states. Only if member states agree to implement the aims of the organization, does the IGO accomplish useful work. Thus, the shadow of member states looms large over an international governmental organization.

PERMEABLE BORDERS

Diplomacy is a cross-border business. How has it been influenced by the forces of globalization that disregard borders? Globalization powered by modern information technology, trade and financial liberalization and worldwide integration of production has created multinational corporations [MNCs] and international financial markets. The multinational corporations have scattered their operations around the globe. They operate where they find the best conditions. In the international financial markets, capital mobility has reached a hitherto unknown speed. The numerous possibilities of communication via IT cross borders with ease. The cross-border transactions elude the control of the state. Thus the borders of the state have become more permeable than before. In other words, globalization renders

territory less important. Territory, however, is the basis of statehood since the Westphalian system created the territorial state. The Treaties of Muenster and Osnabrueck of 1648 confirmed the authority of the princes in "the free exercise of their territorial rights in ecclesiastical as well as in political matters" ("*libero iuris territorialis, tam in ecclesiasticis quam politicis exercitio*").[46] Within its borders the state had ultimate power over everybody. Neither the emperor, nor the pope nor a feudal lord could interfere. Globalization, however, affects territory and thus the basis of statehood. It "has diluted the importance of the veil of statehood."[47]

The greater permeability of state borders also affects diplomacy. Globalization is not a phenomenon of nature that comes into being and develops by itself. It is possible only if states permit or favor liberalization and integration. Globalization is "chosen," as Martin Wolf has put it.[48] Globalization puts constraints on states, but states continue to be asked to regulate their economies. Since many people lost their jobs and feel disadvantaged by globalization there is strong pressure on some governments to fight the negative effects of globalization. Whenever legal rules are needed to foster or control development or to curb excesses, only states and international governmental organizations can create and institute them. Since globalization is an international development, international cooperation is necessary, for example, if harmful tax competition is to be fought, labor standards are to be improved, anti-trust regulations are to be introduced or transparency of hedge funds to be achieved. It will be the task of diplomacy to achieve such goals, particularly by preparing international treaties. Therefore, bilateral and particularly multilateral diplomacy is needed. States and international governmental organizations are in demand since only they have the capability to lay down enforceable legal rules.[49] Thus, diplomacy will continue to contribute to establishing rules of international law. Globalization has added new chapters to diplomacy.

CHALLENGES FOR CONSULS

When someone wants to cross the borders of a foreign country it depends on the individual case how easy or difficult this will be. Countries follow different rules and regulations. The European countries, which are members of the Schengen treaty, have abolished internal border checkpoints and controls. When a person wants to travel, for example, from France to Belgium he or she crosses the border without being stopped or checked. Caribbean countries, which are keen on receiving tourists, have facilitated access to their countries by passengers of cruise ships. They accept the boarding pass as a travel document relying on the preparedness of the ships' crews to collect all passengers before leaving the port.

Access to other countries is for citizens of many countries very difficult. Industrialized countries try to defend their borders against illegal immigration. Information about living and working conditions in the industrialized countries has spread around the world by radio, television, and IT. The situation in industrialized countries is most attractive for many people in developing countries. Civil wars, political persecution, discrimination of minorities, the destruction of the environment and, particularly, poverty cause millions of people from developing countries to try finding a future in an industrialized country. One may list these developments among the effects of globalization. In order to withstand these pressures industrialized countries have tightened their immigration laws. A visa, that is a permit to enter a foreign country and to stay there temporarily or continuously, is only issued if certain requirements are met. It is the task of consular officers to find out whether an applicant fulfills the requirements of admission or whether his stay is undesirable. Generally speaking the stay of a foreigner is undesirable if it violates the interests of the receiving country, for example by becoming a burden on the public budget.[50] In view of the enormous pressures of international migration, many embassies and consulates are burdened with deciding about visa applications. Some figures may demonstrate the strain for missions.[51] In 2005 the German Embassy in Moscow received approximately 269,000 visa applications of which 248,000 were granted. The corresponding figures for the German Embassy in Kiev were 131,000/118,00 for the German Embassy in Beijing 100,000/94,000 and for the German Embassy in Abuja 31,500/18,300. International migration has tremendously increased the consular work of many missions. Since the missions deciding about visa applications defend their countries' borders it goes too far to consider diplomacy as threatened by deterritorialization.[52]

