Symmetry and Asymmetry in International Negotiations

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Abstract. The properties of symmetry and asymmetry among negotiating partners can influence the process and outcomes of a negotiation in four major ways. First, they describe the relative potential strengths and power of the negotiating parties and, as such, not only indicate differences and similarities that exist between the negotiating partners, but also determine the process. Second, even asymmetric parties seek to find equality through the process of negotiation. A third form of symmetry and asymmetry is manifest when a third party is engaged to mediate the negotiation process. A third manifestation concerns the symmetry of instruments to be used in negotiations. Finally, the outcome of the negotiation process expresses utility perceptions by both parties. Thus the idea of symmetry/asymmetry and the perception, thereof, can be found in all stages of the negotiation process.

Keywords: symmetry, asymmetry, power, negotiation process and outcomes, equality, third parties, equidistance

What is at stake when we talk about symmetry and asymmetry in negotiation relations? Why is it important to talk about such relationships? What is the specific meaning and function of such relations and how do they change content at different stages of the negotiation process? In which ways do such relations influence the outcome of negotiations? The inquiry will focus on the meaning and role of symmetry and asymmetry, their components, their constituting factors and different forms they assume during the negotiation process. In particular, questions about the relations between these structural

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and procedural factors and the form of outcomes will be asked: Are those results reached by symmetric relations more stable?

In common understanding, the terms possess value-loaded connotations and implications. Symmetry is associated with harmony, and harmony is good. Asymmetry means discord and discord is bad. Asymmetric relations are unjust, and symmetric relations just. Are these understandings observed in reality?

Our main point is that symmetry and asymmetry can assume different meanings during the negotiation process, and, depending on the kind of reciprocal relations that exist between the negotiators, the outcomes differ: symmetric relationships have a tendency of being more stable than asymmetric relations (Deutsch 1973; Rubin and Brown 1975). However, the relations are not unilinear: symmetric relations are not necessarily “better” and asymmetric relations “worse.” What matters in the end, is whether or not the parties are satisfied with the negotiated result. To reformulate this thesis: solutions based on freely accepted outcomes have the prospect of being durable and that depends to a large degree on symmetric relations existing at the end of the negotiation process. This theoretical approach is based on a psycho-analytical concept of satisfaction. How do the negotiators feel about the arrangements reached? Are they subjectively satisfied or uncomfortable with the result? The result will be either long-term or short-term, based on the external and internal framework within which the agreement was reached.

The Analytical Model: Differentiating Structure, Process, Intervention and Outcome

Let us start with a presumed paradox: States are profoundly unequal in both the power they wield and their influence in world affairs, but they are equal before the law and in their rights and obligations. Specifically, the principle of one country, one vote “equalizes” all the members in international organizations. How can this “unequal equality” be explained, and how can it be substantiated in international relations?

To understand this paradox, distinctions must be made within the political arena as the whole negotiation process can be subdivided into four stages. The perspective of symmetry or asymmetry can be found in different forms and in all four stages:

1. The structural relationship between the negotiators on both sides evaluated in terms of strong or weak, rich or poor, as perceived by the negotiating parties.
Table 1. Negotiation strategies in different power relations

<table>
<thead>
<tr>
<th>Negotiation strategies</th>
<th>By the stronger</th>
<th>By the weaker</th>
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<tbody>
<tr>
<td>Asymmetric power relations</td>
<td>Take-it-or-leave-it</td>
<td>Borrowing-of-power</td>
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<td></td>
<td>Take-it-or-suffer</td>
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2. The process of negotiation itself that shows the behavior of the negotiators in their dealings with each other by making use of different negotiation instruments.

3. Third party intervention.

4. The outcome of the negotiation process.

As to the power structure, the actual existence and/or perception of symmetry or asymmetry prevails between the negotiation parties. In the international system, countries differ in size, resources, weight, wealth, status and power. Some are major trading powers rich in economic resources, with favorable geographic and geopolitical positions and skilled labor. There are “strong” countries and there are “weak” countries, measured in terms of economic or military potential.

Two opposing arguments are put forward regarding the effect of asymmetric constellations on negotiations. On one hand, it is argued that the stronger party attempts to dominate the exchange and to reach favorable outcomes at the expense of the weaker party. On the other hand, it is argued that the weaker party is not at the mercy of the stronger party since an overarching goal links both parties together.

Symmetric and/or asymmetric relations are perspectives that prevail on both sides of the negotiating parties. The stronger party tries to play out its strength in favor of its interests, and the weaker party tries to be treated on equal terms with the stronger party. There is a tendency during the negotiation process by the weaker party to reach functional equality in its negotiations with the stronger party. The weaker party tries to compensate for its weakness through the “borrowing of power” (Zartman 1997: 238) and the stronger party tries to impose its will upon the weaker party by a “take-it-or-leave-it” or “take-it-or-suffer” strategy. Whereas the stronger wants to play out its strength and exploit the asymmetric relationship, the weaker wants to equalize its position and negotiate on the basis of symmetry (see Table 1).

As to a third party’s intervention, in a majority of conflict resolution processes a mediator or facilitator intervenes to help the negotiating parties out of a possible deadlock. To be accepted in such a role, the third party must be equally accepted by the negotiating parties such that there is equidistance. Symmetric relationships between a mediator and the conflicting
parties are a precondition for meditation and eventually for successful conflict management.

