UNITED STATES INSTITUTE OF PEACE www.usip.org

SPECIAL REPORT

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U.S. Negotiating Behavior

About the Report

To explore the character of U.S. negotiating behavior, the United States Institute of Peace brought together 30 seasoned U.S. and foreign diplomats, policymakers, and scholars. For two days, the participants sought to identify and explain key elements in the U.S. approach to, and conduct of, diplomatic encounters.

The two-day discussion was part of the Institute's ongoing Cross-Cultural Negotiation Project, which is designed to help negotiators better understand the behavior of their counterparts and thereby reach mutually satisfactory political solutions to issues that might otherwise escalate into violent confrontation. Among other aims, the project seeks to delineate the national negotiating styles of leading players on the international stage. To date, the Institute has published studies on China, Russia, and North Korea; studies on Germany and Japan will appear in late 2002.

This report, which is a first step toward a full-length study of American negotiating behavior, synthesizes the off-the-record discussions held at a site outside of Washington, D.C. It reflects the consensus expressed at the workshop but should not be considered representative of the opinions of individual participants. The workshop was organized and summarized by Patrick Cronin. This report was written by Nigel Quinney, based on a paper prepared by Emily Metzgar.

Special Report 94 October 2002

Contents

Briefly . . .

- U.S. negotiators have a distinctive style: forceful, explicit, legalistic, urgent, and results-oriented. Although these traits inevitably vary according to personalities and circumstances, a recognizably pragmatic American style is always evident, shaped by powerful and enduring structural and cultural factors.
- Chief among the structural influences is the United States' position as a preeminent international power. The enormous breadth of U.S. global interests and the depth of U.S. power, coupled with the increasing linkages between security, economic, environmental, and other concerns, mean that the United States plays a leading—indeed, often overwhelming—role in numerous negotiating forums.
- While American diplomats tend to see themselves as tough but fair bargainers, most foreign practitioners regard the United States as a hegemonic power that is less concerned to negotiate than it is to persuade, sermonize, or browbeat negotiating counterparts into acceding to American positions.
- U.S. negotiators must work within certain constitutional constraints. Although the president has the power to negotiate, he must do so with a watchful eye on Congress, which is traditionally wary of foreign "entanglements." He must also be mindful of the electoral calendar, which by limiting the tenure of both elected officials and political appointees often inhibits the development of a long-term approach to negotiations.
- Culture significantly influences how U.S. negotiators use language and time. They tend to be blunt and legalistic while employing a conceptual vocabulary drawn from such diverse fields as labor relations, Christian theology, and sport. They are uncomfortable with silence and ignore body language. They enter a negotiation with their own timeframe and usually press for an early agreement, especially if the issue at stake has political significance at home.
- The United States applies pressure by simultaneously exerting its substantial and multifaceted resources. At the negotiating table, U.S. diplomats are adept at creating "linkage" between issues and at marshalling facts and arguments as they seek to convince their counterparts of the benefits of reaching an agreement on U.S. terms, and the costs of failing to do so.
- Keen to achieve results, U.S. negotiators will use all available channels of communication—including back channels and unofficial, "track-two," contacts—to foster progress. Even so, the focus remains on preserving the prerogatives of the official, "track-one," channel.

- The American media can play an important role in setting the agenda for negotiations but they rarely exercise much impact on the negotiations themselves and are seldom used by U.S. negotiators to help shape outcomes.

Introduction

Neither the shifting policy priorities of succeeding U.S. administrations nor the differences in personalities among U.S. negotiators can obscure the existence of an enduring and distinctive U.S. negotiating style. That style is complex and multifaceted, with different aspects highlighted on different occasions, but it is nonetheless identifiable and definable. Shaped by powerful structural and cultural factors, U.S. negotiating behavior is fundamentally forceful and pragmatic. Individual negotiators may be genial, or moralistic, or pushy, but ultimately all share a businesslike concern to achieve results in the shortest time.

