

### Framework for Behavior of Collectives in an International Multilateral Negotiation

This piece is inspired by the framework postulated by Najam in his Chapter titled *Collectives in International Multilateral Negotiation*. In brief, Najam, citing Zartman et al, argues that “the overarching characteristic of multilateral negotiation is its complexity *along all conceivable dimensions*”. He attributes the complexities to three sources: multiple parties, multiples issues and the process itself. In seeking to explain the behavior of collectives<sup>1</sup> he charts a two dimensional space with the specificity of issue focus and coordination among parties being the two axes.<sup>2</sup> This two dimensional solution appears in practice to provide sufficient clarity to most collective behavior, particularly as the nomenclature employed to specify the different groups are sufficiently broad to encompass not very significant deviations. In theory, however, this would appear to be incomplete as the behavior appears to be only a function of two of the three variables which distinguish Multilateral Negotiations, viz. Parties and Issues. This piece would therefore seek to incorporate the third variable – that of complexities arising out of the process itself.

A threshold issue which needs to be addressed, especially in the context of Fig 1. providing a comprehensive depiction of collective behavior in practice, is the requirement for this third dimension. This is predicated upon the assumption that complexity arising out of the process is an independent source of complexity. For if such complexity is only a function of the complexities arising out of multiple parties and issues, the behavior attributable to the complexity arising out of the process would be subsumed in Fig 1 itself. The dichotomy that prevails is due to the classification of such complexities independent to the other complexities. It may be relevant to note that Michael Watkins in analyzing Holbrooke’s success in Bosnia examines the complexity only within the parameters of multiple parties and multiple issues supporting the proposition that those are the only two independent variables. It could be said in support of this view that the process is actually a method of dealing with complexity and thus by definition cannot and should not *add* to the complexity, and indeed it would appear counter-intuitive to state otherwise.

In Najam’s analysis of the complexities arising out of the process he draws attention to three intrinsic features of the process which contributes to such complexities: process manipulation, time constraints and consensus based decision making. As aptly explained, the process does bring in its wake its own complexities, which are specific to the process. As I have observed in the class blackboard previously, if one takes the election of the Security Council for instance, China’s support for India seems to suggest that the rigid UN system would influence parties in respect of the alliances that they make as well. (The term alliance being used in its ordinary sense) This would then be different from simple coordination but would encompass ‘who to coordinate with’ as well. *Thus the process would determine the formation of the collectives*. It should be noted that China’s support is not a simple situation of building a coalition purely due to India’s special attributes and power. The special position in the SC comes from the complex UN process itself. Similarly Pakistan’s opposition to India’s bid opens up blocking as well. Thus *role playing* too is influenced by the process, a phenomenon explained in detail by Najam. The process will also play

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<sup>1</sup> Defined by Najam as ‘the array of arrangements under which a sub-set of two or more parties in an international multilateral negotiation act, or are seen as acting, cooperatively on selected issues for the purpose of influencing the negotiated outcome’

<sup>2</sup> Pls see Graph 1 annexed.

a role in the linkage of issues and consequently issue specificity. In the larger context, the process would be a medium in which complex power brokering would be carried out, which would then place parties in a better position to negotiate. In that sense it transcends influencing party coordination and issue specificity, and plays a major role in respect of the myriad tactics which a party could adopt to advance its interests in the negotiation. The tactics a party adopts would clearly be formative of the behavior of the collective it becomes a part of. Thus it is proposed that complexities arising out of the process itself should be taken account of in classifying group behavior.

It would be apposite to venture at this juncture that Watkin's non consideration of the process complexity in Holbrooke's role was probably because he viewed it from the perspective of Holbrooke. Since Holbrooke manipulated the process to suit his interests, he was not faced with any significant complexities given that the other parties were not powerful enough to provide any opposition to the process. The answer to the argument, that the solution to a problem (i.e. process) should not be a problem by itself, is simple. If one were to look at the volume of work on law, one would find that most of it is in relation to civil procedure, criminal procedure and evidence, which all form part of the *process* of resolution of legal disputes. Is not the legal system intended to resolve disputes and not complicate the process? The reality is solutions do bring their own complexities to the table – a necessary evil if you will.

This brings us then to the defining character of the new dimension of process complexity. It is empirically evident that the more rigid the process the less likely it is for innovative methods to be adopted, thus giving an edge to the person most well versed in the process. A more malleable process would, on the other hand, give an edge to the innovative negotiator. Similarly it could perhaps also be said that a rigid process would make the predictability of the outcome relatively easier than one that is more flexible. Process manipulation is dependent upon the manipulability of the process. Restraints such as time and consensus decision making are further restrictions on the process. Thus if one were to loosely define rigidity of the process in terms of the degree of restrictions placed on parties in steering the negotiation in any way they wished, it would be possible to map the complexities on a rigidity – flexibility continuum. It is therefore postulated that the third dimension to Fig 1 should be based on a rigidity – flexibility axis. (vide Fig 2)

I would also attempt to classify some of the collectives within such new framework keeping in line with the theme of Fig 1. Table 1 summarizes the attributes of such collectives and the new terms are explained below. It should be noted that terms are employed loosely and have been specially used in this context to signify certain attributes and have not been used in the context of their ordinary meanings. A graph depicting such players has been drawn for purposes of clarity as well.