As to the outcome, the weaker party wants to get a fair share at the end, thus symmetric utility results. Many authors have argued that power symmetry is a condition for negotiations to be mutually beneficial (Rubin and Brown 1975: 199; Pruitt and Lewis 1977: 185). This reasoning is based on the observation that economic goods, in particular, can easily be handled with a multitude of techniques toward mutual gains (Jönsson 1978: 38) and often interests are compatible rather than exclusive.

But what does mutually beneficial, equal or fair share in terms of utility mean? This term has very much to do with the perception of what is right or wrong, what is fair or unfair, what is satisfactory and what is unsatisfactory. It is a subjective evaluation measured according to the expectations of both parties. “Good” negotiations between a strong and a weak negotiator are characterized by bringing about satisfactory wins to both parties, hence symmetric outcomes are measured in terms of utility.

If the parties do not see a win-perspective, negotiations will not begin or will be terminated. If in asymmetric relations, the expected outcome is being regarded as unfair by either party, the disfavored party will not agree and will break off further negotiation attempts. However, it is possible that an outcome is felt to be satisfactory even under conditions of asymmetry. Table 2 gives examples for the different combinations.

Category A: The negotiations between the Soviet Union and the United States on arms reduction (SALT I and II, or INF) in the 1970s and the 1980s are examples of negotiations based on symmetric power relationships and equal outcomes which cement the status quo without any loss for either side.

Category B: It is rare to find examples of negotiations based on symmetric power relations but with unequal outcome shares. This proves, to a certain extent, the thesis that symmetry is a precondition for equal outcomes. The case of rice negotiations during the Uruguay Round may serve as an example. In the negotiations, Japan had to make concessions to the united front of United States and the European Union and open its rice market.

Category C: The negotiations to admit smaller countries to the European Union or the negotiations between the German government and the Soviet Union at the beginning of the 1970s with the “new Ostpolitik” of Willy Brandt are examples of negotiations based on asymmetric power structures but with pay-offs for each party. Asymmetric power relations in terms of structural potentials were transformed into symmetric outcomes in terms of utility.

Category D: An example of negotiations based on asymmetric power structures with unequal outcome shares are those negotiations between the North-South on environmental issues (UNCED) or the Munich Dictate of
Table 2. Negotiation outcomes related to different power relations

<table>
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<tr>
<th>Negotiation outcomes:</th>
<th>Equal outcome shares</th>
<th>Unequal outcome shares</th>
</tr>
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<tbody>
<tr>
<td>Power relations</td>
<td>USA–USSR (SALT, INF); USA–EU (BlairHouse)</td>
<td>Japan–USA/EU (rice market in Uruguay round)</td>
</tr>
<tr>
<td>Symmetric power structure</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>USA–EU (BlairHouse)</td>
<td></td>
<td></td>
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<tr>
<td>Asymmetric power structure</td>
<td>C</td>
<td></td>
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<tr>
<td>Small countries joining EU</td>
<td></td>
<td>North-South negotiations on environment (UNCED); Munich 1938 (Germany–Czechoslovakia)</td>
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<tr>
<td>(Ireland, Portugal, Austria); German Ostpolitik agreements with USSR</td>
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1938 between Germany, Italy, France and Great Britain on the territorial division of Czechoslovakia without Czech participation in the negotiations.

The analytical model consists of the independent variable, “power structure,” that determines the perception of absolute or relative power potentials of each of the negotiators; these structures can be symmetrical or asymmetrical. In the case of asymmetrical relations, the weaker party in the course of the negotiation process tries to compensate for its weakness through the borrowing of power in order to keep up with the stronger party and achieve a fair share in the outcome. Power structures (real or perceived) are the underlying basic elements of the negotiating process and they determine, to a certain extent, the final outcome. Depending on the agent-structure relation and environmental conditions, the result of the negotiations is either satisfactory to the negotiating parties from the perspective of stability, or the outcome gives unequal shares to one of the parties and, consequently, may not endure for a long time. In the former case, the outcome can be called a “solution” and in the latter case, the outcome may be seen as preliminary results (see below).

In mathematics, symmetry implies that parties possess reversible relationships, i.e. changes in A induce reactions by B, and vice versa. Asymmetric relations, in contrast, describe a uni-linear relationship in which a change by A induces a change by B but not vice versa: B depends on A, but A does not depend on B.

In the social sciences, the concept is formulated in terms of utility. In symmetric relations, actions by A are likely to increase utility of both A and B (positive sum). In asymmetric relations, A gains at the expense of B (zero-sum). In other words, symmetric relations are characterized by equal mutual relationships based on equal distributions of power capacities. In unequal relations, the distribution of power resources can lead to threats.
or pressure from one side upon another as a modality of pursuing conflicts between them. Such relationships exist in imperial or imperialist configurations. Dependencies characterize the relationships between the center and the periphery.

Asymmetry is a configuration that can be found in almost all relationships. It describes unequal relationships between those persons who exchange communications. Asymmetry is a relationship between the small and the big, between the weak and the strong. In international relations, the dependency school of thought describes the North-South conflict as asymmetric where the center-periphery relationships between the developed and the less developed world describe an unequal relationship between the rich and the poor and, as a consequence, must be transformed into a more symmetric relationship. The New International Economic Order (NIEO) was meant to close the gap between the rich “North” and the poor “South”. As we know today, this goal has not been reached in the decades following the debate. The South is divided into the so-called newly industrialized states and those that remained outside the development path.

