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MEDIATION WITHOUT CONSENT: CANADA AS A THIRD PARTY IN EAST-WEST
RELATIONS

by Michael C.B. Pearson

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A Thesis submitted
to the Faculty of Graduate Studies and Research
in partial fulfillment of the requirements
for the degree of
Master of Arts
in International Affairs

The Norman Paterson School of International Affairs
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The undersigned hereby recommend to the Faculty of Graduate Studies and Research acceptance of this thesis, submitted by Michael Pearson, in partial fulfilment of the requirements for the degree of Master of Arts.

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ABSTRACT

Certain international conflicts are identified as being "protracted"; drawn-out and difficult to resolve. Third parties are envisaged as being able to undertake mediatory activity in these conflicts without being dependent on the prior consent of the parties involved. The concept of mediation has been expanded beyond the traditional notion that it takes place "at the table" in a short-term bargaining situation. Mediation is envisaged as comprising a number of roles across a "dominant-supportive" continuum. Certain roles are identified as management-oriented, in that they focus on process problems and seek to foster movement toward an effective settlement process. Such roles are contrasted with those that are outcome-oriented, directed toward achieving agreement between the conflicting parties. East-West relations since 1945 have been identified as an example of a protracted conflict situation, dominated by conflict between the United States and the Soviet Union. At various points in this conflict third parties have been able to undertake various forms of mediatory activity, including "unauthorized" mediation. Canada, as an aligned middle power, has demonstrated a propensity for taking on such activity, and further for demonstrating the viability of that activity in the conduct of relations among states.

INTRODUCTION

Ours is not a divine mission to mediate...It is the mission of all countries and in particular all statesmen and diplomats...to be intermediaries or to seek out compromises in the interests of peace.

John Holmes 1985

Mediation: Toward a Conceptual Understanding

The post-1945 era of international politics has been largely dominated by the rivalry between the two superpowers, the Soviet Union and the United States. The end of the Grand Alliance after the Second World War in 1945 was not replaced by any form of diplomatic concert, although the establishment of the United Nations was an attempt to encourage such a concert among the surviving major powers. Instead, U.S.-Soviet relations since 1945 have been most often characterized by the ebb and flow of conflict, in varying degrees and forms. The strategic arms race, the ideological struggle between democracy ^{and communism} East-West crises and involvement in regional conflicts; these represent a few of the more important forms that this conflict has taken.

An increasing number of other transnational issues and problems crowding the contemporary global agenda (i.e., Law of the Sea, the environment, energy) have yet to overshadow a global systemic environment dominated by the political-ideological

struggle between America and Russia. Indeed, most other powers in the contemporary global system have had to adopt important foreign policy positions that are directly influenced by the central Soviet-American relationship. Some of these positions have been found through the East-West alliance system, others through activist non-alignment and still others through either passive sympathy with one side or a pursuit of the delicate balance of neutralism. In many cases, such positions have fostered the development of third party activity in the superpower standoff. Concern about the potential impact of East-West conflict on world affairs has been an important factor prompting this development - seeking stability in their global environment, both state and non-state actors have pursued efforts aimed at preventing U.S.-Soviet rivalry from developing into world war.

Many of these third party roles have been developed, expanded and influenced over time by the increasingly variable and complex nature of the East-West conflict, and by the record of third parties in either enhancing cooperation or otherwise balancing tensions between the superpowers. Some typical roles undertaken include cooperative-oriented ones such as facilitation, bridge-building and good offices; and more competitively-oriented ones such as loyal ally, proxy warrior or client state. Pressuring roles such as critical ally and independent-activist have also developed. Often states have pursued more than one role, and increasingly non-state actors

(for example the United Nations Secretary-General) have become involved.

The record of success these various third parties have achieved is mixed at best. Certain minor contributions have been made by various third parties in defusing U.S.-Soviet standoffs or facilitating superpower agreements in areas where they have clashed (i.e., arms control and disarmament). These have occurred primarily in multilateral forums. However, any third party wishing to undertake more systematic "peace-promoting" activities in U.S.-Soviet relations, particularly those interested in becoming more involved in arms control and disarmament issues, must first overcome a very basic obstacle. This obstacle is an outcrop of the systemic environment shaping East-West relations. These relations are chiefly determined by the nature of the central relationship between the superpowers. Each superpower leads a group of allies whose deviance is tolerated to varying degrees (western allies being given a somewhat greater latitude for dissent than their eastern counterparts), but who are expected to be essentially loyal. They are both relatively uninterested in the mediatory initiatives attempted by non-aligned and neutral states, and to the initiatives of other non-state actors. They dictate the pace of arms control negotiations and can effectively forestall, by one means or another, any attempt by other states to take and hold an effective lead in such matters if they consider it contrary to their interests.

The dominant role played by each superpower in the field of international security has been a consequence of their relatively dominant capacity to look after the needs of national security. These needs have been largely self-defined, but have been justified as being able to protect the security needs of other states, either directly (i.e., the nuclear umbrella) or indirectly (preventing the outbreak of nuclear war through deterrence). As a result, other powers are neither expected or desired to play any third party role beyond that of supporter or at most contributor on a strictly functional basis to the settlement of U.S.-Soviet differences arising from their parallel but often conflicting pursuit of national security.

Consequently, the two superpowers have demonstrated a great resistance to the development of effective, peace-promoting third party roles in their various conflicts. Put simply, the Americans and the Soviets do not, as a rule, want a third party - a mediator - and do not encourage third party activity to this end, except on those specific occasions where it might suit their interests.

Such a state of affairs apparently leaves prospective third parties otherwise willing and able to undertake mediatory roles in East-West relations without prospects. After all, without the ~~consent~~ (or tacit approval) of the superpowers to their involvement in a peace-promoting capacity, any efforts by such prospective third parties seem doomed to failure. This common

sense' assumption about the necessity of consent is very widely shared by those who have studied the theory and practice of peace-promoting third party roles in the settlement of social conflicts, at any level. Although a number of means have been identified as possible avenues by which third parties can gain consent (and thereby entry into a dispute),⁽¹⁾ these same writers begin with the premise that such consent is absolutely vital for third party activity to be effective. It is considered particularly important in the context of conflict in the loosely organized and structured international sovereign state system, characterized chiefly by a persistent state of anarchy. Here consent is considered a "crucial criterion (prerequisite) for

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(1) Such means have included, for example, the attributes of the third party. Edmead (1977) suggests, for example, that the third party must be in a "mediatory position"; that is, "...he must have at his disposal resources that more than one of the parties to the conflict want." These resources might be ascribed (impartiality, status), physical (economic, military), and/or personal (skill, knowledge, etc.). If the prospective mediator has certain of these resources, the conflicting parties are likely to be more willing to consent to involving them in certain efforts to resolve their differences. An alternative means identified for gaining consent is linked to the attitudes of the conflicting parties; namely their favourable predisposition. Touval and Zartman (1985a, 1985b) argue that if the conflicting parties feel that the potential costs of rejecting third party involvement (in favour of other alternatives for dealing with the conflict) outweigh its possible benefits, then they will be more amenable to such involvement. In other words, the predispositions of the antagonists, rather than the resources (or possible disqualifications) of the third party, determine that party's likelihood of involvement. A third means identified for gaining consent is through an institutional basis, the conflicting parties allowing a third party to undertake a peace-promoting role under the terms of a previous agreement or joint participation in an institution given accepted powers to play such a role.

mediation" (see Frei 1976; Raman 1985). The sovereign right of states to pursue their own course in ensuring for their security needs gives them the same right to accept or reject any initiative or offer by a prospective third party which they might feel impinges on, or otherwise affects, this pursuit.

Such thinking proceeds from two basic and linked assumptions. First, relative power is seen as a critical determinant of conflict outcomes and any prospective third party must have some basis of power if it wishes to affect these outcomes. Second, third party roles are identified and recognized as involving narrowly defined finite endeavours; they normally take place in the context of efforts to settle the conflict. Although mediation and other peace-promoting third party roles have long been recognized and incorporated into the global system through mechanisms of international law and multilateral institutions, (1) they have, along with other "traditional" means for the peaceful settlement of "domestic" and international disputes, been largely oriented toward "immediately pressing" conflict situations. Processes of "dispute settlement" have been based on the assumption that points of conflict can be readily identified and settled, or at least controlled, utilizing recognized and accepted patterns of authority.

However, it could well be argued that means of influence available to third parties in this process are severely limited

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(1) See below, chapter 1.

by sets of expectations created and sustained by these assumptions, and further limited by the often narrow grounds upon which consent is given.

Nevertheless, it may be possible to challenge these assumptions, and therefore the assumption that consent is a necessary prerequisite to effective, peace-promoting third party activity, given the following considerations. First, and most importantly, it could be argued that in contemporary international politics (as well as in certain domestic contexts) there exist many conflict situations that are chiefly characterized by their ongoing, complex and variable nature. That is, they are protracted(1) conflicts, over deep-rooted issues, subject to the dynamic and buffeting tendencies of escalation, de-escalation and stalemate. They rarely develop periods where they might be "ripe for resolution" (Zartman 1985). Processes of settlement are fitful and uneven, involving prolonged and often unrewarding negotiations. Consequently, they are much less amenable to established and accepted processes for third party involvement. These processes are often inadequate, if not inappropriate, in dealing with such protracted conflict

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(1) By "protracted" conflict we mean a conflict between at least two parties which not only continues over a long period of time, but is marked by differing types of conflictual activity, often co-existing although at differing levels of intensity. Direct physical violence (war) is the most obvious type or form of this conflictual activity, but need not occur for the conflict to be considered protracted. Other forms of interdiction (i.e., economic, ideological, indirect proxy wars, strategic) can be the main elements contributing to the protracted nature of the conflict.

situations. An active practitioner in international diplomacy has recently stated as much: "There are many situations when conflicting parties...do not consider it proper to submit their dispute to an institution...or else to resort to the involvement of a third party in ways consecrated by practice." (Malitza 1985: 83-4) In other words, consent cannot be assumed, even on a narrow basis, to be forthcoming. This may be especially the case when the conflicting parties are both powerful and therefore difficult to dissuade from their chosen means of handling the conflict situation. In such situations, either other third party mechanisms to facilitate conflict settlement are necessary, or existing ones need both reconceptualization and reoperationalization, in order to circumvent the problem posed by the lack of consent.

If these are valid considerations, then one way to reconceptualize mediation and other third party roles to better deal with the constraints (such as lack of consent) on conflict settlement at the global systemic level in situations of protracted conflict is to consider a structural approach. This involves two elements. First, a redefinition or, more accurately, an expansion of the popularly conceived definition, of mediation. In "domestic" affairs, the "traditional model" of mediation (Touval 1985: 373, 376-7) sees the mediator as an impartial professional invited by the conflicting parties to suggest or provide alternative solutions. Success is based more on the skill, rather than necessarily the power, of the mediator.

The traditional perception of mediation in international practice has been quite similar, with emphasis placed on the importance of a neutral third party (such as the UN Secretary-General). However, the opposite has also been cited as quite possible. Mediation in the international context has often been perceived as being undertaken by a more powerful third party figure, utilizing experience and power to act essentially as a third bargainer in the negotiation process, proposing compromises and alternative solutions, and using these to push the parties toward agreement (Touval 1982: 46; Stein 1985: 333). In either case, the mediator is expected to play a role reconciling the substantive differences separating the conflicting parties, with less attention paid to process-related questions.

A number of scholars (Burton 1979: 99, Davies 1966: 30-1 and Levine 1971: 26-8) have concurred with this traditional conception of mediation being substantive or issue-oriented in the context of international practice. They have described how international law has distinguished between mediation, good offices and other roles according to the type and level of involvement by the third party, but recognize mediation as being concerned primarily with substantive issues.

However, the Conventions of the two Hague Peace Conferences in 1899 and 1907 seem to question this narrow definition, emphasizing instead the "extreme flexibility of the mediation procedure...(in that they) avoid(ed) giving mediation a rigid

framework, or even assigning to it a definite purpose." (Cot, 1972: 31-2). Much of the more recent third party literature, in reflecting on international practice in the twentieth century, particularly since the second World War, has agreed with the desirability of maintaining the definitional flexibility of mediation recognized by the Hague Conventions, and even suggests that mediation could be even more broadly defined. The increasing frequency and complexity of conflict were seen as requiring a wider conception of the types of mediatory activity that might be needed to assist in its amelioration, a view shared by practitioner and theorist alike (see Holmes 1976: 103). The wider objective of drawing parties together to obtain an agreed settlement was not questioned; only that within such an objective numerous mediatory roles could be identified, pursuing various more limited objectives which, by focussing on keeping "the ball of peaceful settlement rolling" (Pechota 1977: 162), could contribute to the movement toward the larger objective (Kriesberg 1982: 276-83). Mediatory activities had to be seen more broadly as "political processes" (Touval and Zartman 1985b: 7), within the larger framework of "settling conflicts in "political systems": systems which consist of members having ongoing and interdependent relationships in a competitive environment (Touval 1985: 374-6). In such contexts, "mediation is not so much one procedure, as it is an umbrella term for a whole range of intervention procedures that share the absence of enforceable decisions." (Sheppard 1984: 161.) As importantly, much of this

activity takes place without the mediator being 'at the table' in the traditional sense; instead it takes place in the wider negotiatory environment.(1)

This wider definition of mediation allows us to consider mediatory roles in the context of a "management process", the second element of our structural approach. Gilbert Winham (1977) has captured this idea in the context of modern international negotiation (in his case the GATT negotiations) where complexity has rendered traditional means of concession-convergence negotiation meaningless if carried out in an atmosphere of "structural uncertainty". Winham finds traditional models of dispute settlement wanting without a coherent and mutually acceptable structural framework within which negotiation can take place. "A more appropriate model...in a complex situation is one that replaces strategy with a search for information, and is concerned with process as opposed to outcome." (97) Winham suggests that, among other things, this requires "the development of common perceptions."

Applied to the third party context, management processes

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(1) Another means of conceptualizing this "range of procedures" is to see mediation as a highly flexible and versatile role, which, like a chameleon, alters its specific approach to fit differing situations. In this sense different mediatory roles are utilized according to need and circumstance. This would fit situations where a mediator has a long-term role to play in a conflict settlement process. However, examples of mediatory activity of this kind (where a single mediator plays several role-types over time in one conflict) are exceptional (see Touval 1982: 5-7).

would include focussing primarily on means to assist parties in reducing uncertainty through the development over time of better structural frameworks and modes of mutual perception-building.(1) The requirement of power becomes less important in pursuit of such limited objectives. The capacity for influence, by contrast, becomes more important and can be derived through means other than power.

However, utilizing narrowly defined and short-term oriented third party procedures may be insufficient to serve the management goal. The major problem is one of inflexibility in means rather than uncertainty about objectives. Arbitration and other judicial or quasi-judicial third party procedures have a predetermined structure which may not be sufficiently adjustable to various international conflict situations. Voluntary roles such as mediation, facilitation and good offices also occur within the narrowly confined bounds of accepted international practice and law. In addition, all require some form of consent on the part of the conflicting parties. What is lacking is enough openness on the part of the conflicting parties to consider innovative third party processes aimed at grappling with the dynamics of deep-rooted hostility inherent in protracted conflict situations. Principles, or 'codes', of international conduct

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(1) Rubin (1981b: 285-6) refers to third parties playing a fundamental role in the modification of the physical and social structure of a given conflict. They work towards communication enhancement, broadening the bargaining space and promoting disputants' co-operative interests.

have acted as longstanding constraints on state behaviour. However, systematic violations or repudiations of those principles in dynamic conflict relationships often render third party roles developed to deal with them from an essentially static basis largely inapplicable.

It is the contention of this paper that third parties can develop management-oriented mediatory roles in East-West relations; roles which are able to satisfy the needs of those third parties to have a say in the promotion of East-West stability. In other words, roles which can contribute in a positive manner to the effort to ameliorate or encourage processes of settlement in a protracted conflict situation, even though the conflicting parties are reluctant to consent to outside involvement. In particular, third parties which do not have an obvious basis of power from which to gain consent or operate in a coercive manner independent of consent. Prospective third parties seeking such a mediatory role from a position of inferior power must begin with a redefinition of means to achieve the desired ends of a better process for the conflicting parties to deal with the complex and deep-rooted nature of their conflict. A third party in this position must be able to devise a strategy which directly addresses the problems posed by impediments to its entry into the conflict settlement process. To reiterate, these impediments include: first, the nature of the East-West conflict; second, superpower reluctance to consent to third party involvement in that conflict; third, the relative

lack of power available to the third party; and four, popular perceptions that mediation is largely restricted to being substance-oriented. In addition, one could include the impediment provided by the nature of the third party's relationship with one or both of the conflicting parties. The challenge is that of seeking a mediatory role which advances the goals of conflict settlement without seriously jeopardizing any specific relationship with one or more of the conflicting parties, and yet is not a role dependent on the consent of those conflicting parties for its effectiveness.

Mediation: The Canadian Case

There will be no attempt to explore various third party roles that might be envisaged in a management context in East-West relations. Indeed, there are several contexts that could have been addressed, including the role of third parties in East-West regional conflicts, or the role of third parties in East-West economic relations. However, these manifestations of East-West conflict, while important, are clearly overshadowed by the more fundamental conflict between the U.S. and the S.U. over the maintenance/enhancement of their respective national securities, best epitomized by the nuclear weapons competition. Efforts to control the strategic arms competition between the two superpowers have continued since 1946 in both bilateral and multilateral forums. It is in these contexts that third party activity has faced the greatest resistance and is therefore of

the greatest relevance to this study. Similarly, Canada has played a number of third party roles in regional conflicts and other conflict situations involving the superpowers, but it is Canada's role in efforts to control East-West rivalry in the field of strategic arms that is most central to the questions under consideration.

Therefore, it is proposed to focus on a reconceptualization of mediatory roles that Canada has played since 1945 in East-West efforts to deal with Soviet-American differences in the security field; that is, arms control and disarmament negotiations. That Canada has fostered a skill in, and established a reputation for, peace-promoting third party activity in the global arena cannot be doubted. This has ranged from traditional substantive, compromise-initiating mediation by Canadian political leaders in the Commonwealth, to a military-technical peacekeeping and supervisory role under UN auspices, to a diplomatic voice of moderation and restraint in various contexts, though often involving the United States (Munton 1973; Stairs 1977; Dobell 1972; Holmes 1984; Lyon and Tomlin 1979; Nossal 1985). Out of this plethora of third party activity has developed the widely held view of Canada as an 'honest broker' or 'helpful fixer' in global politics, a role-type that has become a "persistent image", the early denials of the Trudeau government notwithstanding (Ichikawa 1979: 3).

However, in the context of East-West relations there seems

to be less unanimity about "Canada's third party orientation. Scholars of the subject who have examined Canada's record in disarmament forums since 1945 (for example, Tucker 1977, 1981; Davy 1962; Delisle 1975) are not at one about Canada's role(s). Mediator, loyal ally and independent-activist are three prominent tendencies identified, with the latter two receiving particular attention. Indeed, the two roles of loyal ally and independent-activist reflect the duality that clearly has existed in Canadian security policy, and equally separates the two 'sides' of much of the peace and security debate that has occurred in Canada. On the one hand, clear and firm allegiance to the United States and the western Alliance, dating from a leading role in the establishment of NATO in 1949 to participation in NORAD and continued support for the general thrust of American arms control policies. On the other hand, strong-minded and principled opposition to superpower monopolization of global security affairs and efforts to push the 'big two', (along with many other states), in the direction of negotiated agreements in the arms control and disarmament field. For example, Canada was often jokingly referred to as the ninth non-aligned country in the Eighteen Nation Disarmament Committee in the early 1960's (Lall 1964).

In between these two orientations has been the role identified as mediator. Tucker (1977, 1981) has argued that this role is peripheral, only an "occasional tendency" in Canadian third party activity. Furthermore, he suggests that this role has

been mostly legal-technical in nature, and more importantly has only occurred when it was clear that the superpowers were interested in coming to an agreement. Most significantly, he concludes that there is little room for Canada (or any other country for that matter) to play a mediatory role in any case. "In the negotiatory context of the cold war propaganda debates, the major nuclear powers did not want a mediator; in the era of superpower collaboration they did not need one." (1977: 40)

Notwithstanding Tucker's assessment, and his carefully produced evidence to back it, a popular perception of Canada having an important mediatory role to play in East-West relations still persists, as witnessed by the words of Canada's External Affairs Minister Joe Clark:

On these questions (of nuclear weapons) Canada's influence is limited but real... We do enjoy a reputation as a people who are serious about peace and skilled at mediation. Those qualities are critically important in reversing the ominous trends which threaten to unravel arms control.

What form this mediation could take Clark alluded to later in the same speech: "...efforts, led and encouraged by the medium and small-sized countries, can help improve the atmosphere and can put specific workable ideas on the agenda." (Clark 1985a) This view was further expanded upon by the External Affairs minister in his comments following the meeting of the American and Soviet foreign ministers in January, 1985, which led to the resumption of the superpower arms control negotiation process: "Canada will

continue to play an active and constructive role in the search for the common understanding between East and West..."(Clark 1985b)

Clearly the views of Clark and Tucker do not exactly coincide. The former's is admittedly only declaratory policy while the latter's is the result of an examination of the record. The first plays on popular perception, the second on historical evidence. Yet the first is declared by one who makes policy. One is left wondering which view better illustrates the record of Canada's mediatory efforts in East-West relations, specifically in the area of arms control negotiations?