This was the consensus of a thirty-strong group of senior diplomats, policymakers, and scholars convened in July 2000 by the United States Institute of Peace to explore the character of U.S. negotiating behavior. As part of its Cross-Cultural Negotiation Project, the Institute has examined the negotiating styles of China, Russia, North Korea, Japan, Germany, and France. The two-day workshop in mid-2000 was an opportunity to turn the spotlight on the United States, illuminating both strengths and weaknesses in the U.S. approach while prompting insightful analyses from the illustrious cast of participants. As with all endeavors of the Cross-Cultural Negotiation Project, the overall aim of the workshop was to help U.S. and foreign negotiators make their encounters more fruitful. Given the global breadth of U.S. interests and the depth of U.S. power—economic, military, and diplomatic—a better understanding of U.S. negotiating behavior is of value to an enormous number and variety of players within the international community as well as within the United States itself.

Four factors help explain negotiating behavior on any given occasion:

- structural factors, such as a country's geopolitical situation and its political system;
- the national culture of the negotiators, which shapes conceptions of conflict and negotiation, patterns of communication, attitudes toward time, the use of language, and the role of the media;
- the specific issues being negotiated; and
- the personalities of negotiators.

Given that the latter two factors inevitably vary from negotiation to negotiation, and that the workshop was tasked with identifying recurring and enduring characteristics of U.S. negotiating behavior, participants focused their attention on the structural and cultural contexts within which negotiators must operate.

As the participants teased out common patterns in the style of U.S. negotiators, they were conscious of the dangers of making vague and sweeping generalizations and thus illustrated their arguments with specific examples. They also pointed out occasions on which U.S. negotiators have acted out of character, defying expectations and defeating stereotypes. Here, because space does not permit detailed discussion of examples and counterexamples, attention is focused on common elements and recurring patterns in the conduct of U.S. diplomacy, not on variations and deviations. We rely on the reader to recognize that there are always exceptions to the rules presented in this report.

Two other caveats should be made at the outset. First, this report presents a composite picture of two days of discussions among thirty diplomats from fifteen different countries. As such, it does not reflect the full variety of views expressed, nor does it detail specific differences of opinion. Fortunately, the participants found a considerable area of common ground. They often disagreed on exactly how influential or prominent a particular characteristic might be; they rarely disagreed on its basic nature. Foreign participants tended to emphasize what they saw as a U.S. readiness to flex its muscle during negotiations, while many American participants focused on the deal-making and results-oriented qualities of the U.S. approach—but all participants agreed that both characteristics were present within the U.S. makeup. It should be noted that while this report summarizes, organizes, and sometimes paraphrases the participants' comments, all the opinions expressed herein were voiced at the workshop and, with few exceptions, were widely shared.

The second caveat is that the discussions were held four months before George W. Bush became president and more than a year before the terrorist attacks on the World Trade Center and the Pentagon. In other words, much has changed in the focus and tenor of U.S. foreign policy since the meeting on which this report is based. Those changes, however, have not fundamentally altered the nature of American negotiating behavior, which is shaped above all by cultural and structural factors that change only gradually.

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The Impact of Structural Factors

Numerous structural factors help to mold a nation's negotiating style, including geography and geopolitics, governmental structures, economic indicators, demographic makeup, and legal and educational systems. In the case of the United States, the two most powerful structural influences are its status as the world's only superpower and its political system.

A "Global Hegemon"?

During the Cold War, U.S. foreign policy was driven by the desire to contain and counter the power of the Soviet Union. In pursuit of this overarching goal, the United States was prepared to heed and accommodate some of the interests of its allies, friends, and proxies rather than risk alienating them and thus strengthening the hand of the Eastern bloc. In short, negotiating with the United States in that era meant there was often room for compromise.

Since the disappearance of the Soviet Union, that situation has changed. The United States now has no peers of comparable military strength and—at least before the declaration of the "war on terrorism"—no overriding objective requiring coalition building to match Cold War containment. Whether through historical accident or deliberate design, this combination of unrivaled power and freedom of action has given the United States the opportunity to assume the position of a global hegemon.

Americans at the workshop were generally hesitant to accept the label of "hegemon," but almost all foreign participants had no such reservations, nor many doubts about the impact of this newly acquired status on American negotiating behavior. U.S. negotiators are—said participants—domineering, insistent, and uncompromising. They are less concerned to negotiate, in the sense of exchanging views and trading concessions, than to dictate terms or to persuade their counterparts of the rightness or potency of the American position. Unilateralism has become both a policy and an attitude. Even cordial and conspicuously polite U.S. representatives tend to adopt a take-it-or-leave-it position.

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Furthermore, this hegemonic status has aggravated a long-standing U.S. trait: namely, the inclination to moralize, to treat negotiation as an opportunity to reveal unimpeachable truth rather than to understand and respect the other side's worldview.