In international economic negotiations, the North-South cleavage is not always manifest. There is an increasing trend in economic negotiations to find developed countries and developing countries defending the same interests. Agriculture is a case in point. South Korea had great reservations about starting new talks on the liberalization of farming, to which it was strongly opposed in the Uruguay Round (Financial Times, 29 November 1999). South Korea was alongside the EU, Japan, Switzerland, Hungary and Turkey in support of a reduction of subsidies, but not their elimination.

The 1999 UNCTAD Trade and Development Report (1999: 40) questioned whether it was in the interest of developing countries to “enter into negotiations with wealthier trading partners from a position of chronic weakness not only in terms of economic power but also in terms of research, analytical and intellectual support and negotiating skills.” Indeed, many of the world’s poorest countries had neither the means to have a permanent representative in Geneva where the trade negotiations took place nor the means to implement the Uruguay Round, before taking on a new round of negotiations. However, the answer to the UNCTAD Report question would be yes, it is in the interest of developing countries to participate in negotiations even if they suffer from a power deficit. Weaker parties build upon previous negotiations do finally formulate their interests and pursue constructive proposals in many areas of negotiations. They cannot wait for the political will and understanding of their developed partners to treat all issues of interest for developing countries, but they can learn from participa-
The First Manifestation: Symmetry/Asymmetry as Possessional Power

In political science, symmetry and asymmetry are, at first glance, closely related to material power: symmetric relations are based on equal wealth and asymmetric relations on unequal wealth. The question of symmetry and asymmetry then comes down to the question of power and what constitutes equal or unequal power relations. Power is the capacity to move somebody in a direction he would not have chosen without the interference of somebody else (Dahl 1957; Habeeb 1988: 15; Pfetsch 1995: 85; Zartman 1997: 230). Therefore, power relations are by definition asymmetric since they express hierarchical relationships which can be found in every polity and between different states. For example international negotiations between the United States and Japan, the United States and Taiwan, the European Union and Turkey, the Soviet Union and Cuba or between the economically developed North and the developing South are asymmetric because of the discrepancy of resources and capabilities.

On the other hand, negotiations between the United States and the Soviet Union in the era of the Cold War, between France and Great Britain or between Finland and Sweden, are symmetric since they are essentially between equal partners when measured in terms of economic, military, social or psychological factors.

Three Dimensions of Power

What constitutes power? What are the foundations on which power is based? Which aspects of power are the most important? There are at least three dimensions of power which can be expressed: Power-as-a-possession (Thomas Hobbes), power-as-relation (John Locke), and power-as-relativity (Karl W. Deutsch) (see Friedrich 1963: 159–170). The first results from resources, the second from social and political relations, and the third from the relative position a negotiator occupies compared to the others. All three dimensions are due to perceptions by politicians and interpretations by scholars.

The Hobbesian school of thought bases its understanding of power on resources, on possessions, or on potentials, three notions which can be used interchangeably (Hobbes 1962, Chap. 10). In international political and economic relations, power as a possessive value is distributed unequally, and there has been, and always will be, a stronger party, a hierarchy of power,
be it bipolar as during the Cold War, or polycentric, as after the end of the East-West conflict. Most often, power is measured by economic resources and military capacities (Pfetsch 1995: 82). Some authors, like Morgenthau, add resources, population, national character, national moral, diplomatic skills and the quality of the governmental machinery (Morgenthau 1993: 124–179). Others add climate, topography, education, or demographic factors.

In economics indicators such as the national product (GNP), per capita income, the size of the market with its purchasing power, the share of world trade, the contributions to international organizations, natural resources, human capital (skilled labor), infrastructure, etc. are among the most important potentials on which negotiators can rely.

In military conflicts, the contenders evaluate relative strength in terms of military expenditures, military personnel, armament, the will to use these capabilities, etc. Political and social indicators include the type of government and its efficiency, class relations, income distribution and social welfare. Finally, psychological factors refer to the mentality of nations, to the motivation, will and energy to become engaged. These and other factors are in the minds of negotiators when they enter negotiations with counterparts from other countries. Depending on their relative capacities, they can play on these power resources and transform them into positive outcomes for their country.

The Lockean school of thought understands power primarily as being determined by the relations between political actors. Power can be defined as the capacity of politicians, groups or states to let others act according to the will of the powerful, i.e., without intervention by the “powerful,” those not in power would not have acted. Power is relational (Locke 1954). Only in relation to another person does power exist. If there is no other person towards whom power can be used, power does not exist. Robert Dahl’s conception of power is defined by the relations between two individuals “A” and “a” with the specification that “A” gets “a” to do something he would not otherwise have done (Dahl 1957: 204). In other words, power is the result of a comparison of actions between two actors with or without the intervention of one specific actor. Negotiation outcomes depend on how the negotiators see the power relations based upon the potential both actors can activate. It is not so much the absolute power that counts but the power in relation to the negotiating party. During the times of the nuclear threat, one bomb would have been sufficient to cause incalculable damage. But the spiral of the nuclear arms race was driven by the perceived discrepancy of power arsenals existing between the adversaries.