Consulates are frequently challenged by kidnapping cases. The media report the kidnapping, the government of the sending country feels public pressure to free the hostage or hostages and passes the pressure on to the consulate. Since it is the task of the law enforcement authorities of host governments to cope with the crime, the consulate will focus on urging the host government to investigate the case, to find the hostages and to get them released unharmed. If the kidnappers are known and have put up demands for the release, the consulate may seize the opportunity to mediate.[53] In case the kidnapping is of a terrorist or political nature, the consulate has not much of a chance to influence events. Sometimes the kidnappers turn directly to the consulate or embassy to play it off against the host country's government.[54] Liberation diplomacy has unfortunately become a prominent feature of international relations.

COUNTER-TERRORISM DIPLOMACY

Another reason for the state's weakening sovereignty is the waning of the state's function to wage war.[55] Nuclear weapons, it is argued, are so destructive, particularly when combined with modern missiles that, since Hiroshima and Nagasaki, the nuclear states have relied on them only as a deterrent. In order to ensure that nobody uses these weapons, policies of disarmament have been introduced. The development has been accompanied by drastic reductions in the size of regular troops and their weaponry. Many states feel that the threats to their security no longer justify greater efforts. The conclusion, however, that this development has negatively affected the state's authority goes too far. What has happened is a shift of emphasis from waging war to securing peace. States continue to be ready to defend themselves. In view of the tremendous organizational, logistical, and budgetary problems there is no substitute for the state in matters of security. The fight against terrorism has added a new dimension to these endeavors. There are now military conflicts of an asymmetrical character with non-state actors. The fighting in Afghanistan since the fall of 2001 and in Iraq since 2003 are cases in point. The fight against terrorism has strengthened state authority since people turn to their governments demanding protection. Thus the core function of the state to protect its people from harm is very much alive.[56]

Since terrorism is a worldwide threat international cooperation is necessary to fight it. Though counter-terrorism is first of all the task of intelligence agencies, it has also brought along additional tasks for diplomacy. Foreign ministries have established counter-terrorism units.[57] They cooperate with international partners. The State Department's counter-terrorism office, for example, tries to enhance the capacities of partner countries to resist the terrorist threat. Therefore, it developed anti-terrorism assistance, counter-terrorism finance and terrorist interdiction programs with other countries.[58] Bilateral diplomats abroad are trying to secure the cooperation of other states in fighting terrorism and request the extradition of terrorists. Sometimes, a diplomatic mission may get more closely involved in the fight against terrorism. Since the summer of 1998 the US Embassy in Islamabad urged the Taliban to take Bin Laden into custody or to expel him.[59] Multilateral diplomats prepare joint initiatives and treaties against terrorist activities. The Global Initiative to Combat Nuclear Terrorism was launched by President George Bush and President Vladimir Putin and endorsed by many other countries.[60] In October 2006 thirteen countries reached agreement on the principles for the Initiative and its implementation. Diplomats at the United Nations have been working many years on resolutions and treaties of counter-terrorism. In September 2006 the UN General Assembly adopted the Global Counter-Terrorism

Strategy.[61] It seems that terrorism will be for quite some time on the international agenda and keep diplomats busy.

SUB-NATIONAL DIPLOMACY

Sub-national units such as states of a federation, provinces and cities take part in international relations. Their interactions with the outside world are called paradiplomacy or constituent diplomacy. In the context of this paper it is interesting to find out whether the sub-national units get involved in diplomacy understood as the implementation of foreign policy. Examining some examples it becomes obvious that not all interactions of sub-national units with the outside world deserve to be called diplomacy.