No one would probably dispute Tucker's premise that the superpowers either do not need or do not want mediators, regardless of any third party's predisposition to take on that role. It is from this premise that this paper seeks to explore one important aspect of Canada's activity as a third party in East-West relations. The thesis posited is that Canada has indeed attempted to play a form of mediatory role in East-West relations, particularly in periods of growing hostility between the superpowers, when they are deemed to be less inclined to want mediation; a role which can be seen as having some impact, despite the lack of consent and Canada's own biased position. In some cases, the impact can be seen in terms of altering the expectations of the two superpowers as to Canada's role (developing a recognition that mediatory activity is a viable

Canadian role) rather than on the amelioration of their conflict. In other cases, the impact can be seen in terms of the direction of the superpower relationship itself. In either case, the mediatory role undertaken has fit into our management context by focussing on process related concepts identified by both Winham and Clark: developing perceived common ground, improving atmospherics and injecting new ideas.

Chapter one will be devoted to an illustration of the limits of traditional third party approaches to situations of protracted conflict where consent to peace-promoting outside involvement is highly problematic. This will include a brief review of the systemic environment that has been created by the post-war relationship between the United States and the Soviet Union, outlining therein the constraints on mediatory activity. Then, a conceptual and historical overview of third parties in conflict will be provided, particularly the role of third parties in conflict settlement processes at the global systemic level. Chapter two will expand upon the concept of mediation to envisage it as part of a management process in the settlement of a protracted conflict. This will require a reconceptualization of mediatory roles to consider the role of mediation in the wider context of the dynamics of a long-run conflictual relationship; specifically how a role can be undertaken that circumvents the requirement of consent. To this end, a "dominant-supportive" continuum of mediatory roles will be postulated, according to the degree of control exercised (or attempted) by the mediator in the

conflict settlement process. This continuum will further assist in illuminating which roles might be most in accord with the management idea. The conclusion of chapter two will address how a "middle power" in the international system might be considered a ideal third party to undertake these possible mediatory roles in a "dualistic" system.(1) It will be suggested that a middle power combines the right "mix" of resources, capabilities, interest and international profile necessary for third party activity that can make an impression on the conflicting parties. Turning to Canada specifically in chapter three, attention will be focussed on the factors which have contributed to Canada's propensity for middle power mediatory activity in international politics generally, and in East-West relations in particular. These conceptual threads will then be considered in light of Canadian mediatory activity in East-West relations since 1945, utilizing two illustrative examples.(2)

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(1) The use of this term is based on Holbraad's (1984) conception of a "bipolar" systemic environment, rather than on the concept of overlapping but distinct systems. See below, Chapter one, for more on this.

(2) Throughout this analysis we will be employing what Munton (1973: 10) has termed the "systemic model" of international relations, dominated by inter-state conflict, interbloc hostility, UN activity and superpower relations. Canadian behaviour is seen as being shaped by the changing nature of these systemic activities, a view that Munton suggests is dominant in the literature on Canadian foreign policy (27, 50). Thus, Canadian mediatory activity will be seen in terms of systemic roles relative to the superpower relationship.

CHAPTER ONE

CONFLICT AND THIRD PARTIES IN THEORY AND PRACTICE - THE LIMITS OF
TRADITIONAL APPROACHES

The Traditional Limits of Mediation in a "Dualistic System"

The number of great powers in the system and the political relations that exist between their chief actors determine the international environment of the lesser states and influence their behaviour towards the great powers...

Holbraad 1984: 5

The systemic environment we are interested in first assumes the preponderant influence wielded in it by great powers, (1) determined by their strong military, economic, diplomatic and other resources. Their policies and actions largely influence (if not determine) the pace of international politics and therefore set the broad parameters of the environment. 'Lesser' states must act largely within these parameters.

More specifically, the systemic environment is determined by the nature of what we might term the "central relationship"

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(1) The status of great power is derived from having a distinctively greater power base than that of 'lesser' states. It should be stressed that the great powers are not necessarily endowed with equal power status. Indeed, the variance in great power strengths can be, and often has been in history, considerable.

between or among the great powers. In some cases, there may be only one great power in the system. This "unifocal system" (Holbraad 1984: chapter four) is usually a regional sub-system of the global system. India in the Indian subcontinent, the U.S. in Latin America and the Soviet Union in eastern Europe are some contemporary examples. In these cases, obviously no central relationship exists and the systemic environment is mostly shaped by the policies of the single great power towards its neighbours.

However, a more common state of affairs is the existence of two or more great powers who conduct a central relationship that dominates, and thus largely shapes, the systemic environment. If there are two great powers, the system is "dualistic"; if three, "triangular" and if more than three, "multiple" (Holbraad 1984). A review of the nature of the latter two systems and the roles of other powers in them exists elsewhere (Holbraad 1984: chapters six and seven). For our purposes, we are concerned only with the dualistic system.

The history of international politics has been marked with frequent examples of two great powers dominating over the others. From the rivalry of Sparta and Athens to the Soviet-American relationship, dualistic systems have abounded. Most often the central relationship between the two great powers in these systems has been conflictual, although the degree or level of conflict can range over a spectrum, varying from war to functional cooperation (such as the limited co-management of

systemic affairs).

Holbraad (1984: 118) has identified three major types of relationships along this spectrum that is relevant to the Soviet-American relationship since 1945: cold war, diplomatic concert and rivalry mixed with cooperation. A state of cold war is characterized by intense rivalry, political and ideological, between the two major powers. Although direct conflict ('hot' war) does not occur, recurrent crises and indirect proxy wars, along with a furious battle for the 'hearts and minds' of other states and peoples, are prevalent. Tensions run consistently high and the relationship is barely controllable.

Diplomatic concert, by contrast, is a state characterized by frequent, high-level contact and negotiation between the two major powers, aimed at jointly sharing managerial functions in the society of states. Conflict is not usually resolved, but is managed to the extent that control over the relationship is sustained at low levels of tension and flashpoints are kept to a minimum.

The third state of the central relationship in a dualistic system is the more variable one of rivalry mixed with cooperation. Elements of both cold war and diplomatic concert are present but in varying degrees, ranging from "restrained rivalry" short of cold war to limited cooperation short of diplomatic concert. The mix is essentially dynamic, however. Fluctuations along this range in the relationship occur constantly; indeed,

cooperation on one level of the relationship (i.e., cultural or scientific relations) can co-exist with considerable rivalry at another (i.e., security relations). In a complex relationship such as exists between the United States and the Soviet Union in the post-1945 global system these apparently contradictory states of affairs are commonplace.

In the context of a basic cold war-oriented dualistic system, other powers must decide between a basic choice of joining one great power or remaining uncommitted; being a supporter in an alliance or maintaining a neutral (though not necessarily detached) position. Either choice narrows the scope of opportunity for mediatory activity, regardless of the capacity or will of other powers. The aligned power is expected to follow the lead of the alliance leader and not undertake any mediatory role that might bring into question that support. As Young (1967: 103-4) suggests: "aligned states are caught on the horns of a serious dilemma. (They) can make a serious attempt to achieve political acceptability...but in so doing (they are) likely to become more and more out of step with (their) bloc." For a non-aligned power, any effort⁽¹⁾ expended in playing a mediatory role is compromised by the tendency of the great powers to ignore their interests and even question their right to play such a role.

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(1) if it exists; such powers may favour aloofness or even conflict escalation in order to gain certain advantages - see Holbraad 1984: 126-8.

In a situational context where the superpowers attempt some form of diplomatic concert, other powers are likely to be reduced to objects of a great power co-management process. In that situation they are left with a choice either of active opposition to this process, or joining the concert as "subordinate" members below the principal managers (Holbraad 1984: 135-40). Either choice dramatically reduces the probability of mediatory activity.

Most important, however, in either a situation of cold war or diplomatic concert, is the propensity of the great powers to deal directly with each other and show little inclination or either desire or require third party mediatory activity. In situations of intense rivalry, if the great powers are set on pursuing their conflict, no amount of effort by other powers, allied or not, can effectively restrain or otherwise mediate between them. "If they do not wish to negotiate, no third party can make them do so; and if they do not intend to reach agreement, not even a concert of (other) powers is able to bring enough pressure to bear to make them come to terms." (Holbraad 1984: 123.) In situations of diplomatic concert, the great powers will demonstrate through their co-management activities little need to call in third parties for mediatory assistance.

In short, situations of intense rivalry or diplomatic concert between the two great powers in a dualistic system create a systemic environment which is not favourable to effective

mediatory activity. In the former case they do not want a mediator; even though heightened tension would suggest a greater need for one. In the latter case they do not perceive a need for one, even though lowered tension might make them more amenable to such activity.⁽¹⁾ This leads to our first proposition: a systemic environment characterized by two great powers engaged in either intense rivalry or extensive co-operation severely limits the scope for third party mediatory roles.

However, in a more dynamic systemic environment created by a central relationship described as rivalry mixed with cooperation, such limitations may not be as significant. Holbraad (1984: 151) suggests that in these situations other and especially middle powers might enjoy "...considerably larger scope for autonomous roles than they normally enjoy in conditions of either cold war or diplomatic concert." Certainly if it can be argued that in a long-term central relationship, the most likely situations are multi-layered and fluctuating elements of rivalry and cooperation between the two principal protagonists (East-West relations,

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(1) This dilemma is also reflected by the existence of contradictory propositions in the theoretical literature on third parties. On the one hand, it has been suggested that direct disputes between two major powers, or any dispute over vital issues (also termed a cold war dispute) leaves little room for mediation. On the other hand, if the dispute is between two states of roughly equal power, or is long-lasting in nature, it is deemed to be more open to mediatory initiatives. See Bull 1984: 1; Young 1967: 44; Wolf in Kriesberg 1982: 274; Cot 1972: 18; Williams 1977: 330; Malitza 1985: 84-5; and Edmead 1977: 251. A survey of some of these propositions by Frei (1975: 72-5) has even questioned their validity.

apart from a short period in the late 1940's to the early 1950's, can be considered in this way), there is a greater chance that a mediatory initiative might have a role to play. Therefore, our second proposition: where there is a "mix" of rivalry and co-operation between the great powers, it is more likely that third party mediatory initiatives will have some impact. More precisely, in a situation of "flux", it is more likely that circumstances might be created where third parties can play a constructive and effective role.

Of specific interest in these situations are possible mediatory roles of other powers when the central relationship is characterized chiefly by restrained rivalry short of cold war. In these periods of unstable or rising tension, both the need for, and resistance to, mediatory activity is likely to increase. For lesser powers aligned to one of the great powers, the pressures pushing in the direction of the loyal ally role are considerable. However, this pressure may be counterbalanced by a greater willingness on the part of a prospective third party to undertake a mediatory initiative with some hope of success than would be likely in a situation of tight bipolarity, if a favourable opportunity presented itself. Such a power may attempt to make use of its relationship (and potential influence) with its alliance leader to pursue some form of supportive mediatory

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(1) See Holbraad 1984: 23-4. In the conceptual literature on third parties this has been sometimes referred to as the principle of "unequal rapport" - see, for example, Pruitt 1981a: 215-16.

role.(1) Alternatively, it may utilize its resources and position to risk launching an initiative of its own, or with other states, aimed at reducing tension and facilitating a movement toward greater cooperation. This could be directed at other lesser powers as well as the two major powers, taking the form of bridge-building (Holbraad 1984: 144-5). Thus, our third proposition: lesser powers who are aligned to a great power may be able to deflect pressures to fulfill the role of loyal ally in periods of "flux" close to cold war by taking on management-oriented mediatory roles, taking advantage of their biased position.

However, this does little to alter the basic fact that the major obstacle to the effectiveness of even this mediatory activity is the probable resistance offered to it by one or both of the major powers. The tendency of these powers to deal more directly with each other in periods of high or rising tension has been mentioned; we could also suggest the view that the predisposition of the great powers to make an effort to settle or not settle their differences might be a far more important determinant of mediatory success than any possible initiative of a mediator. In the absence of any indication that the superpowers were interested in some settlement (in which case they would not necessarily look for mediatory assistance anyway), any amount of willingness on the part of the prospective mediator to play a role may be academic.

Clearly the nature of the systemic environment we are concerned with in this paper puts substantial limitations on effective mediatory activity. Nevertheless, there are situations where such activity might have a greater likelihood of having a positive impact. In any case, the nature of these limitations can also be better understood in the context of reviewing more generally the theory and practice in conflict settlement. To this we now turn.

Third Parties in Conflict Settlement(1)

The history of social conflict is pervaded by the presence of third parties. Regardless of the context, be it a family, community, organizational, societal or global setting, third party forms and processes have been present to play some role. The tribal chieftain, the mutual friend, the referee, the court, public opinion, the coalition partner, the neutral (or interested) state, the international organization and the interventionist military force are only a few of the "thousand different guises" the third party can appear as in conflicts at the interpersonal, intra/intergroup, interstate or transnational level (Williams 1977: 351).

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(1) The term "settlement" is utilized throughout this paper in its generic sense. That is, it refers to all processes aimed at terminating, controlling or managing conflict situations. In other contexts it could be seen as a more narrow process, differing from conflict management or resolution. However, the debate on these definitions is beyond the scope of this analysis. For a useful encapsulation of the differences, see Buckley and Pearson, 1987.

Taken by themselves, third parties, like conflict, are neither 'good' nor 'bad' in their impact on any given conflict situation. It is the nature of their activity which determines whether they are playing 'functional' or 'dysfunctional' roles in social conflict. As in conflict, third party activity is deemed functional when it contributes to an improved relationship between or among conflicting parties; dysfunctional when it worsens the relationship.

Third parties can be present in any stage of social conflict, but most often the third party is associated with the process of conflict settlement. In this process the functional/dysfunctional impact of third party activity can be defined a little more precisely. A functional role is one that attempts to help the conflicting parties find a mutually acceptable outcome to their conflict, while a dysfunctional role would be one that helps one side to 'win' or both to lose. Mitchell (1981b: 275) calls the functional role "intermediary" activity and the dysfunctional "partisan" activity. Partisan behaviour, states Mitchell, "...is intended to help one of the parties to win the dispute...Intermediary activity, on the other hand, is undertaken by a third party with the primary intention of achieving some compromise settlement...or at least ending disruptive conflict behaviour..." (see also Touval, 1982: 4)

On the dysfunctional side, history continues to be marked by numerous examples of third party activities designed to help one

side 'win'. The use or threatened use of force by a third party, often acting with its own particular interests in mind rather than those of the party it is ostensibly aiding, is still common in international relations. The Soviet Union in Afghanistan and the U.S. in Grenada are two classic contemporary examples but others abound. There does not seem to be any likelihood that these military interventions will abate significantly in the foreseeable future (see Bull 1984). Indeed, even the evolution of such ostensibly benign third party roles as peacekeeping (also labelled 'collective intervention' - see Luard 1984: 157-179) have been utilized to prevent the use of force by a show of force (albeit token). Moreover, such a role is severely limited in its functional orientation because, as Luard suggests, it is limited to preserving the status quo and does little or nothing to actually assist the parties to a mutually acceptable outcome from their conflict.(1)

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(1) This limitation has resulted in frustration for peacekeepers (for example, Canada in Cyprus) who end up spending a seemingly endless amount of time merely keeping a conflict situation in a state of suspended animation without any real evidence that a productive conflict settlement process is taking place. Moreover, peacekeepers are often easily dismissible or ignorable if and when deemed necessary by any of the conflicting parties (witness UNEF I in 1967 or UNIFIL in Southern Lebanon in 1982). Indeed, they have even on occasion exacerbated conflictual situations by their very presence (witness the fate of the multinational force in Beirut in 1983-4). On the other hand, there have been occasional instances (UNEF II) where peacekeeping can be seen to have had a positive impact on subsequent peacemaking. On the whole, however, the need to link more effectively peacekeeping to peacemaking has been strongly emphasized by numerous observers, including peacekeeping veterans such as Harbottle (1979-80).

However, it is possible to suggest that efforts to codify and widen the scope of functional third party activity are also prevalent in social relations. For example, one can point to several judicial and quasi-judicial third party processes (adjudication, arbitration, conciliation).⁽¹⁾ Although 'directive' (in the sense that the third party is given the role of determining or recommending an outcome for the parties), such processes have nonetheless been intended to provide for peaceful alternative outcomes to conflict.

Perhaps more significant is the existence of what might be termed 'voluntary' third party processes; that could be grouped under our broad definition of mediatory activities. These are voluntary in the sense that the third party acts not so much as an external decision-maker or directing influence but more of a contributor to a joint decision-making process. Other functionally-oriented third party roles have been developed to

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(1) Conciliation under international law usually has a different role than conciliation in labour-management conflicts. In the latter case, conciliation refers to attempts by a third party to alter the perceptual predispositions of the parties toward each other in order to assist in facilitating an improved capacity for them to tackle their substantive differences. In international affairs, conciliation is legally recognized as a process whereby a third party utilizes methods of inquiry and then submits non-binding recommendations for an 'equitable' solution, thus "bordering on judicial settlement". (see Meynaud and Schroder 1961: 32.) There is no hard and fast rule, however. Some authors do not make any distinction in their reviews of international third party roles, utilizing only the labour-management definition. (See, for example, Touval 1982: 4.) International conciliation procedures are also utilized in numerous labour-management situations.

fit specific issue or situation-related requirements, such as the ombudsman or the informal advisor.

The pursuit of mutually acceptable third party settlement procedures reflects a tendency in human social relations to often consider alternative conflict settlement processes to strictly competitive (and often dysfunctional) ones such as victory, defeat or yielding, stalemate, avoidance, suppression, inaction or withdrawal. (Pruitt and Rubin 1986: 127-32; Kriesberg 1982: 213; Bercofitch 1984: 8-9; Williams 1977: 321). These competitive processes are usually characterized by unilateral decision-making among the conflicting parties. However, as the costs of unilateral action, along with its uncertain rewards, have often proven that unilateral approaches to conflict settlement are dysfunctional to the pursuit of peace. Consequently, there has been, over time, a development of greater awareness of, and resort to, increasingly attractive and available alternatives to unilateral action.

These can take many forms, but usually they fall within the context of 'negotiatory' processes. By negotiatory we mean any conflict settlement process which involves some form of communication between the parties; communication utilized in a peaceful manner to explore possible areas of agreement. Williams (1977: 321) refers to processes of value-change and compromise. Rubin and Pruitt (1986: 132, 140-2) call it the process of problem-solving, which can involve either compromise, agreement

on a procedure over who wins (ie, a coin toss), or integrative solutions.(1)

The view that parties in social conflict often utilize joint decision-making negotiatory processes to settle their conflicts, and that third parties normally play a functional role in this process, is reflected in much of the newly developed literature on third parties. This literature, in defining the third party, clearly assumes its functional role. Third party activity is labelled "pacific third party intervention" where the party acts to inhibit dysfunctional conflict while simultaneously "help(ing) the parties to find a proper, and satisfactory basis for agreement." (Bercovitch 1984: 9.) The third party is seen to act "as an instrument for bringing about peaceful settlement." (Harbottle 1979-80: 120.) The third party role "is designed to reduce or remove one or more problems in the bargaining relationship and therefore to facilitate the termination of the conflict itself." (Young 1967: 34.) The third party acts as a "modifier" states Rubin (1981a: 7), by contributing to the enhancement of communication between conflicting parties.

The tendency to equate a third party with functional

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(1) It should be stated that these processes can not always be considered functional. Communication in intense conflict can be negative (Deutsch 1973) and compromise can be seen as a distributive, win/lose approach (Kriesberg 1982: 213). Indeed, some writers have criticized certain negotiatory approaches as essentially dysfunctional because they use coercive power and often will not satisfy the needs of all the parties (Burton 1979: 96-7; Bercovitch 1984: 145-7).

approaches to the settlement of conflict is more widespread in the literature dealing with 'domestic' conflict, but it is also popular in studies on global conflict. Both Harbottle and Young were defining the third party in a global context. The history of diplomatic practice and various attempts to 'institutionalize' pacific third party roles in global conflict settlement(1) have also contributed to the popular image of the benevolent and helpful 'third man'. As Mitchell (1981b: 287) states, a basic assumption has been fostered that intermediary activity at the global level

...involves a single, usually prestigious figure travelling between capital and capital with a briefcase full of peace plans, compromise solutions and face-saving formulae, ready to produce these...and hoping that, by use of ingenious arguments and the force of his prestige, one or other of his schemes will provide the long-sought-for solution.

What is generally true is that functional third party processes in the settlement of conflict have been better developed in both theory and practice at the interpersonal and intergroup levels of social conflict than at the global level. Contemporary practical advances in family mediation and counseling, labour-management conciliation and mediation, organizational conflict settlement processes, in addition to more established judicial procedures, have contributed to improved understanding of how constructive third party roles can be

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(1) see below, pages 40-43.

developed and utilized effectively to deal with a myriad of conflict situations in interpersonal and intergroup environments.(1)

Cumulation in understanding third party activities in the settlement of conflict at the global level is less developed than that in various domestic contexts. That there have been significant advances, particularly since the beginning of the twentieth century, in efforts to codify and promote the practice of peace-promoting (functional) third party roles to help resolve conflict cannot, however, be denied. Indeed, between 1815 and 1960, mediatory initiatives in international politics have been recorded as having occurred on an average of one for every 4.5 months, with a sharp rise discernible after 1895 (Levine 1975: 31). The Austrian foreign minister Metternich introduced at the

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(1) Such improvement has been reflected in recent developments in the theoretical literature on third parties in these domestic contexts. Before the 1970's, most of this literature appeared intermittently and much of it was limited to third parties in the context of the theory and practice of labour-management negotiations (Jackson 1952; Kerr 1954; Peters 1958; Douglas 1962; Stevens 1963; Walton 1969; Simkin 1971). Some of it has been quite insightful. For example, Peters considered whether a mediator could be seen as a "neutral" (passive messenger boy), a "catalyst" (assisting in the breaking down of perceptual barriers), or a "leader" (offering substantive suggestions). Peter's approach constituted an early attempt to conceptualize mediatory roles in terms of a range or continuum. Since 1970, however, a much larger and more varied volume of research has appeared on third party roles and functions in domestic social conflict settings. It has moved beyond labour-management contexts into community, family and organization conflicts. Important insights from such disciplines as sociology, law, social-psychology and psychology have emerged. For an excellent discussion of recent research in a number of contexts, see a theme issue on "the mediation of social conflict" in *The Journal of Social Issues* 41:2 (1985).

