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Version: Publisher draft

Citation:

McEntee-Atalianis, L. (2008) Diplomatic negotiation in an international organisation: an exploration of expert status and power – *The International Journal of Diversity in Organisations, Communities and Nations* 8(3), pp.265-272

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The International
JOURNAL
of **DIVERSITY**
in ORGANISATIONS,
COMMUNITIES
& NATIONS

Volume 8, Number 3

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THE INTERNATIONAL JOURNAL OF DIVERSITY IN ORGANISATIONS, COMMUNITIES AND NATIONS

<http://www.Diversity-Journal.com>

First published in 2008 in Melbourne, Australia by Common Ground Publishing Pty Ltd
www.CommonGroundPublishing.com.

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ISSN: 1447-9532

Publisher Site: <http://www.Diversity-Journal.com>

THE INTERNATIONAL JOURNAL OF DIVERSITY IN ORGANISATIONS, COMMUNITIES AND NATIONS is a peer refereed journal. Full papers submitted for publication are refereed by Associate Editors through anonymous referee processes.

Typeset in Common Ground Markup Language using CGCreator multichannel typesetting system
<http://www.CommonGroundSoftware.com>.

Diplomatic Negotiation in an International Organisation: An Exploration of Expert Status and Power.

Lisa McEntee-Atalianis, University of Reading, UNITED KINGDOM

Abstract: This paper will explore the status and characteristics of 'expert' membership within an international organisation and its influence on the development of 'exosomatic resources'. Invoking the framework of the 'Community of Practice' (Wenger, 1998), it is argued that status and power are realised in the development and interpretation of policy and conventions within the organisation, through the 'negotiation of meaning' and through the 'politics of participation and reification'. Negotiations and decisions may take place over a period of time but are also situated within plenary debates. As such it is argued that power and hierarchy are not fixed structures but are emergent and fluid discursively over time and space. The paper defines the characteristics of 'expert' membership encompassing a consideration of the command of participatory and interactional norms, as well as knowledge of the status and content of reified products. To illustrate these characteristics a critical analysis of the discourse of one delegate is provided. This exemplifies how expert knowledge is applied within a debate to influence and inform the development and interpretation of texts and subsequently to contribute to the (re)production of shared meaning and agreement on issues under debate. It is argued that in considering both the forms of asymmetry in organisations and the practice of decision-making, research should focus on: the type of knowledge that is required and valued in any context; how this knowledge is accessed, enacted and exploited; and which members are instrumental in its construction, representation and reproduction.

Keywords: International Maritime Organisation, United Nations, Community of Practice, Expert Knowledge, Institutional Discourse

Introduction

IN RECENT YEARS there has been burgeoning literature on work place discourse (e.g. Bargiela-Chiappini and Harris 1997a, b, Drew & Heritage 1992, Firth 1995, Holmes 1996, Koester 1996, Saranga and Roberts, 1999), although comparatively few studies examining the discourse of meetings. Accounts of organizational discourse and practice have focused on the issues of 'impersonalisation, power and (re)production' (Iedema & Wodak, 1999:5), particularly emphasizing production/reproduction in descriptions of changes to professional and organizational practice. Organisations are sites in which knowledge and experience are (re)produced or contested and applied to the development of 'exosomatic resources', (i.e. resources which come to exist outside of the organization, Iedema & Wodak, op.cit.). These resources may lead to alterations in ideology or practice, or the development of products or technology.

In the development of these resources, organizations function as 'Communit(ies) of Practice' (CofPs), engaging in 'regular interaction'; over 'joint enterprise[s]', using a 'shared repertoire' (Wenger 2005:73), including, for example, specialized linguistic terminology or discourse. Wenger suggests that CofPs adopt similar modes of behavior, including for example: ongoing working relationships, (which

may be friendly or discordant); the swift transfer of information and dissemination of innovatory practices; the rapid establishment of conversations and problems; and a discourse that reflects alignment or shared world views.