The Deutsch school of thought adds to the theory of the relativity of power: The amount of power an actor possesses depends on the amount of power another has. It is not the absolute power that is important, but the power
of one compared to the other. Deutsch has argued and shown that high power capacities do not always result in payoffs in politics, only the perception of an actor having power, and the adequate use of power resources, will pay (Deutsch 1963). To use a hammer is certainly not an adequate means to teach someone to play the piano.

The over-capacities of destructive material by both superpowers in the East-West conflict had detrimental effects for at least one of the combatants: the ever-increasing gap between economic and military resources finally lead to the implosion of the Soviet Union. The competition between the two superpowers could have happened on a much lower level. An adequate dose of power is what counts; the adequacy of power instruments provides the necessary effect. The same holds true in negotiation relations: the satisfaction of interests which guide the negotiation process is largely influenced by the perception of satisfaction by the other side. Since interests are somewhat at the beginning of the negotiation process, a modus vivendi depends, to a large degree, on the satisfaction of the negotiating partner. Only in relation to the other’s satisfaction can the “goodness” of the outcome be determined.

The Second Manifestation: Symmetry/Asymmetry as a Process Variable – Striving for Equality

The negotiation process develops over time and through space. In international fora, especially in world conferences organized by the UN, the negotiation process is an evolutionary process of deliberations with the objective of reaching consensus within the world community. Before the final conference comes to an end, a multitude of preparatory conferences will have taken place in various regions of the world (Pfetsch and Kaiser 1981). The bottom-up approach is used for world conferences in order to assure that a maximum of parties participate. This is consistent with the decentralization or regionalization of the UN system.

The negotiation process goes through different stages and levels before it reaches the culminating point of a “resolution” or the adoption of a “Program of Action”. Many consensus-driven arrangements need further follow-up conferences; they are further refined or expanded in post-agreement negotiations (Spector, Zartman and Sjöstedt 2000). The CSCE/OSCE is a case in point. Since 1975, when the Helsinki act was signed, there have been at least forty subsequent conferences which have substantiated, specified or enlarged upon the agenda of the three baskets agreed upon in Helsinki.

During these negotiation processes, another form of symmetry/asymmetry becomes manifest: notwithstanding existing power discrepancies, the weaker party tries to negotiate on equal terms with the stronger. In these negotiations,
resources other than material ones play a major role, i.e. actor resources, joint resources, procedural resources, issue-related techniques, etc. Among the actor resources, there are noteworthy leadership skills, knowledge of negotiation techniques (perseverance, eloquence, mastering of language and tactics, intelligence, energy, credibility etc.). Under joint resources fall such capacities as coalition-building, joint actions by different actors, options that seek the advantage of all, face saving techniques, concessions, compensations etc. Procedural resources are related to rules, regulations, agenda-setting, reference to international norms, playing on time and space, establishing quotas, giving good examples, creating new rules, etc. Issue-related resources consist of package deals, linkages, differentiation, enlargement, switching to ideology or catch-all formulas, gratification, compromise, development of alternatives, etc.

With these negotiation instruments, the weaker party tries to find ways to challenge their stronger negotiating counterparts. One purposive action consists of reducing vulnerability to the powerful party’s veto.

This situation is exemplified by the Uruguay Round of negotiations (Landau 1998). The United States had taken the initiative to start the Uruguay Round of negotiations as it did before. It certainly had the will and the power to steer the negotiations towards new issues that had not been covered by the GATT. The United States placed a great emphasis on trade in goods (agriculture, textiles) and on new issues (services, intellectual property or investment). They insisted that progress in those fields would ensure addressing the systemic concerns (grey-area and non-tariff measures) and strengthening the GATT system. Indeed, the United States tried to dictate the agenda and impose solutions. It gained the support of the EC and Japan, who were opposed at first to negotiations on services.

In contrast, developing countries were unequal in their needs (Zartman 1991: 69). Developing countries were mostly preoccupied by the functioning of the GATT system. They insisted on a more stringent rules-based multilateral system. They were more concerned with consolidating the existing framework, and feared that negotiating on new issues in the Uruguay Round would detract from dealing with unfinished business of the Tokyo Round: agriculture, textiles, tariff escalation or safeguards. They shared some of the concerns of the industrialized countries on textiles and agriculture, but wanted new issues to be addressed elsewhere. Thus, they reduced the other party’s expectation to monopolize the agenda, and developed prospective tradeoffs. The weaker party, under the leadership of India and Brazil, represented the prevailing orthodoxy of the developing countries and put up substantial resistance, obstructing the launching of the negotiations. The main
contenders contested what the game itself was about and strenuously resisted the inclusion of services in the negotiations.

This form of exercising power is just one among three that can be discerned: Coercive, structural, and consensual power. *Coercive power* stems from physical or material strength, which can be calculated in terms of the above mentioned indicators to identify the country’s potential. An unequal distribution of these indicators clearly determines an asymmetric relationship. Coercive power takes advantage of existing and/or perceived unequal distributions of potentials and manifests itself in the form of threat, pressure, sanctions or employment of force. In his attempt to classify the complex reality of power, Boulding (1990: 25–27) distinguishes between the power to command and enforce (otherwise known as “hard” power), and the power to induce cooperation, legitimize, and inspire (otherwise known as “persuasive” or “soft” power).