Congress of Vienna in 1815 the idea of "compulsory mediation" or automatic intervention by a third party (single or collective) to enforce a peaceful settlement in any conflict situation that threatened stability among the European powers. This was a coercive approach, but interestingly it was justified according to the perceived rights of the third party to intervene rather than the predisposition of the conflicting parties to allow a third party (see Cot 1972: 33-5).

Article 4 of the Convention that emerged from the Hague Peace conference in 1899 identified the roles of judicial settlement, mediation and good offices as third party activities under procedures for the peaceful settlement of international disputes. Importantly, it emphasized that an offer of mediation could never be regarded as an unfriendly act and further suggested that the role of the mediator was to reconcile "the opposing claims and appeas(e) the feelings of resentment which have arisen between the states at variance" (Davies 1966: 30, 72). This suggested that states recognized both the overall functional value of mediation and more specifically the content and process roles it could play.

No doubt misgivings about this "free rein" given to third parties led to the insertion in Article 5 of the second Hague Peace conference Convention (1907) the clause that mediation ended as soon as either the mediator or any of the parties announced that his efforts were no longer acceptable (Cot 1972:

37). Nevertheless, the establishment of a codified license for a functional third party activity was an important precedent. As Pechota notes: "together with the operational rule of respect for the parties' autonomy to decide on the extent of third party involvement, this principle removes the ground for any restraint in offering or accepting assistance and frees the diplomatic structure of constraints inherent in more formal practices." (Pechota 1977: 160; see also Jackson 1958: 512.)

After the First World War the new League of Nations Covenant included similar references to third party roles in the peaceful settlement of international disputes, and developed far more substantially an institutional basis for these roles to occur. In practice, the League had numerous opportunities to employ this machinery (see Jackson 1958: 509-14).

The establishment of the United Nations Organization in 1945 further codified various roles for third parties to assist in the peaceful settlement of conflicts. Under Articles 33 to 38 of the UN Charter, the Security Council is authorized to encourage or recommend the use of any or all of the following third party procedures: enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or other peaceful means. The International Court of Justice is empowered under Article 94 to hear and render binding decisions on conflicting claims submitted by disputing parties for a legal ruling (Jackson 1958: 515-26).

The UN, and subsequent regional organizations such as the OAS and the OAU who have enshrined third party peacemaking roles in their charters, have had many more opportunities than their predecessors to engage in third party activities. Early 'good offices', 'conciliation' and 'investigation' Commissions and Committees were established by the UN to deal with such issues as Palestine, Indonesia, Kashmir and Korea. A trend towards the utilization of high profile representatives as mediators was also established early on and under Dag Hammerskjold even the Secretary-General became involved in such a role (Jackson 1958: 527-37). Numerous peacekeeping operations (not explicitly recognized in the Charter) have followed as well as several direct initiatives by various UN representatives, especially in the Middle East. More recently, initiatives have included efforts to end the Iran-Iraq war, the Kampuchean conflict and the war in Afghanistan. The World Court has heard and judged on many cases, and the states concerned who agreed to a submission to the Court's jurisdiction have largely accepted its decisions.(1)

The evolution of third party activities by international organizations and the codification of these roles under international law(2) are attempts to develop what Pechota calls

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(1) Notable exceptions such as the Corfu Channel dispute notwithstanding!

(2) Butterworth (1976) cites that in 310 identifiable conflicts for the 1945-74 period, 40% involved UN mediation and a further 42% other third party activity, much of it by regional organizations. Zacher (1979) has similar statistics. (Cited in Bercovitch 1984: 92.)

the "regulatory" and the "legal/institutional" structures of third party settlement. Through the building of regulatory processes and the authority of law the interests of conflicting parties in attaining certain objectives are encouraged and pressured to be reconciled with the interests of the international community to maintain peace and security (Pechota 1977: 155-7).

The cumulative effect of such efforts on peaceful outcomes in global conflict are of course still highly problematic. 'Partisan' third party activity under the guise of 'intermediary' activity persists. However, the increasing frequency of these peacefully-oriented third party efforts in practice, by states and international organizations alike (and increasingly 'unofficial' third parties - see Touval and Zartman 1985b), have promoted (as similar developments at the domestic level have) a growing interest in studying them. Although little comprehensively analytical and conceptual work is discernible before the mid-1960's (Gulliver 1979: 210-11), earlier writings (Jackson 1952, 1958; Meynaud and Schroder 1961; Davies 1966) were useful in developing terminology and distinguishing among roles. Both Meynaud/Schroder (31-33) and Davies (17-18, 31, 73-4), for example, not only identify a series of third party roles (including mediation, good offices, inquiry, conciliation and arbitration), but also distinguish definitionally among them (calling the first three more applicable to "political disputes" and the latter two judicially-oriented).

These early distinctions in the conceptual literature are little more than simple interpretations of existing practice but they are important nonetheless as early contributions to a clearer understanding of the nature of third party activity in the global system. Not only do they firmly establish the functional (in definitional terms) orientation of third party activity but also clarify the conceptual distinction that exists between roles involving unilateral third party decision-making and those that involve joint decision-making among the conflicting parties, with the third party acting as an input rather than a decision-maker or directing influence.

By the late 1960's a more comprehensively analytical literature began to appear, initiated by the writings of Young (1967) on the UN as a third party, James (1969) on peacekeeping, Cot (1972) on international conciliation and Curle (1971). However, it is both theoretical and practical criticisms of traditional methods that has most contributed to the impressive cumulation of third party literature in the context of global conflict. On the practical side, many parties involved in complex and often protracted social conflict situations have looked askance at any resort to legalistic or regulatory third party processes which seem both narrow and western in orientation. It has become problematic, if not actually dysfunctional, to attempt to "fit" traditionally conceived third party settlement mechanisms in a "socially autonomous" global system where few institutionalized processes for collective decision-making are

fully accepted.(1)

Much of this literature has also strongly criticized from a theoretical perspective traditional conceptions of third party activity. For example, the suggestion of a group of international lawyers in the mid-1960's (Davies 1966) that existing third party procedures for the peaceful settlement of international disputes were adequate and only lacked the political will to use them was dismissed by Burton (1979: 97) as a "hardly satisfactory...explanation of the failure of these traditional means of handling processes of change and conflict." Consequently, a lot of the more recent third party literature has focussed on 'newer' and more innovative types of third party activity, such as Kissinger as the biased "powerful intermediary" in the Middle East (Rubin 1981a), the initiatives of various "unofficial diplomats" in such conflicts as Vietnam and Pakistan-India (Berman and Johnson 1977), numerous middle and small power efforts (see Touval and Zartman 1985b) and third party consultants (see Hill 1982 for a review of this literature). Thus, our fourth proposition: traditionally conceived mediatory roles are often inappropriate in a global system where few institutionalized processes for collective decision-making are fully accepted.

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(1) Although the contemporary global system may be seen as a "society", with increasing evidence of interdependence and improving means for maintaining social order, it is still essentially "anarchical" in nature. See Bull (1978) for a good discussion of the problems and prospects of enhancing social order in an international anarchical society.

Dominant Versus Supportive Mediation

The foregoing discussion demonstrates that research on third parties in theory and practice, in both domestic and international settings, has made significant gains since the second World War (paralleling similar breakthroughs in research on the phenomenon of social conflict itself). At the global level, this cumulation has been slower but, no less important in its insights. What is noticeable from this plethora of third party activity and analysis is the emergence of two functionally-oriented role-types which in particular have become the focus of much attention in the study of third parties attempting mediatory activity in the settlement of international conflicts. On one side are what might be termed 'dominant' role-types; mediatory roles that exercise a large degree of control or influence over the conflict settlement process without actually serving in a decision-making role. They are, as Gulliver (1979: 225) terms it, "leader" roles, focussing primarily on the substantive issues dividing the conflicting parties. They have a significant capacity to reward and/or punish the parties and utilize this capacity to manipulate the discussion of the issues. In addition, they have important self-interests and a high stake in pushing the parties toward agreement. On the other side are what might be termed 'supportive' role-types; roles which exercise a much smaller degree of control (though not necessarily influence) over the conflict settlement process. They focus

primarily on process-related issues, seeking to assist the parties to more integratively address substantive issues by encouraging them to engage in more cooperative modes of interaction. They exercise little or no power as such (although through skill, knowledge and experience potentially a considerable amount of influence); and have a generally low stake in any prospective outcome.(1)

There are two primary mediatory roles that best encapsulate the dominant and supportive role-type. The dominant role is that of "powerful intercession". The mediator, as a third bargainer, has as his objective the reconciliation of the substantive differences between parties. His strategy is to utilize various inducements at his disposal to pressure for compromises that could lead to agreement. The supportive role is that of "consultation".(2) The mediator has as his objective the adoption by the parties of a problem-solving approach to settling their conflict. He is primarily concerned with an incremental process-oriented strategy that exercises little or no power but is influential to the extent that it encourages the parties to adopt an integrative approach to resolving their conflict.

Most of the third party literature, in discussing mediatory

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(1) Touval and Zartman (1985b: 13) call this "pure" mediation.

(2) The consultant is not necessarily one person, and in fact in the context of the problem-solving workshop is usually a panel of 4 or 5 experts. See below, pages 49-51; also, Fisher 1987.

activities, focuses primarily on these two role-types, often dichotomizing between them.(1) The importance of mediator power, or as Touval and Zartman (1985b: 10) call it, leverage, and the assumption of the largely win/lose nature of conflict settlement pervades the discussion of the powerful intercession role. The mediator as third bargainer has already been mentioned; Stein (1985: 337) refers to the power of the mediator in a "triadic situation" where he can act as a "coalition maker" and exercises "strong leverage" inherent in his negotiating role. Mitchell (1981b: 254) speaks of it as a "triadic hierarchical structure" with the mediator occupying a "superior position" vis-a-vis the conflicting parties. Both Smith (1985: 366), and Randolph (1973: 281-2) emphasize the directly proportional relationship of mediator power to the likelihood of settlement.(2) Smith and others also refer to the important self-interests and stake the powerful intercessionary brings to his role.

Touval and Zartman's work (1985a, 1985b) perhaps best elucidates the powerful intercession mediating role. Mediation must be seen "within the context of power politics" they argue; "the rational actor is most useful, one that employs cost-benefit

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(1) See Bercovitch (1984: 20 and 1986: 44-5) for recent brief summaries and reviews.

(2) A contrasting view is offered by Pruitt and Rubin (1986: 179) who suggest that the less a role (and use of power) the mediator has and uses the better. "Like the Dodo, the Roc and the Auk, the effective third party should be able to render himself or herself obsolete and extinct." (See also Rubin 1981a: 288-9; 1983: 218.)

considerations." The mediator has both "defensive" and "expansionist" interests that motivate involvement (beyond humanitarian concerns) in the peacemaking process; similar power-political considerations motivate the parties to invite or accept such involvement. Essentially, "mediation as power politics means the maintenance of the mediator's role, not simply allowing the parties to solve their own conflict by themselves."

Touval and Zartman recognize other facilitative-type roles a mediator might play but their major focus is on the mediator as "manipulator". The manipulating role utilizes different forms of leverage. Leverage is considered "the ticket to mediation"; without it, the mediator has no hope of either acceptance or ability even if accepted to contribute to the process of conflict settlement.(1)

A contrasting view - the mediatory role of consultation - traces its roots to the pioneering work of John Burton (1969, 1972, 1979, 1984).(2) Burton has challenged the underlying assumption of conflictual relationships that underlies so much of

(1) Analyses of practice involving this mediatory role-type can be found in Rubin 1981a, Touval and Zartman 1985b, Touval 1982, Zartman 1984, Bercovitch 1986, Pauk 1980 and Amin 1978. Much of the discussion centers around mediatory efforts of the United States in the Middle East but also included is the "Soviet mediation" between Pakistan and India in 1966 and British mediation in Zimbabwe/Rhodesia 1976-79.

(2) Cumulation in this approach is also derived from the efforts of Walton (1969) at the interpersonal level and Fisher (1972, 1983, 1985, 1987) who has integrated the problem-solving literature into a model of third party consultation. (See also Mitchell 1981b: 293.)

the power politics literature - that their outcomes are essentially determined by power political considerations - and the subsequent operating assumption that a powerful mediator must engage in power bargaining. So-called "objective" conflicts of interest, even values, argues Burton, are actually subjectively derived through perception and attitude, and thus can be reassessed by utilizing a problem-solving process which provides for the possibility of win-win, positive sum outcomes.⁽¹⁾ Such a process "...reveals to the parties as many of the relevant behavioural aspects of the relationship as is possible, the motivations of each other and their perceptions and definitions of the conflict situation. In addition, the process (leaves) them fully satisfied that the outcome is acceptable and meets their needs in so far as they are presently aware of them." (1979: 118.)

It is only in this way, Burton stresses, that values, interests and relative costs and benefits can be reassessed "such that no compromises are required that would leave parties in a state of continuing conflict." (1979: 118.) This process (which has been conceptualized and operationalized in a workshop form that brings 'unofficial' representatives of the parties together along with a mediating team) requires a major supportive role by

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(1) The "objectivist-subjectivist" debate over the sources of social conflict and the resultant requirements for conflict 'resolution' is a large and ongoing one which is beyond the scope of this study to address. For useful reviews see Burton (1979: 104-08), Mitchell (1981a: 14-20) and Kriesberg (1982: 4-5).

a third party who bears "little relationship to the traditional notion of the mediator..."(118). The consultative mediator takes a deductive, analytical and non-directive approach, acting primarily in an initiating and structuring manner and focussing on the behaviour, attitudes and perceptions of the parties which together contribute to their conflictual situation (Mitchell 1981b: 275-6). To this end he will perform such functions as feeding and synthesizing information between the parties, structuring communication, ongoing diagnosis and tentative assessment making about the nature of the conflict and the issues in dispute (1979: 118-19, also 1972; Mitchell 1981a: 122-3; Fisher 1985: 10-11). But it is "the parties themselves (who) must play the main role..."(1)

It could be argued that the mediatory role-type of powerful intercession is most often associated with mediation in a short-term conflict settlement process. The mediator's focus is on gaining agreement on substantive issues; "getting to yes".

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(1) There have been a number of 'action research'-oriented applications of the problem-solving consultative role in global conflict situations, including the Arab-Israeli conflict, Northern Ireland, Lebanon, India-Pakistan, the Falklands/Malvinas and the Horn of Africa. (See Fisher 1985: 11-16 for a recent and excellent review.) Other work has been done on what might be termed variations on the consultation theme. Berman and Johnson's *Unofficial Diplomats* (1977) describes numerous private mediatory initiatives, both from individuals and non-governmental organizations such as the Quakers, the International Committee of the Red Cross (ICRC) and the Committee of Churches on International Affairs. These parties share the necessary qualities of low power, stake and impartiality as well as experience and knowledge that a consultation role requires. (Touval and Zartman 1985b also have a chapter on the work of the ICRC.)

presumes that opportunities already exist for mediated negotiation that can lead to an agreed conflict settling outcome. Thus the emphasis of the mediator acting as third bargainer, manipulating issues and utilizing leverage to push for agreement. Conversely, the mediatory role-type of consultation makes no presumption about the readiness of the conflicting parties to get to yes. Rather, the focus of the mediator is on "getting to the table", and strategies are oriented in the direction of means to increase mutual empathy and willingness to consider the pursuit of conflict settlement through negotiation. Thus, propositions five and six: dominant-oriented mediation is more conducive to third party activities aimed at settling a conflict situation in the short-term. Supportive-oriented mediation is more conducive to third party activities aimed primarily at encouraging and assisting conflicting parties to move toward a more effective process for settling their differences.

The Limitation of Consent

To encapsulate. We have basically two competing models of mediation. In one model one can find dominant-oriented mediatory roles, with the following characteristics. First, a high degree of control exercised by the mediator. Second, the extensive use of power by the mediator. Third, a very high stake in a successful outcome held by the mediator. Fourth, substance-oriented mediation, in that it is focussed on short-term conflict solutions. Fifth, the mediator usually has

the consent of the conflicting parties. In the second model we have consultative-oriented mediatory roles, with the following characteristics. First, a low degree of control exercised by the mediator. Second, a low degree of power utilized by the mediator. Third, a lower stake in a specific outcome, but a high stake in the adoption of a productive conflict settlement process by the conflicting parties. Fourth, process-oriented mediation, in that it is focussed primarily on working toward conflict solutions in the long-term. Fifth, the mediator does not necessarily have, or require, the consent of the conflicting parties.

The supportive mediatory role model seems to get beyond certain traditional conceptions of mediation inherent in the dominant role model. By clearly not presupposing any desire to come to agreement on the part of the conflicting parties, the consultative mediator breaks out of the limitations imposed on a powerful mediator attempting to reconcile only substantive issues in a situation of protracted conflict. In addition, the very lack of power wielded by the supportive mediator makes him more useful in a protracted conflict situation involving powerful adversaries, because he cannot be seen as a threat.

However, the supportive role model also has limitations. There have been a number of criticisms of the consultative role, relating to such questions as the problem of transferring a workshop process to the actual policy-making process; moving from analysis to actual resolution techniques that can work in the

field'; and applications to various levels of conflict intensity (see Hill 1982 and Bercovitch 1986: 44-5 for useful reviews; also Holmes 1976: 104). The critical issues of value-change and focus on process over substance have also been raised as possible weaknesses (Bercovitch 1984: 147; Levi and Benjamin 1977: 406-7).⁽¹⁾

Most importantly for our purposes, however, is the fact that the literature supporting either role model does not deal with the question of consent. That is, in neither case is the requirement of consent challenged or questioned. The literature on third parties assumes that consent of the conflicting parties is an essential prerequisite for mediatory activity to take place. A number of scholars on the subject (for example, Touval 1982: 4; Touval and Zartman 1985b: 7; and Raman 1985: 1) have included the requirement as part of their definition of mediation. Bercovitch (1984: 107) has cited how much importance practitioners attach to the need for either explicit or tacit consent. Pechota (1977: 159-60) concurs, suggesting that in diplomatic procedures, although it is important for the parties to "recognize the legitimacy of the third party's concern and acknowledge the duty to respond by opening the dispute to

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(1) It could be argued that these criticisms do not reflect a careful analysis (and thus comprehension) of the problem-solving approach. Burton argues, for example, that value-change is not the intent, only the development of new solutions that can be accepted without sacrificing values. He also does not suggest that substantive issues are ignored by the consultant(s); only that they must be addressed within the context of a different approach to the process utilized to deal with them. However, this debate is beyond the scope of this study.

(outside) influence", they reserve the right to decide on the extent (if any) of outside involvement, a "right of autonomy" the third party "must respect". These views are reflected in international law, argues Frei (1976: 69):

...mutual consensus constitutes the critical criterion for mediation in the perspective of international law; unless there is mutual consent by the parties concerned at least to let the mediator try...there is no mediation, strictu sensu.

For many analysts and practitioners, consent is based on the mediator establishing credibility through impartiality (disinterest) or independence vis-a-vis the conflicting parties. Impartiality is a necessary requirement in most domestic settings and a number of writers have extended the principle to the global level. Indeed, Young's earlier ground-breaking conceptual work on third parties suggests impartiality as a "basic quality" of the third party (1967: 81-3). Others, practitioners and theorists alike, have essentially concurred with this argument, (1) including advocates of the consultative mediatory role-type (see Mitchell 1981b: 292-3; and Doob 1981: 262-7). Non-aligned and neutral states in the global system utilize their self-described (although not always accepted as such) impartiality as justification for taking a mediatory role, assuming it is recognized as a basis for consent. Many NGO's have done the same, and relied on such a reputation in practice over time (i.e., the

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(1) See for example, Williams 1977: 355; Rubin 1981b: 40-1; Deutsch 1973: 388; Stenelo 1972: 35; and Holmes 1976: 111.

Quakers). The UN clearly utilizes this criterion in support of its mediatory activities (see Young 1967).

The impartiality requirement has been challenged by those who favour the power-politics approach to conceptualizing mediatory activity. For these scholars, impartiality (or bias) is of secondary importance in the minds of conflicting parties when they consider whether to accept or reject a mediatory role for a third party. "Instead, acceptability is determined by power-political considerations - by the expected consequences of acceptance or rejection..." (Touval and Zartman 1985b: 255).⁽¹⁾ For these writers, consent is thus linked more to the mediator's relative power, rather than his perceived impartiality (although the parties' concern for their self-image, not 'looking bad', can be another important consideration - see James 1969: 39).⁽²⁾

A third form of consent is related to the question of

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(1) See also Touval 1982: 10-16, 326; and 1985. For a slightly different interpretation of the role of bias, see Smith 1985.

(2) Thus we can see how consent is linked to our two major mediatory role-types identified earlier. For the powerful intercessionary mediator, consent of the parties to play a role is usually related to their consideration of whether his leverage can help them or not, whereas the consultative mediator often depends on a reputation of impartiality as a means of gaining consent.