By no means all U.S. negotiators behave in this high-handed fashion, said the foreign participants. Nor, they added, does this domineering approach plague all encounters with the United States. Especially when Americans undertake third-party mediation, rather than bilateral negotiation, they frequently win the respect of the parties by demonstrating remarkable evenhandedness, patience, and a readiness to listen. In many bilateral encounters, however, U.S. negotiators display precious little grace and humility as they seek to impose their opinions and terms.

The widespread sense of being overwhelmed by the United States is accentuated by an increasing erosion of the distinction between "high" politics (for example, security issues) and "low" politics (for example, environmental and trade issues). In the post–Cold War world, the boundaries between high and low politics are sometimes indistinguishable and linkages among issues are legion. This blurring of issues feeds the perception that the United States, with its numerous interests in so many different parts of the world, is involved in everything.

When the United States develops an interest in an issue, that issue automatically becomes internationalized.

A corollary of this is that when the United States develops an interest in an issue, that issue automatically becomes internationalized. The United States, argued participants, is often insensitive to the fact that while an issue may occupy a lowly place on the U.S. agenda, it can be a major national or regional concern to those on the other side of the table. Through inattention or indifference, the U.S. side tends to ignore the ripples it can cause by pursuing issues with significant repercussions for others.

The Constraints of the U.S. Political System

From the president on down, U.S. negotiators must take into account certain provisions of the U.S. Constitution. Although the president is constitutionally empowered to conduct negotiations with foreign powers, Congress must ratify any treaties he signs. Hence the president and his administration must keep a watchful eye for possible congressional opposition to U.S. negotiating positions. Congress has a long history of opposing foreign "entanglements," especially those of a multilateral character. This anti-internationalist bent, which both reflects and encourages American insularity, helps explain why the United States is sometimes unwilling to sign on to international agreements (for example, on landmines, on global warming, and on the establishment of a permanent war crimes tribunal) and reluctant to subscribe to the sovereignty-limiting aspects of multilateral institutions. Whereas representatives of many other nations are prepared to trade concessions, to make sacrifices for the sake of building long-term goodwill, and to settle for less-than-perfect agreements, U.S. negotiators are less accommodating and more inclined to behave in multilateral settings as they do in bilateral contexts. Thus, for instance, they are reluctant to take a back seat in discussions and are impatient with or dismissive of bodies such as the UN General Assembly that follow time-consuming parliamentary procedures and engage in political posturing and horse-trading. Similar considerations help explain why the United States prefers to form ad hoc coalitions to achieve specific goals rather than rely on established organizations.

While Congress can impede a U.S. negotiator's flexibility, it can also give a negotiator leverage.

Yet while Congress can impede a U.S. negotiator's flexibility, it can also give a negotiator leverage. American negotiators often use the threat of congressional disapproval of an agreement as a club with which to bludgeon their counterparts into accepting a U.S. proposal that—so the negotiators claim—will pass muster on Capitol Hill.

Another aspect of the U.S. political system that both constrains and empowers U.S. negotiators is the electoral calendar. The two- and four-year cycles for congressional and presidential elections greatly inhibit the adoption of a long-term approach toward negotiating on a subject that is politically contentious at home. Acutely conscious that they have only four, or at most eight, years in which to make their mark on the international scene, and that the outcome of congressional elections can swiftly undermine congressional support for an administration's policy, presidents must move swiftly. As presidents near the end of their terms, their concern to leave an enduring legacy in foreign policy can also inspire last-minute efforts to bring difficult negotiations to a successful close. This sense of urgency is felt throughout the ranks of political appointees and extends to career officials within the State and Defense Departments and other agencies. But while U.S. diplomats are denied the luxury of time with which to outlast or wear down their counterparts, they can apply great pressure to the other side by arguing—with a good deal of truth—that unless an agreement is reached relatively quickly, it may never be reached at all.

A U.S. negotiating team's room for maneuver, already limited by the need for congressional approval and by the electoral timetable, is further restricted by the labyrinthine nature of Washington's foreign policy bureaucracy. Not only are there typically several agencies interested in a given negotiation, but also those agencies are often fiercely competitive, with different policies and personalities contending for the ear of the president. Indeed, on many issues the most difficult negotiations for the United States are the interagency discussions that take place before the U.S. negotiating team has even left Washington. Arriving at a negotiating position that satisfies at least some of the interested agencies is a tricky process and can result in a relatively rigid stance, one that leaves the negotiating team little room for movement or compromise. According to foreign participants at the workshop, this rigidity can be perceived by the other side as U.S. indifference to its justifiable concerns or, worse, as yet another manifestation of American unilateralism.

