

## Ethics for the Professional Diplomat

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The diplomat has suffered from a bad press for a long time. Sir Henry Wootton, in the 17<sup>th</sup> century, said a diplomat is “an honest man sent to lie abroad for his country”, a comment that has been quoted by almost everyone writing about diplomacy ever since. The profession of diplomacy cannot seem to shake Sir Henry’s witticism. Yet the remark also implied that there were layers of behavior involved, between states or governments with their *raisons d’états* on the surface, and individual agents or diplomats with their personal ethical concerns just underneath.

Diplomacy is a practice as old as the first empires and states in the Ancient World. Obviously there was always some truth to Sir Henry’s remark. The closed political world of kings and courts and tyrants practiced a form of diplomacy among intimates and in back rooms much as we see enshrined in the “Sopranos” and the “Godfather” TV series. Through the Renaissance and up to the end of the 18<sup>th</sup> century, the diplomat played the role noted by Sir Henry and others: private agents of absolute monarchs operating in the shadows and the bedroom. As Napoleon put it at the end of this era “Ambassadors are, in the full meaning of the terms, titled spies.” Napoleon’s perspective is understandable. He was, after all, an emperor and as such practiced classic diplomacy where only the thinnest of lines separated diplomacy from intrigue.

Yet following the Treaties of Westphalia and the rise of the modern nation-state, a different and more responsible view of diplomacy began to develop. Notable in this effort was a French diplomat named Francois de Callieres whose book *De la manière de négocier avec les souverains*, 1716 (“On the manner of negotiating with sovereigns”, translated as “The Practice of Diplomacy”), was one of the seminal texts in the development of modern diplomacy and accompanying appropriate ethics.

In the 19<sup>th</sup> century European governments begin to take on the form of the modern nation-state. For these states, diplomacy increasingly became a regularized bureaucratic function, increasingly moving from personal art to organized profession. Ethical standards began to emerge, building on traditional personal ethics on the one hand and the growing professional standards of modern bureaucracy being developed by of the modernizing states of Europe on the other.

At the same time, two distinct schools of diplomatic practice emerged in the 19<sup>th</sup> century. The “military”, practiced most notably by the newly united Germany especially after the departure of Bismarck and later by the various totalitarian regimes of the 20<sup>th</sup> century, viewed diplomacy as the civilian version of warfare where one used all the resources at one’s hand to defeat and conquer opponents – and everyone else were viewed essentially as opponents.

The “commercial” view, increasing represented by Great Britain, viewed diplomacy as a process for accommodating the diverse interests of countries, in a manner that satisfied one and all. This objective was to produce greater stability in international affairs to

everyone's profit – politically and economically. It is this more responsible view of diplomacy, as described by a former American Secretary of State, which has become the modern view:

“... it is manifest that the differences of thought and feeling and selfish desire which separate nations in general, have to be dealt with in particular in the multitude of controversies which are sure to arise between them and between their respective citizens in a world of universal trade and travel and inter-communication. The process of such adjustment without war is the proper subject of diplomacy.”<sup>1</sup>

Obviously countries often mixed or alternated the variants of two approaches, even a few democracies have been known to utilize “coercive” diplomacy in certain situations. In addition, the 20<sup>th</sup> century saw the emergence of a third style of diplomacy: the evangelical. Strongly ideological governments pursue an “evangelical” foreign policy which combine bilateral diplomacy with extensive public diplomacy and covert operations in an attempt to expand influence in pursuit of their ideological objectives. President Wilson introduced this style with his calls for open diplomacy in pursuit of democratic ideals. The USSR carried evangelical diplomacy to a very high level, and after WWII the United States joined the movement with a persistent inclination to make the expansion of democracy a primary objective of American foreign policy. The alternation between, or the mixture of, the commercial and an ideological perspective explains much about American foreign policy to this day. It also at least partially explains the persistent unhappiness of American politicians and the American public with a diplomatic service which sometimes seems insufficiently enthusiastic about evangelical or ideological policies. “Better dead than Red” was never a popular slogan among American professional diplomats, and today the idea of anti-Islamic crusade has its skeptics.