Although CofPs engage in common enterprises, they are neither impartial or unified, rather productivity within CofPs is as much a consequence of diversity as unity. Disagreements allow members to negotiate or renegotiate their positions/the work at hand/the processes and/or practices currently performed, leading to the production of new resources or practices, or the affirmation of prevailing ones. As such CofPs are dynamic and sites of 'shared histories of learning' (Wenger 2005:86) which have evolved over time. Practices and products bear the markings of their history, and members come to share in their interpretation or reinterpretation and the modification of their structure through the 'negotiation of meaning' (Wenger 2005:52).

The practice of meaning negotiation however demands both 'participation' within the community and 'reification' (Wenger 2005:91). Without participation, a member would not be able to engage with practice in order to negotiate new meanings, and without reification new practices or products could not be discussed, developed or adopted. Control and command of these resources potentially bestows participants with the power to introduce new mean-



ings to the community, which may alter or reappropriate existing structures and ultimately influence the work of the organisation.

To effect change however one must be able to penetrate the community. Key to the theory of CofP is the notion of 'membership' and how membership and 'learning' develops. Initially on entry to a community, participants may exist as 'legitimate peripheral members' (Wenger 2005) or partial members, learning to 'perform' appropriately and engage with the reified resources. Integration and 'core' community membership (full membership) involves the acquisition of sociolinguistic, cultural and other competence.

The status of membership within communities has recently been debated in sociolinguistic studies. They have focussed on the issue of power, status and hierarchy within CofPs and the influence of these on linguistic and other behaviour. Examining the discourse of adolescent peer groups, Davies (2005) criticizes the CofP framework for not describing or developing accounts of 'access', 'gate-keeping' and 'hierarchy'. She claims that the framework does not account for the influence of power structures and argues that those at the top of the hierarchy act as 'gate-keepers', managing participation within the community and determining membership. Eckert & Wenger (2005) and Moore (2006) in response argue that Davies' circumscribed notion of 'top-down' linear hierarchy is too limiting and may not be representative of power structures within all CofPs and without further extensive exploration of a variety of communities it will be impossible to develop this aspect of the theory. Indeed how power influences change (linguistic or otherwise) is argued by them not to be an issue accounted for in theory but one needing to be addressed by empirical and ethnographic investigation.

Aims of the Paper

This paper attempts to contribute to this debate by exploring the status of 'expert' membership within an international organization and its influence on the development of exosomatic resources. Unlike the school communities studied by Eckert (2000) or Moore (2006), the data provided in this paper is taken from formalized proceedings and debate within a plenary session of an international organisation, in conjunction with data derived from informal interviews/discussions with delegates. The paper draws on a study of discourse in the development of policy and legal frameworks within the International Maritime Organisation, (a specialised agency of the United Nations); an organization established in order to facilitate cooperation among Governments in matters of international shipping. Conventions, codes and recommendations for implementation by member

Governments are what are referred to in this paper as the reified 'products'/'boundary objects' (Wenger 2005:105) of this organization. Delegates contribute to their development through discussion and debate.

Thesis

This paper will argue that status and power within this CofP can be defined by the ability to effect change or influence alignment to policy or conventions through the 'negotiation of meaning' and through the 'politics of participation and reification' (Wenger 2005 op.cit.). This may be negotiated over an extended period of time by permanent representatives to the Committee but may also be situated, temporal and dynamic, and ultimately operationalised in the formal discussion of agenda items in the plenary proceedings of IMO. Expert status within the plenary may shift and change from delegation to delegation and from one debate to the next. Power and hierarchy are not necessarily fixed within the organization therefore, but are emergent and (re)constituted through informal discussions and formal debate. Power structures are therefore complex, dynamic and situated and are influenced by the histories of participation, agency, and reification which position and reposition delegates/delegations in political and social space.

Before discussing the study in more detail, the structure of the organization and its membership will first be outlined.

