

Why growing influence of Non-State Actors in diplomacy and consular practice is a cause for alarm in smooth running of State foreign affairs.

By Moses Kulaba, *Governance and economic analysis centre*

Diplomacy has been defined by scholars such as Ernest Satow as the intelligent act of applying tact in the management of international relations by actors through relationships and interactions in the official conduct of their official activities in order to achieve the goals of their national interests guided by a nation's foreign policy. It can equally be described as an international intercourse between sovereign states with an aim of advancing mutual interest in a peaceful manner. However, in recent years, non-state actors are becoming influential diplomats with credentials worth for government recognition.

Since diplomacy and consular practice is still largely about interaction between sovereign states, the role of the state is still significant. However, if the current trend continues, it is likely that in the future, the state will become a player with different roles and functions, such as facilitation of diplomatic and consular interaction.

From the onset of its definition and practice, diplomacy was conceived as an activity within the exclusive purview of the state. Realist and Classical theorists of politics and international relations at the time believed in the supremacy of the state and its dominance in diplomacy. Diplomacy was seen as a tool for seeking dominance and asserting power.

For political philosophers such as Machiavelli (1469-1527), in his book *The Prince*, he argued that state power and foreign relations were so sacrosanct to be entrusted with any other actor other than the prince (The leader) and the state. For Machiavelli, diplomacy was only pursued in preservation of the safety and security of the state. This was the main goal of the state and he urged his Prince (The ruler) to pursue these interests at all costs, including war where diplomacy failed.

The realist ideas were challenged by liberal theorist such as John Locke and Immanuel Kant who saw that actors in International relations were both state and non-state actors. The world was viewed as anarchic in nature, with conflicting interests and competing egos. Restoration

of the world order and the pursuit of global peace, democracy and international cooperation required a multilateral approach with multiple actors.

Indeed, overtime diplomacy has evolved. Today, diplomatic activities are carried out by non-state actors, whose activities transcend beyond their national borders and the confines of the state.

Participation on Non state Actors in diplomacy and consular practice has become a pronounced phenomenon. Concepts such as corporate diplomacy, Non-Governmental Organizations (NGO) diplomacy, business diplomacy and conference diplomacy have become quite familiar in diplomacy and consular practice. Experts such as Saner & Liu acknowledge that diplomacy has mutated overtime.

Globalization and democratization have rendered the professional boundaries more porous and put into question the territorial claims of the traditional diplomats. Alternative diplomatic actors have emerged within and outside the state and often act independently from the Ministry of Foreign Affairs. Diplomacy as a profession has undergone changes in terms of definition, qualification and role expectation of what is or not supposed to do (Saner & Yiu: 2003).

The following non state actors influence postmodern diplomacy and consular practice in greater proportions than before.

International Organisations and agencies have become key non state actors influencing postmodern diplomacy. These operate at sub regional, regional and global level, pursuing different sets of predetermined goals. Sub-Regional international organizations such the East African Community (EAC), South African Development Cooperation, Common Market for Eastern and South Africa (COMESA) and North America Free Trade Area (NAFTA) may have economic integration agendas while continental and global international organizations such as the African Union and the United Nations respectively pursue broader international goals.

These organizations have vast resources and access to countries and interact with a wide range of actors and issues ranging from political affairs, peace to development. They generate reports and international law documents shaping international diplomacy. They have a large membership base whose collective voices at times counteract or challenge individual state concerns. Indeed, this was one of the arguments advanced by the British Prime Minister Ms

Theresa May in her campaign for Britain to exit the European Union. In her opinion, the United Kingdom as a state had become weak and most of its sovereign powers to govern and diplomatic interaction had been transferred to Brussels. According to the 'Brexit' campaigners, the UK could not make foreign policy decisions on issues such as trade and asylum without consulting the European Union headquarters in Brussels. The UK's appropriate answer to this counter influence, in Ms Theresa May's view, was to quit the European Union. The influence of the European Union in influencing the European Continental diplomacy is therefore significant and alarming its member states.

