

# Do democratic states have a negotiating advantage?

Written by Maciej Osowski

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MACIEJ OSOWSKI, FEB 25 2011

Negotiations between democratic states and authoritarian regimes are seen as difficult due to the fundamental differences in the political character of democracy and authoritarianism. Diplomacy is not an ideologically neutral affair. How and why states negotiate, and their methods and objectives depend strictly on their principles of government. The diplomacy of a democratic government – based on freedom of speech, pluralism, and majority rule – will differ profoundly from the diplomacy of an authoritarian government – based on coercion, propaganda, and conformity. Still, diplomacy during crisis regards negotiation between adversary states as a way to avoid military conflict. Diplomacy of democratic regimes, largely the product of commercial societies, regards negotiation between adversaries as a means of conciliation, requiring mutual concessions, leading to lasting agreement and peace. These preconditions do not exactly reflect an authoritarian approach to negotiations. Thus, as (at least in theory) both sides' functioning is visibly different and since they rely on separate fundamental values, as a result one side of negotiations should have superior position in comparison to other.

When seen from this perspective, it is the authoritarian regimes that should have negotiating advantage. When it comes to direct political bargaining, all non-democratic governments have an easier task than democratic ones. This is the case because democracies are constrained by their inner rule of transparency and freedom, while this rarely applies to authoritarian regimes.[1] That is why the first part of this essay will discuss reasons that prevent democracies from having negotiating advantage.

It must be kept in mind, however, that diplomatic negotiations do not solely include direct political bargaining at negotiation tables in bipolar or multipolar environments. Indeed, negotiations will be defined as a long process rather than a series of episodes in diplomatic functioning of states. This process lasts for decades rather than years and is often interrupted by military conflicts as “[...] war is not a mere act of policy but a true political instrument, a continuation of political activity by other means”[2]. In line with this argument, states enter negotiations in their entirety rather than merely with their political systems. In other words, economic clout, military capability and the level of development of civil society add a long-term advantage to one of the negotiation sides. Such advantage is believed to belong to democratic states, and the second part of this essay will seek to provide theoretical and historical support for this argument. Thus, the claim will be put forward that, although non-democratic regimes do have a short-term negotiating advantage over liberal democracies, it is democratic states that have long-term and thus ultimate advantage over authoritarian ones.

### Negotiations as direct bargaining

One of the reasons for democratic diplomacies' inferior position in negotiations is the prejudice that international conflict is caused primarily by the lack of bipolar understanding, the supposed fundament of mutual fear and suspicion. The assumption, typical of the Western liberal mind, is that men are by nature benevolent and that through discourse they will discover that what they have in common is more important than their differences[3]. What might easily work during negotiations between democratic states is not necessarily relevant if authoritarian regimes are sitting on the other side of negotiating table. What democratic leaders will often discover during negotiation time is that they have very little in common with authoritarian leaders – probably the only common thing is a need of power. Yet, the nature of their motivation to seize power is different. Democratic leaders want power (at least in theory) to help their people and country in progress. Authoritarian leaders' motivation is much less sophisticated. Either they

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want power for their personal pleasure or to implement some political ideas (communism etc.). Thus, the scope of options that authoritarian leaders have at a negotiating table is usually wider than democratic leaders do. This is because authoritarian leaders are not tied up by their citizens' faith as democratic leaders are.

This is one of the reasons why economic sanctions, popular coercive instrument in the last decade of previous century, were highly ineffective against authoritarian regimes. No matter how dreadful sanctions can be, there is high probability that the only people affected by them will be those already suffering from the hands of totalitarian regime. That was precisely the case of sanctions imposed against Iraqi regime of Saddam Hussein. Sanctions went for almost 15 years since 1990 invasion on Kuwait, yet the only effect they brought, was even more suffering for Shiite Arab majority and Christian minority. Hussein and his officials' regime were still in power and refused any demands of UN council[4]. That situation was probably the biggest failure of sanction policy as the Iraq crisis ended in massive American military intervention in 2003.