A related means of consent occasionally mentioned in the literature (and cited by practitioners especially) concerns the credibility of the mediator. Often this is related to his impartiality or leverage, but it has also been identified in terms of the "legitimacy" of the mediator and the "prestige" of the institution or other force backing him. "Personal credentials" also create a "passport" of acceptability to the parties, it is suggested. (Holmes 1976: 108-111.)

timing. According to this view, conflicting parties will be more ready to consent to a third party role if they feel "ready to settle" and see a third party mediating role as useful to pursue this end. There is much debate about when this willingness occurs, at a point of stalemate or otherwise, (1) but the notion that an "optimal point" for acceptable mediatory activity to take place exists, or that conflicts often will reach periods where they become "ripe for resolution" is popular. (Rubin 1981a: 288; Zartman 1985.)

However, regardless of the means deemed necessary for gaining consent, be it impartiality, leverage, credibility, timing or any combination of these and other possible factors, the requirement of consent is still almost unanimously considered in the third party literature to be absolutely essential for third party mediation. Yet the same literature recognizes that this very requirement is the cause of problems for mediation. The David Davies group of international lawyers point to the lack of consent as the key obstacle to more effective third party roles:

Whether justified or unjustified in any given instance, the extreme reluctance often shown (by conflicting parties) to contemplate the introduction (of a third party) into the negotiations...is undoubtedly the principal cause of the all too frequent failure to settle international disputes. (Davies 1966;

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(1) Zartman (1985) talks of a "hurting stalemate"; Pruitt (1981a: 140; 1981b: 202-3) of a "deadlock", creating a situation, much like in labour mediation, where consent to a third party role is more likely. See also Stein 1985: 345; and Edmead 1977: 251.

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Perhaps the problem lies in the fact that very little of the third party literature makes a distinction between consent necessary for mediatory success (often identified with an outcome of agreement), and consent necessary for mediatory activity to take place, and to have some positive impact (on the process of settling the conflict). The latter is probably lumped together with the former in most cases. Nonetheless, one could suggest that there is room for "self-starting" mediatory activity, designed with particular objectives (possibly not related to traditional measurements for success) in mind that seek more limited but still important goals. Fisher (1978: 119) tells us that "...the way to become a mediator is to start mediating, not to wait for the parties' invitation." Perhaps this may be especially applicable, and Fisher hints at this, in cases of protracted conflict in which the antagonists display little inclination to ever settle their differences, thus creating few "ripe" moments, and may be relatively insensitive both to "impartial" and "powerful" mediators. There may be room, in these instances, for new approaches; the reconceptualization perhaps of mediatory roles to develop those which do not necessarily require consent in order to have some impact, although this may require the willingness to pursue more limited and long-term oriented objectives and strategies (Rubin 1983: 221-2). Thus, proposition seven: to the extent low power mediation focusses on

process-related issues rather than on the advocacy of specific outcomes in protracted conflict situations, the greater the range of mediatory options which can circumvent the requirement of consent, and therefore the greater likelihood that the mediatory initiative will have a positive impact.

Clearly such reconceptualization is necessary in the case of third parties in the U.S.-Soviet conflict when one considers the systemic environment which their relationship has created. A situation of protracted conflict, where lesser states are considered either allies, enemies or of little consequence, leaves little room for mediatory activity along traditional lines that require consent. What is necessary is an attempt to reconceptualize mediatory roles to produce a management-oriented role-type which, although utilizing elements of more traditional methods (as well as of innovative methods such as third party consultation), is nonetheless designed to circumvent the obstacle of consent. In order to do this it will be useful to outline a "dominant-supportive" mediatory role continuum, with our major role-types, that of consultation and powerful intercession, acting as the 'endpoints'.⁽¹⁾ The purpose of outlining the

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(1) In presenting this continuum, no attempt will be made to be comprehensive; the spectrum of mediatory roles is far too complex and diverse to allow for any defensible depiction of the full range that might exist in a continuum. It would be in any case, as Gulliver (1979: 221) suggests, "excessively tedious" to attempt such a depiction. We will limit ourselves to identifying and placing only the most familiar, in both theoretical and practical terms, roles, in addition to certain more unusual ones that are relevant to our analysis.

continuum will be to further set the context for outlining the nature of a management-oriented role relevant to Canada as an aligned middle power in East-West relations.

CHAPTER TWO

RECONCEPTUALIZING MEDIATORY ROLES - IDENTIFYING A THIRD PARTY

MANAGEMENT ROLE FOR PROTRACTED CONFLICT

Developing a Mediatory Continuum

It has been suggested that a distinction can be made among third party roles in the settlement of social conflict at the global level. One 'set' of activities can be seen as essentially "interventionist" in nature, coercively seeking to use force or the threat of force (military or otherwise) for the purpose of either assisting one side in a conflict to "win" or imposing a self-serving solution. A second set can be loosely identified as "neutral". Although they are not normally utilized for the purpose of helping any side, neither are they designed to assist with the peaceful settlement of the conflict, only its abeyance or regulation so that such settlement can take place. A third set are those roles which can be seen as being more functional in orientation in that they are intended to assist in the settlement of conflict in a peaceful manner and are usually introduced in a

negotiatory context.(1) Third party roles in the third set are most often found in cases where the conflicting parties have indicated, either through current or past activity, some willingness to pursue, at least as one policy option among others being pursued, negotiatory alternatives to any unilateral alternatives available to them for settling the conflict at a given point in time.(2)

It is this third set of third party roles that exists within a negotiatory context and tend toward a functional orientation that we wish to concern ourselves in considering a mediatory continuum. As suggested above, international law has codified a number of these roles, including judicial settlement, arbitration, enquiry, conciliation, good offices and mediation. A

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(1) The distinction between these three sets of roles should not, however, be recognized as existing along a clearly defined functional-dysfunctional continuum. As has been suggested, often ostensibly functional roles have dysfunctional effects or are employed in a dysfunctional manner and vice-versa. The most important criterion remains whether the role assisted in the movement toward a mutually acceptable outcome or not. It does seem prudent to suggest, however, that this third set of third party roles tend to be more functional in nature.

(2) One cannot overemphasize the importance of recognizing the dynamic nature of any conflict relationship and accompanying third party role. Over time circumstances alter parties' perceptions of the relative utility of various alternatives, and the negotiation alternative can quickly be discarded in favour of others, leaving a third party "out in the cold". Of course a shift back can also occur. This would likely be the case in a protracted social conflict situation. Also likely in such a conflict situation is the possibility that several policy alternatives are considered, even pursued, by the conflicting parties simultaneously, thus leaving open the potential for a similar variety in third party activity. These are important considerations from a third party management role perspective.

number of others have developed on an informal basis, such as unofficial diplomacy and consultation.

It has been further suggested that a distinction can also be made within these roles between those which are 'directive' (arbitration, judicial settlement, conciliation) and those which are 'voluntary' (enquiry or fact-finding, mediation, good offices, etc.). Because of their unilateral third party decision-making or directive nature (in terms of outcome) these 'directive' processes will not be considered further within the context of a mediatory role continuum. Such a continuum, by definition, will only include roles which allow for some form of involvement by the conflicting parties in the decision-making process.(1)

If one can accept that mediatory roles can be seen as falling "along a spectrum that defies a strict definition" (Folberg and Taylor 1984: 7) one can proceed to outline this spectrum as a continuum in two steps. First, by establishing the range of mediatory roles that could be found on the proposed continuum, and second, by identifying a number of specific roles.

A review of the third party literature suggests that a useful range could be established utilizing the criterion of "degree of control" the mediator exercises (or attempts to

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(1) For a recent and useful discussion of international arbitral settlements, see Raymond (1980). On the record of international conciliation, see Cot (1972).

exercise) over the conflict settlement process (as opposed to outcome), be it in procedural or substantive terms (Sheppard 1984: 150-1). This is akin to distinguishing mediatory roles from other third party roles according to their degree of control over the decision-making process.

Boulding (1962: 316-17) alludes to this criterion in his suggestion that one can identify a range of mediatory roles from, at "one end", simple or "pure" conciliation (defined in its labour-management context), where the mediator merely clears up misunderstandings; to a "broker" role; to a more assertive "catalyst" role in which the mediator introduces new variables or widens the agenda; to finally a "pressuring" role that provides salient suggestions of a more substantive nature. Both Pruitt (1981a: 204-7) and Bercovitch (1984: 96, 120) have suggested one can distinguish "process" from "content" mediation according to the degree to which the mediator focusses on procedural techniques as opposed to the search for "viable alternatives". Kressel and Pruitt (1985: 188-91) refer to "reflexive" versus "contextual" versus "substantive" mediatory interventions, again according to the primary activity undertaken by the mediator.

Numerous other scholars have described the possible range of

mediatory roles in similar fashion.⁽¹⁾ But would it be accurate to suggest a simple weak-strong or process-content range for a mediatory role continuum? Clearly, mediatory activity in global politics is more complex than that. Let us return to the idea of the mediator's 'degree of control' over the conflict settlement process. It can be identified further according to the two criteria of the relative involvement in, and power exercised by, the mediator in the process. Relative involvement refers to the degree to which the mediator attempts to have an impact on the 'structure' of the negotiatory process (including physical structure and 'people problems' such as perception etc.) as opposed to the reconciliation of the substantive issues. Power exercised refers to the degree to which the mediator utilizes positive and/or negative inducements to pursue his objectives. Relative involvement can be identified along the widely noted process-content spectrum of mediatory roles; power exercised the more subtle spectrum of mediatory 'power'.

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(1) Raiffa (1982: 218-20) describes a continuum of mediatory roles from "weak to strong". Williams (1977: 340) differentiates between "tactical" and "strategic" mediation; Stenelo (1972: 328) between "acute" and "preventative" mediation. Brett and Goldberg (1983) differentiate between "facilitators", "adjudicators", and "mediator-advisors" in organizational settings; Rubin and Brown (1975) between "formal" and "informal" roles from a social-psychological perspective; Sheppard (1984 - see also Latour et al 1976; Folberg and Taylor 1984; and Pruitt 1981a) identifies a continuum of third party intervention according to degrees of third party control over the conflict settlement process and/or outcome. Both Williams and Stenelo suggest a distinction between 'short-run' and 'long-run' mediatory activity, the former focussing on the immediate problem and the latter on the larger problems associated with controlling or discouraging future conflict. This distinction is important in considering mediation from a management context.

A fourth criterion we might utilize in establishing a range of mediatory roles is suggested by Mitchell (1981b: 297); the relative personal interest or 'stake' the mediator has in a peaceful outcome through a negotiatory process. By 'stake' Mitchell means in terms of the mediator's own status or influence. We could expand this to include a stake in terms of the mediator's likely future interaction with at least one of the parties and the likelihood that he may be affected in any future conflict between or among the parties. The more important the relationship(s) for the mediator, the higher his stake. (Stake would be that of the mediator personally and/or whatever or whomever he represents.)

By merging all of these criteria into a single identifiable range of mediatory roles we can create what we might call a "dominant-supportive" continuum. The main criterion we will use is the degree of control the mediator exercises, or attempts to exercise, over the conflict settlement process. This degree is influenced by the relative power utilized by the mediator, the objective he identifies as pursuable (process or substance oriented) which determines relative involvement and his explicitly or implicitly expressed stake. The powerful intercessionary and the consultative mediator roles constitute the two most important parameter-setting roles on our dominant-supportive continuum. Utilizing them as reference points, we can locate other possible mediatory roles.

Unfortunately, the third party literature is much more abbreviated in its treatment of these other possible roles. Nonetheless, there are several that can be identified from both theory and practice. One obvious one is that of good offices, whose bearer has been variously described as a "passive mediator" (Gulliver 1979: 221), a neutral, conduit, go-between, messenger boy or "communicator" (Zartman and Touval 1985b: 11). International organizations are often seen as playing this role although states and non-governmental organizations have also done so. The role of good offices lies much closer to the consultative "end" of our continuum; indeed, it is possible to see it as a weaker role to consultation. Its objective is more modest. However, it is usually a much more formalized and legally recognized role with a high degree of visibility. As a result the stake of the bearer of good offices (and whomever or whatever he represents) is likely to be higher, making it possible to "place" the role slightly to the right of consultation (although it is still a consultative-type role).

Also consultative-oriented, but a little further to the right, is the role of facilitation, variously undertaken by a "formulator" (Touval and Zartman 1985b: 12), "chairman" (Gulliver 1979: 222), conciliator (in the labour-management sense) or special envoy. Facilitation is a role played by any number of different global actors and is quite "elastic" in terms of its objectives. It tends to be more directive on procedural issues, occasionally even touching on substantive issues by emphasizing

points of agreement or pointing to promising alternatives. It is thus more assertive than good offices and more directive than consultation.

A role which borders on being a dominant² type but can also be seen as consultative-oriented is the bridge-building role. Also named a catalyst or prompting role, bridge-building mediatory activity definitely exercises more control through a greater effort to directly encourage both procedural and substantive aspects of the conflict settlement process. Bridge-building, by definition, involves a higher stake and larger objectives on the part of the mediator. A stronger sense of authority (independent or due to a relationship with at least one of the conflicting parties) is translated into certain power, or influence, utilized to attract and hold the attention of the conflicting parties. A friendly state or previously recognized authority figure might play this role.

Other than our "archtype" powerful intercession role on the dominant side of our continuum, we can identify the pressuring or agitating role. The objectives of the mediator undertaking the pressuring role relate more to a reconciliation over the substantive issues. However, this mediator will usually have less direct power or leverage to exercise over the parties. His strategy will often involve taking a more publically exhortive approach, attempting to reflect popular pressure on the parties to achieve a peaceful settlement of their conflict. By taking a

more public approach the pressuring mediator himself indicates the higher stake he has in seeing a movement toward agreement, because the costs of failure to the mediator's reputation is likely to be higher.

Identifying a Management Role Prototype

In our mediatory role continuum, we have identified a spectrum of roles. Toward one extreme is the role of consultation, where the mediator exercises only a small degree of control over the conflict settlement process; minimal involvement, low stake and the use of little or no power. Focus is more on the process, rather than the substance, of the dispute. The roles of good offices, facilitation and bridge-building sequentially involve a greater degree of control exercised by the mediator, but still remain consultative in broad orientation, in that they are more concerned with process-related issues, dividing the conflicting parties than with their substantive differences. The roles of pressuring and powerful intercession, by contrast, are more dominant-oriented. The mediator exercise a greater degree of control, with significant involvement, a high stake and the utilization of some form of power, be it 'carrots and sticks', public influence, or otherwise.

For a prospective mediator considering involvement in a protracted conflict situation, any of these roles may be repeated over time. The U.S. has repeatedly taken a dominant-oriented

mediatory role in the Arab-Israeli conflict. The Quakers have repeatedly attempted a consultative-oriented role in the Indo-Pakistani conflict. The UN has had a number of 'good offices' roles in several protracted conflict situations, most recently in Afghanistan.

However, in a protracted conflict involving powerful adversaries, even a repeated role may remain ineffectual if it fails to respond to changing circumstances; to evolve in the face of dynamic conditions affecting the conflict. Indeed, it may be prevented from doing so because of the constraint imposed by the grounds upon which consent had been granted to outside involvement in the first place. Or, it may be prevented by the simple fact that consent is withheld, or given once and then withdrawn.

What might be required for our mediatory role continuum in such situations is an adaption of existing roles to a management orientation, prefaced on the assumption that the mediator will be operating in a conflict environment where consent to outside involvement is lacking, but the conflict itself is continually evolving and is multifaceted. Traditional means of mediation are thus largely inoperative, but roles which themselves evolve and change to fit changing conditions, but which nonetheless maintain a limited, management focussed objective might have some impact.

The argument can be stated in the form of another, two-part proposition: A) to the extent mediation is more process-oriented,

the greater the opportunity for more innovative, non-traditional approaches to mediation. B) Substantive-oriented mediation which focusses on the search for alternative solutions is, firstly, less likely to be amenable to non-powerful mediators (because it is more likely to require leverage); and secondly, is more likely to require consent because of the stakes involved.

In a protracted conflict situation involving powerful adversaries, a prospective third party interested in pursuing a management-oriented mediatory role without consent must begin with a clear sense of his objectives and their limits. These objectives must be essentially grounded in the view that an effective conflict settlement process (effective in the sense of being both peace-promoting and allowing both conflicting parties to be satisfied), is more likely to produce an effective conflict outcome. If an effective conflict settlement process can be engaged in, then the conflicting parties are more likely to be willing to produce a mutually acceptable outcome. The prospective mediator must utilize elements of mediation consistent with this understanding, plus a recognition of his own position vis-a-vis the conflicting parties, and a recognition of the need to avoid traditional or familiar approaches to which consent, if it is given at all, is only given on a narrowly understood basis.

One can begin to identify the possible nature of such a mediatory role by considering the useful typology of third party role-types offered by Rubin (1981a: 7-33). He identifies ten

different role-types. He begins with formal versus informal roles, the former legally defined or formally understood, including mediation, fact finding, arbitration, etc. Informal roles tend to be much more issue and time-specific; special envoys, conduits, go-betweens, etc. Secondly, Rubin distinguishes between third party roles derived from independent sources of authority versus those which are representative (Druckman's boundary role concept - 1977). Third and fourth, invited versus uninvited roles and partial versus impartial roles. How important is the formal recognition of a role by the conflicting parties? Does perceived bias matter? Fifth, advisory versus directive roles; what different resources are required? Sixth, interindividual versus intra/intergroup roles; how does increased complexity of the social structure within which conflict takes place render third party roles more difficult? Seventh, content-oriented versus process-oriented roles and eighth, conflict preventing versus conflict managing versus conflict escalating (versus conflict resolving) roles. How are choices made among these by third parties? Ninth, permanent versus temporary roles and tenth, relationship facilitating versus relationship inhibitory (separation of parties) roles.

From Rubin's typology we can pick out relevant characteristics of a management-oriented, change-sensitive mediatory role needed for the type of conflict situation we are concerned with. The ideal type of management-oriented mediatory role could include the following characteristics: less

formalized; based on an independent authority; uninvited (and thus unexpected); advisory in nature; process-oriented; and relationship facilitating.

Stenelo (1972: 40-3) has referred to the possibility of such a role in his discussion of Swedish mediation between the US and the Soviet Union in the ENDC from 1962 to 1968. He suggests that one can distinguish between "role-dependent" and "role-independent" mediatory strategies: "A role-independent strategy is a strategy which a recipient or an observer cannot directly associate with any specific role type...A role-dependent strategy is a strategy which, if it is utilized, 'should' be adapted to the requirements...associated with a certain role type." Here Stenelo has clearly linked role dependence to an expectation of third party behaviour associated with a subjective definitional interpretation of a role-type by the conflicting parties. Role independence requires a strategy which is not associable to a particular role-type (that exists in practice or the prospective mediator may have been seen and accepted as utilizing before) but is in some way unique.

Such a role-independent strategy, Stenelo suggests, could evolve from the development and pursuit of a new role - that of the "unauthorized mediator":

In the case of the unauthorized mediator, the concept of 'role' refers not only to pre-existing expectations, routinized behavioural patterns made predictable by pre-existing expectations. It also refers to new, innovative behavioural patterns made predictable by a previously non-existent set

of expectations which a party attempts to establish by fulfilling a function in a new, previously unexpected way.

The development of such a role may be related to a sense of obligation because of responsibility and a recognition that established means for peaceful conflict settlement are working poorly. Thus, for example, "a political leader may enter a dispute to hasten its settlement, even if there is no clearly established regulatory role for such intervention." (Kriesberg 1982: 275.) Touval and Zartman (1985a, 1985b - see also Touval 1985) have suggested in their discussion of a prospective mediator's motivations for taking on such a role, linking them to the wider interests he might have in conflict resolution and his narrower interests in self-preservation, a need for protection, or a desire to expand influence.

Middle Powers as Management-Oriented Mediators

What type of state in the international system might best be able to undertake this particular type of mediation, where novel role-types can be utilized to circumvent the ongoing obstacle of consent while maintaining a capacity to have a positive impact on the conflict settlement process? The former Romanian ambassador to the United States has suggested that "medium-sized" countries have such a role to play in global conflict situations, particularly "long, drawn-out" ones, roles which could be modelled on the approach of an unauthorized mediator because they would be part of the necessary resort to "less formalized and

institutionalized ways" of handling conflicts in the global system (Malitza 1985: 84-6). Malitza is referring to states which are often called 'middle powers' in international politics. The concept is a well-known one, though it lacks precise definition. However, more important is the recognition that such powers have been given regarding their roles in international relations, including the role of third party mediator. Is there a relationship between the ranking of a middle power in international politics and its propensity to undertake mediatory initiatives that are not based on the requirement of consent? Why might a middle power have the characteristics or qualifications identified earlier as the 'ideal type' for management-oriented mediation? The possible relevance of such a middle power role to the type of mediator we are considering bears closer examination.

Precisely defining middle powers in international politics has been a difficult task for scholars and practitioners alike. So much so that Holbraad's definition of middle powers (1984: 4), as "states that are weaker than the great powers in the (international) system but significantly stronger than the minor powers and small states with which they normally interact" seems to be little more than a truism that tells us little, if anything, about the unique and significant characteristics of middle powers. What little historical research that can be found in the theoretical literature on the subject lacks consensus and clarity (Holbraad 1984: chapter one). Indeed, most researchers have traditionally focussed on the conduct and interaction of the

great powers, relegating all other states to the category of "the rest".(1) Even researchers who have made a distinction do so only loosely. For example, Davy (1962) defines middle powers as "supplementary" to great powers; Both Zartman and Touval (1985b) and Malitza (1985) have referred to "medium-sized states" without any clear attempt to give them definitional precision. Andrew (1970) merely suggests middle powers are those recognized as such by the international community.

