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RUSSIAN TACTICS IN INTERNATIONAL NEGOTIATIONS:

A GUIDE FOR AMERICAN NEGOTIATORS

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Chapter I
INTRODUCTION

The idea of negotiation with the Soviets alternately attracts and repels the American people. Public opinion runs the gamut from the high mark of enthusiasm at the time of certain direct Roosevelt-Stalin conversations to the low pitch of despondency during the current Korean truce talks. It varies from the view that if only President Truman and Premier Stalin could sit down and talk it out, a happy outcome would be a foregone conclusion to the view that "all this talking" is a waste of time and that we might just as well start shooting now. It is the aim of this paper to re-examine the form and substance of negotiation as it now is and recently has been practiced by the Russians and to suggest considerations which the present day negotiator should keep in mind as he approaches a "cold war" negotiation.

The word negotiation itself causes trouble. To the average American the use of this word presupposes the attainment of results satisfactory to both parties through a process in which both sides whittle down their original demands to a mutually satisfactory meeting place somewhere below the level from which they started.[1] As concise and acceptable a definition as is possible from the American point of view is that contained in Webster's New International Dictionary:

> "....to negotiate: to hold intercourse or treat with a view to coming to terms upon some matter, as a purchase or sale, a treaty, etc.; to conduct communications or conferences as a basis of agreement."

There is a serious question as to whether this standard definition should be the one in our minds when we talk about negotiation with the Russians. It seems clear that the American and the Russian concepts of negotiations as a procedure for reaching agreement, as an instrument of compromise, are quite different. 2/ What America and other "self-government" countries think of as negotiation just does not prevail in Soviet Russia. In America negotiation and compromise are part of our "national lives." Everyone negotiates: capital and labor, President and Congress, Republicans and Democrats, farm blocs and power blocs, government and industry. This is the practice of the rule by "concurrent majority" as defined by Calhoun. According to Calhoun, against our national background of divergent races, cultures, religions, economic patterns and tensions, our democratic goal could be achieved "only by compromise - and no real compromise could be possible if any threat of coercion lurked behind the door." 3/ Implicit in this concept is the idea that we stick by our bargains and that we play by the rules of the game.

On the other hand, the Russian concept of negotiations would appear to have been affected, like everything else, by their political philosophy of communism and their blind faith in dialectic materialism. In addition, there is some reason to believe that certain aspects of Russian national character: stubbornness, suspicion, long years of autocratic government also have affected their present attitude.

The modern Russians live in a monolithic state where ideas and orders come down from the top. There seems little room for debate or compromise: you are right, or you are in Siberia. This attitude even characterizes such diverse fields as science, and music. Witness the travails of Vavilov, beaten down by Lysenko, and Shostakovich. Negotiation is not a part of their "national lives." Compromise, based on free and full discussion, looking toward a mutual "giving" on both sides seems beyond the Russian comprehension. Frederick Osborn in the symposium Negotiating With the Russians 4/ describes the bewilderment of Gromyko during the atomic negotiations as he tried to understand whether the give and take among his colleagues was an act staged for his benefit. "It was apparently impossible for him to believe that there was such a thing as free discussion." Frederick Osborn goes so far as to say of Russian negotiations that "the world negotiation should not be used to define meetings in which only one of the parties is actually attempting to negotiate... Such a 'negotiation' must always fail, and it is not always easy to make it clear to the public who was to blame for the failure." 5/ This pessimistic appraisal is further born out by the Bolton Report on The Strategy and Tactics of World Communism 6/ and the conclusions of so eminent a negotiator as Mr. Philip Jessup. 7/

From their tactics it may be concluded that the Russians are not yet ready, as Mr. Jessup puts it, 8/ to reconcile their differences with the West; there has not yet been created "a situation wherein nations are willing to reconcile and adjust their differences." Another gloomy appraisal is made by Chester Wilmot in The Struggle for Europe. 9/ In speaking of the Russian choice to hold the Yalta meeting at a time when the Russian star was in the ascendant and the Western allies were hard pressed by Hitler's drive towards the Meuse, Wilmot wrote:

> "....the history of wartime and postwar diplomacy has made it clear that the Russians regard international conferences as opportunities for the recognition of situations which have already been created by the exercise of power, not as occasions for the negotiation of reasonable settlements mutually acceptable."