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The Impact of Culture

The cultural context from which U.S. negotiators emerge and within which they plan and conduct negotiations has a significant influence on their behavior. This influence does not operate independently of structural factors, and it varies considerably from individual to individual and negotiation to negotiation; thus, it is virtually impossible to trace or measure precisely. But, agreed the workshop participants, it is nonetheless recognizable and often potent. Most importantly, culture helps to shape a negotiator's sense of the negotiating process, conceptual vocabulary, use of language, attitude toward time, favored channels of communication, and use of the media.

Sense of Process

Americans tend to subscribe to a view of negotiation as a linear process, a sequence of stages that typically begins with prenegotiation, advances to the opening moves of the formal negotiation, continues through a probing middle phase, and culminates in an end game and a binding agreement. In many ways, this view calls to mind a scientific or technical endeavor. Even the vocabulary employed to describe the course of a negotiation echoes the argot of the engineer: a *problem* is identified, a *process* is implemented to address it, and a *solution* is found. Such technical terms attempt to neutralize the powerful emotions associated with the issue at hand, emotions that threaten to disrupt clear-headed analysis of the problem and to impede the attainment of a reasonable solution.

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Another echo of this fundamentally pragmatic outlook, of this belief that every problem has a solution, can be found in the business world. From the American standpoint, a negotiation is something entered into by competing parties in an effort to find a mutually beneficial compromise, a win-win outcome rather than a zero-sum result. The process is guided by accepted rules and involves give and take. Facts and figures—rather than emotions, traditions, and aspirations—carry weight, which makes it crucial to do meticulous homework and to enter negotiations well briefed and armed with a sheaf of data and arguments. Discourse tends to be straightforward, and lies, bluster, and threats are frowned upon. Cordiality is welcome but not necessary. An agreement, if reached, is precise, legalistic, and binding.

To be sure, this schema is not always faithfully reproduced in practice. For instance, foreign participants at the workshop argued that while Americans are sincere in regarding negotiation as an exercise in compromise, this is often a comforting delusion for U.S. negotiators, who actually demand one-sided concessions. True or not, it remains the case that the outlook of American negotiators is deeply colored by this technical and businesslike sense of the negotiating process. The United States is profoundly results-oriented and does not engage in process for the sake of process or in talk for the sake of talk. This approach differs from that of many other nations, which engage in negotiating processes to build relationships and breed familiarity, not to attain specific policy goals. U.S. diplomats are typically well read on the history of their negotiating counterparts, but history per se does not influence their outlook or behavior. For them, history is irrelevant to the task at hand unless history itself is the subject of the negotiations.

Conceptual Vocabulary

As noted, Americans draw on the lexicons of both the business and the scientific worlds to describe the negotiating process. Three other areas of human activity also supply U.S. negotiators with ideas and terms that shape not only their descriptions but also their conceptions of conflict and negotiation.

The first of these is sport. The use of sporting metaphors is prevalent throughout American society, and policymakers and diplomats are no exception. U.S. negotiators speak of “moving the goalposts,” “being on a level playing field,” “hitting a home run,” “being on the one-yard line,” “putting the ball in the other guy’s court,” and employ a host of other expressions culled from the sporting world. Certain assumptions are inherent in this vocabulary. Sport depends on the unbiased enforcement of the rules of the game. It instills team spirit and self-discipline. It is a two-way endeavor. It channels conflict into acceptable, controllable outlets.

The second field is Christian theology. Among the various concepts borrowed from Christianity by U.S. practitioners of conflict resolution and negotiation, perhaps the most influential, or at least distinctive, is reconciliation. Without parallel in some other languages, “reconciliation” is regarded as the optimum outcome of a peace process, the ultimate win-win solution. Striving for reconciliation can give an activity transcendent urgency.