Lack of theoretical cumulation on defining the middle power concept has been paralleled by a similar lack of definitional clarity accorded to such status in practice, even though the term is widely used in international circles. Little evidence exists to demonstrate that the international community does in fact explicitly define a distinctive class of middle power states. International law, for example, has not given any "special standing" to middle powers. In spite of their best efforts, a number of self-described middle powers have successively failed to gain a distinctive institutional status within multilateral institutions such as the League of Nations and the UN (see

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(1) More recently, some research has emerged focussing on the policies and activities of small states (i.e., Handel 1981), although this still remains a small and problematic literature (see Amstrup 1976, for a recent review).

Holbraad 1984: chapter two).(1)

In large part, the difficulties that have been faced in developing a more precise definition of the middle power concept relate to the very nebulous and context-specific nature of it. Beyond the simplistic characterization of middle powers as existing between great and small ones on any 'power' scale, or even more simply as being in the geographical (or ideological) 'middle' between two or more states, there is little objectively derived means for pinning it down.(2) As Holbraad (1984: 2) suggests,

whichever criteria are used for distinguishing middle-ranging powers from those above or below them, the category is likely to include a range of highly heterogeneous powers. Idiosyncracies of political character and differences in international position are bound to affect their behaviour and are likely to make it difficult to detect more than broad tendencies...

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(1) However, it could be argued that their attempts have led to the development of expectations in the international community regarding their potential for playing middle power-type roles. This might be the essence of Andrew's point and indeed it is an important factor in the conduct of Canadian foreign policy.

(2) Of course it could be argued that any attempt at definition, objectively derived or otherwise, is in fact undesirable, due to the ad hoc nature of middle power activity. "Definition", argues Holmes (1965: 18), "spoils the special quality of middlepowermanship." (See also Handel 1981: 29-30.)

Given this reality, (1) we will limit ourselves to a working definition of a middle power state as a potential third party in international conflict settlement processes. Accepting Holbraad's broad categorization as a starting point, (2) we will define middle powers further as those states which have demonstrated both the capacity (ascribed and personal resources relevant to the issue and activity undertaken) and the political will (the propensity to act when circumstances warrant it) to undertake certain peace-promoting third party activities in international relations such as mediation. Capacity and will must combine as well with opportunity; middle powers, unlike the great powers, are strongly influenced by the systemic environment determined by relations between or among the great powers to create possibilities for these activities. It is this environment which will, by its nature, provide opportunities for, as well as erect constraints to, third party activities by any state or non-state actor.

In considering the relevance of middle powers to the role of unauthorized, management-oriented mediation, we should reflect on points raised earlier. For one, our discussion of mediation in a

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(1) and not having space to engage in what would necessarily have to be a lengthy discourse on what might constitute a middle power state in the contemporary global system

(2) Holbraad does actually take it further by attempting to use objective indices of GNP, population and geography to establish a hierarchy of middle power states. Using this method he identifies eighteen middle powers (see chapter three of his book - 1984; also Handel 1981: 23-8).

dualistic system demonstrated that limited opportunities can exist for mediatory activity by lesser powers in a systemic environment dominated by an ongoing conflictual relationship between the two predominant powers in the system, particularly when that conflict is neither too extreme or too controlled. What is likely is that middle powers could exploit their opportunities more readily than other lesser powers. This is because of their relatively higher capacity (in terms of political, economic and diplomatic resources, among other attributes) over other non-great powers, which can be utilized to increase their chances for being able to attempt these roles seriously.

However, the key to any successful effort must remain the question of political will; in this case, the self-perceived identity, objectives and obligations undertaken by the middle power, both as a middle power and as a potential third party. These very subjective criteria are critically important to the relevance of middle powers undertaking management-oriented mediatory activity in a conflict environment where consent is lacking.(1) The development of sustainable political will, along with relevant capacity, is integral to the potential of a middle power attempting this role over time. Therefore, it will be

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(1) A recent research proposal on middle powers (North-South Institute 1984) has made a similar suggestion, pointing out that middle powers might be identifiable by such criteria as their "reformist attitudes" toward foreign policy or their "cooperation-mindedness", in the sense of having a self-interest in promoting international cooperation and world order. See also Angell 1973.

useful to examine the efforts of Canada to develop its middle power status in the direction of mediatory activities generally, and unauthorized mediation specifically, in East-West relations. The development of a Canadian propensity for mediation without consent in East-West relations will need to be seen in a larger context of the development of a Canadian propensity to pursue mediatory activity as an integral part of Canadian foreign policy in the post-war world.

CHAPTER THREE

CANADA'S PROPENSITY FOR MIDDLE POWER MEDIATION

In highlighting the pursuit of international peace and security as a fundamental goal of Canadian foreign policy, the 1986 report of the Special Joint (House-Senate) Committee on Canada's International Relations began by stating that Canada's security and international security were indivisible. Any Canadian policy, therefore, should "...start from the assumption that the threat to Canada is one and the same with the threat to international stability and peace." The report further suggested that Canada's influence in this area lay chiefly in the "active promotion of the concept of peaceful settlement of international disputes", and in particular the promotion of "active intervention" by third parties to enhance such settlement, noting "Canada's own well-developed "mediation skills."

Referring more specifically to East-West relations, the report intimated that Canada was endowed with the particular attribute of being an aligned middle power "that nevertheless retains a degree of objectivity about the superpower conflict", derived from a more overriding concern for, and pursuit of, international peace and security. Alignment, through NATO membership, was not to be considered a constraint to the undertaking, as a third party-oriented middle power, of

"independent initiatives" to help build international security.(1) Canada had a part to play in the "political management" of East-West relations, the report noted, "encouraging" the superpowers to negotiate and generally serving a role as a "bridge" to lessen East-West tensions, this considered to be a "natural" Canadian role.

That such views could be expressed, representing the entire Canadian political spectrum,(2) with the hindsight of over forty years of partisan Canadian involvement in East-West political and ideological rivalry, is testimony to the depth with which the propensity for mediatory activity in global politics has penetrated the Canadian psyche. Indeed, the view expressed by one witness in the public hearings of the committee, and quoted approvingly in it - that East-West relations "are too important to be left to the superpowers alone" - was not likely to be far off from those held by Canadian foreign policy makers forty years

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- (1) This sense of a "unique" position was confirmed as a widespread and enduring one among the foreign policy-making community in Canada by an External Affairs officer working in the area of arms control and disarmament (see Skinner 1978: 30-4).
- (2) This view was not limited to Canadians but also shared by many foreigners, if studies reported by Lyon and Tomlin (1979) are any indication. They suggest that three in five members of foreign "elites" (defined as those involved in foreign policy-making or observing in other states) agreed with the view that Canadian diplomacy was able to "affect relations between the superpowers." In a related survey, 46% were cited as believing Canada played an "activist" or "leader" role in East-West relations, with mediation, communication and peacekeeper being popular catchwords (26-30, 80; see also Ichikawa 1979).

earlier.

What was the original basis of this orientation? In this chapter we will briefly review its development. In chapter one it was suggested that post-war superpower rivalry created a systemic environment that held out both opportunities and constraints for third party mediatory activity by lesser powers, particularly in periods where neither the cold war was too extreme nor superpower detente too advanced. However, it was also suggested later that opportunity was not in itself sufficient. Almost more important was the capacity and willingness of any prospective third party to undertake mediatory initiatives, particularly when the conflicting parties were not showing any willingness to consent to functional third party involvement. If the key to mediation without consent is the attitude and approach of the prospective mediator, then we need to look further in this direction.

Let us state the argument at the outset. It seems plausible to suggest that Canada's propensity for mediatory activity in global politics since 1945 was largely a function of the capacity and will of Canada's foreign policy makers to project an internationalist middle power status. In part this was generated by Canada's important military and industrial contributions to the war effort and it was to be principally sustained and developed through the opportunity provided by the creation of a United Nations system dedicated to the promotion of international order. Indeed, it was the creation of this institution that more

than anything else that gave the Canadian internationalist impetus the chance to shape Canada's foreign policy in the area of international peace and security.

The propensity for mediatory activity in East-West relations grew in part out of this more general orientation. But it also grew out of the emergence of the cold war and a systemic environment dominated by conflict between the two great post-war powers, the United States and the Soviet Union. This development left no option but alignment for Canada, but it was the very constraint created by this alignment that gave rise to the effort to pursue management-oriented mediatory activity in the interests of the wider goal of enhancing global peace and security. As John Holmes (1982: 14-15) has recounted recently: "if the chips were down, Canadian(s)...had no doubt which side they were on... (but) Canada's policy was dedicated, in so far as was possible, to seeing that the chips did not come down and in that essential exercise it was often necessary to differ with the Americans..." This was to remain a matter of policy, although it continues to be an uneasy bedfellow to the demands of solidarity and support as a loyal ally that have come with the position of subordinate member in a well-developed military-political alliance. Let us first examine further the more general impetus for mediation.

Canada as a Middle Power Mediator

The argument for middle power status was initially a narrowly self-interested functional one, based on an advocacy of the

principle of representation according to the relative capability of a state to contribute to a particular issue-area. Led surprisingly by the normally recalcitrant prime minister of the time, Mackenzie King, Canadian diplomats in 1944-5 pushed this argument in a bid to gain greater representation on the bodies of the proposed UN, subsequently established at San Francisco in June of 1945. (See Miller 1980: 325; Holbraad 1984: 57-8; Nossal 1985: 10; and Eayrs 1972: 152-167.)(1)

However, a related argument also was soon to emerge in Canadian thinking closer to the mediatory ideal.(2) This was the argument for Canada to promote a middle power status on account of her willingness to merge national with international interests; to be concerned with the construction of international order as a national goal, as the product of a "hardheaded calculation of (the) national interest" (Holmes 1985: 369). Canadian statesmen were voicing this view even before the war ended (see Pearson in Nossal 1985: 54) and it in part influenced their push for a greater security council presence at San Francisco (Holbraad 1984: 58-9; see also St. Laurent in Mackay 1971: 97-99).

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(1) Indeed, Holmes (1982 II: 37-8) suggests that Canadian politicians and diplomats, in certain contexts such as civil aviation and economic relief, considered Canada to be a great power.

(2) Although it should be emphasized that this was not originally a clearly preconceived objective. As Holmes put it, in 1945 "Canadian diplomacy was making headway but it was not yet self-conscious" (1982 II: 41).

This particular functional argument(1) subsequently became the basis of Canada's approach, as a middle power, to the question of furthering international peace and security. As the cold war developed, and Canadian diplomacy flourished, it became an integral underpinning of Canada's foreign policy in this field, acted out primarily under the auspices of the UN. Nossal (1985: 40-61) in fact even goes so far as to claim this internationalist impetus as a "dominant idea" guiding Canadian foreign policy, replacing the "isolationist" impulse of the interwar years and the "imperialist" impulse before the first world war.

Key bench words in the development of this philosophy, which quickly became firmly associated with the concept of a middle power, were 'responsibility' and 'obligation'. The acceptance of international responsibility and the obligations inherent with such acceptance was a cornerstone of the philosophy and the resultant policy orientation of the Canadian government, made explicit by then External Affairs Minister Louis St. Laurent in his famous Grey lecture of 1947 (cited in Nossal 1985: 55; also St. Laurent in Mackay 1971: 133). Capacity and willingness were combined so that middle powers could be defined, a Canadian diplomat recounted in 1948, as those states "...which by reason of their size, their natural resources, their willingness and ability to accept international responsibility, their influence

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(1) which was intellectually indebted, in large part, to the arguments of Mitrany - see Miller 1980.

and stability are close to being great powers."(1)

The Regional Conflict Context

It was mainly (though not exclusively) outside the context of direct superpower security relations that Canada's internationalist impulse took shape in the form of a moderate mediatory middle power, eventually developing into a "persistent image". The roles of peacekeeping and impartial mediation in regional disputes (mostly through the UN but also other contexts such as the Commonwealth) have become widely associated with Canadian middlepowermanship in practice. Peacekeeping in particular has become the most prominent international activity undertaken by Canada linked to the status of middle power - the "badge of middlepowermanship" Holmes (1965: 24) has termed it, (2) a view widely shared (Ichikawa 1979; Lyon and Tomlin 1979). Suez, Cyprus, Syria and Lebanon are all part of the legacy.

Early Canadian activity in the UN General Assembly, on the Security Council (1948-9) and other UN Commissions also contributed to the middle power mediatory image. Kashmir,

(1) R.G. Riddell, cited in Eayrs 1982: 7; see also Holbraad 1984: 68-9 who further cites Riddell as arguing that middle powers also contribute political leadership "of a high standard".

(2) This is not to say that middle powers only were and are capable of peacekeeping. Many small states (as well as great powers upon occasion) have been notable in their contributions to the practice. The only suggestion is that middle powers themselves have seen this role as a symbol of their special responsibility in the furthering of international peace and security.

Palestine and Indonesia were all regional conflicts tackled early on by the UN in which Canada endeavoured to mediate an acceptable settlement (Holmes 1982 II: 60-75). Of course it should be stressed that much of this mediatory activity took place in the shadow of the cold war and thus often involved the two superpowers, at least indirectly, on opposite sides of the conflict. Consequently, Canada was able to gain valuable experience in dealing with the Soviets and Americans without the necessity of firmly 'taking sides'. In any case, outside the direct East-West context Canada developed the reputation, and thus the expectation, of the middle power honest broker and peacekeeper.

The Direct East-West Context

The widespread international recognition accorded Canadian mediatory efforts and the success with which many such efforts were tackled by Canadian diplomats led to the development of an important reputation for Canada as a third party keen to assist in the peaceful settlement of international disputes. It was this reputation, and the skills and experience that went along with it, that has contributed to the view that Canada has had a similar role to play in the superpower arms competition that pervades East-West relations. There can be little doubt that the active pursuit by Canada of mediatory roles in the regional conflict context was not similarly apparent in Canadian policy in the context of the cold war. However, the emergence of the cold

war did not, as might be expected, dampen the internationalist impulse of post-war Canadian foreign policy in the area of peace and security, although a duality in that policy did in fact appear. On the one side was the movement toward alignment, principally NATO, and a firm anti-Soviet position. From a leading role in the formation of NATO in 1949(1) to strong support for basic US nuclear policy toward the Soviet Union, Canada developed a predictable and expected faithful ally role (Nossal 1985: 58; Munton 1973: 154, 159, 161). Such a role was based on the hard realities of post-war international politics - namely a bipolar systemic environment and a strong fear of Soviet power (see Reid 1977) - as well as the objective realities of Canada's position, in terms of geography, history, political and economic structures and public attitudes. Given the basic alternatives of Soviet ally or neutralism, the options were limited to a single choice (Munton and Page 1977: 604). This was equally clear in the more specific East-West standoff over disarmament (Tucker 1977: 21); East-West stability was to be found through a militarily strong West and Canada's role and effectiveness was to be found in supporting that view. "The honourable role for us", argued Canadian journalist Blair Fraser twenty years ago, "is not honest brokerage but equally honest and candid partisanship." (1965: 12)(2)

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(1) See Escott Reid's account for an excellent review by an "eyewitness" (1977).

(2) A view widely shared in the international diplomatic community according to Lyon and Tomlin (1979: 23).

On the other side developed what has been seen as a more 'voluntarist' internationalism in Canadian policy. Both Tucker (1977: 33-5) and Holbraad (1984: 71) have suggested this emerged in periods of lessened tension between the superpowers, and took the form of "a pressuring role on the big two (in particular the U.S.) to reach agreements in matters relating to armaments. However, it has also been argued(1) that the cold war created (indeed, was even pre-dated by) a middle power mediatory impetus in Canadian East-West foreign policy which was based on a desire to search for alternatives within the basic choice of alignment. Dobell (1972: 29) has termed it a "traditional emphasis on bridge-building with the Soviet world"; Painchaud (cited in Mackay 1969: 142; also 1965) a middle power "ideology" determined "to prevent...an aggravation of tensions between the two great powers which would go beyond the moderate and tolerable level of their opposition." In this context, Canada's role was "mediation in the broadest sense of endeavouring to ameliorate the tensions of the cold war." It was necessary to demonstrate an ongoing willingness to "test cautiously the sincerity of the Soviet Union as an alternative to indefinite cold war." (Munton 1973: 160-1.)

A more important contributing factor in this context was the initial willingness of Canadian diplomats, in 1945 and 1946, to establish an attitude and approach based on a flexible view of Soviet intentions and the immediate willingness of some of them

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(1) Munton (1973: 100-1) cites several writers.

to pursue management-oriented alternatives within the boundaries of, at that time implicit alliance and later explicit alliance.

This conception differs from that offered by Tucker (1977: 39-40) and more vaguely by Delisle (1975: 84, 104, 119) who have narrowly conceived such efforts within the more specific contexts of active disarmament negotiations in which Canada was a direct participant. In this conception, Canada has "occasionally" taken a mediatory role by putting forward procedural devices, utilizing technical and legal expertise and urging specific compromise proposals. A distinction must be drawn between this type of mediatory activity which is ad hoc and functional in orientation, and the type of mediatory role symbolized by its management orientation. In its ideal form, the latter is a sustained role over time; even in its form described below, which does not involve a sustained activity over time, there is a distinction in terms of style and approach utilized, and to some extent the issues addressed, between the management-oriented mediatory role and Tucker's mediatory role image.

Furthermore, Tucker's argument is that these efforts often presupposed a willingness on the part of the superpowers to reach agreement. Such a willingness is not presupposed in the management-oriented mediatory role conception, which is based on the view that the superpowers are operating in an environment of restrained rivalry close to cold war and as such are not inclined to encourage third party intervention. The key to the maintenance

and development of Canada's middle power mediatory internationalism in this environment has to be an ongoing search for opportunities to pursue initiatives consistent with an aligned position. Both Holmes (1965: 26) and Painchaud (1965: 34) have pointed to this, Holmes arguing that "we must constantly prove ourselves by giving evidence of independent thought and action." More telling, Painchaud stressed the need for "a new attitude of mind, a properly political attitude, where the possibility of...a role, diverging from that of the U.S., is fully accepted and considered salutary, in the maintenance of values which Canada and the U.S. share." Indeed, this last point can be linked back to Stenelo's description of a role-independent strategy, where a third party attempts to develop a role outside of existing expectations, leading to the creation of a new set of expectations as to the accepted behaviour of the third party.

That Canada has been able to establish since 1945 a credible middle power status, and a role commensurate with that status as an active third party in the promotion of the peaceful settlement of international disputes, seems obvious from even a cursory review of the record of Canadian foreign policy since World War Two. However, is there evidence to support the suggestion of a strong Canadian propensity for mediatory activity in East-West relations? Is there evidence to demonstrate that it has occurred more than once, and can be seen as evolutionary, adapting as a management-oriented role must, to changing circumstances in the nature and scope of the conflict? Moreover, is there evidence to

indicate that this role has had an impact on the conduct of East-West relations, consistent with objectives Canadian foreign policy-makers set in undertaking such activity? In the next chapter we will attempt to outline two illustrative examples which will indicate that such evidence does indeed exist. It was before the onset of the darkest years of the cold war, when the systemic environment essentially closed off opportunities for (and perforce a basic willingness to undertake) mediatory initiatives, that we can find the first evidence of Canada attempting mediation without consent in East-West relations. The second example is from a period in East-West relations almost forty years later; much obviously had changed, but it will be suggested that certain consistent elements conducive to the operationalization of the management-oriented mediatory role, in evolutionary form, were present.

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CHAPTER FOUR

MEDIATION WITHOUT CONSENT - THE RECORD

The thesis postulated in this paper is that it is possible, contrary to the accepted view evident in both the theoretical literature and among practitioners, that a third party can undertake mediatory activity in, and have a positive impact on, a conflict situation without requiring the consent of the conflicting parties to that involvement. In support of this thesis we have suggested an expanded view of mediation, beyond the traditional notion that mediation takes place in a narrowly confined context. That is, in a short-term bargaining situation between two parties in a relationship characterized by readily identifiable and finite points of conflict, and where a negotiated settlement of this conflict is the focus of mediatory activity.

Our expanded view of mediation begins with the premise that many relationships in conflict are protracted. That is, they are characterized by conflict over deep-rooted and often complex issues, subject to only fitful and uneven processes of negotiation. Secondly, mediation can be envisaged as comprising a number of roles stretched across a dominant-supportive continuum, according to the degree of control exercised or attempted by the third party. Many of these mediatory roles can be adapted to be

management-oriented, in the sense that they can be focussed to seek to improve the general relationship so as to foster movement toward agreement; as opposed to roles which are outcome-oriented, where the reaching of agreement is the primary focus of the mediator's efforts.

In the wider context, mediatory influence becomes less a function of consent of the parties and more a function of favourable opportunity combined with a favourable propensity on the part of the prospective mediator. Favourable opportunity is conditioned by the nature of the systemic environment that the prospective mediator operates in, propensity is dependent on his attributes (capacity), attitude (will) and approach (objective).

We have identified East-West relations since 1945 as an example of a protracted conflict situation. The systemic environment in this context is a dualistic system dominated by conflict between two superpowers. Fluctuations in the intensity of that conflict, ranging from cold war to detente, have created opportunities for middle powers in this system to undertake various forms of mediatory activity, including "unauthorized" mediation. Canada, as an aligned middle power, has demonstrated a propensity for such activity, both generally, and in the East-West context.

In this chapter we will endeavour to demonstrate, by way of two major illustrative examples, Canadian efforts to mediate without consent in East-West relations and the effect of such

efforts. The two examples were chosen to reflect periods where favourable opportunity and favourable propensity closely coincided, in 1945-6 and 1983-4. In the former case, we will consider the attempt to bring atomic energy under international control through the United Nations Atomic Energy Commission (UNAEC). In the latter case, we will consider the peace initiative of Canadian prime minister Pierre Trudeau.