The ***International Non-Governmental Organisations (INGOs)*** are the other major non state actors influencing diplomacy and consular practice. Saners and Yiu have describes this new phenomenon as Diplomacy of International or Transnational NGOs. These operate at various levels from the national to the global level. These include INGOs such as the Oxfam, Human Rights Watch and humanitarian agencies such as the International Committee of the Red Cross and Red Crescent.

They are engaged in various activities such as environment, human rights defense, economic and social development. Some are focused on Monitoring state excesses and bad corporate behavior. They may be concerned with the negative impacts of development and exclusion of the poor. INGOs have abilities to mobilize, protest and challenge states, corporate and multilateral agencies such as the World Bank and the United Nations.

They have demanded and recieved representation in major multilateral agencies such as the United Nations. Through these representations, they have been effective in putting forward policy options, alternative models and articulating their views in the international arena, their by challenging the roles of the state and traditional diplomat in dominating policy formulation and practice at the international arena.

A good example was during the negotiations towards signing of the Kyoto protocol on climate change and the recently concluded Paris Climate Change Summit, where the environmental INGOs were instrumental into pushing the member states into signing the protocol and an agreement respectively to reduce carbon emissions and global warming. INGOs and grassroots movements were in 2000 effective in influencing the World Health Organisations and governments to negotiate the framework Convention on tobacco control with aimed at reducing exposure to effects of tobacco to the public through stringent regulations of tobacco companies and smoking in public places.

Others such as the Red Cross respond to emergencies and deliver humanitarian aid in areas of crisis. Have strong connection with the international community and often use their extensive network to communicate with the international arena by submitting reports, policy position papers and are represented at international forums with equal status as member states, their by limiting the dominance of the traditional state in diplomacy and consular practice.

National NGOs have become influential in modern diplomacy and consular practice. These represent the interests of civil society at the national level. They constitute a broad range of Civil society ranging from small to big organizations, engaged in a broad range of issues such as corruption, economic and social development and human rights monitoring.

By constantly interacting with other foreign actors they have carved a niche in foreign relations which is now commonly referred to as diplomacy of National NGOs. They largely receive funding from outside the Country and share their periodic reports with their local and international benefactors and constituencies. With greater access to information, they are capable of sharing their views with a wider global audience and shaping international opinion at greater speed and effect than national state actors and Ministries of Foreign Affairs (MOFA). Their unfettered access to the global audience and influence on foreign relations is a cause of alarm in diplomatic and consular relations

Transnational Corporations (TNCs) and Multinational Corporation (MNCs) have become major non state actors in diplomacy operating across borders in both developing and transiting economies. With globalization and free movement of capital in the form of Foreign Direct Investment (FDI) companies today conduct businesses across Countries. However, this comes with a lot of challenges such as regulation, taxation, intellectual property and dispute settlement. MTNCs also interact with international organizations such as the World Trade Organisation (WTO) and the International Labour Organisation (ILO) on matters of trade and labour standards (Saner & Liu: 2001). Companies also want to keep good international reputation and their global market share.

In order to deal with these international challenges, MTNCs have been encouraged to start 'diplomatic' activities which promote or consolidate their operations. Examples of such include trans-national business councils and forums such as the Trans-Atlantic Business Council (TABC) which is a major forum both the US and Western Europe as a forum to coordinate their position at the WTO and other related issues. Similar forums exist in Tanzania such as the Tanzania-Nordic business forums, India Tanzania Business Council and Tanzania National Business Council (TNBC).

These business councils put forward policy positions and papers and form alliances through multiple networks (embassies) to promote their agenda. Tanzania's National Business Council is chaired by the President of the United Republic of Tanzania. TNCs and MNCs through their councils influence foreign policy positions of their countries and may also call for global action on matters of peace and war, thereby limiting the dominance of the traditional state actors in diplomacy. The American Oil Corporate lobbyists through the American Council on Foreign Relations were instrumental in influencing the United States invasion of Iraq in 1991 and 2003.

In underscoring their roles and influence in Diplomacy and Consular practice, Saners etal and Kishna suggest that the increasing participation of MTNCs in diplomacy has contributed to the rise of new terminologies to diplomacy such as Corporate Diplomacy, Commercial Diplomacy and Business diplomacy.