Table 1

Issue specificity	Party Coordination	Process Rigidity	Attributes Behavior
Broad	Low	Rigid	Group*
Broad	Low	Flexible	Free Agents – Deal making
Broad	High	Rigid	Bloc
Broad	High	Flexible	Alliance like behavior**
Specific	Low	Rigid	Committee***
Specific	Low	Flexible	Alignment like behavior
Specific	High	Rigid	Coalition like behavior
Specific	High	Flexible	Cartel****

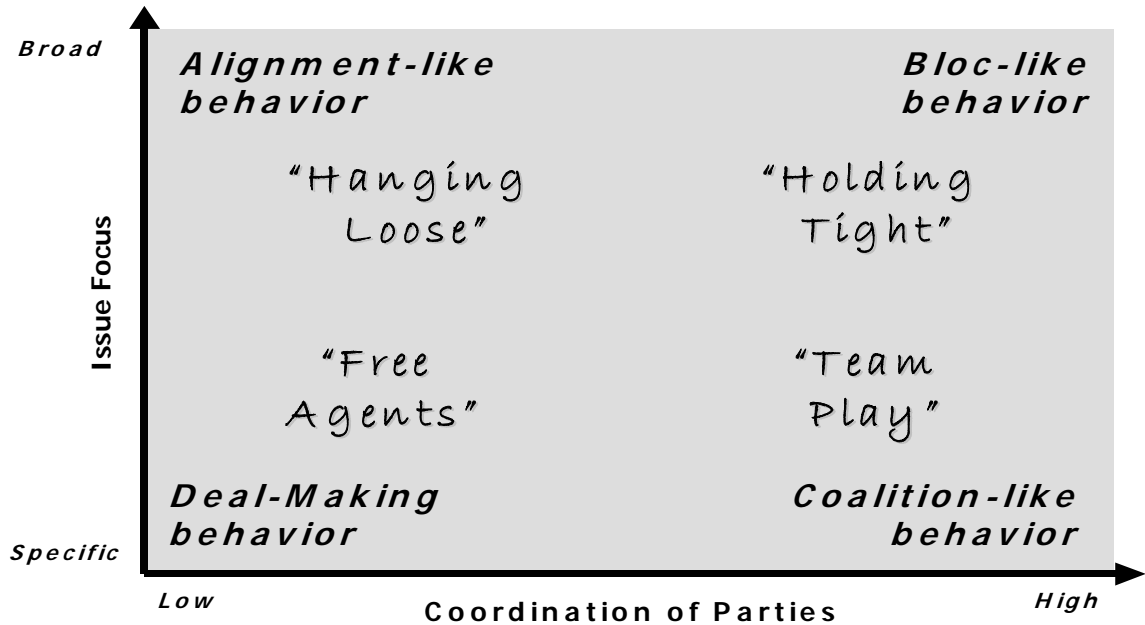
\* Najam describes a **group** “as a *process-defined* collective of parties brought together on the presumption of potentially common interests that could, but need not necessarily, lead to joint negotiation efforts.” (Emphasis mine) Examples are given of regional groups in International Organizations. Thus a group is formed principally due to the process, and is in relation to a broad spectrum of issues though parties may not have high coordination. When they do have high coordination they would then become Blocs. Thus it is not used in the same catch all sense as used by Najam but limited to collectives so formed but without high coordination.

\*\* An **Alliance** is defined by Najam as involving a “deliberately constructed coordination and the pooled power but [where] the association stems from a congruence of broad-based interests on a general set of issues, often with expectations of a longer-term and wide-ranging relationship”. Generally speaking alliances tend to be formed in circumstances where the negotiations do not have a great deal of rigidity. An extreme example is where countries form into alliances in a war. In a formal system it would be considered a block.

\*\*\* A **Committee** in this context is thought of as a sub group. It would be a process defined collective which is brought together on a specific issue. If the parties are able to get high coordination they would mature into a coalition.

\*\*\*\* A **Cartel** will have the characteristics of a Coalition except that given the flexibility in the process it would seek to manipulate and construct a process to further its objectives rather than use the process. The phrase ‘process opportunism’ would aptly describe this group which would seek to set out procedure as per its own will.

Figure 1: The ABCD of Collectives  
in International Multilateral Negotiation<sup>3</sup>



<sup>3</sup> Najam, *Collectives in International Multilateral Negotiations*.

Figure 2: Three Dimensional depiction of Collectives in International Multilateral Negotiation