The third field is industrial relations. The evolution during the late-nineteenth and twentieth centuries of techniques to manage clashes between labor and capital has had a substantial influence on the study of international conflict management and the practice of U.S. diplomacy. The parlance of industrial relations is designed to professionalize and take the heat out of industrial disputes—indeed, the very word “dispute,” with its connotations of limited and resolvable disagreements, is employed instead of the word “conflict,” which suggests a more violent and less tractable quarrel. It is no coincidence that such distinguished American diplomats as Cyrus Vance and George Shultz have learned their craft in labor disputes.

Just as the American legal profession values dispassionate analysis, precise wording, and watertight agreements, so does American diplomacy.

Nor is it a coincidence—as several workshop participants pointed out—that so many U.S. negotiators are lawyers by training. Just as the American legal profession values dispassionate analysis, precise wording, and watertight agreements, so does American diplomacy. The Anglo-Saxon tradition of case law, with its emphasis on inductive reasoning and pragmatism rather than on deductive reasoning and abstract principles, likewise comports with the typical approach of U.S. practitioners.

Use of Language

The fact that English is the primary language in the international arena is of great benefit to the United States, whose representatives can trust in their mastery of their native tongue to convey exactly what they mean to say. Although deliberate ambiguity is occasionally employed by American negotiators, they generally prefer to make their position unambiguously clear to their interlocutors. As one would expect given the linguistic and conceptual influences identified above, they are explicit, precise, legalistic, forceful, even blunt. The United States’ counterparts are rarely in any doubt about what the United States is proposing.

However, while U.S. negotiators are adept at making sure that the other side hears what they say, they are less accomplished at hearing what the other side is *not* saying.

In communal, relationship-oriented cultures such as China and Japan, communication is allusive rather than direct; the context in which a message is delivered is as important as the content of the message. By contrast, in individualistic cultures—which the United States exemplifies—language is used directly and explicitly, and context is relatively unimportant. Members of individualistic cultures are ill prepared to pick up the nonverbal cues that can play such an important role in communication within communal societies. Thus, for instance, U.S. negotiators will often fail to heed the body language of their Chinese and Japanese counterparts and may miss subtle but meaningful signals such as the seating arrangements at ceremonial functions.

In a similar vein, whereas relationship-oriented cultures are able to tolerate silence during diplomatic exchanges—especially if the alternative is to utter outright disagreement, which is seen as impolite—Americans are typically uncomfortable with silence.

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Use of Time

Interested not in building relationships but in achieving results, Americans enter negotiations eager to press ahead with the business at hand and to reach agreement in the shortest time possible. They try to condition their counterparts—even representatives from relationship-oriented nations that prefer to establish a relationship before conducting business—to accept the need for haste or to recognize that the time is unusually propitious for fruitful dialogue. In short, American negotiators define a window of opportunity and then seek to push their counterparts through it.

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The reasons for this sense of urgency are many and varied. As we have noted, everyone on the American side is mindful of electoral cycles, which tend to dictate short and fixed negotiating timetables. Furthermore, the United States is a relatively young country, with relatively little sense of, or interest in, history. It is also a business-oriented, industrial society accustomed, unlike traditional peasant economies, to obeying the demands of the clock and to measuring productivity by reaching targets. The U.S. tendency toward unilateralism also breeds impatience, especially with multilateral bodies that need time to achieve internal consensus.

But not all of this sense of urgency is attributable to structural or cultural factors. On occasion, U.S. negotiators use their own self-defined deadlines as a means of pressuring the other side to reach agreement. In the case of a small country, such a sense of haste might be interpreted as panic, but a powerful country such as the United States is often able to force weaker nations to abide by its own deadlines.

The tables can be turned, however, when American negotiators are eager to reach an agreement for political reasons—because, for instance, the U.S. president wants to demonstrate the success of his foreign policy to audiences both abroad and at home by signing an agreement during a scheduled visit to a particular country. Such situations allow a negotiating counterpart to exploit the American position by refusing to sign unless the United States offers concessions.

American negotiators are not always looking at the clock. To be sure, when the issue under discussion is prominent on the American domestic agenda, the U.S. side will look to press ahead with negotiations. But if the issue excites neither media nor political interest at home, the U.S. side is content to let negotiations stretch out for years.