The efforts of US state and local governments to use economic sanctions in order to influence foreign actors have been much discussed.[62] Here are some examples: In the mid-1970s some state governments established penalties for companies that complied with the discriminatory requirements of the Arab boycott of Israel. When Congress in 1977 passed a similar law the states had succeeded in influencing the Mideast policy of the administration in Washington. Protesting against the apartheid regime in the 1970s more than 150 states, counties and municipalities imposed sanctions against firms doing business in South Africa. When talks about claims by Jewish victims against Swiss banks stalemated at the end of the 1990s, state and local finance officers stepped in. After they threatened to implement sanctions against Swiss banks and other Swiss enterprises a settlement was reached. The administration in Washington had considered the sanctions an infringement on its exclusive responsibility for foreign policy. In 1996 the Commonwealth of Massachusetts barred its state agencies from buying goods or services from any person doing business with Myanmar. Their aim was to achieve a change of Myanmar's domestic policies. Three months later Congress passed also a federal law imposing sanctions on the government of Myanmar. This law, however, granted the president great flexibility. Court procedures ended with a decision by the Supreme Court.[63] The Court held that the Massachusetts law undermined the president's control of the sanctions, that the sanctions were global and hindered the president from developing a strategy towards Myanmar. The Court, therefore, declared the Massachusetts law unconstitutional because it conflicted with the federal law. In all of the cases mentioned above state and local governments pursued foreign policy goals by internal decisions. There were occasional meetings with foreign government officials, but basically the state and local governments did not get involved in diplomacy.

The activities of the German states [*Laender*] are different.[64] They have a constitutional right to be involved in the federal legislation through the second chamber [*Bundesrat*]. Many subjects for which the states have a responsibility are now decided in Brussels by the competent EU bodies and have later to be passed through the German legislative process. The German states have set up representative offices to the EU in Brussels.[65] Through these offices they try to be informed about developments in time and to influence discussions in Brussels. The German states are also committed to other transborder activities. They are active in regional cooperation, cultural exchanges and immigration policy. They even grant development aid, however in general agreement with the federal government. Many of these activities see the states' representatives working abroad. Thus the German states influence foreign policy and get involved in diplomacy. They contribute to sub-national diplomacy.

States of a federation promote their businesses and industries abroad. American and German states send delegations on marketing missions that regularly comprise representatives of state government and business. For example in March 1999 the governor and businessmen from Maine undertook a trade mission to neighboring Nova Scotia.[66] The promotion of economic cooperation is a matter of concern of all central governments and has become one of the prime responsibilities of diplomatic missions. This is particularly true for countries that depend considerably on their exports. Internal regulations in these countries insist that diplomatic missions, and also the heads of mission themselves, make trade promotion a priority. Additional efforts by states and local governments are accepted since they are aimed at promoting the welfare of the citizens under their jurisdiction. In the German system, diplomatic and consular missions assist delegations from states and local governments in preparing and carrying out the visit. The promotion of business and industries abroad by state and local governments assists in shaping economic foreign policy and also qualifies as sub-national diplomacy.

The states of India do not give development aid but receive development aid. They negotiate the conditions for aid, for example, with the World Bank. Their influence is modest since the central government often intervenes and is always made the official borrower.[67] Therefore, the states of India have only a limited influence on India's economic foreign policy and play an equally limited role in sub-national diplomacy.

Cities have established contacts and relationships with cities of foreign countries. Twin towns or sister cities are supposed to promote personal and cultural contacts. Town twinning became rather popular in Europe after the Second World War because it enhanced mutual understanding. It is now supported by the European Union.[68] In the United States Sister Cities International tries to strengthen partnerships of US communities

with foreign communities. The organization calls itself "a nonprofit citizen diplomacy network."[69] Town twinning, however, brings citizens together and is a feature of the civil society. It is neither shaping nor implementing foreign policy goals. Other cities pursue more demanding goals. The cities brought together by the Global Forum are devoted to peace building and development. The Forum argues that city diplomacy has to fill in since "traditional diplomacy based on relations between nation states has failed to be effective."[70] Cooperation between cities can certainly contribute to international understanding, to the solution of problems and particularly to the implementation of projects of development assistance. It remains, however, doubtful whether "glocalization" contributes to shaping and implementing foreign policy.

DISINTERMEDIATION?