Eminent Individuals are also becoming major actors in diplomacy and consular practice. These are people with influence on global affairs and impact on diplomacy and consular relations. They include eminent persons such as the late Koffi Annan, the Aga Khan, the Dalai Lama, Bill Gates or Yousaif Malala. They have international following and always invited to international forums to share view and offer policy options. They work through various informal, formal, state and international networks to influence diplomacy. For example, Ms Malala's views on the girl Child's education may have more global impact than the views of an education minister from poor sovereign states. Their influence is insurmountable.

There is also an increasing debate and acceptance of the view that even ordinary individuals have influence on diplomacy. For example, when an individual makes a presentation at a global conference about his country, such a person is engaging in a form of diplomacy and his or her opinions may shape the perception and views of other states against his or her Country. Although this debate is not conclusive, it is evident that diplomacy and consular practice is no longer restricted to state actors.

The role of organized criminal Gangs and armed Groups such as drug cartels, pirates, fundamentalist and terrorist groups such as Al-Qaida, International State in Syria and Levant (ISIL), Alshabab and nationalistic movements such as the Free Syrian Army and Revolutionary Armed Forces of Colombia (FARC) are equally becoming major actors in diplomacy and consular relations. These operate across borders and have significant influence on the politics, economy, peace and security in the territories where they operate. They have access to vast resources and may use their extensive international network for mobilization and propaganda.

Recent history has shown that conflicts are largely involving non state actors. The 2001 attack on the World Trade Center by Al-Qaida operatives working through a wide network of operatives and alliances has shaped the post 911 era and global approach to peace and security. After the 2001 attack on the World Trade Center, many Countries strengthened their national security apparatus by enacting strict security and counter terrorism laws. The US reviewed its relations with some states by blacklisting them as state sponsors of terrorism. The role of the UN in addressing global peace was effectively discussed and its influence as a multilateral body for pursuing global peace and diplomacy was discussed. This discussion continues to date.

In some Countries organised criminal networks have worked to overthrow or install governments and contributed largely to instability forcing state actors to negotiate for peace. A good example is the FARC in Colombia and the ongoing peace talks between the Syrian Government and the Free Syria Armed forces.

These actors have drawn states into international wars such as the US led Coalition in Afghanistan, Iraq and the current ongoing conflict in Syria and Yemen. The US has also increased its military presence in the Middle East and Africa including establishing an African Command to oversee US engagement in Africa in operations such as tracking the Lord Resistance Army (LRA) in Central Africa Republic and overseeing Counter Piracy Operations in Somalia. Clearly, their influence on diplomacy and consular practice is evident.

The Media is becoming a major non state actor in diplomacy and consular practice. The advent of the internet and social media has opened forums for influencing diplomacy and consular practice to non-state diplomats. Access to the media and global community is no longer an exclusive of the state. The media and internet have challenged the power relations between the state and non-state actors. Through the internet and various social media practitioners, citizens and individual bloggers can interact with the world with greater speed and access than state actors. Using social media platforms non state actors can create content, develop imagery and mobilize. They can shape and influence foreign relations and diplomacy by sharing their independent thoughts. Through social media, they are able to galvanise support and determine, extend or counter the foreign policy of their countries. An example of the increasing role of the media was during the Arab spring in 2011 where social media, the internet and mobile phones were used to mobilize support and participation in the overthrow the governments in North Africa and the Middle East.

In emphasizing the role of the media in international relations, the US and other actors have always promoted the use of the internet and social media as a vent for free speech. The US as

a major global player in diplomacy has always condemned any state acts to restrict access to internet and social media.