Pressure Tactics

Both structural and cultural factors influence the way in which Americans apply pressure to their negotiating counterparts. Structurally, the United States' status as the preeminent international power gives it an unparalleled ability to push counterparts toward agreement. The United States is not only stronger overall than other countries but also stronger in individual areas, possessing, among other assets, the world's best-equipped military and single largest economy. Foreign workshop participants commented that, on occasion, the United States seems able to exert these multifaceted strengths simultaneously, orchestrating its various instruments of power to create a sense of overwhelming pressure while also targeting specific weaknesses (for example, internal political divisions) on the other side.

The aim is to convince the other side not of the logical rigor or philosophical integrity of the U.S. position but of its practical, concrete advantages for both sides.

Cultural influences can be seen in the behavior of U.S. diplomats at the negotiating table. Like American lawyers or business executives, they rarely use deception (though they are not always perfectly accurate), nor do they try to physically intimidate their interlocutors by shouting or gesticulating. Instead, they play to their professional strengths. They enter negotiations well briefed in both the substance and details of the issue at hand; even top-level negotiators are usually very well informed. They advance their arguments cogently and forcefully, marshalling facts and arguments to build an impressive case for the U.S. position. The aim is to convince the other side not of the logical rigor or philosophical integrity of the U.S. position but of its practical, concrete advantages for both sides. They underline both the benefits of reaching agreement on American terms and the costs of failing to do so. They are particularly adept at creating "linkage," making agreement on one issue dependent on progress in other issue areas. U.S. negotiators craft and insist upon airtight, legalistic language in agreements, thereby hoping to ensure that the other side implements the agreement exactly as envisaged by the U.S. team.

Such impeccable professionalism does not demand that U.S. negotiators behave in a cold or aloof manner. Americans are generally cordial, often genial, and may project an air of easygoing friendship. Such amicability, however, should not be mistaken for amenability. As noted above, many foreign observers see the United States as dictatorial and heavy-handed in negotiations. The cardinal principle that governs the actions of U.S. negotiators is frequently perceived to be the same as that which was often attributed to Soviet negotiators: "What's mine is mine, what's yours is negotiable."

Channels of Communication

In the same way that the United States on occasion marshals several of its instruments of power to apply negotiating pressure, so it sometimes uses various channels of communication to conduct negotiations. Thus, for instance, the U.S. president may dispatch a special envoy to float a trial balloon. Or the State Department may encourage the creation of track-two initiatives that bring together individuals who have great expertise in the subject at hand or close contacts with high-ranking officials but who are not themselves officials. Track-two endeavors are valued especially for brainstorming new approaches to apparently intractable issues.

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However, while such alternative channels are often used, the U.S. focus remains firmly fixed on preserving the prerogatives of the official, or track-one, channel. Even when competing U.S. agencies or individuals are at odds over who is in charge of the official channel and what should be the division of labor in a forthcoming or ongoing negotiation, those agencies do not attempt to undercut the track-one effort.

This primacy of the official channel has not always been uncontested. Most famously during Kissinger's tenure as national security advisor, the authority of the formal channel was sometimes undercut by efforts launched independently of the State Department. Furthermore, various U.S. administrations over many decades have also made use of back channels to circumvent or spur a sluggish negotiating forum by allowing top-level officials from both sides to communicate directly and secretly. Back channels have the benefit of allowing the two sides to float ideas without running the risk of public embarrassment if those ideas are shot down. They are also valuable in allowing communication to be opened up with governments with which the United States has no formal relations. Back channels work best when they run parallel to, not in opposition to, the official, public negotiations.

Back channels have their shortcomings, however, chief of which is the difficulty of maintaining sececy in an age of intrusive media and "leaky" administrations. As a consequence, the United States has shown a marked and increasing reluctance in recent years to use such channels.

The Role of the News Media

The U.S. news media can play an influential part in setting the agenda for U.S. foreign policy in general and for negotiations in particular. Much attention has been given in recent years to the "CNN effect," by which the media can build public political pressure on a U.S. administration to respond to a foreign crisis or disaster by broadcasting graphic images of the human suffering associated with that crisis. Those images in turn generate demands from the public for government action to alleviate the suffering directly, by providing relief, or indirectly, by negotiating with the countries or parties involved. The CNN effect can be powerful but it tends to be short-lived. A more sustained impact can be achieved when a foreign policy issue becomes politicized—often through the efforts of special interest groups, such as the representatives of ethnic diasporas—and the media shapes the parameters of public debate through editorial decisions on what to cover, how often to cover it, and whose opinions to solicit.