There are, no doubt, many non-state actors on the world stage, such as citizens, multinational corporations, the media and a huge variety of international non-governmental organizations [NGOs]. Among them the international NGOs are particularly interesting since they have seized tasks that used to be performed by states. They fight hunger, poverty, drought, and the pollution of the environment. They promote education and health care. They try to advance peace. Citizens from different countries are quickly informed by the media and can easily communicate via the Internet. Since these efforts of the civil society are powered by a multitude of donors and the huge foundations, the movements have become effective. The efforts are basically private in nature. The most important cooperation between diplomats and representatives of international NGOs happens on the multilateral level. Various attempts have been made to describe the relationship between state and non-state actors in the field of diplomacy. The relationship has been considered so close that it was called symbiotic or catalytic.[71] The development has also been called disintermediation, meaning the removal of state actors as mediators.[72] The question is, however, whether these interpretations reflect diplomatic practice.

NGOs have their own agendas. They pursue their own policies and follow their own rules. They rely heavily on informal and interpersonal ties. They work as pressure groups. They do not necessarily cooperate with governments. There also exists an antagonism between some NGOs and governments as has repeatedly been demonstrated by the—partly violent—protests against G8 meetings. When international organizations cooperate with a government or an IGO they may assist in making foreign policy and, more often, in implementing one. For example, 13 NGOs, among them the Red Cross, the International Crisis Group and the American Bar Association, assisted governments and IGOs to implement the Dayton

Peace Accords of 1995 on Bosnia.[73] The degree of their involvement varies. In some cases the relationship may be close. Mostly, NGOs will support negotiations. They, however, have one disadvantage. They cannot fill in for a government when the jurisdiction of the state is indispensable to achieve final results. Even if NGOs have promoted an international agreement it has ultimately to be concluded by states. A case in point is the struggle to prohibit the production and use of anti-personnel mines. An NGO movement, the International Campaign to Ban Landmines, is credited with having crucially contributed to the success of these efforts.[74] To realize the ban, however, a treaty, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction of 18 September 1997 had to be concluded among states.[75] This result illustrates that states and their official agents who are in charge of foreign policy and diplomacy have the final say.

Representatives of NGOs can be helpful in diplomacy, but that does not make them diplomats. The rules and practices for official agents have no implications for the transnational forces. Since the activities of the international non-governmental organizations are important, various intergovernmental organizations have developed rules for the cooperation with them. In the United Nations system the Economic and Social Council [ECOSOC] is responsible for cooperation with NGOs (Article 71 of the UN Charter).[76] The ECOSOC has granted different forms of a consultative status to more than 3,000 NGOs.[77] This status includes the right to designate persons to represent an NGO at the United Nations. The UN Secretariat's Department for Economic and Social Affairs [DESA] supports these activities of the ECOSOC. More than 1,600 non-profit NGOs are associated with the UN Secretariat's Department of Public Information.[78] Some NGOs have succeeded in establishing relations with the UN General Assembly. Many UN Specialized Agencies and organs also maintain relations with NGOs. The Organization for Economic Co-operation and Development [OECD] has consultative committees in which trade unions and commerce and industry are represented. Common guidelines have also been drafted for humanitarian activities.[79] More rules, coordination mechanisms, operating procedures, ethics or rules of behavior and provisions on rights and duties, may be introduced in the future. New rules should be drafted in a way that no additional fragmentation is added to the present international disorder. Whether such efforts can be successful is, however, uncertain. From a Western perspective, the role of the state should be stressed because states have democratically elected governments and are committed to the common good.[80]

Other important non-state actors are multinational corporations. In spite of their often huge size and influence MNCs are ready to accept government support when dealing in third countries. The photos of statesmen from