We may commence our study by accepting the thesis that the American and the Russian concepts of negotiation are almost diametrically opposed. Nevertheless if the U. S. is to retain its moral leadership in the world and to evidence its faith in the aims of the United Nations, it must continue willing to try to negotiate its differences with Russia. The United States cannot afford, from a propaganda viewpoint alone, to have itself placed in a position where the Russians can allege that the United States refuses to try to settle our problems around the conference table. Our national attitude should remain as so well stated by General Marshall in his Memorial Day Address in 1951 10/ and since reaffirmed by Secretary Acheson:

> "So long as there is a forum for open discussion of international disputes, the United States should be a participant. So long as there remains a conference table around which the nations can gather, the United States should be the first to attend and the last to retire."

We must keep in mind, however, that it will not be possible to negotiate a Utopia, in the foreseeable future; that there is probably no magic in a Truman-Stalin type of meeting in which so much faith was at one time placed and that for many years we must exercise great patience and forbearance. We must attempt to prevent the Russians from using negotiation as a "nonaction" or Fabian device. We must make sure that in any stalemated negotiations we at least do not lose ground. Above all we must conduct ourselves in such a way that we may be seen to live by the democratic tenets we so often preach and keep in

mind that we are always playing before an audience of nations whose friendship we wish to retain and for whose friendship, or subservience, the Russians are actively bidding. For in multilateral negotiations we negotiate not only with the Russians but with all the other members of the United Nations or specialized agencies and with various "blocs." The negotiator must be sure that in pressing our aims vis-a-vis the Russians he does not upset our relationships with our friends or neutrals. Thus, in all except strictly bilateral negotiations, each tactic must be planned with one eye on the Russians and one eye on the rest of the world.

With certain modifications, the problems will be much the same in both bilateral and multilateral negotiations and our tactics should be consistent. However, important as bilateral negotiations are, it is in the arena of multilateral negotiations that our relationships vis-a-vis the Russians are thrown into the sharpest relief. This is not only because of the participation of our friends and neutrals in the same conference with the Russians but because of the great number of points of contact with the Russians that international organizations afford. The United Nations is composed of some 25 bodies in which we meet with the Russians; one of these bodies, the General Assembly, has some 30 subbodies. The Russians participate in three specialized agencies: postal, meteorological and telecommunications, all three with various councils and special conferences. We are parties with the Russians to 68 multilateral conventions, most of which have grown out of the above organizations. All this presents a huge and diversified field for success or failure in negotiation and a subject worthy of study.

Chapter II
KNOW THE FUNDAMENTALS OF NEGOTIATION

There are certain "fundamentals of the game" of negotiation which the negotiator should have in mind before his first appearance in the international conference room. These fundamentals are applicable as background for the material on tactics and on Russian characteristics as taken up in the following two sections of this paper.

Patience

This need for patience goes to the very heart of our conduct in negotiations with the Russians. It must be kept in mind that we are after results, and vital to any results or even participation is the "almost superhuman forbearance and tact" which John Fischer [11] feels our negotiators must learn. Ambassador Bedell Smith was moved to apply to the 1947 Moscow Conference

Benjamine Franklin's formula for a diplomat: "Sleepless tact, unmovable calmness, and a patience that no folly, no provocation, no blindness could shake."[12] Vandenberg, after the victory for the United States position on the "veto" at San Francisco, recalled that Marshal Foch's words "H wins battles who holds out the last 15 minutes" applied equally to diplomatic "wars of nerves."[13] However, even an experienced politician like Vandenberg found it was "far easier to talk of 'patience' with Russia in a speech on the Senate floor than to practice it across the conference table from Molotov."[14] Former Secretary of State Marshall, in commenting on the 1947 Moscow Conference re-emphasized the necessity for patience and at the same time, interestingly enough, reported Stalin as being of the same turn of mind. He quotes Stalin as saying:

> "These were only the first skirmishes and brushes of reconnaissance forces on this question. Differences had occurred in the past on other questions, and as a rule, after people had exhausted themselves in dispute, they then recognized the necessity of compromise.... It was necessary to have patience and not become pessimistic."[15]

A negotiator must realize he is employed to be patient and to sit it out. Boredom is an occupational hazard of the negotiator. The temptation to rail against delaying tactics and to burst forth in disgust at the reiteration and filibustering moves will be strong but it must be resisted. Patience will be one of the negotiator's greatest assets.