He calls coercive power a “threat power,” which originates when A says to B, “You do something I want or I will do something you do not want”. Threat entails different responses from B: submission when B does what A demands; defiance when B says to A, “I will not do what you want”; counter-threat when B does something negative if A does something negative to B. The power of the threat produces a capacity of destruction in a relationship. More promising for Boulding is the power of exchange associated with bargaining and the compromising approach and integrative power associated with transformative long-term problem-solving (Miall, Ramsbotham and Woodhouse 1999: 10).

*Structural power* stems from the distribution of economic potentials between collectivities and/or persons. Both symmetric and asymmetric relations are possible depending on the equal or unequal distribution of economic resources and capacities. The instruments used range from those employed by monopolists or oligopolists with the power to dictate prices to those of individual buyers and sellers in a competitive market situation. Structural power is, so-to-speak, embedded in economic potentials being put on the table by the negotiating parties.

*Consensual power* ideally, describes more or less symmetric relationships between negotiating partners since they are based on voluntary agreements and consensus between the negotiators. The means of such a power base are deliberations, persuasion, discourse, charisma, and authority, but also populism, appeal and demagogy.

The three dimensions of power and related instruments need further discussion. The coercive and structural approaches possess the seductive characteristic that they can be measured quantitatively, notwithstanding the problems of information and calculation. By concentrating on material
achievements neglects achievements in other domains like culture, sports, and science, for example. The reputation of a nation results as much from such values as from economic or military resources. The so-called North-South dialogue is determined by political and ideological factors including charismatic leadership for the South’s perspective. From the North’s perspective, economic factors are the determining resources (Pfetsch 1981).

Nevertheless, power in terms of resources or capabilities is useful in providing an overall picture of a country’s position in the international system, but, as pointed by Habeeb (1988: 18), less so in analyzing the role of power in international negotiations. Different power resources may be needed to deal with different issues. Power resources cannot be easily transferred. Economic capabilities may be relevant to one area and not relevant to another. More important is to treat resources and power as relational phenomena (Baldwin 1998: 139). A useful conception of power is to include both the structural component of power as well as the dynamic or behavioral dimension of actors (Habeeb 1988: 13). By the latter, Habeeb means the process by which actors maneuver and use their resources. The shortcomings of these approaches are all too obvious: economic strength is not necessarily reflected as political or military power and non-material resources that are not easily measured are neglected.

Postmodernist theories speak of “evaporation” of power meaning that there are multiple centers of power in a multitude of institutions forming a network of relations. The possession approach does not take into consideration past events and future perspectives. It is a fact that in international relations past encounters between states and nations determine their relations in the present. The memory of historic experiences influences their perceptions of each other and, in this way, determines present policies. Hence, power is not simply a structural condition or a quantifiable measure, but an actor as well. It comes in many shapes and sizes. Firmness of belief or personality factors can compensate for the lack of material or fungible resources. Ability and skill, which cannot be easily measured, are also sources of power (Zartman 1997: 228). They can move the other side in a desired direction in negotiations (Albin 1999: 259). More promising is the tactical approach of power, which emphasizes the “active, manipulative quality of power relationships” and stresses the tactical use of power (Bacharach and Lawler 1981: 46). It is not a static view of power, but a process of change. The focus is on the use and effectiveness of specific tactics, on the moves of the actors, who strive to maximize their interests in economic negotiations on the bargaining behavior.

Lockart (in Waelchli and Shah 1994: 137) speaks of “resourcefulness” and “creative ingenuity” as methods for weaker parties to overcome their power
deficit. Zartman (1997: 238) noted that in the UNCED negotiations “weaker states vetoed temporarily (by walking out) or longer (by at least threatening withdrawal), and generally made a nuisance of themselves over issues that mattered much more to them than to the distracted strong partner busy with other problems. In this way, they increased their power far more than initial asymmetry would have predicted”.

The Uruguay Round and the 1999 Seattle meeting provide evidence on the search for equality pursued by weaker parties. At the mid-term review of Montreal in December 1988, and in Brussels in December 1990, the Uruguay negotiations came to a halt. The United States and the EC had incompatible positions on agriculture. The former insisted on full liberalization of agricultural trade; the latter envisioned limited and gradual reduction in support to suit its Common Agricultural Policy. Most of the parties agreed to leave aside agriculture and approve the results achieved on other issues in the negotiations. Brazil, Argentina, Chile, Colombia and Uruguay – five members of the Cairns group – rejected any compromise and threatened to walk out from the negotiations. They would accept no agreement unless there was an agreement on agriculture.

This move constituted a turning point in the negotiations (Druckman 1986: 333). Weaker states signaled that they would break off the talks rather than bend to the strong. Some lessons can be drawn from this episode. The smaller participants brought about a sense of crisis and set out limits to the negotiations. They vetoed attractive agreements in some important issues such as services or tropical products, unless progress was made on agriculture and an agreement hammered out by the two major powers. Their action was persuasive. This “upturn” represented progress in the negotiations, by pointing out that the round of negotiations was likely to differ from previous negotiations: the agriculture dispute between the two major protagonists had to be settled once and for all. Both in the Kennedy and the Tokyo rounds, the United States had preferred to downplay agriculture to ensure outcomes in tariffs or other issues.