two different countries looking over the shoulders of two chief executive officers of MNCs signing an agreement are well known. MNCs also turn to embassies for assistance. In order to assess their risks for an investment they are interested to learn the embassy's opinion on the political stability of the host country.[81] At least they used to ask this question as long as there was no commercial political risk insurance. For example, embassies support tenders for major business deals by negotiating with the host government. This happens in cases where the host government has an influence on the deal because the customer is the state or a state-run organization or when the host government is involved in the financing of the project. An MNC has to choose which country's embassy it asks for support. For example it can ask the embassy of the country where it has its headquarters or it can ask the embassies of those countries where it operates. Interventions on behalf of Airbus Industries, for example, used to be made jointly by British, French, German, and Spanish diplomats since Airbus produces in these four countries. When intervening on behalf of a corporation the embassy has to be aware of the limits of its role. It renders a service to a private company that could otherwise be provided by private agencies. Therefore, the embassy has to insist that the agreement on details of the transaction is the business of the contracting partners. The embassy can only express its government's general interest that the company from its own country is awarded the deal. The embassy will avoid any impression that the sending government itself guarantees the economic and financial standing of the applicant. An embassy promotes trade, but does not sell goods. Thus, businessmen and diplomatic missions play and stress separate roles. This working relationship does not deserve to be called a symbiotic one.

Television is powerful since it can broadcast real-time pictures together with comments of important political events.[82] Embassies have difficulties competing with the speed of reporting by TV. However, diplomats can report their assessment via telephone and e-mail. Serious problems may be caused for policy makers because the public is disturbed by the TV reports and expects a quick reaction from its government. Races between television and embassies are rare. They are limited to cases of great tragedies or crises. Events such as the crackdown of the Chinese government on students on Tiananmen Square in the summer of 1989 or the coup in Moscow in August 1991 do not happen often. Television is also used on a permanent basis in the opposite direction. Governments try to influence political events via TV. Televised press conferences, statements and speeches by political leaders have become routine. Sometimes, these remarks contain messages meant for one or several foreign governments. In such a case the embassy does not deliver the message but will have to do the follow-up.

CONCLUSION

Present trends of international relations have affected the functioning of the institution of diplomacy in different ways. Diplomacy has received an additional tool in the form of the Internet. In various cases of interdependence and dependence of states interference in the affairs of the host country is accepted. Rapidly increasing multilateral cooperation has created parliamentary diplomacy and a new type of diplomat, the international civil servant, who serves at headquarters or at external missions. Besides official agents many other actors are concerned with foreign relations. Some of the activities of sub-national units qualify as diplomacy. The activities of non-state actors are important, but are of a private nature. The pressures of immigration are felt at the doors of the consulates of industrialized countries and have tremendously increased their workload. Kidnapping cases put additional pressure on consulates. Though the forces of globalization have made borders permeable, the state and its diplomats are in demand if excesses are to be curbed. The fight against terrorism also brought along additional work for diplomacy. Taken together, the range and importance of diplomacy did not shrink but rather expanded. Diplomacy has undergone changes and made adaptations. The institution of diplomacy, however, has proved remarkably resistant. Metternich's observation that diplomacy is "the day to day application of foreign policy" is still true.[83] Diplomacy is here to stay.[84]

Diplomacy in its present configuration contributes to shaping the international community. It does so by a large network of communication that is used by the players to protect the interests of their states or international governmental organizations. Nevertheless, the question remains whether a common idea drives diplomacy.[85] Bernard du Rosier, writing in 1436, stressed that the ambassador's office was as useful for the state as for the whole world ("*ambaxiatorum officium quantum rei publice et toti orbi sit utile*").[86] His business was peace.[87] This task was based on the conviction that the ambassador had the public office to represent Christendom.[88]

Today diplomats represent just states. Governments decide whether a diplomat tries to persuade a foreign government to enter a military alliance or to fight climate change. If the dualism between foreign policy and diplomacy is applied consistently, it is obvious that the decision about war and peace is a foreign policy decision. Consequently, it precedes diplomacy. Diplomacy is only implementing the decision. The same is true for other values, such as human rights and democracy. Some states decide to promote these ideas in foreign states. Again, these are foreign policy decisions.

In the minds of many diplomats the idea that their work transcends the representation of their states has survived.[89] They feel, in the words of du Rosier, that "the office of an ambassador is always for good, never for

discord or evil."[90] They have seldom to do with issues that are directly related to war and peace. Their daily work is focussed on improving relations, balancing interests, on informing and explaining, on resolving misunderstandings and on countering chaos in international relations. In their hearts many diplomats are internationalists. The promotion of more cooperative relations within a basically chaotic system is for many present day diplomats as ideal as the maintenance of peace was for fifteenth century diplomats. How close they can get to their ideal depends on the policy of the government the diplomats work for. Ambassadors are no longer plenipotentiary.[91] Diplomats receive their mandate neither from heaven nor from visions, but from their governments.