Knowledge of the Rules of Procedure

It is important to know the rules of procedure of whatever conference or international body in which a negotiator is participating or, if there are no rules, to formulate a simple set of rules as the first order of business. There is now a fairly large body of precedent and material on appropriate procedural rules for international meetings. The negotiator should make himself familiar with a representative sample.[16]

True to his doctrinaire tradition, the Soviet representative will always set great store by agreed upon procedures; he does, in fact, "live by the book" to an almost absurd extent. Woe betide an American negotiator who attempts to cut procedural corners, for the Soviet will "throw the book at him." On the other hand, the Soviet will always accept without quibble an appeal by his opponent to a clear cut rule. It is the unwritten rule, or the "general understanding," or the "gentlemen's agreement" which causes the trouble. One typical example may suffice. The United Nations

Economic and Social Council has followed since its inception an unwritten rule that a question once settled is not to be reopened at the same session since such a practice would lead only to endless debate and no final action. The General Assembly, on the other hand, has a specific procedural rule on reconsideration or proposals by which a two-thirds majority vote is required to reopen.[17] The General Assembly course is always clear; either there is a two-thirds majority on a point or not. But in the Economic and Social Council and in several specialized agencies, numerous arguments have been held as to whether or not a certain question may be reopened. Each time the Russians argue that any deliberative body is master of its own procedure and may reopen a question if it wants, whether or not the rules of procedure specifically permit such a course. Each time, other members of the Council will argue that since the privilege of reopening is not specifically provided for it does not exist; that, in any event, the practice is unwise citing the unwritten rule of Ecosoc as precedent. Generally the argument will go on until the presiding officer rules on a point of order that the question will not be reopened. Such a ruling will generally be supported and the question will be closed, but only after a good deal of time has been wasted.

This issue can be vital from a substantive viewpoint in a situation where a previous position has been carried by a close vote and a change of mind by one of the participants or the late arrival of some member may threaten the previous favorable conclusion. This happened at the World Meteorological Congress in 1951[18] in connection with the seating of the Nationalist Chinese Delegation. The United States position had been carried by one vote over the two-thirds majority required for all proposals. Shortly thereafter, the Czech and Hungarian delegates arrived late and demanded that the question be reopened so that they might express their national viewpoint favoring the Communist Chinese. A reopening of the question would most certainly have resulted in a reversal of the original substantive decision, and it was necessary to prevent a reopening of the question by procedural means. The Soviets argued that the Congress could reopen a question if it wanted to, and pointed to the precedent of the General Assembly. The United States argued general unwisdom of establishing such a precedent in the technical organizations and pointed to the unwritten contrary rule of the Economic and Social Council, the guardian, so to speak, of the meteorological organization. This debate, which went on the better part of a day, fortunately ended in victory for the American position partly because the other delegates were weary of the whole business.

This incident will illustrate the type of situation in which a substantive point may be settled on a procedural basis. Whether a certain item is listed on an agenda, whether a certain

delegate has a right to speak last, the order in which amendments to a proposal are voted on, the seating of a delegate under the pertinent rule on credentials, the rules for the submission of proposals so many hours before they are voted on, the rules for closing a list of speakers, for closing debate or for suspending or adjourning a meeting, the rules for voting on parts of a long resolution separately or by sentences and the rules for a secret vote or a roll call vote, all may determine or help determine the outcome of a substantive issue although the issue itself is not at that time under debate. The importance of such procedures is well-known to every American legislator; it should be realized as well by every international negotiator.

A dramatic example of the procedural approach to a substantive problem may be seen in the record of the Japanese Peace Conference[19] where the Soviets attempted to modify the rules of procedure so as to do away with limitation of debate and to alter the Anglo-American plan for organization of the discussion. The finish of this procedural debate was also the finish of the Soviet hopes for disrupting the proceedings.

An equally important issue was fought out in the 1951 meeting of Deputies of the Council of Foreign Ministers, [20] that of the agenda. The obvious Soviet strategy was so to word the agenda as to imply the outcome of the discussion of certain items, such as disarmament. When the Soviets could not get their positions accepted they jumped about like "grasshoppers," as Mr. Jessup put it, from point to point, in what eventually turned out to be a successful attempt to prevent the acceptance of any agenda and the convening of any meeting of the foreign ministers themselves.

The matter of an agenda has also assumed tremendous importance in the Korean peace talks. Here again while the Americans have looked upon the agenda as merely a list of items for discussion, the Communists (in line with the best Russian practice) have attempted to gain acceptance of an agenda which was in effect, as expressed by Major General Craigie, "a statement of their solutions to the various items." In elaborating on this point he [21] said:

> "Had we accepted the items as proposed by the Communists for the agenda, there would have been no use in discussing it. The whole thing would have been settled. As an example, they submitted the following as an agenda item: 'To establish the 38th Parallel as a military demarcation line, the armed forces of both sides to withdraw 10 kilometers from the 38th Parallel and simultaneously complete the withdrawal from Korea within a definite time limit, leaving the evacuated areas demilitarized, and the civil authority would be restored before June 25, 1950."