Although sanctions can be a real problem for tyrannical regimes, they can have anti-coercing influence[5]. In the case of North Korea, with its poor agriculture and 'black box' society, it is hard even for the leader Kim Jong-il himself to gain resources for whole governing regime and huge army[6]. Thus, economic sanctions led the leader to anti-coercive behaviour such as starting nuclear bomb and ballistic missile programme. These were essential for North Korea to keep their neighbours in fear of war. Those concerned about possible nuclear attack are ready to deliver food aid, which in the majority of cases, goes to first priority sectors such as government's officials and the army.

This two cases show how poor performance democratic states actually obtain if they use economic sanctions against authoritarian regimes. It clearly demonstrates that there is no democratic advantage over other regimes in sanctions policy. Moreover, this tendency of democratic diplomacy to impose sanctions tends to end up as a failure when confronted by martial diplomacy of authoritarian regimes[7]. There is the error of making gratuitous concessions, sometimes as gestures of good will. In the case of North Korea these gestures were taken as obligatory and always requested even only to start negotiations (often previously broken by North Korea to gain concession just for restarting negotiations).

The biggest disadvantage of democracies during negotiations with dictatorial regimes is in fact their biggest advantage as a political system. Contrary to 'black box' model liberal democracies are usually transparent regimes. Thus, their adversaries can use this transparency during negotiations. In fact, most of contemporary intelligence is claimed to come from analyses of open sources available for all intelligence agencies of authoritarian regimes[8]. Having knowledge of precious information (e.g. support of public opinion towards severe sanctions, possible military intervention or presidential popularity[9]) non-democratic regimes can easily adjust their negotiating position. Yet, in some cases transparency of political system and democratic leader's behaviour can be an advantage of a democratic state. If it is visible that democratic leader is ready for every step to coerce opponent, the authoritarian regime is willing to back down not to provoke to military intervention[10].

There are, however, more disadvantages that transpire for democratic regimes when they negotiate with authoritarian regimes. Both diplomatic strategies: 'tying hands' and 'sinking costs' are designed to coerce opponent to fulfil demands without military intervention[11]. Both of them rely on transparency – opponent will receive information about political or military decisions taken as media in democratic country will report on them. Furthermore, they are both effective but also very costly – 'tying hands' politically, and 'sinking costs' in economic terms[12]. Thus, the willingness among democratic countries to use them against opponents is rare. Additionally, there is wide historical evidence that, when 'sinking cost' was introduced, adversary state remained on his steadfast position (e.g. Iraq invasion in Kuwait in 1990, USSR invasion in Afghanistan in 1970[13]). Similarly, 'tying hands' is rarely used as opponent will feel the incentive to check if democratic regime is bluffing. Thus, the effect on authoritarian regime can be in fact counter-productive. What is more, a leader who use this technique loses credibility in a situation when he fails to fulfil his promises and the opponent does not back down. The claims thus made demonstrate how complicated and risky the process of coercing authoritarian regimes is. Furthermore, to add to that already inferior position of democracy, dictatorial regime does not need to use sophisticated techniques to coerce democracies. Its 'black box' strategy always keeps democracies unsure what non-democratic leader is really planning to do.

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Such leader has also an additional advantage over democratic one in the matter of political continuity dilemma. His decisions do not need to satisfy society as often he is the one who keeps control over it. This is a totally reversed situation to that of democratic leaders who are animated by an election-oriented and short-term pragmatism. This "now" mentality renders democrats impatient for results and dictators know how to exploit this impatience. They know that democratic leaders have a personal political interest in the appearance of successful negotiations[14]. Dictators can violate agreements, confident that a democratic prime minister or president will be reluctant to admit any failure in his own diplomatic achievements. Hence, the best way to avoid failure and be re-elected is to omit possible international crisis situations, especially in the end of the term and ahead of incoming elections[15]. Citizens of democratic states are not only unwilling to fight against other democracies ('democratic peace theory'), but against any other regimes as well[16]. The same assumptions apply to non-military conflicts. Society demands to omit all unnecessary crises which could do harm to economy and consuming process[17]. In the light of the above arguments, it is clear that democratic leader is more significantly constrained in negotiating process than the authoritarian one. The latter in most cases can act independently without looking back at the society's reactions. As long as he has support of the army and the elites, he can threaten all possible actors. The more he gains during bargaining, the stronger position he will have among the establishment, no matter how Machiavellian steps he takes.