### Ethics in general

Ethics is another old preoccupation of mankind, especially for philosophers but occasionally even politicians. A modern dictionary definition of ethics is “character, or the ideals of character, manifested by a race or people.” For the purposes of this paper, it is interesting to note that dictionaries include a sub-category of professional ethics:

“a set of principles of right conduct; The rules or standards governing the conduct of person or a member of a profession.”

*The American Heritage Dictionary of the English Language, Third Edition, 1992*

The underlying thought that professionals as such need to be provided with ethical guides arises from the definition of professionals as those who exercise specialist knowledge and

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<sup>1</sup> Elihu Root. “*A Requisite for the Success of Popular Diplomacy*”, *Foreign Affairs*, Autumn, 1922

skill. As such they are capable of making judgments, applying their skills and reaching informed decisions in situations that the general public cannot review because they have not received the relevant training. How the use of this knowledge should be governed when providing a service to the public can be considered a moral issue, to be managed or regulated by a set of standards, or code of ethics.

This perspective obviously applies to professional civil servants as a specific community of professional experts. Their primary professional obligation stems from the essential nature of bureaucracies: “In most political hierarchies, principals hold authority and delegate the implementation of their policies to agents, whom they appoint. Many governance dysfunctions arise because the agents have different agenda from the principals...”<sup>2</sup>

The code of ethics becomes important as it gives officials or practitioners boundaries to keep them within in their professional careers. The one problem with codes of ethics is the same that afflicts all ethical or moral considerations; we cannot always have the answers in black and white. The moral or ethical world is full of grey areas.

#### The Peculiar Characteristic of Diplomacy as an Institutional Activity

The obligation of the career public servant as an agent is made more complicated in the case of the diplomat as the agent-principal relationship takes two forms: internally within the bureaucracy representing his agency and externally where the diplomat is the agent for the government as a whole. Diplomacy as a government activity is marked by this peculiar attribute.

Diplomacy has numerous definitions, but in modern terms they generally focus on diplomacy in the “commercial tradition” as the political and bureaucratic process and institutions by which political entities, traditionally states but now including so-called non-state actors and international organizations, establish and manage their official relations. “This is the classic function of diplomacy: to effect the communication between one’s own government and other governments or individuals abroad, and to do this with maximum accuracy, imagination, tact, and good sense.”<sup>3</sup> Most commentators and academics use this definition, even those who are citizens of countries actively pursuing military or evangelical foreign policies: few governments admit to coercive foreign policies.

In another sense, the job is to maintain communications between two separate - and in legal terms - sovereign political entities, as the representative of one to the other. One element of this mission is obvious, the responsibility for projecting the “message” to the other interlocutor, the obvious task of an agent. However the mission also requires the bringing back of the “other’s” message as well as corollary information, intelligence in other words. The diplomat is therefore charged with the double task of studying and

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<sup>2</sup> Francis Fukuyama, *“The Origins of Political Order”*, Farrar, Strauss and Giroux, 2011

<sup>3</sup> George Kennan, *“Diplomacy as a Profession”*, Foreign ‘Service Journal, May 1961

comprehending the nature of the outside world and of communicating with other governments concerning his government interests and aspirations. While this double task can create conflicts, the two sides are usually mutually supportive in the practice of diplomacy.

In fact, in this perspective serious negotiation is a process which, to be successful, requires that some regard must be given to the concerns and needs of the other party or parties. As George Kennan once put it, the diplomat's job is to be "...the bearer of a view of the outside world."<sup>4</sup>

The job also has an interesting mirror aspect as the diplomats of one country engaged in this activity are simultaneously matched by their counterparts from the other country in the relationship. This complex relationship can be especially murky when one set of diplomats is practicing "commercial" diplomacy and the other "military" or "coercive" diplomacy.

Therefore the general code of ethics for professional public officials as a class must include an additional sub-set of personal diplomatic ethics for that intermediary agent role of the diplomat.

#### Ethics in diplomacy as distinct from foreign policy.

Before going any further it is important to differentiate ethics in diplomacy from ethics in foreign policy. This particular qualification is made murky by the fact that the word diplomacy has two general meanings: in the policy sense, that is "a government's diplomacy" or the operational sense, the conduct of business between and among governments, conducted through bureaucratic institutions and processes. The former is also, more generically called "foreign policy" while later is the implementing activity of the foreign policy bureaucracy.