This is of course, an extreme example but it does serve to illustrate a type of situation against which the negotiator must always guard.

One reference to voting will terminate this section. The Russians seem to prefer the rule of unanimity in voting or at least a two-thirds majority in the apparent belief that the difficulty in securing even a 2/3 majority will permit them to prevent action, at least action contrary to their wishes, being taken. On the other hand, the usual American position is to support a simple majority rule in all save exceptional circumstances. For example, in the General Assembly of the United Nations, decisions are taken by a simple majority except that a two-thirds majority is required for the admission of new members, important questions, the reconsideration of proposals already voted upon and placing additional items on an agenda. The Soviets resent the whole democratic process of majority rule which presents the possibility of the Soviets being a minority and being voted down, even though they are voted down through a truly democratic process.

This discussion of rules of procedure is related most closely to the next section of this paper dealing with the tactics of negotiation, which obviously require, among other things, putting a knowledge of these rules into practice.

Language Barriers and Difficulties

There are two schools of thought as to whether the language difficulties encountered in negotiating with the Russians are really basic or merely symptomatic, the preponderance of opinion favoring the latter. It is evident, however, that some of our difficulties do arise from the fact that certain English words do not translate well into Russian and vice versa and that certain, often used, English words have an entirely different connotation when translated literally into Russian. Thus, although it is too much to expect that all our differences would be solved if all American negotiators spoke and understood Russian and all Soviet negotiators spoke and understood English, such would undoubtedly clarify and perhaps speed up certain negotiations even though the result might be only an agreement to disagree. In this connection it is not irrelevent to recall the aphorism concerning England and America: two nations separated by a common language.

A few illustrations of the language barrier will help put the negotiator on notice as to what he may expect.

For example the word "compromise" is not a "Russian" word and carries no favorable empathy, its connotation to the

Russian being indicated by the fact that it is habitually used in combination with the adjective "putrid." Mr. Philip Mosley, the source for this example, also lists others which in their total effect place "a special burden on foreign negotiators to phrase their proposals and texts in a form which can be rendered exactly into Russian, if they wish their own positions to be understood." 22/ Among other words which might be expected to cause difficulties is "propose" which in pre-Soviet Russia was translated by "predlagat," but "predlagat" in Soviet usage means "direct," an order which cannot be disobeyed. Yet "propose" is a word in constant usuage by American negotiators as meaning merely "suggest." Another example is the word "aggressive" as in an "aggressive policy" to increase food production or to counteract Soviet propaganda in the sense of an "energetic" or "vigorous" policy. But to the Soviet, "aggressive" translates only as a sinister word meaning "intending to commit or engaged in committing aggression." Mr. Edward Page, 23/ cites as another example the Russian word "nastaivat" which is usually translated into English as "insist" whereas in Russian usage it is more closely related to the milder form of the French "je me demande" or the English "request."

The important point to keep in mind is not that language is the very rock upon which American-Russian relations have foundered but that certain difficulties do flow from language differences and that increased effectiveness, on the part of an American negotiator, may follow from his understanding of Russian just as, conversely, increased difficulties may follow from his lack of understanding. Even if he does not know Russian, an awareness of the difficulties lurking in this problem will serve the negotiator well. Simultaneous interpretation is a magic aid to interlingual negotiations but even the earphones cannot substitute the right word for the wrong one no matter what languages are involved.

Need for a Positive and Firm Position on the Points Important To Your Delegation

Although this paper is directed towards the "how" of negotiation, it is pertinent to point out the necessity for having a firm position, or series of positions before going into a negotiation. This point does not have to be labored. Suffice it to say that a definite position is a prerequisite of successful negotiation and the negotiator sent out to do battle in any arena has a right as well as a duty to insist upon having his position made clear, at least to him, before the opening gavel.

Chapter III
KNOW THE TACTICS OF NEGOTIATION

The choice of headings chosen for discussion is an arbitrary one but it is believed that although the list is not exhaustive, it will afford at least a rudimentary guide for the negotiator entering his first international conference.

Limit Interventions to Important Points

As part of the tactical planning, a choice should be made of the items on the agenda which this government wishes to stress. American initiative should be limited to these important points.