Claims made above arguably lead to a straightforward conclusion that in terms of direct bargaining and negotiations, authoritarian regimes have an advantage over democracies, as supported by historical evidence.

### Negotiations as a process

It must be kept in mind, however, that negotiations are a process which often takes decades. In thus defined negotiations between democratic and authoritarian regimes, it is the former that has an advantage over the latter. Historical evidence offers examples that periods of direct negotiations fit into longer periods of diplomatic conflicts between the same actors. Although subject to direct conflict change, actors stay the same and change their coexistence into one long period of permanent negotiations unless one of them completely backs down or subordinates to the other. Arguably, in such long-lasting negotiations, democratic states have an advantage over dictatorships and achieve considerably more victories over such regimes. The reasons for this are deeply connected to the fundamentals of democratic states, such as the freedom of speech, openness to innovation etc[18].

Western states have been the most successful military innovators over the past 500 years. Enjoying a relatively liberal political and intellectual climate, of the kind that the West developed toward the end of the Middle Ages, helps to create an atmosphere in which innovation can flourish. The Soviet Union's lack of freedom ultimately sabotaged its attempts to keep pace in the Information Age, just as the lack of freedom in Spain and France made it difficult for them to keep pace in a naval arms race with first the Netherlands and then Britain. This evidence is crucially important if one takes into account that the ultimate threat of every diplomatic crisis or negotiation is military intervention. This way, diplomatic states will always have advantage over tyrannies – suffice it to mention that one of the most liberal democracies (USA) spends more on military than following nine countries combined[19].

But military spending itself is not the biggest advantage of democracies over authoritarian regimes. It is strong and powerful economy that makes democratic states superior to other systems of government. Undoubtedly, their main power lies in their liberal economic systems and strength which, when combined, have no equal in the modern world. Western World can fail in coercion in terms of economic sanctions, but it is them who decide how strongly they are going to coerce, where, why and when they will stop. It is never the authoritarian regimes that are really threatening democracies[20]. Should democratic countries be really threatened, they are ready for long and hard negotiations or ultimately even fight with the opponent (as the wide support after 9/11 attacks shown).

It can be argued that the Cuban missile crisis and the contemporary North Korea issue are challenging the above statement. But if analysed in a more in-depth manner, it is clear that the USSR was the one who finally backed down. Furthermore, North Korea feels strong since the US military is nowadays overstretched, but if it was a real threat, it would be automatically forced to back down in fear of massive pre-emptive strike (assuming that the "madness" of Kim Jong-il is but a negotiating strategy). The best example of democracies' power is the case of Soviet Union which was ultimately challenged and had to dismantle due to economic problems, as its military power was comparable

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with the Western one. The second half of the last century can be treated as a long period of negotiation over whose system is the best one – communism or capitalism. The answer received from this competition is yet another fact supporting the thesis that democratic states have negotiating advantage in the long run.

This essay argued that although non-democratic regimes have, in short term, negotiating advantage over liberal democracies, it is democratic states that have long-term and ultimate advantage over authoritarian regimes. In direct negotiations authoritarian regimes benefit from inner constraints of democratic states who cannot act in similar Machiavellian way as authoritarian states do. All constraints are the result of democratic freedom which is essential to democratic success (economy, justice, equality) but at the same time disadvantage when dealing with coercion from tyrannical regimes. Yet, because of essential for democracy freedom and transparency, it has long-term advantage over other regimes in negotiations defined as a permanent process between liberal democracies and the rest of the world.

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