At first glance, the choice of the UNAEC example may seem inappropriate. Can we say at this time that a protracted conflict situation between the two new superpowers existed, or was developing? Obviously, if time were the sole criterion this would be impossible. This question relates to the debate over the origins of the cold war, particularly whether relations between the United States and the Soviet Union were already well on the way to cold war before the UNAEC even met, or were in a significant way a consequence of its failure. Some recent work on the topic, touching on the cold war in general and the UNAEC specifically, has suggested that the evidence produced by scholars points to the former case. That is, that both the United States and the Soviet Union were showing definite signs of being increasingly preoccupied with national security and the threat to that security each posed to the other long before the first meeting of the UNAEC in June, 1946 (Gerber 1982; Gaddis 1983). The road to cold war had already been long-travelled and the development of a protracted conflict well-advanced. Thus it seems fair to envisage the UNAEC within the context of a systemic

environment marked by increasing hostility between the immediate post-war world's two strongest military powers. Full-scale cold war had not yet been reached, but an environment of restrained rivalry was strongly evident. The wide ideological gulf of communism and capitalism virtually guaranteed that it was a protracted conflict that was developing.

Secondly, the UNAEC experience involved Canada as a participant 'at the table' of negotiation and consequently it could be argued that this alone indicated that Canada had been accorded at least implicit consent to play a third party rôle in the negotiations. There is no reason to believe, however, that Canada was expected, let alone encouraged, to contribute to the negotiations in a mediatory fashion any more than any of the other non superpowers in the UNAEC (comprising the members of the Security Council) were. Their inclusion was only due to the fact that they had been elected to the Security Council and the Council had been selected as the forum for negotiation. In any case, all, with the exception of Poland, an ally of the Soviets, were expected to be supporters of the U.S. Canada's position was in reality due entirely to her status as one of the three "atomic powers" (the British being the third) who had contributed to the production of the atomic bomb during the war and possessed both nuclear facilities and relevant raw materials (Holmes 1982I; 1982II: 46; Eayrs 1972: 283). Not having being elected to the Security Council at the time, Canada's inclusion on the Commission was only because of this status. In addition, the

history of Canadian cooperation in that atomic triad during the war (and after) was marked primarily by persistent support of US policy(1) and this was not expected to change in the UNAEC. The Americans no doubt continued to expect Canada to perform as an ally and supporter (Eayrs' 1972: 285). And if the initial "Provisional Instructions" given to the Canadian delegation at the Commission by the Canadian cabinet are any indication, the Americans seemed likely to be correct in their expectation. "The policies pursued by Canada", stated the Instructions, "will necessarily be conditioned by our close association with the United States...in atomic energy matters...The United States will call the tune", the Instructions continued, and while Canada should not "slavishly" follow the American lead at all times, "we shall not wish to go further or faster than the United States...(is) preparing to go in advocating international control."(2) Clearly there was little expectation, from within or without, of Canada's participation in the UNAEC being anything other than that of loyal ally.

The most important reason behind the selection of the UNAEC as an illustrative example is its unique quality as the first real test of Canada's internationalist impulse and the first real example of middle power mediatory activity that Canada was to

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(1) Even at the expense, upon occasion, of the "mother country" - see Eayrs 1972: 258-74, 296-318.

(2) The text of the Instructions can be found in External Affairs, Historical Division, File No. 201-B(s), June 7, 1946. See also Eayrs 1972: 284.

develop in East-West relations. As John Holmes has recently stated (1982 II: 44):

...events in the UN Atomic Energy Commission...more than any other exercise, shaped the policies and aspirations of Canada in the United Nations...This brief and futile endeavour to establish an international control of atomic energy created also expectations of Canada in the international community and a unique niche in the hierarchy of powers.

At the time, what Canada did was develop a "role-independent strategy" of unauthorized mediation by undertaking a third party role not expected of it; a role oriented toward managing the acute differences between the U.S. and the S.U. This was precisely what the Trudeau initiative was to do nearly four decades later.

Canada and the UNAEC 1946

Canada's experience in the first and only attempt to create a system of international control over the production of atomic energy was essentially one of attempting to prevent the chips from coming down. With the knowledge that Canadian policy ultimately had to be that of support for the United States, the Canadian delegation to the UNAEC, led by the brilliant efforts of general A.G.L. McNaughton,(1) focussed its policy on an

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(1) McNaughton was a well-known figure in Canada by the end of World War Two. His career had taken many dips and dives by that time, both as a commander on the battlefield and as an erstwhile politician. But his greatest triumphs were in the field of diplomacy, particularly at the UN from 1946 to 1950. See Swettenham 1969; Eayrs 1972; Holmes 1982 II.

"exhausting effort to avoid closing doors" (Holmes 1982 II: 49). This was indeed the essence of Canada's approach in pursuing mediation without consent, although it developed a more positive orientation in the Trudeau initiative.

This policy was determined in part by the systemic environment. There was little doubt that the rivalry between the Soviets and Americans was growing rapidly by the late spring of 1946. There were indications on both sides, as several historians have recounted, (1) that concerns over national security dominated much of the thinking of the day. (2) Threats to this security were much in focus in the minds of policy-makers, and for both sides the chief threat was the power of the other. Many of these same authors focus on the atomic bomb as the primary focus of this concern and suggest the impossibility of international control given the preoccupation with national security. On the American side, the possession of the Bomb was considered by the leadership a "sacred trust", not to be given up until ironclad

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(1) See Taubman 1982; Mastny 1979; Yergin 1977; Herken 1980; Bernstein 1974; Lieberman 1970; Noguee 1961.

(2) Yergin even goes so far as to label the pursuit of national security a "commanding idea" in post-war US foreign policy, much like Nossal's dominant idea of internationalism in Canadian foreign policy. Cited in Garber 1982: 76.

provision for international control was in force.(1) For the Soviets, obsession with a need to protect their national sovereignty ~~from~~ "foreign interference" demanded that such provisions, including on-site inspection, remain unacceptable.

However, it seems likely that the cold war had not completely set in before the UNAEC took up its mandate. The element of cooperation within the Grand Alliance that had precipitated the impetus to create a post-war international organization "for the maintenance of international peace and security" had not yet fully dissipated. Although the Council of Foreign Ministers meeting in September 1945 in London was a "fiasco", its successor in Moscow three months later resulted in an agreement(2) by the two superpowers to co-sponsor (along with the UK, France, China and Canada) a resolution in the first upcoming session of the UN General Assembly calling for the

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(1) Debate within US policy circles on this point in 1945-6 was extensive, although more over tactics than strategy. On one side were those who wanted a more open approach to the Soviets on sharing 'the secret' in the spirit of internationalism. Others advocated keeping it close to the US bosom, even so far as to exclude the British and Canadians from further information sharing. See Herken 1980 for one of the better accounts.

(2) The agreement was preceded by the November meeting of the three wartime atomic powers in which they decided to pursue seeking international support for the creation of the UNAEC. On this meeting, from different perspectives, see Holmes 1982 I: 204-9; Donovan 1977: 134-5; Herken 1980: 61-66.

establishment of the UNAEC.(1) The Assembly duly endorsed the resolution unanimously. Under the new Commission's terms of reference, its work was to proceed by stages, "the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken." There were to be four stages:

- (1) ...extending between all nations the exchange of basic scientific information (on atomic energy) for peaceful ends;
- (2) ...control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;
- (3) ...the elimination from the national armaments of atomic weapons and of all other weapons adaptable to mass destruction;
- (4) ...effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions.(2)

The UNAEC had a clear mandate to proceed. No doubt both sides were under no illusions as to the benevolent nature of the other, but they were nonetheless demonstrating a certain willingness to cooperate.

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(1) The agreement involved compromises by both sides, for which the US Secretary of State J.F. Byrnes was later taken to task by President Truman because he overstepped his authority. However, the agreement stood nonetheless - see Herken 1980: 93-4; Hamby 1973: 117.

(2) Cited in Hewlett and Anderson 1972: 109.

Given that the systemic environment was still (though shakily) somewhat favourable to mediatory activity in 1945-6, what of the Canadian propensity to undertake such activity? To begin with, it was clear that for the most part Canadian policymakers at the time were looking on the optimistic side of things. Their attitudes toward the Soviet Union and its possible intentions were overall quite similar to that of American diplomat George Kennan. "The only way to deal with the Soviet Union" Kennan argued in one of his early expositions on what was to become known as the policy of containment, "was to contain it within its spheres (of influence) by a firm but constructive diplomacy."⁽¹⁾ That such an attitude existed among members of Canada's diplomatic corps was largely due to the influential views of Dana Wilgress, the first Canadian head of mission in the Soviet Union (1943-7). Wilgress continually advocated a firm but flexible line toward the Soviets, and his views were widely shared, the unfortunate Gouzenko spy affair notwithstanding (Holmes 1982 II: 17-36; Eayrs 1980: 5-6). This is not to say the attitude was static in this period; indeed, the months following the end of the war in Japan saw Wilgress demonstrating "increasing worriness" about Soviet actions in Turkey, Iran and Eastern Europe. However, this "irresponsible opportunism" he felt still required a policy of firmness, not toughness, until some sort of "equilibrium" in East-West relations could be established.

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(1) Cited in Hamby 1973: 118. The emphasis is mine.

Wilgress' suggestion that the objective should be an equilibrium, in essence a balance of power, was emblematic of the Canadian tendency to take a broader 'systemic' rather than a narrow 'bipolar' approach to the newly emerging East-West relationship. The problem seemed to be seen as one of balancing the opposing wills of the two superpowers in order to prevent an outbreak of war, cold or hot. This general attitude of the need for "co-existence in a world of two camps" grew and flourished among a majority of Canadian foreign policymakers into 1947 and even beyond(1) although pessimism about the Soviet willingness to cooperate increased steadily. In large part this attitude reflected the general Canadian interest in internationalism and hopes for post-war international collaboration. Clearly support for the United States was an ultimate security policy; this reality ensured that no serious consideration was ever given to the possibility of a neutral third party approach. However, within this 'given' there remained a desire to forestall any move to this policy when a chance still existed for some form of supranational security system. As long as such a chance was seen as possible, it was necessary to encourage international cooperation, including that with the Soviet Union. In other words, the propensity to mediate without consent, on Canada's part, can be seen in this context as closely linked to notions of constructive, globally oriented diplomacy and a commitment to negotiated solutions to international problems.

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(1) For an excellent illustration of this view, and its dissenters, see Munton and Page 1977; also, Eayrs 1980: 6-9.

This thinking applied to the atomic energy issue especially.

Reported Wilgress in the fall of 1945:(1)

...In (the) allaying of Soviet mistrust and suspicion, the handling of the atomic bomb secret must play the leading part. I am not one of those who favour the disclosing of the actual process of manufacturing the bomb to the Soviet Union unless proper safeguards are given in return, which I doubt if the Soviet government are in a position to give. I am all in favour, however, of the secret being brought some way into the UN in order to bolster up that body and inspire new trust in international cooperation for peace and security.

If a "negotiated settlement" was at all possible, it had to be pursued to the limits of that possibility. This overall approach was to remain, Holmes (1982 II: 35-6) suggests, the key distinguishing feature of Canadian from U.S. cold war policy, "where the idea of negotiating with the devil rather than making him behave was unpopular."(2)

That Canada had a mediatory role to play in the UNAEC in pursuit of this general Canadian attitude and approach was largely due to the initiative of McNaughton. By the spring of 1946 many of these ideas were still in adolescence, if not infancy, as far as their bearing on Canadian policy was concerned. It would be incorrect to infer that clear thinking about Canada's role preceeded the beginning of the UNAEC

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(1) Cited in Holmes 1982 II: 31-2.

(2) As it seemed unpopular again in U.S. policy circles in the 1980's when the Trudeau initiative took place.

negotiations in June, 1946. The suggestion in McNaughton's Instructions that "it is to be hoped that we may have some constructive suggestions to make of our own" was not exactly a ringing endorsement of active Canadian mediatory diplomacy. Nevertheless, the ideas did exist and the almost unquestioned support McNaughton received for his activities demonstrates that there was a willingness to pursue them, at times even to risky (in terms of the American reaction) lengths.

However, as the Instructions do imply, the commencement of McNaughton's diplomacy was not preceded by a great flurry of thinking as to Canada's role on the UNAEC. The nature of Canadian policy during the war and in its immediate aftermath was heavily influenced by the views of C.D. Howe, the Minister in charge of Canada's atomic energy interests. He was mostly concerned with unhindered ownership and exporting rights and his dealings with the Americans and the British were on this basis. External Affairs was largely excluded from this field, and it was not until August of 1945, after the explosion of two atomic bombs in Japan, that some indication was forthcoming as to Canadian views about the future control of atomic energy.⁽¹⁾ The first review

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(1) By contrast, a number of reports and policy discussions on the international control of atomic energy had already taken place in Washington and London, and between the two capitals. See Groom 1975: 7; Hewlett and Anderson 1972: 262-4; Gowing 1964: 147, 355-6; Sherwin 1975: 211, 216, 288. The only recorded view of Canadians was limited to a passing remark made by Mackenzie King about the desirability of international control in response to a query by a British official at the Commonwealth Conference of May, 1944. See Gowing 1964: 352; Eayrs 1972: 276-7.

of the issue by an officer in External Affairs, C.S.A. Ritchie/ did not offer an encouraging assessment. "Even the most superficial review of the difficulties involved in international control", concluded Ritchie, "must (beg) the question as to whether it would be possible at all in a world organized in(to) nation-states" (Ritchie 1945a).

Other members of the department who read Ritchie's memo largely concurred with his discouraging assessment.(1) Yet there was also some recognition that Canada might need to play a role in preventing the issue from contributing to a drift toward a bipolar international system highlighted by "a desperate race in the production of new forms of atomic destruction..." (Ritchie 1945b).

A more generalized argument, strongly supportive of the internationalist approach, was provided by Lester Pearson (1945) in a memorandum prepared for Mackenzie King on the eve of the Prime Minister's meeting in late 1945 with President Truman and British Prime Minister Attlee in Washington to discuss atomic energy issues. Pearson emphasized the revolutionary character of

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(1) See Wrong-Robertson, October 29, 1945 and reply, November 3 in EA File No. 50219-W-40. However, anxiety was being expended more on the ramifications of such control to Canada's position as a producer of Uranium and a contributor to scientific research than on its significance to international peace and security. Howe's long arm was still making itself felt. See above file and Eayrs 1972: 296-318; Holmes 1982 I: 203-225. The apparent contradiction between Canada's interest in international control and her support as a supplier of uranium to the American nuclear arsenal is one Canadian diplomats largely chose to ignore.

atomic weapons and the likelihood that the secret could not be kept. Competition leading to an arms race would be inevitable. The only answer was international control, as there was "no national solution." Consequently, Pearson argued, the three atomic powers should take advantage of their short-lived monopoly to bring atomic energy under international control by offering all scientific knowledge to be used for peaceful purposes in return for strict international supervision and control over the production of atomic material, including weapons. "If an honest offer of this kind...were refused by any other state", Pearson stated, "that refusal would certainly disclose which nations were to be trusted and which feared."

What Pearson essentially argued was that the importance of international control of atomic energy to the UN's basic ability to be an "effective association for peace" could not be overemphasized. Without it, there was little hope for internationalism. Thus any mediatory effort which focussed on satisfying this need was essentially a good thing, even to the extent where it put at risk the harmony of certain bilateral relationships or alliance solidarity. However, it was also recognized that this could not include a breaking of those relations, thus demonstrating the limits to which Canadians were willing to go in the pursuit of internationalist objectives through mediatory activities. This is why Pearson was to support so strongly McNaughton's efforts in the UNAEC. The two diplomats came to share the same view that Canada's role lay in promoting

international control if at all possible, to any extent short of actually breaking from the Americans and the British over the issue. —

To reiterate briefly. The systemic environment of growing rivalry between the two new superpowers in 1945-6 precluded Canada from taking a position on atomic energy fundamentally divergent from that of the United States. However, the rivalry was not yet so intense and security concerns so high that Canada could not contemplate mediatory activity within this constraint, should the opportunity arise. Canada's attribute as an atomic power gave it the opportunity by gaining Canadian representation in the UNAEC, the only non-member of the Security Council to have it. This provided the legitimacy for Canadian mediatory activity to take place. The overall approach and attitude of Canadian policymakers in favour of internationalism and a willingness to consider flexibly the policies of the Soviet Union, along with a systemic (as opposed to ideological) view of East-West relations, encouraged the propensity to undertake self-starting mediatory activity. Specific concerns about international control, and Canada's role therein, while still developing and constrained by other atomic energy interests, were beginning to crystallize in the direction of activism. What was left to complete the circle was the specific approach and attitude of McNaughton. Both of these became readily apparent as soon as the UNAEC commenced its work.

McNaughton faced a clear-cut division of views in the Commission. On the one side was the American view, embodied in the form of the Baruch Plan, named after the chief of the American delegation. The plan was essentially the same as one produced earlier by a team of U.S. scientists and diplomats.(1) However, there were a few very significant alterations. Both versions of the plan called for an elaborate system of control over atomic energy by a supranational authority, under the auspices of the UN, to be implemented in stages. However, Baruch was himself particularly concerned about the need for sanctions to punish any violators, believing that the League of Nations failed because it lacked 'teeth' - provisions for enforcement of agreements. Thus he insisted on including the proviso that any sanctions, once agreed upon by other non-violating member states, could not be subjected to a veto in the Security Council.(2)

It was this issue, and the plan's provision for the maintenance of an atomic monopoly by the US until the control system was fully operational (i.e., all the stages completed), that became the prime source of contention in the UNAEC. The Soviets for their part put forward the Gromyko plan, which simply called for a convention outlawing the possession and use of atomic weapons and the destruction of existing stocks. Controls

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(1) The Acheson-Lilienthal Report. See following footnote.

(2) For an overall review of the plan and its predecessor, the Acheson-Lilienthal report, see Hewlett and Anderson 1972. For more on Baruch and his impact see Gerber 1982; Herken 1980: 151-170.

would be the subject of subsequent negotiation. This was of course patently unacceptable to the American side, just as the removal of the veto was clearly unacceptable to the Soviets, who saw it as a protection in an otherwise thoroughly western-dominated UN. Consequently, neither side demonstrated the slightest interest in the proposals of the other. Although the Baruch plan became the basis of discussion in the UNAEC negotiations, the Soviets continually stated that the plan was unacceptable "in whole or in its separate parts". In turn, and despite indications that not all U.S. policymakers agreed, Baruch's refusal to compromise on either the sanctions or the veto issue remained unassailable.⁽¹⁾ Indeed, as Herken (1980: 174) states: "Less than a week after the presentation of the Baruch plan, the differences between the American and Russian positions at the UN(AEC) seemed clear - and unbridgable."

Into this "unbridgable" chasm stepped McNaughton, throwing grappling hooks. He had no doubts as to Canada's (or his) basic position: the principles underlying the Baruch plan were to be supported; the Gromyko plan was, by contrast, "very unreal" with nothing to commend it (Swettenham 1969: 111-2). However, the general felt strongly that it would be necessary to work "patiently" on building the "foundations" of agreement on

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(1) The Wallace controversy in September, 1946, in which a member of Truman's cabinet went public with his dismay at the policy being pursued by Baruch in the UNAEC, and subsequently resigned, was but the most visible example of this debate. See Herken 1980: 171-191.

international atomic energy control, accepting as a premise that traditional political solutions would be totally inadequate to deal with the unique challenges such control faced (McNaughton 1946a). "Agreement was essential", his biographer later recounted the general stating, "with an effective control plan the risk of atomic war would be negligible and atomic energy could be put to the service of men..." That may seem naive today, but it seemed worth working for at the time" (Swettenham 1969: 112).

Clearly, McNaughton saw a role for Canada in pursuing that goal as a third party in the Commission which, while basically in agreement with the American position, nevertheless should undertake initiatives deemed necessary to bridge the gap between that position and the Soviet position, even at the risk of disagreeing with the Americans on certain points of contention. The future of international security demanded it. The general's first report to External Affairs after hearing Baruch's plan confirmed this attitude and the approach he envisaged as taking. He related that he was strongly dissatisfied with Baruch's attitude on the veto and expressed a desire, subsequently, not to take a leading role in support of the American plan "at this stage". Instead he recommended that he proceed immediately to encourage the Commission to consider first an effort to address the part of its mandate relating to the scientific exchange of information on atomic energy. This would hopefully allow time for the Commission to "get back on the rails". Accordingly, in his first speech, McNaughton suggested the pursuit of means for

establishing a system of exchanging scientific information. Such an approach, he reasoned out loud, would assist in the development of "a degree of confidence which will make it much easier than at present to solve this difficult problem" (cited in Eayrs 1972: 286).

McNaughton's suggestion met immediate and sharp resistance from the American delegation; Baruch instead tried to play up the "common interest" of the two countries in the security provided by the atomic bomb. The Americans were clearly uninterested in Canada pursuing any kind of mediatory role.(1) McNaughton, however, remained undaunted. Although he was unwilling to go so far as Lester Pearson's suggestion for bridging the gap,(2) he pursued, time and again, means for improving the chances of a "rapprochement" between the American and Soviet positions, focussing on the identification and enlargement of areas of common ground the two sides might have on any plan for international control (Holmes 1982 II: 49; Eayrs 1972: 287).(3)

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(1) See Atom 17, June 22, 1946. EA File No. 201-B(s), Vol. 2

(2) Pearson suggested that perhaps the Commission could quickly sign some form of convention - "a sort of nuclear Kellogg-Briand pact" - in order to mollify the Russians and break up the "logjam". See Eayrs 1972: 287. Luckily for Pearson and the Canadian delegation, the suggestion never reached the ears of Baruch, whose view of the Kellogg-Briand Pact was, to say the least, distinctly uncomplimentary. See Gerber 1982.