It is a prevalent American practice to prepare a detailed position on every point in a long agenda and to expect the American negotiators to make an issue out of every such point. This state of mind results in part from our inter-departmental committee system of preparing the "United States position," since every possible question which may come up is of special interest to some department or individual and in part from the traditional American desire to "get in there and pitch" even if just to the extent of contributing some "remark." This state of mind has resulted at times in the American negotiators feeling they had to make "the old school try" on every single issue whether or not it was of vital interest to the United States. This "scattering of shots" usually weakens our effectiveness on the important questions partly by wearying our friends by requesting their help on a host of minor points and partly by setting up a "cry wolf" state of mind which resists our really important appeals for help. Thus part of pre-conference preparation should be a decision as to those points which are really of importance to the United States; on other points the United States might maintain a gracious silence or support the cause of some ally or friend when their end is generally compatible with ours and the details of our position not important.

Keep Proposals Simple

When the strategic decisions have been made as to what points on any given agenda are important to us, every effort should be made to putting these American proposals in simple and effective form. By this is meant simplicity both of language and of form of exposition. Too often the negotiator, like many of his fellow Americans, is carried away with the sound of his own

words and the desire to turn a simple intervention into a minor oration. Brevity is nowhere at a higher premium than in international negotiation, particularly because of differences in language. In the preceding section of this paper reference was made to language difficulties. It is in the tactical side of negotiations particularly that language assumes its greatest importance: here the negotiator is engaged in putting across an idea effectively and here language is important for the exposition of an immediate problem or proposed solution. Thus the negotiator should strive towards language which may be so translated into Russian as to leave to doubt as to its meaning. How will the proposal read in Russian? Will it mean the same thing to the Russian that it does to the American?

Care should be taken also to avoid stating positions in terms of broad general principles. Expressions like "free elections" could be avoided by using self-explanatory phrases such as "elections from among a choice of candidates or between candidates of at least two national parties." In other words, ideas should be spelled out in simple words avoiding political or social terms of art no matter how precious and time honored these terms are to the American. To the Soviet they may well have an entirely different connotation, a connotation as equally deeply bedded in Soviet tradition. We may well apply Justice Holmes' words:

> "We must think things, not words, or at least we must constantly translate our words into the facts for which they stand if we are to keep to the real and the true."

The negotiator should avoid the pat phrase and the "traditional American expression." Many of our wartime and immediate postwar understandings and agreements with the Soviets were based on the belief that words and phrases such as "democracy," "freedom of the press," "free elections," "self-determination" and others had the same connotation for the Soviets as they did for ourselves. Our subsequent difficulties should be recalled when similar temptations arise. In any event, a determination to use general terminology should be always a deliberate one based, for example, on a desire to obscure an issue or to terminate a discussion in our own interests.

Submit Proposals in Writing

Whenever a clear position has been agreed upon for the American negotiator, it is immensely helpful if this position can be put into writing in the form of a proposal to the Russians or to the international body concerned in the case of multilateral negotiations.

This will give the negotiator an opportunity to work over his language carefully in the light of the preceding suggestion and it will also give the Russian an opportunity to study it carefully and report it to Moscow in more or less the same form actually proposed.

In this same connection it may be noted that the Russians seem to have almost a mystical reaction to the written word. Their written agreements, written rules of procedure and written proposals all seem to partake of an aura of sanctity. Whether this is the heritage of persons whose immediate forbears were illiterate or whether it is the recognition of the obvious evidence of their own prior agreement is not clear, but advantage may as well be taken of this characteristic to our advantage, if possible.25/

Hold Firmly to a Proposal Once Made, at Least Until Circumstances Change or New Evidence is Brought Forward

Once the government's position has been agreed upon it should be put forward as if it were the last one the negotiator intended to make. The matter of holding firm calls for patience and is a matter of "feel." However, it has been amply born out that the Soviets appreciate firmness and even toughness when it comes to ehunciating and then holding to a position.26/ Former Senator Vandenberg describes the success of the United States in insisting on provision in the United Nations Charter for discussion in the General Assembly of all matters covered by the Charter. He cites Stettinius's winning move in giving Russia "until noon to accept anyone of three alternative texts," the fourth alternative being that the United States would move alone. The successful outcome of this tactic which resulted in acceptable Russian action was "a tremendous lesson" for the Senator who concluded that:

> "for the sake of future relations with Russia, we must make them understand that the United States means what it says and that we cannot forever be bluffed down." 27/

The duration of time for holding a position must always depend on the circumstances. The American negotiator must hold to his original position at least until the Soviets, after attacks upon it, are convinced he means what he says. The practice frequently followed by American negotiators of hopefully trying out a variety of positions or of minor varaitons must be resisted. Far from demonstrating to the Soviet negotiator a willingness on the part of the American "to bring the opposing positions closer together," it merely convinces the

Soviet that the original American position never had been a firm one. It is argued by some[28] that it is not until the Soviets have tested an American position from many angles and found it steady that it will be reported back to Moscow, as "the" American position.