The International Maritime Organisation (IMO)

Description

The International Maritime Organisation (IMO) is governed by the Assembly which meets every two years. In between these meetings the organization is governed by Council which is comprised of 40 Member States elected by the Assembly. The technical work of the organization is distributed across five committees: Maritime Safety; Marine Environment Protection; Legal Committee; Technical Cooperation Committee and the Facilitation Committee which meet annually (sometimes biannually). From these committees subsidiary committees (sub-committees/working groups) meet as required to discuss specific work items. Each of the committees constitute CofPs in their own right, as each committee has a separate remit and work programme demanding different expertise (see McEntee-Atalianis 2006 for more details).

Official membership within the organization is determined by affiliation and representation. Member States (MS) have the greatest status within the organization, as delegates from these representations are

empowered to both contribute to debate and vote on amendments. Other influencing powers however are Non-Governmental (NGO) and Inter-Governmental Organisations (IGO), who are permitted to contribute to debates and lobby Member States but have no voting rights. Key to the functioning of IMO is the Secretariat, an administrative body consisting of international civil servants and headed by the Secretary General.

Individuals representing MSs, NGOs and IGOs may be permanent or alternative. Those who are permanent may attend meetings over a number of years and may be very familiar with the functioning of the organization and the debate; alternatives and advisors may attend infrequently or on an ad hoc basis.

The Meeting: The Marine Environment Protection Committee (MEPC)

The data presented in this paper is drawn from one committee, the 'Marine Environment Protection Committee' (MEPC) which convened for a week of meetings in July 2007. The MEPC is concerned with the prevention and management of marine pollution caused by shipping. With support from technical, scientific and other advisors, the committee considers necessary amendments to current regulations and provisions and the enforcement of related conventions. It also aims to cooperate with other international organizations concerned with environmental matters and submits to the Council of the organization, where necessary, proposals, guidelines and regulations. The agenda is established well in advance of the meeting (at the end of the previous Committee) and all documents related to the agenda items are sent to delegations weeks in advance of the meeting and are also available on-line.

The Study

The researcher attended all plenary sessions of the MEPC and interviewed or informally discussed issues with delegates in coffee and lunch breaks. Plenary sessions were held every day with working groups running parallel to these in order to discuss related matters. In total 735 individuals (including 34 members of the Secretariat) were documented in the list of participants (IMO document: MEPC 56/INF.1) and many of these were present in the plenary at any one time. Delegates from 87 member states, one associate member, representatives from four UN and specialized agencies, five observers from intergovernmental organizations (e.g. the European Commission), and 44 observers from non-governmental organizations (e.g. Greenpeace International) were present, in addition to IMO secretariat staff, the Chairman, and Vice-Chairman.

The meeting was held in a large conference room and delegations were assigned desks in alphabetical order. These were equipped with headphones in order to hear contributions from delegates throughout the expanse of the hall and also to permit access to interpretation where necessary.

The Procedure

The meeting had a disciplined and long established procedure. For example, sessions were opened by the Chair with the ringing of a ship's bell and the introduction of the agenda item to be discussed. On the first day of the meeting the agenda was taken up by assigning work to Working Groups. The Chair would state the topic and terms of reference of the Working Groups (WG) as set by the plenary and officially approve the work to be undertaken. He would then release WG delegates from the plenary with a view to report back to the Committee on a specified day.

After Day One, plenary agenda items were attended to, including those which addressed changes to current regulations/conventions. These recommendations/points for discussion were formally prepared as papers to be read by the submitting delegation. Once the paper had been introduced, the floor was passed back to the Chair who in turn would invite comments from other representatives in the plenary. Delegates indicated their desire to take the floor by raising their 'name' card from a horizontal to vertical position on their desks and they would be invited to respond in turn.