NOTES

1. For a discussion of the various definitions of diplomacy see Elmer Plischke, "Diplomacy—Search for its Meaning," In Elmer Plischke, ed., *Modern Diplomacy* (Washington, 1979), pp. 27–36. See also Hedley Bull, *The Anarchical Society; A Study of Order in World Politics* (New York, 1977), pp. 162–163; Lord Gore-Booth, ed., *Satow's Guide to Diplomatic Practice*, fifth edition (London, New York, 1995), p. 3; Alan James, "Diplomacy and International Society," International Relations, Vol. 6, No. 6 (1990), p. 936–937; Monteagle Stearns, *Talking to Strangers* (Princeton, NJ, 1996), p. 11; R.P. Barston, *Modern Diplomacy*, second edition (London, New York, 1997), pp. 1–8.
2. Keith Hamilton and Richard Langhorne, *The Practice of Diplomacy, its Evolution, Theory and Administration* (London, New York, 1995) focus on the historical development of diplomatic practice. For an analysis of modern developments see Brian Hocking, "Diplomacy: New Agendas and Changing Strategies," 2002, at www.usip.org/virtualdiplomacy/publications/reportsd/14b.html. (accessed May 7, 2008).
3. Similarly Adam Watson, *Diplomacy. The Dialogue between States* (London 1991, reprint), p. 11.
4. For the United States: "The National Security Strategy," March 2006, at www.whitehouse.gov/nsc/nss/2006/ (accessed 25 July 2007), and Department of State and USAID "Strategic Plan for Fiscal Years 2007 to 2012," at www.state.gov/s/d/rm/rls/dosstrat/2007/ (accessed 25 July 2007); for the United Kingdom: "International Priorities," at www.fco.gov.uk/servlet/front?pagename=Open Market/Xcelerate/ShowPage&c=Page&cid=1007029393465 (accessed on July 25, 2007).
5. To consider diplomacy as an institution is a point of departure for the English School, see for example Watson, *Dialogue*, pp. 14–21; for an overview, see Iver B. Neumann, "The English School on Diplomacy," *Discussion Papers in Diplomacy*, No.79, Netherlands Institute of International Relations (The Hague, 2002), p. 5–6.
6. Communication is often mentioned as key element of diplomacy. See, for example, James, "International Society," pp. 942–948; G. R. Berridge, *Diplomacy, Theory and Practice* (New York, 2002), p. 1–3. For newer and more detailed attempts see

Lora Anne Viola, "Talking States: A Theory of Diplomacy," at http://cas.uchicago.edu/workshops/cpolit/papers/viola.doc (accessed July 20, 2007); Christer Joensson and Martin Hall, *Essence of Diplomacy* (Houndmills, UK, 2005), pp. 67–97. Watson, *Dialogue*, pp. 120–131 prefers the term dialogue.