When then is the compromise or concession to be put forward? Here we enter into an indefinable area; here the experience, the "feel" of the negotiator, his knowledge of the Russian character, all must be brought to bear. John Hazard[29] makes the point that a negotiator "is lost if he changes his position for reasons other than the presentation of new evidence." This approach acknowledges the narrow margin within which one may seek compromise with the Soviets but for better or worse the narrowness of this margin must be recognized and respected. It may be that if no "new evidence" is to be put forward or if circumstances do not change, that an impasse will be reached. This may just as well be recognized and the negotiations terminated. The chances are that if the original position is varied without good reason, and by that is meant reasons accepted as such by the Soviets, no good will come of the proffered concessions anyhow. The meeting of the Deputies of the Council of Foreign Ministers is an example of this.[30] The basic position of the Western Governments on the agenda never did change: they wished a general discussion of the causes of tension in the world and they resisted Soviet moves to limit the discussion to the demilitarization of Germany or later to extend coverage to disarmament of the Western Powers or to the North Atlantic Treaty. However, in attempts to meet the Soviet position, or "positions" halfway, the Western deputies made a series of offers to modify their original position so as to make it possible for the points raised by the Soviets to be brought forward under the general terms of the proposed agenda. There were no reasons for this other than the Western wish to teach agreement. The basic difference, the Western wish to frame an agenda in broad terms permitting the Foreign Ministers to discussion what they thought relevent to the causes of tension, and the Soviet wish to limit discussion to a tightly worded agenda of specific items, never was resolved. Far from appreciating the concessions made by the Western Powers, the Soviets seemed to look upon these moves as signs of weakness indicating that sooner or later the West would accept the whole Soviet position. Nearly four months were consumed in reaching "no agreement." Although the West was conscience-bound to try to avoid and impasse, this mere desire to reach agreement meant nothing to the Russians unless the circumstances changed; and the circumstances never changed.

Assessment of the Soviet Position

It goes without saying that along with the presentation and development of the American position should go an assess-

ment of the Soviet position. What do they want? Have they a vital interest or are they just talking? Is there a "horse-trading" area or does the issue seem to be one on which both sides have taken or will take immovable positions? Every effort should be made to assess the Soviet position in advance through all possible means and this preconference assessment should be continued all during the negotiations themselves. The more accurate the assessment of the Soviet aim, the better chance there is of so phrasing the American proposals as to hit the Soviet position in its weakest point or, in a multilateral negotiation, show the American position in its most favorable light and the Soviet position in the most unfavorable. An example might be seen in negotiations concerning freedom of the press. The Soviets have no interest in the freedom of the press at home, and their repressive practices are well-known. The United States negotiator might, therefore, direct his attention less to expatiating on the need for the nations of the world increasing freedom of the press, and more towards pointing up Communist practices which per se would seem to deny freedom of the press. At the same time he might inquire as to what affirmative suggestions the Russians have to make towards the achievement of a truly free exchange of information, freedom of movement for journalists and the uncensored transmission of news stories. Reverting back to the reference herin to language barriers, the phrase "freedom of the press" should not be used without definition, that is, spelling out what is meant in practice.

Strategy of the Private vs. the Public Approach

It is in this area that the American negotiator is caught between the horns of a dilemna. Should he follow Wilson's dictum of "open convenants openly arrived at" or should he be more concerned about what would be the most effective approach to his adversary? Are we interested in waging and winning a propaganda battle or of concluding an issue?

There is a measure of difference between negotiating in a United Nations forum and in the partial seclusion of a quadripartie or purely bilateral negotiation. Yet in all cases, the same general principle will apply: do we want to put the Russians on notice in advance of what we wish to propose with the thought that this approach will receive their more thoughtful consideration? Or do we want to blast them publicly on some issue on which we doubt their final agreement, in any event, but on which we wish to line up international public opinion on our side?