On Day Four, when the plenary had concluded its own agenda, the Chair would then turn to the reports of the working groups, which had been translated in to the three working languages of the organization: English, French and Spanish, and distributed to delegates for their perusal prior to the discussion. He would then invite the WG Chairs to introduce the report to the plenary and open the floor for debate. After the conclusion of the debate the Chair would further seek approval from the plenary to attend to the action points listed by the WG and as amended by the member states via their interventions. This would consist of the Chair reading each action point and 'noting'/'approving'/'concurring' or 'inviting' the WG to continue to pursue matters. This would be expressed by simple speech acts: 'we note'; 'we approve', 'we concur', 'we invite'. These points were then minuted by the Secretariat.

Expert' Membership

Through observation and informal interviews with delegates, observers and the secretariat, it became clear that successful and powerful actors in any proceeding were not necessarily always the same, nor

were they representatives of economically or politically dominant delegations but rather 'power' was mobile and situated within and across political and discursive space as the debate moved from one topic to the next.

Those with the greatest power to negotiate on any occasion possessed two common characteristics however: they had knowledge of the participatory and interactional framework within which to debate and knowledge of the status and content of the text ('boundary object') under negotiation. More specifically, powerful delegates/delegations were familiar with the following:

1. both 'informal' and 'formal' methods of diplomatic lobbying, including the importance of political ties and 'sustained mutual relationships' in this respect and 'knowledge' of other delegate's subject positions;
2. the ability to exploit formal, routinised methods of interaction, as well as informal procedures necessary to gain access to the floor within plenary and establish a rapid orientation to the issue;
3. in-depth knowledge of the law/provisions/regulations and their application outside of the institution and an ability to identify the flaws in other's arguments in respect to these;
4. knowledge of the history of discussions within the organization and previous decisions in the construction of policy/texts;
5. knowledge of specialized terminology and how it is to be interpreted and applied;
6. an ability to identify the suitability of recommendations and changes; and
7. an understanding of shared discourse and sentiments in relation to the aims, mission and values of the organization as a whole and how these are to be exploited in developing a position.

The following illustration of an intervention by one delegate to a plenary discussion illustrates how these characteristics combine and contribute to the successful negotiation of a contentious issue and lead to the construction of 'expert' diplomatic status.

Case Study

From discussions with delegates on the first day of the meeting it became clear that one topic was to be hotly debated within the plenary and this involved clarification over a specific environmental regulation (6.4.2)¹ concerning ships constructed in a certain structural manner for the carriage of a specific cargo in bulk in certain geographic areas of environmental significance. The papers introducing the subject for

discussion and clarification on this topic were produced by three delegations: Delegation A, B and C. Their arguments were that ships designed and constructed in order to offer additional structural protection to this cargo could equally be carried in other vessels in conjunction with an exemption provided by the maritime administration of the flag of the ship. These delegations had submitted this as an agenda item some months in advance of the meeting and therefore MSSs, NGOs and IGOs were aware of the position being forwarded and had time to prepare a response and consult with other delegations prior to the meeting. The counter-argument (presented by Delegation X as detailed below, and the argument overwhelmingly agreed upon by the plenary) was that the current regulation should be interpreted such that exemptions issued by maritime administrations to carry their cargo in other vessels should only be justified in cases where there was a shortage of tonnage of the specially constructed vessels with the inherent environmental protection. If exemptions were widespread this would penalize the majority of ship owners who had already built specially designed ships to travel in these sensitive areas, in full compliance with the existing requirements. Delegation X asserted that no evidence had been provided by Delegations A, B and C to suggest such a shortage of tonnage existed.

The established procedure within the plenary was for Delegations A/B and C to introduce their topic by detailing their position in full and for the floor to be passed back to the Chair who would then open the floor to debate. Whilst analysing the Chair's democratic opening of the debate, as illustrated in (1), from a conversation analytic perspective, (focusing on the local construction of the discourse), it appears that at the 'turn transition relevance point' 'I'll open the floor for comments', free competition for the floor is solicited and responded to in the next turn by the raising of the delegation's name cards:

(1) Chair: ...you heard the introduction of the three documents.... I'll open the floor for comments [a number of delegations hold up their cards] (0.3) hold your card high. I'm sure many of you would like to comment (0.4) I see[Delegation X] [Delegation Y] and [Delegation Z]. Delegation X you have the floor. I start with Delegation X please.