7. Article 3, para. 1, lit. a of the *Vienna Convention on Diplomatic Relations of 1961* [CDR], Article 9, para. a of the *Convention on Special Missions of 1969* [CSM], Article 6 of the *Convention on Relations between States and International Organizations of a Universal Character*, 1975, not yet into force [CRSIO].
8. Raymund Cohen, "Reflections on the New Global Diplomacy: Statecraft 2500 BC to 2000 AD," in Jan Melissen, ed., *Innovation in Diplomatic Practice* (New York, 1999), p. 3 recounts the story of a messenger who around 2500 BC had to bring a letter inscribed on a tablet from the kingdom of Ebla on the Mediterranean to the kingdom of Hamazi in present day Iran.
9. Jovan Kurbalija, "Diplomacy in the Age of Information Technology," Ibid., p. 183.
10. CDR; CSM; CRSIO; *Vienna Convention on Consular Relations of 1963* [CCR]; *Convention on the Privileges and Immunities of the United Nations of 1946* [CPIUN]; *Convention on Privileges and Immunities of Specialized Agencies of 1947* [CPISA]; and numerous Headquarters Agreements between IGOs and host states.
11. *The Spectator*, 11 December 1999.
12. Ludwik Dembinski, *The Modern Law of Diplomacy. External Missions of States and International Organizations* (Dordrecht, Netherlands, 1988), p. 119–120.
13. See for example the Tabatabai Case: Dr. Tabatabai, a former Iranian Deputy Prime Minister, was arrested when he entered Germany on 8 January 1981 because opium was found in his luggage. Since he was on an official mission, he enjoyed immunity from German jurisdiction and had to be released. See *80 International Law Reports*, pp. 388–424; Malcolm N. Shaw, *International Law*, fourth edition (Cambridge, UK, 1997), pp. 538–539.
14. Benno H. Signitzer and Timothy Coombs, "Public Relations and Public Diplomacy: Conceptual Convergence," *Public Relations Review*, Vol. 18 (Summer 1992), pp. 140–142.
15. See the various definitions of the Edward R. Murrow Center of Public Diplomacy at the Fletcher School of Tufts University, at http://fletcher.tufts.edu/murrow/pd/definitions.html; Jan Melissen, "The New Public Diplomacy: Between Theory and Practice," in Jan Melissen, ed., *The New Public Diplomacy. Soft Power in International Relations* (Houndmills, UK, 2005), pp. 11–16
16. Foreign and Commonwealth Office, "Foreign Policy Review of December 13, 2005," at www.fco.gov.uk/Files/kfile/Definitions%20of20Public%20Diplomacy.pdf (accessed 14 September 2007).
17. Alan K. Henrikson, "What Can Public Policy Achieve?" *Discussion Papers in Diplomacy*, No. 104, Netherlands Institute of International Relations (The Hague, 2006), p. 9–10.
18. Robert O. Keohane and Joseph S. Nye, Jr., "Power and Interdependence in the Information Age," *Foreign Affairs*, Vol. 77, No. 5 (1998), p. 82.
19. Walter B. Wriston, "Bits, Bytes, and Diplomacy," *Foreign Affairs*, Vol. 76, No. 5 (1997), p. 175.

20. Michael Kunczik, *Images of Nations and International Public Relations* (Mahwah, NJ, 1996), pp. 107, 148–151, which uses the examples of Austria and the Soviet Union.
21. Ibid., p. 102–104.
22. David Hoffman, "Beyond Public Diplomacy," *Foreign Affairs*, Vol. 81, No. 2 (2002), p. 83–85; Michael Holtzman, "Washington's Sour Sales Pitch," *New York Times*, 4 October 2003; Peter van Ham, "Power, Public Diplomacy, and the Pax Americana," in Melissen, *Public Diplomacy*, p. 60.
23. Pew Global Attitudes Project, June 27, 2007, at pewglobal.org/reports/display.php?freportID=256 (accessed 23 November 2007).
24. See for the following: Embassy of the United States in Japan, at http://tokyo.usembassy.gov/e/p/tp-20070615-72.html (accessed 28 June 2007).
25. Recommendations by the Government of Japan to the Government of the United States regarding Regulatory Reform and Competition Policy, at www.mofa.go.jp/region/n-america/us/report0612.pdf (accessed 28 June 2007).
26. The same prohibition is found in Articles 55 of the CCR, 47 of the CSM, 77 of the CRSIO.
27. Similar regulations are found in Articles 23 of the CCR, 12 CSM, IV CPIUN, and in Headquarters Agreements.
28. All details are taken from the web site of the Norwegian Embassy in Dar es Salaam, at www.norway.go.tz/ (accessed 28 June 2007).
29. "Greetings from the Ambassador," on the web site mentioned in footnote 26, above.
30. Strobe Talbot, "Globalization and Diplomacy: A Practitioner's Perspective," *Foreign Policy*, Vol. 108 (1997), p. 68.
31. Lisette Andreae and Karl Kaiser, "Die 'Aussenpolitik' der Fachministerien," in Wolf-Dieter Eberwein und Karl Kaiser, eds., *Deutschlands Neue Aussenpolitik*, Band 4: *Institutionen und Ressourcen* (Muenchen, 1998), p. 30–31.
32. Talbot, "Globalization," p. 80.
33. Ulrich Grau and Goetz Schmidt-Bremme, *Gesetz ueber den Auswaertigen Dienst. Kommentar* (Baden-Baden, 1996), p. 104–106.
34. *Foreign Service Act of 1980* Sec. 207, 2 Foreign Affairs Manual 113.1.
35. According to Lawrence Wright, *The Looming Tower, Al –Qaeda and the Road to 9/11* (New York, 2006), p. 327–328. Barbara Bodine, the United States Ambassador to Jordan, got her way in a conflict with John O'Neill, FBI special agent, who had come to Yemen in 2000 to investigate the USS Cole incident.
36. I. Seidl-Hohenveldern and G. Loibl, *Das Recht der Internationalen Organizationen einschliesslich dwer Supranationalen Gemeinschaften*, seventh edition (Koeln, 2000), p. 8–9.
37. See Article 6 of the CRSIO (http://untreaty.un.org/ilc/texts/instruments/english/conventions/5_1_1975.pdf). The Convention has not entered into force, but indicates general practices of states.
38. E. R. Appathurai, "Permanent Missions in New York," in G. R. Berridge and A. Jennings, eds., *Diplomacy at the UN* (Houndmills, UK, 1985), p. 99.
39. Ibid., p. 98–100; Dembinski, *Law of Diplomacy*, p. 253–262 with references; for the style of work at the UN see Gore Booth, *Satow*, p. 312–314.
40. Seidl-Hohenveldern aand Loibl, *Das Recht*, p. 123–126.