The weaker states infused moral principles into the negotiations and demonstrated the firmness of their positions. The weaker parties borrowed strength from the rules of multilateralism and stood firm on these rules. They sought to influence the negotiations by deploying a vast array of instruments, which included persuasion, warnings and threats. They used the whole range of tactics (concealing their need for an agreement, splitting the stronger parties) to improve their situation and increase their power (Zartman 1985:}
The developing countries passed through a process of social learning by participating in the GATT negotiations and confronting developed countries. The ministerial meeting in Seattle in December 1999, which was due to launch the Millennium round of negotiations, is a perfect example of weaker parties using methods to overcome their power deficit by striving for more rules and injecting moral principles in the negotiations, namely fairness or justice. From the start of the meeting, the developing countries were sidelined from the “green house discussions”, a caucus of 30 key players, and the working groups which had convened to reach consensus in the areas of contention. Besides these procedural concerns, the United States infuriated developing countries in calling for the establishment of a WTO system that would sanction countries that violated core labor rights to keep production costs down. Developing countries successfully approached some developed countries to plead their case and address the issue of their unequal participation in the WTO decision-making process.

The Seattle meeting also provides evidence of the social learning process in negotiations. African countries were quite marginalized in the Uruguay Round. Their main concern there was the effect of liberalization on the preferences granted by the EU. At the Seattle meeting, they came online. They took a firm stance against the efforts to put labor on to the agenda, arguing alongside many developing countries that this was simply a cover for protectionism and that it would undermine their comparative advantage. Latin American countries and English-speaking Caribbean countries joined the Organization of African Unity in threatening to walk out of the negotiations and in warning that they would reject an agreement forged without their input.

Similarly to what happened in the Uruguay Round, the weaker parties injected some moral principles by criticizing the lack of transparency in the WTO, and the effects of negotiations on trade, which were being suborned to pure economic interests (The Observer, 5 December 1999). Indeed, weaker parties have a card to play at the WTO. Developing countries outnumber developed countries. They are more than 100 out of a total of 136 states participating in negotiations. Actors in negotiations are mutually dependent for achieving their objectives and preferences. Developed countries have no other option left than to accommodate developing countries. Negotiations entail dependence on each other (Kelman 1996: 99). All participants, be they powerful or weak, have some potential gains in negotiations. Gains create the dependency (Baldwin 1998: 143). Each actor is dependent on the other for achieving its preferred outcomes (Habeeb 1988: 19). Negotiations entail a two-way flow of benefit in the relationship (Bacharach and Lawler 1986: 168).
There is a noteworthy difference between political and commercial issues. International negotiations on economic issues are different from issues related to war and peace, hence negotiations are different if they are conducted on interests (i.e. commercial goods) or on values (i.e. national identities), and they differ with regard to the instruments. Commercial negotiations rely mostly on structural and consensual means whereas political issues are sometimes tackled with coercive means. Empirical evidence (Pfetsch and Rohloff 2000: 129) indicates that value-loaded issues related to components of national identity (frontiers, territory, population, government) are more difficult to deal with than economic issues. Issues on resources such as oil, water, or minerals, can be divided and differentiated according to their quality and quantity, price and time of delivery. Compromises can be reached by a multitude of bargaining techniques such as re-grouping issues, by establishing new links between formerly unrelated objectives, in short, by creating promising win-win constellations among the disputants instead of win-lose and zero-sum constellations. Complex political conflicts have, as a result, the tendency to lead to partial agreements, and those on economic goods, to more comprehensive results with the prospect of being more durable.

In conclusion, the approaches based on material power resources do not account for the capabilities necessary to transform material capacities into political action. The political will, energy and dedication to a political program are of equal importance and determine the relations among governments in their negotiations.

The Third Manifestation: Symmetry and Asymmetry as Equidistance in Mediation

Symmetry takes another form in negotiations when a third party comes in as a mediator or facilitator who tries to achieve an acceptable outcome for both parties. Such an intervention is important when the negotiation partners are in a deadlock and, as a consequence, ask for outside help. The call for such help by the negotiating sides and the selection of an acceptable third party is geared by considerations of an independent partner who keeps equidistant from the partners in conflict.

The concept of equidistance of a third party means that the mediator possesses good and equal relations with the main negotiators but that is not the same as being neutral. Neutrality does not take into account the fact that the third party by itself can be an interested part of the whole process of negotiation. As reported by Bercovitch (1984), with the intervention of a third party, the dual relationship becomes a trilateral, the original dyad is turned into a triadic interaction. The mediator is not a disinterested party but
pursues its own interests. Mediators expect some reward for their services and good offices. Equidistance of a third party consists of equal engagement with each of the other parties; otherwise it is not accepted. If the third party is too close to one side it will not be accepted as a fair third partner. The Beagle canal dispute between Argentina and Chile is an example case. Great Britain was at first considered as a potential mediator. But then Chile objected because of the closer ties between Great Britain and Argentina. The Vatican was considered a more adequate third party for the Catholic countries. Thus a symmetric relationship is a precondition for a third party to be accepted as a facilitator, arbiter or mediator in a negotiation process.