From interviews and discussions with a range of delegates, it became clear that prior to an item being debated (i.e. some weeks in advance of the meeting) delegates often decide on the appropriate timing of their intervention in the debate and when therefore to raise their name cards to bid for the floor.

¹ Names of regulations, codes and the precise subject matter of the debate have been altered in order to protect the anonymity of the delegate.

Moreover delegates wishing to present a stance in favour or opposition to the agenda item will also lobby other delegations in advance of the meeting in order to request support for their position once introduced by them to the plenary.

The decision by Delegation X to take the floor in the proceeding immediately following the submissions by Delegations A, B and C was subsequent to this delegation's lobbying of other representations in preceding weeks. A number of delegations noted that they were happy for Delegation X to front the debate not only because they had developed a well-researched response but also because of the established reputation of the lead Representative of this Delegation as an 'expert' in relation to the particular Convention and Code under debate. As one delegate commented "Delegation X is an 'expert' on this text."

In general delegations considered to be empowered with the greatest discursive rights to take second position in the debate, (offering an alternative perspective), were those considered by the majority of interested parties to present a representative, robust and informed expert argument in favour of their position.

From an analysis of the sequence organisation and the contribution by Delegate X (as illustrated in this next extract), we see an initial orientation to the interactional order by the 'conditional relevance' (Schegloff, 1968) of the second pair part 'Thank you Mr Chairman'. The delegate expresses an appreciative acceptance of the conversational floor from the Chair's prior offering and further asserts his knowledge and appreciation of the particular constraints imposed by the institutional context in relation to the usual, acceptable time frame given over to multi-turn interventions within the plenary through his pre-announcement 'first a signal of warning and an apology'. He then moves swiftly to orient his listener's, through his address to the Chair, to the issue at hand in the core sequence of his intervention:

(2) Delegate X : Thank you Mr Chairman.

Um, Mr Chairman, first a signal of warning and an apology, because this will not be a short intervention. Mr Chairman, looking at the documents submitted by Delegations A, B, C.

In the remainder of his intervention, he demonstrates in-depth knowledge of the laws/provisions/regulations and their application, in addition to knowledge of specialized terminology and how it is to be interpreted and applied, e.g.:

(3) Delegate X: ... based on transparent and unambiguous criteria the [cargo concerned] are

[sensitive] and of course when carried [in these regions] all requirements should be complied with, as for any other product specified in the code. Only then your committee is consistent when applying the code².

In developing his argumentation he draws explicitly on the legitimacy of current policy and texts and embeds his own legitimacy in his knowledge of the motivation for their historical construction in previous meetings and their sanctioned legal interpretation, drawing on legal counsel to support his case. He further aligns himself with the validity and comprehensive quality of the instruments currently in place, e.g.:

(4)

1. The code was developed under the instruction of your Committee to make the criteria clear ... and applicable to all [cargo]. If we allow to deviate [*sic*] from that principle for [the cargo under debate] why shouldn't we allow that conduct for other products which makes the criteria not clear, not transparent and not unambiguous and destroys the fundamentals of the code.
2. A specific provision of the code allows the administration to exempt ships ... from the carriage requirements under the regulationthis is fundamentally different from what is specified by the submitting delegations [Delegations A/B & C].
3. Delegations A/B & C did not illustrate that there is currently a shortage of tonnage for the transport of [this cargo]. And this possible shortage was the sole reason why the exemption in 6.4.2 has been developed.
4. From the legal advice we received it is clear that ...if your Committee wants to allow the [proposed changes] ... we need an amendment to regulation 6.4.2. This is the only unambiguous and legally justified way.