However the confusion is widespread and persistent, to the disadvantage of the reputation of the professional diplomat. "The word diplomacy has always been a liability of the thing it represents. Nevertheless it is important to bear in mind that by mere chance the dog was given a bad name, which has made it peculiarly liable to be blamed, if not actually hanged, for the sins of its masters. The master is called correctly "foreign policy."<sup>5</sup>

Although morality is often a matter of judgment, most commentators would classify most governments as essentially amoral in their external behavior. Therefore because of the fundamental agent character of the diplomat and diplomacy, "diplomacy as an institution can never have morals markedly superior to those of the governments whose tool it is;

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<sup>4</sup> George Kennan, "*Diplomacy as a Profession*", Foreign 'Service Journal, May 1961

<sup>5</sup> Lord Strange, "*The Foreign Office*", George Allen and Unwin, 1957

though, owing to the force of its corporate traditions, they are likely nowadays to be never worse, and usually rather better.”<sup>6</sup>

### Depreciation of diplomatic ethics

But what about the individual diplomat? Despite this difference between foreign policy and diplomacy, the continuing and inevitable intimate relationship between power politics and the functions of diplomacy mean that they can never be completely separated, at least in the mind of the general public. The historical reputation of diplomacy noted above persists. For these reasons diplomats have long held a dual character in the popular mind. On the one hand they represent the acme of sophistication and cosmopolitanism; while on the other they represent the epitome of double-dealing.

Quotations referring to the latter view are numerous, to quote just a few from Ambassador Charles W. Freeman’s “Diplomat’s Dictionary”:

“Diplomacy is to do and say the nastiest things in the nicest way.” Proverb

“Diplomacy – the patriotic art of lying for one’s country.” Ambrose Bierce

“Diplomacy is to speak French, to speak nothing, and to speak falsehood.” Ludwig Boerne

“Diplomats approach every problem with an open mouth” Arthur Goldberg

“Diplomats are a species of chameleon; they blend in most of the time but puff themselves up in a brilliant display when required”. Unknown

“A diplomat is a person who tries to solve complicated problems which would have not arisen if there had been no diplomats.” an unidentified Foreign Minister

“What’s the difference between the diplomat and the military man? The answer is ... they both do nothing, but the military get up very early in the morning to do it with great discipline, while the diplomats do it late in the afternoon, in utter confusion.” General Vernon Walters

“In their own mind’s eye, diplomats are imperturbable, courteous, painstaking, capable of seeing all sides of a problem, and firm and conciliatory, depending on the situation. In the view of many members of the general public they are callous, cynical, standoffish, superficial, and vacillating.” Charles Roetter

This traditional view of diplomacy has been reinforced by a modern popular attitude that focuses on one particular aspect of diplomacy, its secrecy. Americans in particular

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<sup>6</sup> Lord Strange, “*The Foreign Office*”, George Allen and Unwin, 1957

remain influenced by Woodrow Wilson's famous call for open diplomacy. In some respects depreciation of diplomacy in the modern world reflects hostility to the modern state system and modern international politics that the 20<sup>th</sup> century brought home vividly to many people. Stripped of its façade of striped pants and cocktail parties by two world wars and the resulting international unrest and tragedy, diplomacy lost its glamour. Or as Hans Morgenthau put it:

"There is nothing spectacular, fascinating, or inspiring, at least for the people at large, in the business of diplomacy."<sup>7</sup>

### The Peculiar Characteristic of Diplomacy as an Individual Activity

While diplomats do many of the same things most bureaucrats do, they also perform, collectively and individually, the additional defining functions of official communicator and interpreter between the external and internal worlds of a given nation-state. This function gives diplomacy and diplomats a Janus-faced character. The diplomat is responsible for transmitting official messages and reporting the responses, but also for describing and interpreting the environment even before the message is prepared and for interpreting the response. And then this process continues, seemingly *ad infinitum*. Outside commentators often forget that this process is taking place between technically immortal creatures – nation-states – and that the diplomats who conduct it are far from immortal, much less omniscient.