The Fourth Manifestation of Symmetry: The Symmetry of Instruments

The role of a mediating third party can also be assumed by a country or a group of countries in international economic negotiations. At a specific point in time during the Uruguay Round negotiations, the Cairns group played that role and was a perfect example for the use of all the resources mentioned. It brought together a set of heterogeneous developed countries (Australia, New Zealand, and Canada), and developing countries in Latin America (Brazil, Chile, Colombia, Uruguay and Argentina) and Asia (Malaysia, Thailand, Philippines, and Fiji Islands). All shared the same interests as agricultural products exporting countries. They were driven by the same goal, to dismantle protectionism, and the need to incorporate farm trade into a general multilateral framework. Possessing technical know-how and creative flair, the Cairns group advanced from a position of weakness vis-à-vis the two main contenders in the agricultural dossier, the United States and the European Union, to imposing itself as a third force (Landau 1996: 156). Australia was particularly active. It acted as an entrepreneurial negotiator who infused information in the negotiations.

The group selected the proper forum in which to push forward their legitimate and moral concerns. The Cairns group had called for multilateral discipline, a credo that had always been supported by the GATT, which had shown more consideration to the position and interests of the developing countries, than to the international financial institutions where power was concentrated in a few hands. The political existence of the Cairns group outlasted the Uruguay Round of negotiations. The Cairns group was a key actor at the Seattle Ministerial meeting as well. This exemplified "resourcefulness" and "creative ingenuity" as methods for a weaker party to overcome their power deficit. To upgrade the group’s impact on the negotiations, three MERCOSUR members participating in the Cairns group, Brazil, Argentina
and Uruguay, consolidated their position to call for the elimination of export subsidies for agricultural products.

To be successful, the third party must possess, besides equidistance and other qualifications, recognizable bargaining power. Here the *symmetry of instruments* comes to the forefront. If a conflict has entered the stage of war, diplomatic negotiations can fail if the mediator does not have adequate power resources. The Yugoslavian wars provide examples of this. The interventions by international organizations such as the UN, the EU or the OSCE did not stop the war since they did not possess and implement resources that the US and NATO could provide. Hence, for successfully accomplishing a mediation mission, the mediator needs appropriate instruments. In low-level conflicts, diplomatic or economic tools may suffice. But in war-prone situations, a mediator can only be successful if he has military means available and the will to use them. Other actor-related resources are a face-saving strategy, skills, knowledge of the issue and the interests involved, a sense of timing, and a feeling for the propitious moment.

**The Fifth Manifestation of Symmetry: Outcomes as a Fair Share**

In the framework of international negotiations, the different forms of power, potential or procedural, are underlying conditions that impact outcomes. According to Wilhelm Grewe (1964, 1970), political conflicts can in principle, lead to three modalities of pursuing conflicts and their outcomes: (1) *unilateral pushing through* (threat or employment of force: fait accompli, blockade, force, war; pressure: diplomatic, economic; authoritative decision: court decision); (2) *mutual accommodation* (negotiation, authoritative decision by courts or UN-resolution and silent compromise); (3) *open conflict* (coexistence, status quo, stalemate/non-decision, non-recognition). It goes without saying that outcomes reached by pressure and the threat and use of force are predominantly based on the use of coercive resources. Structural power is usually behind economic and diplomatic instruments, whereas consensual power is the main resource for reaching mutual accommodations. All three forms of outcomes may be accompanied by negotiations, even though they play the major role in mutual accommodations. Such negotiated arrangements can be the result of three modalities: agreements with or without the help of a third party, authoritative decisions by courts, and silent compromise. All the other forms of reaching the end of a conflict are based on asymmetrical structures.

The concept of a “satisfactory solution” and the conditions under which the outcome was achieved, need further explanation. Are the negotiated outcomes on the issues of concern acceptable to all important parties within
a given time-frame? Are they based on free will and not imposed? It can be demonstrated with examples that results which are achieved freely, unconditionally by all parties, and on all issues, have the prospect of being stable and durable at least under the conditions of a given time frame, under the condition of “ceteris paribus.” Such results are called “solutions,” all other end products of the negotiation process may in the end, not have the same life span.

What is the meaning of the five components of a solution as free will, all parties, all issues, unconditionally, and under prevailing conditions? How are these terms linked to negotiation situations? Free will in negotiations means that the parties agree on an arrangement without being forced to consent. In reality, such a situation hardly exists since a person’s free will is always constrained by some conditions outside or inside of the negotiation process. Action always takes place in a specific framework. Since Machiavellian times, “virtù” and “necessità” have been in tense relations. In our case, “free” means only that the parties agree because they expect positive, or at least no negative, effects from consent under given conditions. “Free” has to be interpreted in the framework of existing circumstances. During the Cold War, treaties were signed under the prevailing restraints of the East-West conflict, and once that ‘war’ was over, the new framework lead to new treaties.

The participation of all parties is a necessary condition for the achievement of a durable outcome. International conferences or multilateral negotiations rarely have all parties in agreement; some parties abstain or are allowed an exemption from the agreement. The Maastricht agreement by the European Union had “opting-out” clauses for countries which were not able to agree (UK, Denmark). The Ottawa agreement on landmines does not have the signature from some of the most important landmine-producing countries and hence, the agreement does not achieve what it intended to achieve. The Kosovo military agreement does not have the signature of the Albanian or Serb representatives in Kosovo. All of these examples demonstrate that agreements often do not include all of the relevant parties and therefore must be re-negotiated or revised over time. Trade negotiations, in particular, are better served when there is participation of all parties.