41. Alan James, "The Secretary-General: A Comparative Analysis," in Berridge and Jennings, *Diplomacy at the UN*, p. 31–38.
42. The focus here is on understanding the work of international civil servants. For discussion of the various theoretical concepts, see Volker Rittberger, "Theory of International Organizations," in Ruediger Wolfrum and Christiane Philipps, eds., *United Nations: Law, Policies and Practice* (Leiden, Netherlands, 1995), p. 760–770.
43. Robert S. Jordan, "Law of the International Civil Service," in Christopher C. Joyner, ed., *The United Nations and International Law* (Cambridge, UK, 1999), p. 389.
44. UNDP-Countries: UNDP Country Offices and other Programmes, at www.undp.org/countries (accessed 22 June 2007).
45. European Commission Delegations, at ec.europa.eu/external_relations/delegations/intro/role.htm (accessed 1 December 2007).
46. Article VIII of the *Peace Treaty of Osnabrueck*, identical to Article LXIV of the *Peace Treaty of Muenster*, text in Helmuth K.G. Roennefarth, *Konferenzen und Vertraege, 1492– 1914*, second edition (Wuerzburg, 1958), p. 79.
47. Louis Henkin, "The Future of International Law," in Charlotte Ku and Paul F. Diehl, eds., *International Law: Classics and Contemporary Readings* (Boulder, CO, 1998) p. 551; for considerations on the decline of the state, see Martin van Creveld, *The Rise and Fall of the State* (Cambridge, UK, 1999), p. 336–414; Jessica T. Mathews, "Power Shift," *Foreign Affairs*, Vol. 76, No. 1 (1997), p. 50–66.
48. Martin Wolf, "Will the Nation-State Survive Globalization?", *Foreign Affairs*, Vol. 80, No. 1 (2001), p. 182.
49. See also Keohane and Nye, "Power," p. 81.
50. The general idea is expressed in Article 3, para. 2 of the German Consular Law.
51. "Bericht an den Deutschen Bundestag: Massnahmen zur weiteren Verbesserung des Visavergabeverfahrens," 29 September 2006, p. 16–17, at www.auswaertiges- amt.de/diplo/de/Aamt/Abteilungen/BerichtVisavergabeverfahren.pdf (accessed on 19 November 2006).
52. The term is used by Brian Hocking, "Diplomacy."
53. See the case of Indonesians kidnapped in the Philippines in Summer 2002, BBC Worldwide Monitoring, 2 July 2002.
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