Despite the mammoth bureaucratic and technical structures that have grown up, central decisions still take place in the minds of individuals, and often a very small number of them. Although in themselves not very numerous, diplomats are often the physical manifestation of the interaction between those key actors and how they perform that distinctly personal role is not without influence. High policy is one thing, but personalities and how they interact matters. "That is, a sense of personal responsibility for words used in discussing international affairs. More fights between natural persons come from insult than from injury. .... Nations are even more sensitive to insult than individuals. One of the most useful and imperative lessons learned by all civilized governments in the practice of international intercourse has been the necessity of politeness and restraint in expression."<sup>8</sup>

The role of the official reporter, the official observer, the official interpreter of George Kennan's "great external realm" has always been fundamental to the definition of diplomat, through the historic development of communications technology from the spoken report, the hand-written dispatch, the telegram or cable, to today's email and encrypted voice conversation. The most characteristic manifestation of the diplomat's activities – diplomatic reporting or writing – really constitutes a form of dialogue or

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<sup>7</sup> Hans J. Morgenthau, "*Politics Among Nations*", Alfred A. Knopf, New York, 1967

<sup>8</sup> "Elihu Root, "*A Requisite for the Success of Popular Diplomacy*", Foreign Affairs, Autumn, 1922

conversation between the diplomat in the field and his or her master back in headquarters. This conversation is of course official but not necessarily policy. It is about policy, but in the formative stage. Much diplomatic reporting is about “informing and shaping policy through prophetic reporting and analytical writing”.<sup>9</sup> It is an internal dialogue. By itself it often has no official standing. It is the totality of diplomatic correspondence which is important.

It is in the performance of this function the distinction between the master and the agent arises. While the state may act amorally, the agent is required to conduct this internal dialogue to some standard of professional ethics – or betray any pretense of performance as an objective public servant.

In addition, of course, failure to act to acceptable standards can eventually destroy the diplomatic agent’s reputation among his peers and colleagues – both of his own country and among foreigners – which will also destroy his ability to function. Only the trustworthy diplomat is really of much use to his government.

Both Senator McCarthy in his day and Wikileaks recently damaged the integrity of this internal dialogue. This is where outside observers and commentators like Wikileaks miss the point; the individual diplomatic report often represents no more than an isolated extract from a permanent on-going discussion. The Wikileaks error is, sadly, in one sense a repeat of the McCarthy era critics of the work of Jack Service and John Davies, old “China Hands” hounded out of the Foreign Service for retrospective judgments on work they had done years before.

The McCarthy era attacks on professional diplomats and the WikiLeaks revelations in pursuit of openness have therefore attacked the very essence of the diplomat’s professional ethics – the obligation to report, comment, and advise with objectivity on matters of importance to his country.

The challenges are enormous and the temptations are many. It is always easy to prepare the report to satisfy the views of the recipient, to submit a report which justifies the decisions made or about to be made by the policy level in headquarters. Many very senior officials, especially political figures, in fact expect this. But after firmly presenting his own country’s views and policies externally, the diplomat must turn around and “report” objectively on the local response, and not slant his/her observations and comments to meet the suspected or real views or positions of those to whom the report is directed.

There are constant and subtle pressures at work... “... the growing tendency of home governments to give attention, and preferment, to those diplomats who reported what their superiors wanted to hear rather than to those whose analyses of the developing situation has been justified by history.”<sup>10</sup> This is a persistent tendency in all

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<sup>9</sup> Hannah Gurman, “The Dissent Papers”, Columbia University Press, 2012, page 69

<sup>10</sup> Gordon A. Craig and Felix Gilbert “*The Diplomats 1919-1939*”, Princeton U. Press, 1953

governments, especially democratic governments with lively domestic political environments. The careers of the political leadership of such governments depend upon success in their policies or at least avoidance of blame for failure. In addition, the views of political leaders often are different from those of career officials, and they tend to place greater value on personal loyalty. Career officials who introduce opinions and information at variance with the official policy line therefore risk charges of disloyalty with consequent adverse affects on their careers.

Another long-standing temptation to the diplomat in the field is to gild one's own lily. It has long been wryly observed that no drafter of a memorandum of conversation has ever reported losing an argument. In addition there is the long-noted temptation of "localitis" or responding unduly to the pressures and temptations of the local environment.