(3) This included such procedural devices as "off-the-record" committee meetings in order to promote flexibility - see McNaughton-DEA July 30, 1946, EA File No. 201-B(s), Vol. 2

At first, and despite Baruch's initial resistance, the Americans managed to demonstrate a certain willingness to allow McNaughton to pursue the objective of avoiding a "showdown" with the Soviets. However, their motives for doing this were as much to preserve a public image of negotiating in good faith as any real interest in compromise.(1) In any case, their patience ran out by the end of the summer, even though McNaughton continued to emphasize that the Russians had "not" closed the door on negotiations" (McNaughton 1946c).

As American resistance to any effort to bridge their position with that of the Soviets grew, so did the efforts of the Canadian delegation to promote compromise and an atmosphere of mutual confidence. Indeed, the withdrawal of American consent (Soviet consent was never forthcoming, as evidenced by the recollection of an American delegate later),(2) did nothing to dampen these efforts but rather resulted in redoubled Canadian initiatives. McNaughton utilized his one month term as Commission chairman in the late summer to this end, after receiving a vote of confidence from the Canadian government in pursuing the "principal aim" of reconciling the opposing views of the Americans and the Soviets, even though it was becoming increasingly clear that there was

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(1) This is certainly Herken's view, credibly established in his carefully documented study.

(2) See Swettenham 1969: 118

"little hope for compromise".(1)

In the fall, McNaughton continued to resist, often successfully, the efforts of the Americans and occasionally other delegations to have the UNAEC address basic political issues that impinged on international control, knowing that it would immediately lead to irrevocable deadlock. His later resistance to Baruch's insistence on a recorded vote to approve his plan was based on the same reasoning. The greatest success came with the unanimously approved report of the scientific and technical committee of the Commission that international control of atomic energy was technically feasible. This demonstrated that agreement was possible and could be built upon. The Canadian delegation quickly took up the initiative after the report was tabled to propose another study of the safeguards that might be required to prevent the peaceful use of atomic energy from being diverted to military purposes. This proposal was eventually accepted, overcoming strong resistance from the Americans, the British and the French. McNaughton also resisted the attitudes of others in the Canadian policymaking process who were more concerned that the Soviets be seen as the reason for failure when the effort for international control collapsed than to prevent that collapse.

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(1) Cited in the minutes of the Advisory Panel on Atomic Energy (APAE), August 14, 1946; EA File No. 201-F(s). The advisory panel was the chief policy coordinating body within the government on the subject of atomic energy.

however inevitable it seemed.(1)

McNaughton's persistence in pursuit of his objective of bridging the American and Soviet positions eventually led to a virtual confrontation with Baruch. The general's efforts to mediate among the delegations became almost frenzied as the year drew to an end and Baruch pushed for the 'chips to come down'. McNaughton's policy was focussed on preventing a vote on Baruch's plan without either compromise on the veto issue or at least an agreement that the Commission was merely forwarding a "progress" report to the Security Council. Either of these suggestions, if accepted, would it was hoped result in the unanimous acceptance of a report on the UNAEC's work and thus provide a significant boost for the image of the UN as a credible forum for the pursuit of international cooperation in the peace and security domain. Despite all his efforts, however, McNaughton could not persuade Baruch to retreat in any significant way. Labouring literally to the last minute in his mediatory activity, the General was

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(1) Much of the details of this debate and McNaughton's efforts can be found in the correspondence between the Canadian delegation and External Affairs in the fall of 1946. See EA File No. 201-B(s), Vols. 2 and 3; EA File No. 201-F(s). A recount of some of it can also be found in Eayrs 1972: 286-90, and in "Canada and the International Control of Atomic Energy 1945-6", unpublished paper by M. Pearson 1983: 50-55. The question of domestic impediments to the undertaking of mediatory initiatives without consent is an important one. Although not addressed in this paper (except at the very end), it can have important ramifications for the development of this mediatory approach. Neither the UNAEC nor the Trudeau examples involved significant problems in this regard, but the development of a sustained role might be so 'lucky'.

ultimately frustrated by the obstinance of the Americans and the close-mindedness of the Soviets. It certainly could not be said that he gave up without a fight. Indeed it has even been speculated that only the intervention of the Canadian prime minister at the very end prevented McNaughton from repudiating the Americans in a recorded vote (Eayrs 1972: 295). Certainly a close look at the correspondence of the Canadian delegation indicates that this was a possibility.(1)

Canada's efforts on the UNAEC had clearly important ramifications for its mediatory image. Its significance for postwar Canadian middle power mediatory diplomacy cannot be related to the UNAEC's ultimate failure. The UNAEC was one of the earliest and certainly most challenging focus of a new Canadian foreign policy emerging out of the Second World War. Canadian diplomacy received some of its baptism there. The image of Canada as a strong mediatory power would be made or left dormant in the early bodies where Canadian diplomacy was given the opportunity for activism. As far as the UNAEC and McNaughton are concerned, there can be little doubt that the image was strengthened, even created there. That the UNAEC negotiations did not collapse completely in 1946 but continued for two more years was as much the result of Canada's persistent efforts over time as any other reason. That the Soviets made a number of efforts at one point in

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(1) EA File No. 201-B(s), Vol.3). See also the accounts of Holmes 1982 II: 51-4; Eayrs 1972: 289-95; Swettenham 1969: 115-22; and Davy 1962: 139-48.

the fall of 1946 to induce the inflexible Baruch to consider some form of compromise (Herken 1980: 185) was in part a function of McNaughton's ability to keep the Soviets and Americans negotiating.

The record of Canada's, particularly McNaughton's, efforts in the UNAEC demonstrate the attempt to manage, through unauthorized mediatory activity, (1) a conflict situation with the purpose of improving the prospects for a negotiated settlement. There was no effort expended on attempting to mediate over the substance of the dispute - this was both impractical and likely to have negative consequences given Canada's basic position. Instead, the focus was on process because there was a larger goal - improving the chances for postwar international security and for a central role of international organization in that endeavour - at stake. It was in this stake that Canada's role in the Commission was identified, not the narrower stake of western security. Thus the mediatory effort was not outcome-oriented but management-oriented; the difference lying in the mediator's recognition of a wider interest and a limited capacity for direct influence. The ability to exercise power was low, but the stakes were high and the degree of involvement was also high. As importantly, McNaughton's efforts demonstrated that for Canada mediation without consent in East-West relations was possible and

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(1) That it was mediation is the consensus of those who have studied Canada's role in the Commission. See Davy 1962; Holmes 1982 II; and Eayrs 1972.

could have an impact. For example, McNaughton's efforts in the UNAEC no doubt had a positive impact on his subsequent involvement, in an informal mediatory role, with the other nonpermanent members of the Security Council, in the 1948-9 Berlin Blockade, despite the "suspicions" of the three western powers (Holmes 1982 II: 69-72).

The Trudeau Peace Initiative 1983-84

The mediatory efforts of general McNaughton in the UNAEC, focussing largely on technical and procedural devices to improve the chances for a negotiated settlement between the United States and the Soviet Union on the international control of atomic energy were ground-breaking; at that point there were no expectations regarding such a role by Canada. Certainly not by the two new superpowers - the Soviets probably saw Canada as a puppet of the Americans and the latter no doubt expected solid support for their policies vis-a-vis the Soviets from the Canadians. Thus it was clearly a role independent, self-starting mediatory strategy that Canada under McNaughton's leadership undertook in the UNAEC.

By the 1980's this type of functional, bridge-building role was a well-established one for Canadian diplomacy in the peace and security field, or more precisely the arms control and disarmament field. In the productive activity in the field from the early 1960's to the mid 1970's, which took place primarily in multilateral forums under UN auspices, Canada undertook many

similar activities with substantial success (Tucker 1977). Consequently, Canadians developed expected third party roles as technical-legal contributors to the settlement of various issues under negotiation. Men such as general E.L.M. Burns and George Ignatieff, backed by an increasingly sophisticated body of relevant Canadian experts on the technical and legal fronts, made important contributions to the partial test-ban treaty (1963), the outer space treaty (1967), the nuclear non-proliferation treaty or NPT (1968) and the seabed arms control treaty (1970). This kind of contribution has continued in the fitful negotiations on chemical weapons, a comprehensive test-ban and, most recently, non-nuclear space weapons (Osborne 1985). Verification techniques have become a particular focus for the development of Canadian expertise.

Although it has been reasonably argued that this activity by Canada has alternated between periods of activism and conservatism (the "independent-activist" vs. the "loyal ally" - see Tucker 1977, 1981), nonetheless it has been more or less persistent in its general direction. In fact, so much so that in periods where Canada appeared to slacken its third party activity, questions were raised as to why, even by the

superpowers.(1)

However, as Canada's role became more familiar and expected by the superpowers, it no longer fulfilled the criteria of mediation without consent. Canadian policy was no longer role-independent as it did not involve departures from what had developed into traditional practices. A number of factors were responsible for this. Firstly, with a continuing "seat at the table", the presentation of technical data, the use of procedural devices and behind-the-scenes diplomacy became the hallmark of Canada's contribution. But as the systemic environment of East-West relations (the state of the Soviet-American relationship) improved, such activities became primarily outcome-oriented, rather than management-oriented, with efforts directed at facilitating agreement between the major nuclear powers and their respective blocs. Canadian roles became predicated on an assumption, as Tucker (1977) suggests, that the superpowers desired, or were at least seriously interested in pursuing, an agreement. The emphasis on "keeping the ball of peaceful settlement rolling", so integral to McNaughton's efforts, became less obvious. The activities of Burns and

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(1) A classic example of this is recounted by Burns (1972) in his reminiscences on his stewardship of Canadian arms control and disarmament policy in the 1960's. States Burns: "In our interview on June 12 (1964), Mr. Zorin (the chief Soviet delegate at the Eighteen Nation Disarmament Committee or ENDC) began by remarking that in earlier negotiations Canada had come up with some useful suggestions, which helped towards some bringing together of East-West positions. Of late we had not seemed to do much in this line, and he thought this was a pity." (203).

Ignatieff fell within this view, supported by the Pearson and early Trudeau governments (See Tucker 1977: 121-6, 398-9). Any Canadian propensity to act "out of character" by promoting role-independent mediatory activity remained largely submerged.

On the occasion where this propensity did seem to emerge (when Canadian efforts became more oriented toward Tucker's independent-activist approach where Canada acted with other non-nuclear powers to "compel" the superpowers toward agreements), this emergence was largely a result of either idiosyncratic factors or favourable external circumstances. For one, the changing systemic environment after the 1962 Cuban missile crisis began to encourage (recalling Holbraad's argument) increased third party activity, particularly by middle powers who were feeling less constrained, if aligned, by the views of their alliance leader or more willing to take activist positions because the international climate pointed to the greater possibility of superpower agreement. The idiosyncratic factor is best epitomized by the disarmament initiatives of External Affairs Minister Howard Green (1959-62). His personalized and self-styled "crusade" against nuclear testing was based on a strong conviction that Canada was a world power which should be willing and able to act independently of the U.S. in order to gain the support of the newly emerging non-aligned states for

Canadian leadership in the UN.(1)

As the move toward bilateral superpower negotiations in the arms control field took place in the 1970's, opportunities for third party ~~activity~~ by Canada in East-West relations became more limited. Although the now-ensconced Canadian role of functionally facilitating agreements continued in UN-sponsored negotiating forums (and later in the CSCE-CDE process), Canada no longer had a "seat at the table" where the most important negotiations took place. In addition, the climate of, apparent detente between the superpowers discouraged more activist roles by Canada, as well as other states. Not only was there less scope for involvement but also deference was paid to the views of the Americans that nothing be done independently by other states in the Western alliance that might "undermine" ongoing U.S.-Soviet negotiations.

Ironically, it was this very development in the conduct of East-West relations - the age of bilaterally managed affairs in the peace and security field, epitomized by summitry and ongoing bilateral negotiations - that spurred the rise of a new type of "unauthorized", role-independent mediatory activity by Canada. For a period of time, the combination of limited opportunity, general satisfaction with the continuance of developed third party roles and an unfavourable systemic environment resulted in

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(1) It was also Green who was one of the first to propose in a public forum an accord on the prohibition of nuclear weapons in Outer Space, the end result of which was the Outer Space Treaty of 1967. See Lyon 1963, Tucker 1977.

a significant curtailment in the scope of Canadian activity. However, when U.S.-Soviet relations began to sour again in the late 1970's and early 1980's, it became clear that the needs of Canadian and international security might require more than simply indirect contributions through an uneven process of consultation to the stability of East-West relations. The status quo increasingly seemed unable to provide adequate answers to Canadian concerns and interests relevant to peace and security issues. The very lack of opportunity (fewer seats at the table), coupled with increasing pressures to be a loyal ally in the new East-West standoff called for renewed and novel third party approaches in Canadian policy.

The Trudeau Peace Initiative represented one means that was identified and utilized which fit the idea of a role-independent strategy. The approach was that of political diplomacy.

Political diplomacy, as defined in this context, involves a number of characteristics. First, it is a diplomatic effort undertaken by an active political statesman, rather than by professional diplomats utilizing official channels. More importantly, it is a diplomatic initiative designed to respond to dramatic changes in the international environment more quickly than normal diplomatic patterns of discourse allow. Thirdly, it is a diplomatic effort involving the utilization of a wide range of both public and private forums not readily available to conventional diplomacy to advance its objectives. Finally, and

most importantly, it is a diplomatic initiative which includes the advancement of ideas that represent a departure from existing norms, both in government policy, and in means by which that policy is carried out. It demarcates new ground in the field it is directed at.

The potential significance of political diplomacy arises when the management of relations between states is so challenged that new and diverse diplomatic approaches may be required to smooth the path ahead. The value of high-level political diplomacy lies in the fact that it is undertaken by a political leader who can bypass normal channels of diplomatic discourse and can access other political leaders directly with new policy or process ideas that can be immediately considered. The success of this type of diplomacy will depend upon the consistency of any initiative with stated needs, interests and responsibilities, the special skills and expertise of the individual, external factors such as timing and atmosphere and the cultivation of credibility and legitimacy for the effort.(1)

The Trudeau peace initiative represented an attempt to undertake mediatory activity by an interested party (that is, not a neutral party) aimed at facilitating positive communication between the superpowers and injecting new ideas and energy into the stalemated arms control process by means of political

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(1) I am indebted to Melina Buckley for the articulation of these thoughts.

diplomacy. The rationales for undertaking this type of role could include: the needs and interests of the international community (in this case the shared need for peace and survival); of the parties to the dispute to get their relationship moving in a positive direction; and of the interested party as an important contributor in the field of international security. By aiming at the facilitation of more productive arms control negotiations between the superpowers, the role took on a management-oriented focus.

It was because the initiative represented a decisive departure from past Canadian practice and was thus role-independent (in the sense of being unexpected) and also undertaken without the prior consent of the superpowers that it evoked considerable criticism and resistance at the time, both from domestic and foreign sources. For many contemporary Canadian security experts and analysts the Trudeau initiative represented an unnecessary departure from the valued and productive Canadian practice of quiet diplomacy in East-West relations and international security. The initiative was seen as a foolish departure from Canada's recognized role as a rational-technical contributor to security problem-solving between East and West. Furthermore, it had few apparent compensating virtues that might commend it to anyone by domestic public opinion. The experts were certainly willing to recognize that political will and leadership in international peace and security issues was crucial to successful problem-solving in this field, but they believed it

illusory for Canada to think it could provide such leadership, particularly when certain other states would not readily approve of such action coming from a militarily insignificant nation. (Tucker 1984; Bromke and Nossal 1984; discussed in Sigler and von Riekhoff 1985.) Apparently this criticism was shared by at least the American and British governments.(1)

To address such criticism in the context of examining the viability of the initiative as a successful example of mediation without consent through political diplomacy, necessitates an understanding of the views and thoughts of the political leader involved, Pierre Trudeau. A brief review of the initiative will thus concentrate on his articulation of its rationale, goals and expectations. This approach will allow for an explanation of how the mediatory effort can be seen as management-oriented. It will also demonstrate the extent to which Trudeau's role represented a mediatory approach quite close to the model of consultative mediation described earlier.(2)

Trudeau's peace initiative was a consistent personification

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(1) At the time there were reports that senior U.S. officials made personally disparaging remarks about the Prime Minister and his initiative, and that British Prime Minister Margaret Thatcher also saw little merit in taking an alarmist, high profile undertaking at a delicate period in East-West relations (see Gwyn and Gwyn 1984). More recent press reports seem to confirm the U.S. view at any rate (see Montreal Gazette, March 16, 1985).

(2) This review is mostly drawn from my research of the Peace Initiative, as articulated in my contribution to a paper on the same subject - see Pearson et al (1985-86).

of both his general conception of world politics and his conception of Canada's role therein, specifically in the peace and security field. Trudeau tended to view world politics in a global societal perspective rather than a state-centric one. He saw middle powers as having a responsibility for playing a model role in that society, particularly in discouraging great power tendencies to control and pace of global societal affairs. (Holmes 1985; von Riekhoff cited in Holmes 1985: 375-6.)

On the questions of peace and security, Trudeau's views can be traced back to the debate over the stationing of nuclear weapons on Canadian soil in 1962-3. His now well-known article in *Life Libre* vehemently criticized the Liberal party's decision to accept these weapons. As prime minister, Trudeau began expressing his views formally in 1978 at the heads-of-government summit of NATO and at the first United Nations Special Session on Disarmament (UNSSOD I). These views were expounded more fully in 1982 in speeches before and during UNSSOD II. This was a period where the systemic environment of East-West relations was experiencing barely restrained rivalry bordering on cold war, much the same as the 1946 period we examined earlier.

On these occasions, Trudeau expressed not only his interest but more particularly his view of the type of responsibility he envisaged for Canada in contributing to East-West co-operation and mutual security, given its position as an allied but sovereign Western power with a history of constructive and

persistent involvement in East-West arms control issues. Indeed, it was in these speeches that Trudeau revealed the distinction he made between active participation in arms control negotiations, and the active encouragement and facilitation of the process, the latter being identified as the appropriate and legitimate role for Canada.

In 1978 Trudeau spoke of the consultative process within NATO. "Consultation is not an end in itself" he declared at the NATO summit. "It provides a proper basis for decisions we as governments have to take...It would make little sense if, in taking them, we were to leave one another's interests and preoccupations out of account." (Trudeau 1978a) Trudeau's implicit suggestion was that responsible communication within the alliance prior to position-taking would help the arms control process, at least in its policy formulation stages. The prime minister followed this statement with his "suffocation" speech at UNSSOD I; it represented an attempt to facilitate the arms control process in a different, but complementary way - the public offering of specific proposals that could be fit within a broad thematic framework governing arms control discussions. (Trudeau 1978b) Injecting workable ideas, in other words, thus moving beyond the mere standard support for productive negotiations.

In his 1982 speeches Trudeau took these themes further: "as allies we have a duty not only to support (U.S.) leadership but also to ensure that (U.S.) actions take account of the legitimate

goals of other members of the alliance." (Trudeau 1982a) At UNSSOD II the theme was broadened again: "All governments have a duty to raise their voices on behalf of (their) societies." (Trudeau 1982b) A second important theme emerged in the prime minister's 1982 speeches, a theme which later formed the thrust of the peace initiative. Trudeau spoke of the "gulf of suspicion" dividing East and West, worsened by mutual misperceptions, a gulf which was the responsibility of all states concerned to counteract. The prime minister urged the superpowers to "agree to communicate, to talk to each other, and to recognize the unquestionable common interest which unites them...avoid(ing) a catastrophe." Only effective communication would facilitate "a mutual understanding about the desirability of arms reductions." (Trudeau 1982a and b)

Clearly Trudeau had developed some definite ideas about the most important roles for Canada to play in the improvement of East-West relations well before he undertook his peace initiative in the fall of 1983. Canada had a duty to make its voice heard in Western councils in an effort to encourage East-West conflict settlement and a responsibility to facilitate such settlement by promoting and actively pursuing opportunities for building East-West communications and common perceptions. Events in 1983, such as the explosive rhetoric which marked the close of the Madrid session of the CSCE, followed soon after by the KAL incident, with its accompanying chorus of so-called "megaphone diplomacy" - events which evoked images of Sarajevo for many,

including Trudeau, thus provided only the immediate catalysts for the prime minister's actions. These events prompted him to seek to actively further the roles he saw for Canada by undertaking some form of political initiative which might assist in reversing the "trend line" of an "ominous rhythm of crisis" pervading East-West relations. Trudeau saw that Canada had both a duty and a responsibility, consistent with past concerns and interests, to, in his words, "re-establish communication and dialogue between the East and the West so that statecraft (could) take over from the machismo and dialogue take over from the shouting." (Trudeau 1984a)

Indeed, it was this context that provided the parameters within which the initiative was to be shaped. It had to be, first and foremost, "essentially political, in that it (be) designed to change expectations and assumptions, rather than engender real arms control...Progress in any particular arms control proposal contained in the initiative was important only as it (could help to) restore communication, crisis management and confidence." (Kirtton 1984: 5) Trudeau saw his role as facilitating and encouraging this process. He did not envisage himself as an arms control tsar and certainly not as a mediator "at the table" or in the substantive sense. He was to be a mediator only in the facilitative, politically diplomatic sense, with an emphasis on influencing the arms control process. The introduction of specific arms control policy suggestions primarily served the purpose of ensuring the initiative was not

rejected "out of hand" as soon as it commenced. Other states and their leaders had to recognize some value in the concrete suggestions Trudeau had to offer, even though his most important goals were not related to influencing the actual arms control agenda, per se.(1) Thus, the central objective of the initiative was to create a political "climate of confidence", not an arms control agreement, or even renewed negotiations; the latter were to be left to the superpowers but the former was the duty of all states, and a logical choice for Canada in particular. "Canada is not at the (negotiating) table", Trudeau stated in kicking off his initiative, "and we have no wish to insert ourselves into this vital and delicate process...However...we might help to influence the atmosphere in which these negotiations are conducted, and thereby enhance the prospects of early agreement." (Trudeau 1983a)

One should therefore understand the specific arms control proposals put forward in the Trudeau initiative in the context of this broad objective. Their first purpose was to get a credible foot in the doors of the Kremlin and the White House. Once in, there would be an opportunity for face-to-face encouragement of better communications between East and West and perhaps also of an exploration by both sides of their common interests, with the aim of mutually recognizing, accepting and codifying them as

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(1) This of course would be the focus of a critique by those such as the Canadian Centre for Arms Control and Disarmament whose main concern is that Canada does not articulate enough its preferences for what should be on the agenda.

guides to future conduct. The second purpose was directly to encourage and facilitate communication and recognition of common interests. The proposals for a ban on high-altitude anti-satellite weapons (ASATS), a restriction on the mobility of ICBMs, the establishment of a code of conduct to assist in the verification of new weapons systems, and the creation of a five-power negotiating forum were aimed at getting a foot in the door. The proposals to invigorate the Nuclear Non-proliferation Treaty (NPT) and to give a "jolt of political energy" to the ongoing MBFR talks and the pending Conference on Disarmament in Europe (CDE) were part of the direct approach. Together they provided a practical foundation for encouraging communication to create confidence and to facilitate an acceptance of the usefulness of codifying common interests. Success in this would represent at least minimal cooperation in crisis management and might prove critical to the building of constructive relations between East and West.