At the same time as the media influences the U.S. negotiating agenda, individual U.S. negotiators can and do use the media to build public support for a particular policy position, to advance their own department's interests in an interagency dispute, and even to promote themselves. Beyond that, however, U.S. negotiators generally do not use the media to shape the *outcomes* of ongoing negotiations. In other words, they seldom orchestrate a campaign to pressure their negotiating counterparts by leaking, feeding, or planting stories in the U.S. or foreign media. This disinclination to mount a media campaign derives not from a principled opposition to such tactics but from a belief that such efforts are largely unnecessary, because the United States is already strong enough to force the other side to accede to U.S. demands.

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Continuity in Negotiating Behavior

Given that structural and cultural factors play such an influential role in shaping negotiating behavior, and given that those factors change only slowly, U.S. behavior displays considerable continuity from one administration and one decade to the next. Even such era-defining events as the Cuban missile crisis and the fall of the Berlin Wall did not prompt a significant shift in American negotiating behavior. Likewise, the 9-11 attacks on the World Trade Center and the Pentagon have not brought about substantive changes. Those same criticisms voiced by foreign participants in the July 2000 workshop have been repeatedly echoed by foreign officials and media in recent months: namely, that the United States tends not to negotiate but to insist on its demands, that it is insensitive to the domestic political considerations of its negotiating counterparts, and that it is concerned only with achieving results and not with building relationships. Many other qualities identified at the workshop have also been on display: for instance, U.S. negotiators have been forthright (about American aims) and blunt (about the dangers of not supporting the war on terrorism); they have evinced a sense of great urgency; they have presented voluminous facts, figures, and other data to convince their interlocutors of the American case; and they have made little apparent effort to use the media to shape negotiating outcomes.

The conduct of American diplomacy will continue to be examined by the United States Institute of Peace as it explores the complexities of cross-cultural negotiation. This report and the workshop on which it is based are the first steps toward a comprehensive study of American negotiating behavior, a subject that is now finally receiving long-overdue attention. In war, to be victorious the warrior must know both himself and his enemy. So in the pursuit of peace, the successful negotiator must not only see the other side's strengths and weaknesses but also recognize his or her own strong points and shortcomings.

Workshop Participants

The following individuals attended the workshop on U.S. negotiating behavior organized by the United States Institute of Peace in July 2000. Their affiliations are as of that date. The opinions expressed in this report do not necessarily reflect the opinions of all participants.

Anatoly Adamishin, *vice president of international affairs for SISTEMA Joint-Stock Financial Corporation*

Jon Alterman, *program officer in the Research and Studies Program of the United States Institute of Peace*

Chan Heng Chee, *appointed Singapore's ambassador to the United States in 1996*

John de Chastelain, *head of the Independent International Commission on Decommissioning in Northern Ireland*

Tae-Yul Cho, *counselor for economic affairs at the Embassy of the Republic of Korea in Washington, D.C.*

Raymond Cohen, *professor of international relations at the Hebrew University of Jerusalem*

Patrick Cronin, *director of the Research and Studies Program at the United States Institute of Peace*

Abdel Raouf El Reedy, *Egyptian ambassador to the United States from 1984 to 1992*

Gareth Evans, *president and chief executive of the International Crisis Group*

Charles Gillespie, *principal in the Scowcroft Group*

Dore Gold, *member of the research team at the Jaffee Center for Strategic Studies at Tel Aviv University*

Jerrold Green, *director of international development, director of the Center for Middle East Public Policy, and professor of international studies at the RAND Graduate School*

Karl Kaiser, *Otto Wolff director of the Research Institute of the German Society for Foreign Affairs in Berlin*

Masood Khan, *political counselor at the Embassy of Pakistan in Washington, D.C.*

Samuel Lewis, *senior policy adviser to the Israeli Policy Forum and former U.S. diplomat*

Edward Marks, *founder-president of Greenleaf Point*

Jagat Mehta, *honorary president of the Vidya Bhawan Society in Udaipur, India, and former foreign secretary for the Government of India*

Emily Metzgar, *program officer in the Research and Studies Program of the United States Institute of Peace*

John McDonald, *chair and co-founder of the Institute for Multi-Track Diplomacy*

Donald McHenry, *distinguished professor in the practice of diplomacy at the School of Foreign Service at Georgetown University*

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- *Culture and Conflict Resolution* (1998), by Kevin Avruch
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