The intellectual center of gravity of this professional perspective are the needs to balance the present against the future, to view the world objectively from both perspectives, and to protect one's credibility as an agent. The first two may be obvious, although often ignored by commentators, but the last often requires that the diplomat not utter falsehoods deliberately. The distinction between this and not lying is subtle and lost on many.

Self-delusion is dangerous for countries as well as individuals, and the diplomat's job is to introduce into political and policy deliberations the realities of that "vast external realm" which lies outside our borders. As Edmund Burke said many years ago, "Nothing is so fatal to a nation as an extreme of self-partiality, and the total want of consideration of what others will naturally hope or fear."<sup>11</sup> The diplomat exists, at least partially, to resist that tendency for an "extreme of partiality" and the difficulty of doing so requires a robust awareness of professional ethics.

That this ethical requirement is not a lost cause, despite the lingering wounds of the McCarthy era and the persistent demands of party politics, may be seen in two unique bureaucratic developments. In the late 1960s the Department of State instituted what it calls the Dissent Channel by which any Department employee may submit a message to the Secretary on any subject, and that message may not be amended or forestalled in any manner. Despite the obvious skepticism about this innovation, numerous employees have used it to comment critically on US policy and, possibly to the surprise of many, have not been punished but in fact, by and large, pursued better than average careers. It should be noted that this Department of State-institutionalized procedure is unique in the American government. No other department of agency has anything similar. In addition, the American Foreign Service Association (AFSA), the professional organization of the Foreign Service, has since 1969 presented awards for constructive dissent which, also, has not proven to be harmful to careers, but to the contrary.

These two programs by the Department of State and AFSA represent a formal recognition of professional ethics, and the consequent need for professional diplomats to

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<sup>11</sup> Edmund Burke,

pursue professional obligations which sometimes transcend more obvious work requirements.

The ethical quality that arises from this situation is that of honesty, the requirement that the diplomat as representative and interpreter must somehow earn and maintain credibility with two “masters”, each of whom may well see that effort as betrayal. The rise of modern totalitarian powers that deny the laws and values of the traditional nations and traditional diplomats has given a new twist to this old problem. Sent to represent his country’s interest in a totalitarian society, the diplomat finds himself or herself forced to ignore many local elements of the local society and concentrate on the establishing relations with the local tyrant and his immediate aides. Failure to do so can result either in the refusal of the host government to do business with him and even the possibility of his being declared *persona non grata* and expelled from the country. If this reaction is the result of specific instructions to openly press for democratic values and human rights, for instance, then so be it, and the results are the responsibility of the home office. However in the absence of such instructions, the diplomat has no choice but to “make nice” and to more or less conform to the local ground rules for behavior. The world scene today is full of this sort of situation, consciously entered into by governments including the United States: from Syria not long ago to Kazakhstan and Turkmenistan today, to numerous Africa “Big Man” governments and in more ambiguous situations such as in Saudi Arabia and the Russian Federation.

This is a tricky and dangerous situation for the professional diplomat, as evidenced by the case of Ambassador April Glaspie. Meeting with then Iraqi President Sadaam Hussein in 1990 and following her instructions, she carefully laid out the US position regarding the ongoing Iraqi-Kuwaiti border dispute. When Hussein soon after invaded Kuwait, Ambassador Glaspie was charged by some with having given Hussein a “green light” for the invasion by how she phrased her message. No one who was not there can really say what transpired, but given her professional reputation and her reports on the event the charge is considered by most knowledgeable commentators as unfair and irresponsible - but that does not stop the Monday morning quarterbacks and those seeking scapegoats. Diplomats are favorite targets for politicians, journalists, academics and even other bureaucrats.

These historical situations illustrate the conflict between the amorality of the state – especially when consciously practicing *realpolitique* – and the professional morality of the diplomatic agent who, in a fundamental sense, cannot perform effectively the agent’s task unless he acts with at least a minimum degree of professional ethics. This does create a murky, ethically ambiguous, and ironic situation.

Nevertheless, even an immoral government is badly served by an immoral agent.

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