Critics of the peace initiative often overlook the fact that there was always a conscious understanding on the part of the prime minister that he was undertaking his initiative as a fully committed and loyal member of the Western alliance. It was this very membership that prompted Trudeau to believe he had a responsibility to speak out in keeping with the ideals that NATO is supposed to uphold. He was not acting as a troublemaker muddying the waters but as an active democratic statesman with a right and a duty to become involved. "An alliance which fails to

defend democracy in its councils will surely fail in its defence of democracy in the field" was a statement the prime minister repeatedly made. (Trudeau 1984b.)

That Trudeau recognized the scope of his responsibility is clear from the initiative and its antecedents; that he recognized his place as a NATO ally is evident both from the initiative's proposals and the sequence of his travels. The proposals were chosen from an initial list of over twenty, many of which (a nuclear freeze, a comprehensive test ban, an outer space arms control regime, even a joint NATO-Warsaw Pact consultative mechanism) were regarded favourably not only by many governments, including some within NATO, but by many publics as well. However, they were not chosen for the initiative because it was known that the U.S. and some other NATO allies were not well disposed to them. This decision was made even though some of the rejected proposals were official Canadian policy (such as the CTB). The selection of only those proposals which potentially had substantial alliance support (MBFR, CDE, NPT) or were novel yet credible (a five-power forum, ASATS, ICBM mobility and verification) signalled a recognition by the prime minister and his team of the need to be sensitive both to alliance views and to U.S. leadership within that alliance.

Trudeau's chosen sequence of consultations, which began with a long letter to President Reagan and was followed by visits to other NATO governments, further demonstrated this sensitivity.

His subsequent meetings with the Japanese, the Chinese and the Commonwealth leaders reflected his view that as many states as possible should be encouraged to follow his lead in recognizing, pursuing and thus legitimizing initiatives at the political level whenever conflict began to overshadow cooperation in East-West relations. Finally, Trudeau preferred to consult the Soviet leadership before seeing President Reagan because it was clearly most valuable to see the leader of the alliance last in order to provide a prognosis and make a final pitch for increased cooperative efforts. (Pearson 1985: 4) It was only the unfortunate state of President Andropov's health, coupled with Trudeau's desire not to lose momentum that prompted a Washington visit before going to Moscow, a visit that was in fact later characterized by a State Department official as being "one of the most effective meetings I have ever witnessed in the Oval Office." (See Gwyn and Gwyn 1984: 29) The visits to three East European capitals in January of 1984 were undertaken as a substitute for the still very uncertain possibility of going to Moscow; only Andropov's subsequent death cleared the way for an encounter at the Kremlin. In any case, the East European visits provided an example of the prime minister following his own advice by actively seeking in his own right to improve communications between East and West.

Trudeau ended the initiative by returning to his essential themes in a speech to the Canadian parliament on February 9, 1984. In reflecting on his consultations in the previous three

months - consultations that took him to fifteen capitals to see fifty-eight world leaders - the prime minister expressed his keen awareness of the value of personal political contact in teaching political leaders the worth of communication and common perception building. He felt it was essential to encourage this understanding and offered one method: identifying "principles of common bond" between East and West. In his speech he listed ten such principles, ranging from agreement that a nuclear ^{war} could not be won and therefore should never be fought, to consensus that crisis management techniques needed ongoing improvement, to acceptance of the need to vigorously discourage horizontal nuclear weapons proliferation. They were all, by his own admission, very modest principles, but when the world was only slowly emerging from a time of crisis there was "sound purpose in going back to basics, beginning again with a commitment to principles which can be shared...surveying a little common ground on which to stand." (Trudeau 1984b) Agreement on some principles, however modest, could represent that minimal cooperation that could lead to more substantive breakthroughs in East-West relations.

In assessing the impact of the Trudeau peace initiative, a number of points can be made. The specific proposals had very mixed success, but the successes in re-establishing an alliance (U.S. in particular) commitment to the CDE and MBFR process represented at least that third party political involvement in alliance affairs, if pursued diligently, could produce positive

results for East-West relations.

More important for our purposes is the impact the initiative had on the level of confidence building between East and West, which was the prime objective behind the initiative. And indeed, at this level one can see that the initiative had some positive impact in terms of encouraging changes in Western attitudes toward the Soviet bloc on questions relating to peace and security. One of Trudeau's prime objectives was to promote more "even-handedness" in Western views by encouraging perceptions that common ground existed between East and West. Another was to provide an opportunity for the West to demonstrate its commitment to dialogue. Let us review what actually transpired during this period that could be interpreted as reflecting these objectives.

Soon after the initiative began, President Reagan spoke before the Japanese parliament and stated emphatically for the first time that a nuclear war was "unwinnable" and therefore "should not be fought". On December 8, NATO foreign ministers announced they would go to the opening session of the CDE, after earlier indicating that many would not go. Furthermore, they stated in their communiqué that relations with the Soviet Union should be based on "equilibrium, moderation and reciprocity". They also announced that NATO was undertaking a comprehensive reappraisal of East-West relations, the first since the Harmel Report of 1967, "with a view to achieving a more constructive East-West dialogue." (NATO 1983)

Trudeau met Reagan on December 15, stressing the importance of effective and non-threatening communication and the need to build up common perceptions. Later that day the president stated in an interview that he would henceforth refrain from using terms like "evil empire" when discussing the Soviet Union, lest they receive the "mistaken" message that the U.S. had aggressive intentions. (Sigler and von Riekhoff 1985: 67) The following month saw the president, in a major foreign policy address, state: "We should always remember that (the U.S. and the Soviet Union) do have common interests and that the foremost among them is to avoid war and reduce the level of arms." (Time, January 23, 1984: 11)

In May of 1984, the NATO foreign ministers issued the Washington Statement on East-West Relations (NATO 1984). It pronounced that "there exist areas where common interests should prevail - to safeguard peace, to build confidence, to increase security, to improve mechanisms for dealing with crises and to promote prosperity." The alliance was "determined to build upon these and other areas of common interest in pursuing their efforts to promote more constructive dialogue and cooperation with the members of the Warsaw Pact with a view to achieving genuine detente." To this end the Statement listed three specific proposals: the promotion of "dialogue, cooperation and contacts at all levels on the full range of questions between East and West...aimed at increasing mutual understanding, identifying common interests, clarifying objectives, expanding areas of

agreement and resolving or isolating areas of disagreement; mutually advantageous trade and economic cooperation; and security at the lowest possible level of forces."

The listing of common interests and the expression of a desire not only for "extended political dialogue and long-term cooperation" but also that each Western power should "pursue all useful opportunities for dialogue" was re-emphasized at the London economic summit in June, 1984. It has been suggested that this London Declaration was based on a Canadian draft;⁽¹⁾ clearly, it closely resembled the views expressed by Trudeau in the course of his initiative.

How can one account for this apparent shift in Western attitudes in the twelve months from June, 1983 to June, 1984? The events of that period do not suggest this should have happened. The Madrid session of the CSCE, the KAL incident, the invasion of Grenada, the walkouts by the Soviet Union from the Geneva arms control negotiations, a very tough Shultz-Gromyko head-to-head encounter at the opening of the CDE, an Olympic boycott by the Soviet bloc, the continuation of overt Soviet intervention in Afghanistan and covert American intervention in Nicaragua - all these were powerful checks against any call for increased cooperation and conciliation. No doubt there were a number of trends extraneous to the Trudeau initiative that became

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(1) New York Times, June 10, 1984, as cited in Sigler and von Riekhoff 1985: 66. See also Kirton 1984: 17.

important counterbalances - European pressure on Reagan to be conciliatory to the Soviets following the show of solidarity over the introduction of U.S. nuclear missiles in Europe, and the impending American election. But perhaps there was as well a possible link between Trudeau's initiative, which emphasized above all a global approach to the problems of East-West relations, focussing on the improvement of communication, dialogue and understanding, and subsequent Western declarations, repeated quite frequently, enunciating a desire to pursue exactly such objectives. Not a certain link by any means, but a possible one.

Indeed, later developments have proven the importance the superpowers themselves attach to this need. For example, in November, 1985, the leaders of the two superpowers sat down in Geneva to the first summit at such a level of representation since 1979. Presidents Gorbachev and Reagan agreed at the summit to issue a joint statement on issues they agreed with (New York Times, November 22, A12, A15). The statement emphasized the shared goal to "seek common ground" and to seek progress particularly "in areas where there is common ground". It also specifically stated that the United States and the Soviet Union agreed with the view that "a nuclear war cannot be won and must never be fought", and that neither side sought "to achieve military superiority". Chemical weapons, the non-proliferation regime, confidence-building measures, the principle of a 50% cut in nuclear arms and the non-use of force were all cited as areas

of common ground to be built upon. The following February, Soviet leader Gorbachev stated that because the five nuclear powers "bear the main burden of responsibility for the destiny of mankind, why then should their leaders not gather at a roundtable and discuss what could and should be done to strengthen world peace?" (Globe and Mail, February 26, 1986: A8).

Although one should be careful in attempting to relate accurately cause and effect here, it remains clear that the principles of common bond pronounced by Trudeau, along with certain of his proposals, subsequently became the subject of articulation, in some cases even agreement, by the superpowers. The fact that a political leader of a state other than the two superpowers involved himself in the articulation of some of these ideas before they became part of the accepted language shared by East and West demonstrates the value of a third party taking a proactive approach which can produce a positive development in the conflict situation being addressed. The Trudeau peace initiative can be accorded some significance as an example of mediation without consent in this context.

The Peace Initiative of Pierre Trudeau represented a bold departure from past practice for Canadian diplomacy in the peace and security field. The political diplomacy undertaken by the prime minister represented a third party role not expected of Canada, therefore making it role-independent. As with the UNAEC, there was never any attempt to mediate over the substance of the

dispute. Instead, the stake was placed on satisfying the need for greater global involvement in issues having potentially critical global implications. Furthermore, by focussing on the management side of East-West relations, rather than attempting to pressure for any particular outcome, the initiative was not dependent on the consent of the superpowers in order to take place, or indeed to have a positive impact. Although both the U.S. and Soviet governments received the prime minister, this cannot in itself be seen as according consent to his efforts. The systemic environment was dominated by the presence of restrained rivalry between the superpowers, a condition which usually makes them hardly amenable to the input of a mediating third party. The Americans particularly did not hesitate to make clear they were unhappy with Trudeau's efforts. "This government never fully embraced that", a U.S. official was quoted as stating later. (Montreal Gazette, March 16, 1985)

There is no doubt that Trudeau had few illusions about the relative power he could bring to bear on the conflict situation. But he recognized the importance of Canada's stake, and therefore got involved accordingly. He perceived that the influence he did possess, both as a recognized world statesman and as a representative of a nation with a commendable reputation on international security issues, could be utilized for the task he undertook. By taking on a management-oriented mediatory role, and one that represented a departure from traditional Canadian policy, Trudeau managed to keep himself unencumbered by formal

processes, or previous expectations. He demonstrated that the role was a viable one - the world had shown that it was, after all, entitled to ask questions - and look for some answers.

CONCLUSION

It was not...the intent of Mr. Trudeau, any more than it was the intent of Burns or Green, that Canada's alliance links be severed. It was their intent - that of Green and Trudeau in particular, as political leaders - to seek to ensure that alliance membership did not constrain Canada's activist diplomacy in the arms control and disarmament discussions.

Tucker 1977: 101

This thesis has attempted to demonstrate that it is possible, contrary to the accepted view evident in both the theoretical literature and among practitioners, that a third party can undertake mediatory activity in, and have a positive impact on, a conflict situation without requiring the consent of the conflicting parties to that involvement. In support of this argument, several key issues and propositions were considered. A review of the third party literature and of third party efforts in international practice reveals that traditional conceptions have served to limit the extent to which mediatory activity has been defined and utilized. Specifically, that they have not adequately addressed important developments that have played an increasingly important role in delineating the scope and range of third party activities in international politics. For example, the increasing prevalence of protracted conflicts, with characteristics less amenable to traditional and accepted third

party practices, including fewer periods where the conflicting parties are willing to consider third party involvement in the often fitful effort to negotiate a settlement. The consequence of this development has been a restriction on the level and quality of third party input into the conflict settlement process. This is particularly the case in protracted conflicts involving powerful adversaries, because the third party has relatively less resources (power) to influence the conflicting parties.

Consequently, an attempt was made to consider how a third party might be able to gain entry into a protracted conflict situation even though the conflicting parties are not demonstrating any interest in involving third parties to assist in the settling of their conflict. The first element in this consideration was an effort to expand upon traditionally narrow definitions of mediation, its scope and range. It was argued that mediation as a third party activity could be seen as encompassing a whole range of procedures, from pure consultation where the third party is concerned only with process variables, to powerful intercession where the third party is primarily concerned with addressing the substantive differences of the conflicting parties, and proposing alternative outcomes they might be able to accept. In other words, this range of mediation activities were identified according to the degree to which the mediator focussed on process issues versus substance issues in the conflict.

Success of mediation could then be assessed according to the nature of the mediatory initiative. If reconciling substantive differences was the goal, then success could be determined according to the degree that a conflict settlement outcome was achieved. If, however, addressing problems of perception or interpretations of language and intent was the goal, then success could be determined according to the degree that the process of conflict settlement attempted to incorporate suggestions arising out of the addressing of these problems.

Mediation without consent is an effort falling into this latter category of third party goals, or objectives. What it involves is an activity designed to circumvent the reluctance of the conflicting parties to accept third party involvement in the settlement of their differences by addressing primarily limited aspects of those differences; aspects which, if productively tackled, could assist in improving the chances that the conflicting parties could productively address their substantive differences. Mediation in this context can be seen as a management process, involving an effort to manage elements of the conflict settlement process in order to discourage negative elements inhibiting the development of a successful settlement process, while simultaneously attempting to encourage positive elements that might point to a successful settlement process.

For Canada as a third party in East-West relations, this approach represents a means by which it can deal with the

problems associated with superpower reluctance to include third parties (in any serious manner beyond "consultation") in their efforts to negotiate a mutually satisfactory international security regime.

At a general level, Canada has an important role to play in global affairs because of its position as "a country that almost no-one dislikes, and that belongs to so many international clubs." (Gwyn and Gwyn 1984: 22). This position allows Canadian leaders a relatively wide opportunity to meet with other world leaders. More important, Canada has, as a member of NATO and by virtue of sharing borders (land or sea) with both superpowers (and therefore possessing territory which may become a potential battleground), a national stake in East-West relations. One objective of Canadian peace and security policy is to maintain the special relationship with Washington while endeavouring to promote good relations with Moscow. The satisfactory management of these relations hinges on the direction of the Soviet-American relationship. As a member of NATO, Canada has an interest in the direction of the alliance's defence and arms control decisions, and as a participant in multilateral disarmament forums, it has shown a capacity not only for facilitation but also for functional and technical contributions to the resolution of such problems as verification and seismic detection.

In this context, the critical importance of Canadian mediation without consent in East-West relations lies in its

attempt to reconcile in an effective manner the often conflicting requirements of innovative arms control diplomacy and alliance solidarity. It cannot be denied that membership in military alliances, coupled with physical proximity to the U.S., has constrained the scope of "independent" Canadian activity in this area. There can be no escaping this reality, outside of a radical shift in Canadian foreign policy vis-a-vis East-West relations by future Canadian policy-makers, which seems unlikely for the foreseeable future. What this paper has attempted to demonstrate is that it is more likely, or perhaps it should be argued more possible, because the record has proven it, to further develop within the basic constraints Canada faces as a third party, activities that serve both global and alliance needs, while sacrificing neither.

Canada is emphatically not an impartial or neutral observer of the nuclear arms race. Yet Canada's role in the arms control process should be seen as enhanced rather than diminished by its Western ties and proximity to Washington. The value of third party involvement in the form McNaughton perpetrated - contributing on a functional basis to the objective of "keeping the ball of peaceful settlement rolling" - can be seen by the fact that it has become an integral and valued Canadian contribution to international arms control and disarmament. The value of third party involvement in the form of political diplomacy, as personified by the peace initiative of Pierre Trudeau, can be supported by the fact that the increasing risks

inherent in the proliferation of nuclear weapons have created a stake for every state, group or individual. However, vital Canadian interests provide a further basis of support. Support for political diplomacy can also be derived from the recognition by democratic societies of the need for public involvement in the foreign policy process. And a stalemated arms control process is a situation which demands the encouragement by these publics of alternatives. Stalemated situations where the systemic environment of East-West relations become unstable will continue to occur, and therefore necessitate the use of these alternatives.

However, two main obstacles remain to increased third party activity, for other states as well as Canada. The first and most important is of course the attitudes of the major players in the game. Like all nations, the nuclear powers can claim that decisions concerning national defence and national security are matters of vital national concern. Therefore, as sovereign states, the decisions to arms or disarm are matters essentially within the domestic jurisdiction of the state, and there is no obligation to accept external involvement in the policy process. Yet the reality of nuclear weaponry and the state of the global system are such that those national security issues are at the same time international security issues. Maintaining a balance between the national and international responsibilities of the governments of the nuclear powers leaves the onus for acceptance of other parties into the arms control process upon the nuclear

powers themselves. A positive right of involvement does not exist for non-nuclear powers, even though their security needs are threatened by the existence and capabilities of nuclear weapons. However, a negative right of exclusion does exist for the nuclear powers. This right allows these states the power to interpret the needs of state security to their advantage.(1) At various times the United States and the Soviet Union have opted for limiting their preferred security options in order to pursue negotiated agreements. However, more often they have pursued a policy of jealously guarding their sovereign rights to ensure that their security needs, as they define them, are met. Scope for effective third party mediatory activity is heavily constrained by this obsessiveness, because of the vast power held by the major nuclear weapons states. In the final analysis, consent of these powers to outside involvement will remain essential for the ability of third parties to influence the outcome of their various conflicts. Until that consent is given, third parties must rest content with pursuing opportunities to influence the process of those conflicts, in an effort to direct them toward more acceptable outcomes.

The Trudeau initiative is an excellent case in point. Among other attributes necessary for a third party, Trudeau possessed an important resource - access to major decision-makers, as well as a high international reputation. His position and authority

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(1) I am indebted to Gregor Mackinnon for the articulation of this idea.

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include the encouragement of a wider recognition of the need for a global approach to security and greater attempts within countries to support and sustain a more active involvement. As a former Canadian diplomat and participant in the peace initiative stated: "taking a lead in such matters is more likely to provoke change if the lead can be held. Officials have to be encouraged to think ahead. Mechanisms need to be created and maintained to help them do so." (Pearson 1985: 6)

This points to the second obstacle to improved third party participation in the global arms control process. Getting Canadian political leaders and their officials to agree that there is an ongoing need to follow up momentum engendered by past Canadian activities as a third party in East-West relations has not yet been very evident. We are still left with a reliance on the idiosyncracies of political leaders. Clearly one cannot expect results internationally if one cannot be consistent in one's own policies. Education at the domestic level is as much, if not more important than at the international level. Perhaps the recent upsurge in the level of interest in, and debate over, Canadian peace and security policies will provide some of this education, with hopefully beneficial results.

There is no doubt that further research on these questions is required. This paper did not consider alternative cases involving Canada as a third party in East-West conflict, such as those taken on through the UN Security Council. A more

comprehensive analysis of these activities would be useful in further illuminating the nature and prospects of Canadian third party activity in this area. Similarly, further research would be useful on such questions as the role of bureaucratic politics. The various domestic factors involved in the development and execution of Canadian third party roles merit closer examination before a definitive judgement on the potential viability and utility of such activity can be made. This thesis has made only small inroads into this important topic. It can only be hoped that further analysis will be forthcoming.

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