Finally, he bolsters his argument by emphasizing his legal footing and status as an established member of the organization, expressing a clear understanding of IMO policy and shared discourse and sentiments in relation to the aims, mission and values of the organization as a whole. He exploits this in developing his position through the use of second person (see (i) below) and synthetic referencing (see (ii) below):

1. From this information [advice given to Delegation X by legal counsel]...Regulation 6.4.2 nor the code provides a legal basis to exempt one

² 'Code' here refers to a specific environmental safety code containing detailed regulations in relation to the carriage of this specific cargo by certain ships.

or certain requirements....Being aware of this information I take it that your Committee do not favour an explanation or clarification of a regulation for which there is definitely no legal basis [...] or even stronger is in conflict with requirements.

2. The Delegation X did as always its utmost to find a solution which is legally justified and is in the spirit of co-operation.

Note in particular that in 6(i) he distances himself from the possibility that the Committee (of which he is a member) will favour the 'illegal' request for changes to the convention by Delegations A/B and C through the use of second person referencing ('your Committee'). Whilst through juxtaposition it can be seen that in (ii) Delegate X's argumentation establishes a polarisation of subject positions through his alignment to the virtues of legality and conviviality.

Discussion

This brief account has illustrated the importance of ethnographic techniques and discourse analytic procedures to understanding the conditions which prevail in the construction of policy and regulations in an international organization and the work that members have to do to exert power and negotiate change and/or promote the maintenance of the status quo.

'Expert' membership and arguably power within this organization is manifest dynamically in both process and product (Bernstein, 1990): manifest over time through a process of 'learning' about the structures and discourse of the organization, in addition to knowledge of the routines and genres in which dominant ideologies are negotiated and or reinforced (Mumby 1988, as cited in Iedema & Wodak 1999) and through which work programmes are set and regulations/policy is developed.

Through the processes of daily interaction and participation at IMO, in addition to knowledge of the construction and content of reified objects, expert

members are empowered to assert certain discourses as 'objective', 'true', and 'transparent' and other discourses and perspectives as 'untrue', 'illegal', 'ill-informed', 'ambiguous', 'inconsistent', or 'unjustified', thereby projecting status inequalities and oppositional relationships. Power thus becomes situated and emergent in the ongoing debate.

This is but one debate however, and although Delegate X's arguments led to the ultimate reaffirmation of existing regulations, his status did not necessarily extend to other discussions. Rather his power to effect change was restricted and localized to this debate. Examination of other debates within the MEPC revealed that power was situationally constructed and topically focused – dependent on the politics of participation and reification. Moreover members did not have to be 'core' members to influence change – they were also peripheral members (e.g. alternatives) who had some knowledge of the interactional procedure and issues under debate.

Conclusion

In conclusion, in the development of exosomatic resources within this international organisation, change and reappraisal were found to be initiated and negotiated by many legitimate members of the community, and these members were variously situated in political and social space. Power was jointly negotiated amongst the group, however 'expert' members had the benefit of their experience to draw upon.

This brief study illustrates that in the examination of any organization/CoP, and in the consideration of the 'recontextualisation' of resources (Bernstein 1990), we need to examine *what* knowledge (both participatory and concrete) is needed and valued; *why* it is valued; *how* it is accessed and exploited, and *who* is influential in its restructuring. Understanding the nature of this may help to inform our understanding of power structures and 'gate-keeping' practices and may further inform those wishing to effect change or reevaluate current practices in organizations, in addition to those wishing to model decision-making practices.

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About the Author

Dr. Lisa McEntee-Atalianis

Lisa McEntee-Atalianis has published in the fields of Aphasia, Sign Language/Deaf Studies and Sociolinguistics. In recent years she has reported on sociolinguistic/social-psychological studies in Cyprus, the Greek-Cypriot community in London, UK and the autochthonous Greek-Orthodox community of Istanbul, Turkey, investigating: language attitudes; use; identity; shift and ethnolinguistic vitality. She is currently involved in an investigation of language policy and discourse practices in the International Maritime Organisation (IMO), a branch of the United Nations, in London. She is lecturer in Applied Linguistics at the University of Reading, UK.



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