In the former event, it is submitted that the private approach will always be more effective. Mr. Jessup tells of a conversation with a Nationalist Chinese general to the effect that although the Westerner could negotiate effectively with a

Western educated Chinese because the latter know our ways, the Westerner failed to reach real understandings with non-Western educated Chinese because the Westerner not only failed to understand the Chinese but made no effort to. Had the Americans made an effort to understand the Chinese they would have known that an initial public approach was regarded as an insincere approach; a serious approach was a private approach. This aspect of oriental thinking appears to have influenced the Russians greatly. Certain of our State Department officials are convinced that the best method of really sounding out Russian opinion is to make a private approach: if the Russians are receptive they will keep the matter secret and in due course put out a counter feeler; if they are nonreceptive, they will immediately plaster the offer all over their papers as another example of Capitalist perfidy. Two examples of this are the Jessup-Malik private conversations in the corridors of the United Nations headquarters with reference to the Berlin airlift which was successful, and Ambassador Kirk's private approach in Moscow to Malik with reference to a solution in Korea. This latter attempt was picked up by Vishinsky and lampooned to the hilt. Obviously the Russians had no intention at that time of doing anything to ease the tension in Korea.

Hans Morgenthau in his chapter on "The Futute of Diplomacy" in Politics Among Nations, makes quite a point of the inconsistency of thinking that international bargaining is any different from domestic political bargaining or any kind of commercial bargaining. No individuals engaged in this kind of a transaction would think of carrying on his negotiations in the public eye. Although we are committed to public meetings, particularly in the United Nations, we are not precluded from doing our preliminary negotiating on the side. Morganthau suggests that the parties to a negotiation would rather not be remembered in their preagreement roles:

> "There are more edifying spectacles than the bluffing, blustering, haggling, and deceiving, the real weakness and pretended strength which go with horse-trading and the drive for a bargain." 31/

Keeping in mind that we usually are seeking to have the Russian change his mind on some point or to refrain from committing himself in advance of real discussion, there is much to be gained from an advance nonpublic approach.

The "Horse-Trading" or Quid Pro Quo Approach

The most effective approach is made to the Soviets, obviously, when we have something to offer them as well as

something to ask from them. The same thing may be said for a Soviet approach to the United States. Negotiators, and the public, are often disappointed in Soviet failures to meet us halfway when in the Soviet opinion, there may be nothing in it for them. It is the responsibility of the negotiator so to phrase and state his proposal as to suggest to the Soviet a horse-trading approach on his part. There have been statements made in the earlier sections of this paper to the effect that the Soviets are by nature poor compromisers. Nevertheless, there is ample testimony to the effect that when a quid pro quo proposition is put up to the Soviet, he will recognize as fast as the next man what his interest is and what kind of counteroffer will get results.

The "horse-trading" technique is referred to by various officials who have been through the mill. Senator Vandenberg,[32] in referring to the American successes during the first meeting of Foreign Ministers in Paris where the United States had taken a completely firm position with regard to Germany and human rights as referred to in the Atlantic and the United Nations Charters, said at one point:

> "There was no doubt that Molotov was in a 'trading mood'....he had made a 'big concession' (namely Tripolitania), and what was he going to get in return. He asked that question a hundred times."

During this same Paris meeting after two days of debate one of the Soviet advisers said to Mr. Bohlen, "Why doesn't he (Mr. Byrnes) stop this talk about principles, and get down to business and start trading?"[33] General Deane cites the quid pro quo basis as "the only basis upon which we can establish reasonably good relations with present Soviet leaderships"[34] with the "quid running concurrently with the quo." Even in the postwar Hungarian-Soviet negotiations about the Hungarian debt, Nyaradi,[35] the then Hungarian Finance Minister referred to this characteristic: "now the horse-trading-period of our negotiations began."

All of this presupposes, of course, that the American negotiator will not place all his cards on the table at the first round. When to advance from the firm opening position discussed above to the horse-trading approach is a matter of timing to be gained only with experience. A start is gained, however, if the negotiator does not give away all his pawns on his opening gambit. Some persons, such as Mr. Jessup, believe this horse-trading approach can be effective only on the highest level of official negotiations where some slight measure of discretion, or at least a personal avenue of approach to the Kremlin may be open to the Soviet official involved.