Despite, the increasing role of non state actors, their participation in diplomacy has raised concerns within the modern field of diplomacy and consular practice. Perhaps Melisens definition and concerns (in Saner and Yiu.pp11) best captures the post modern nature of diplomacy that is characterize by simultaneous participation of multiple state and non state actors and pulse of concerns generated from their influence when he writes

While greater representation and participation of diverse interest groups leads to a democratization of the political processes at the national and global levels, it also makes diplomacy and international relations vulnerable to fragmentation and possible outbreak of conflicts due to potential paralysis caused by too many state and non state actors with mutually exclusive policy goals

Saner further adds that the 'New entrants' to diplomatic arena represents different groupings and organizations of local, national and international interests. These divergent forces co-exist with each other and exercise different forms of diplomatic influence to achieve their objectives. The alarm arises from a number of reasons which include;

The **representation** of Non state actors may be private and not state inspired. Sometimes their interests may not necessarily be aligned to the national interests. The primary goal of a multinational company may be to maximise profit and dividends to its shareholders. This may be contrary to its Country of origin's foreign interest in that Country. The states interest may be to secure stronger political or military alliances rather than pursuing commercial interests.

Non state actors may be oblivious to political and cultural sensitivities of foreign states. Diplomacy and consular practice is about understanding the political and cultural sensitivities of a given country and respecting these when pursuing a Country's foreign interests is vital concern. Their involvement is therefore seen as a risk of concern to state actors in diplomacy and international relations.

Non State Actors may be **frontiers of external actors** whose interests may be contrary to either the national interests of their Countries of origin or countries of operation. Prof. Mweisga Baregu, a scholar of International relations, in his book and articles on understanding obstacles to peace, the actors' interests and strategies, deconstructs the role of international agencies in peace. Baregu has sarcastically referred to humanitarian agencies such as the Red Cross and Red Crescent and Medicen sans Frontier and some United Nation agencies as

‘ambulance chasers’. In Baregu’s views, the interests of these agencies are sometimes not necessarily humanitarian but may be driven by other interests such as employment and foreign actors like research and pharmaceutical companies. They may therefore be interested in the continued existence of the conflict so as to maintain their status quo and other related benefits. Their influence in diplomacy and consular practice is therefore of concern.

These non state actors **may not be fully equipped with diplomatic tools and customs of diplomatic practice**. Diplomacy is a profession guided by a set of customs and international law such as the Vienna Convention on diplomacy and consular practice (Vienna Convention 1961 and 1963). As suggested by Zirovcic and Simonitti (Simonitti: 1994) the customs of diplomacy and legal norms of diplomatic law are positions whose violation results in sanctions. Any breach of these customs is a violation of diplomatic ethics and constitutes incorrectness in diplomatic relations (Vienna Convention on Diplomatic Relations 1961) and consular relations (Vienna Convention on Consular Relations, 1963). Violation of these customs is a blow to the international reputation of the international entity that allows such practices and may result in a breakdown of diplomatic relations between states. While non state actors such as TNCs may at times engage personnel with diplomatic training to pursue their ambitions. However, their actions cannot be subject to the global rules of International law as such as the Vienna Convention.

This position is well captured by Saner (Saner etal: pg9) when they argue that global managers are competent in managing business stakeholders in all countries they operate. They may not be able to deal with complex issues such as democracy, political pluralism and respect for human rights in countries where they operate. Failures in dealing with these non business related issues can easily lead to crisis, open conflicts which may spark diplomatic confrontations between their home countries and their countries of operation. The increasing influence of Non state actors in diplomacy and consular practice therefore raises alarm.

The **lack of centralized leadership and respect of international norms or custom of international law** by non state actors such as criminal gangs and their threat to international peace and security is a ground for alarm in diplomacy and consular practice. Organised criminal groups are difficult to coordinate and may be difficult be held to account for their actions in international diplomacy and consular practice. The actions of ISIL, Al-Qaida and Alshabab in Syria, Iraq and Somalia may be clear international war crimes and crimes against humanity in international law. However with the difficulty in pinpointing their actual leadership, it is difficult for the international community to hold specific persons or states to account for their actions. These organizations also operate without respect to internationally

recognized state territorial borders and are therefore threat to state and transnational diplomatic relations and practice.

In light of the above, it is proper to conclude that diplomacy in the post modern era has changed with more influence of non state actors in diplomacy and consular practice. As suggested by Saner diplomacy has mutated and the role of the state diplomat and traditional embassy in advancing diplomacy and consular practice is ebbing (Rana: 2009). This is because in the future the main consumers and beneficiaries of diplomatic interaction will be businesses and non-state actors.

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