Parties are engaged in a continuing relationship in negotiations. Iklé (1999: 340) argues that diplomats who participate in prolonged conferences develop a certain attachment to the ongoing process of negotiation. Even diplomats who have opposing views, such as those from developing and industrialized countries, begin to feel personal bonds and collegiality with their colleagues. Working together on a long-term basis entails mutual trust. This sense of jointly accomplishing a common goal is important in complex trade negotiations. The lengthy process of the Uruguay Round, which lasted
seven years, is a case in point. Diplomats fiercely opposed to each other’s views developed personal bonds and were less likely to employ escalating tactics against each other.

Conflicts are often complex and touch on a variety of issues. An ideal solution has to take into consideration all issues on which the parties have to agree. Partial agreements, which deal with only some aspects of matters under dispute only lead to outcomes that require further negotiated agreements. The Israel-Arab conflict offers a history of examples of partial agreements (Camp David 1979; peace treaty of 1994 between Israel and Jordan, Oslo agreement of 1995 and the Wye Agreement of 1998 between Israel and the Palestinians). Follow-up conferences had to be organized in order to deal with the remaining issues.

In complex situations, a conscious strategy to leave more difficult issues for later solution can be effective. If a solution cannot be found to these remaining issues, it may lead to severe consequences. Out of the 104 wars identified between 1945 and 1995, 79 of them had a continuing episode after they ended, 65 of them wars, most of them in former colonial countries where wars of independence were followed by struggles in the process of nation-building. It also occurred that ethnic wars can lead to other ethnic wars, either among the same groups or among different ones. Finally, there were international conflicts that were followed by wars for national power (Pfetsch and Rohloff 2000: 108). Even peace treaties or agreements do not always end the conflict cycle. For example, the Algiers treaty of 1975 between Iran and Iraq did not prevent the first Gulf war, the armistice agreement of July 1988 after the first Gulf war did not prevent Iraq from initiating another war against the Kurds in the North of the country nor from attacking Kuwait in August 1990. It is only through severe sanctions by the international community that Iraq can, by force, be kept under control. A continuation of the conflict is very likely once international pressure diminishes.

Negotiated agreements over heavily disputed issues are often concluded with hidden reservations by one of the actors. Agreements are sometimes signed knowing from the start that they will not last. Therefore a necessary pre-condition for durable agreements is that they be concluded unconditionally, without reservations and in good faith. During the Bosnian wars, Milosevic signed many armistice agreements knowing in advance that they would not be implemented. Perhaps they were signed to improve world opinion or in order to gain time for rearmament. Unconditionally signing an agreement has to be seen in the framework of the prevailing circumstances, i.e., under the clause of “ceteris paribus.” In case of changing circumstances, the negotiating partners may want to revisit the agreement since their expectations of winning or losing may have been altered.
Prevailing conditions are important restraints for the outcome of an agreement. The circumstances under which an agreement has been signed may not have allowed a better result for a weaker party but was signed, nevertheless, for improving parts of the hoped-for situation. For example, in the case of German unification, the Ostpolitik was conceptualized as a *modus vivendi* within the existing framework of the Cold War, hence accepting a two-state arrangement that only improved humanitarian relations; after the collapse of the Soviet Union the remaining powers agreed in their 2+4 negotiations on the terms of unification of the two former German states.

If and only if, all the parties involved in the conflict agree voluntarily on all of the issues at stake, can the outcome of the negotiations be called a durable “solution”. The stability of an agreement – thus is a function of the relationships (symmetric or asymmetric) existing between the negotiating parties with the prospect of being stable and durable within a given time frame. In other words, the life cycle of an agreement reached by negotiations, depends on how and under which circumstances the agreement was reached. That depends, to a large degree, on the structural relations – symmetric or asymmetric – that underlie the negotiating process.

**Conclusions**

Symmetry is a necessary but not sufficient condition for successful negotiations. If the parties do not see any gains in negotiations they will not start negotiating. If however, the parties engage themselves in the negotiation process, the weaker party is not always at the mercy of the stronger. Different dimensions of power determine the relations: the possession of material resources could help achieve intended negotiation goals but do not necessarily lead to satisfactory results. The relational and relative characteristics of power are also important components of determining symmetry and asymmetry in negotiations.

The analysis has shown that symmetry and asymmetry in negotiations do not necessarily correspond to common understanding. It is not necessarily a disadvantage to be weak. During the negotiation process these relations can assume five different manifestations. First, symmetry/asymmetry describe relations perceived as material potentials of countries. The stronger party usually plays on its strength and the weaker party tries to equalize the relations. Through this, symmetry/asymmetry becomes a a procedural variable. A third party can help to equalize the power discrepancy and find an acceptable outcome for the negotiating parties. Here the concept of equidistance is introduced as a manifestation of symmetry between the mediator and the negotiating parties. The fourth manifestation of symmetry regards the instru-
ments to be used in specific negotiation situations. The adequate means have to consider the severity of crises. Finally, the outcome of a negotiation process can be weighed in terms of equal utility shares. We assume that symmetric outcomes have the tendency to lead to more stable results than asymmetric relations.

References