Be Prepared to Make Concessions to the Soviets or to agree with Soviet Proposals when such is in the United States Interest or is not in Derogation of United States Interests

It is felt advisable to mention this point, which may be thought obvious, because of the feeling some American negotiators have that they would rather be "caught dead" than caught agreeing with the Soviets in public fearing this will throw doubt on this patriotism. This is a short-sighted view and one calculated to annoy our non-Soviet allies and lose us votes. To insist on disagreeing with the Soviets just because they are Soviets is too picayune an attitude for a great power like the United States to maintain. This is not to imply that the United States should follow a policy of appeasement or of giving everything away just for the sake of attaining some kind of accord. Mr. Jessup phrases the issue well:

> "The process of international negotiation requires concessions but not concessions at the expense of principles or of the rights of others. Appeasement is again a distortion of negotiation and creates instead of allaying tension." 36/

In the Quakers report The United States and the Soviet Union 37/ this problem is succinctly put: The United States should seek to improve the atmosphere (in this case the United Nations but the application is universal) by "Seeking out significant issues on which the United States could, without jeopardizing its fundamental beliefs, vote with the Soviet Union." Our national interest or our fundamental beliefs are the nubbin of this problem, not the fact of agreement or disagreement with the Soviet Union. In fact, the United States and Soviet Russia have voted the same way on numerous occasions frequently in opposition to certain too far-reaching conventions such as that on Freedom of Information; less frequently on such constructive measures as the Palestine Settlement and Relief Measures. On the other hand, we have certain deep-rooted differences on which we disagree with the Russians not just because they are Russians but because we will not accept certain views on, say, forced labor, or the Economic Commission for Europe no matter what country advanced them.

A nice point does arise in connection with some Soviet proposals for United Nations action which are designed to throw the Soviet into the role of the exclusive world savoir. One example is the Soviet "war mongering" resolution in the United Nations General Assembly. Should the United States seek to amend such aSoviet proposal so as to bring it into accord with American principles?

Or should the United States seek ab initio to substitute a proposal of its own for that of the Soviets? The answer cannot be generalized but it is submitted that the United States might have taken the former course with no loss of prestige, and the added gain of an appeal to the neutral. It seems probalbe that the Soviet propaganda line would be the same in any event, that is, an attempt to disparage either the American improvements or the American initial proposal, while we might have gained stature in the eyes of our friends by the exercise of the small amount of restraint involved in refraining from submitting our very own proposal. This problem of "to amend" or "to substitute" will continually arise and on each occassion will bear careful thought. However, the "doctrinal" fact of our agreeing or not agreeing with the Soviet per se should not be the controlling factor. Mr. R. B. Fosdick puts the proposition neatly in analyzing the present day situation between the United States and the Soviet Union with the once deadly struggle between Catholicism and Protestantism when the rival cries went up: "No compromise with heresy" and "No compromise with Rome!" We must at least be sure of avoiding in our struggle with the Soviet Communists the practice on which Fosdick cites Gibbon, of indulging in "the exquisite rancor of theological hatred."38/ For this, indeed, is the very sin of which we accuse the Soviets. Of course, it is not to be denied that certain of the U. N. discussions do take on a theological coloring!

Avoid Agreements in Principle

Negotiators must resist the temptation, especially after tiring and often acrimonious debate, to enter into a generally worded agreement just to end the debate. The frustrations and disappointments of negotiating with the Russians can build up a strong desire to have done with the business at any cost, an urge which is not easily combatted. This desire may apply equally to our friends or to the neutrals in a multilateral negotiation and under those circumstances becomes evem more difficult to resist. Early in the wartime and postwar relations between America and the Soviet Union there was a tendency to enter into agreements in principle partly so as to get on with the war and partly because we based our approach on a basic confidence in the Russian desire to go along with us. It was soon found out, however, that American gains "in principle" were soon lost to the Russians "in practice."

When approaching what appears to be the culmination of negotiation, the American negotiator should make every effort to have spelled out in detail the agreement reached or steps to be taken to implement an agreement. Attention should be given especially to so defining terms used as to permit no misunderstanding in the future.

General Considerations: Sensibilities of Other Members of the Conference and the Public; Use of "Front Men," and a Caveat on Russian Tactics.

The negotiator will do well to keep in mind that he is negotiating in front of representatives of other nations, some friendly and others hostile, as well as the general public, in part friendly and in part highly critical, whenever he takes part in multilateral conferences. (This inhibiting effect on an American negotiator in working always in the American public eye sometimes on sensitive issues, both foreign and domestic, is not dealt with in this paper.) In using the tactics suggested above, he should take care not to antagonize friendly colleagues by time consuming and, to them, often unnecessary efforts to defeat certain Russian points which may not be germane to the issue. He should also avoid giving the impression that the Russian and the American representatives are the only persons who count. Unnecessary "arm twisting" of friendly delegations, as in the course of seating Greece on the United Nations Security Council in 1951, may weaken United States effectiveness on more important issues. In this connection Section 1 above is relevant. Initiating United States proposals on every issue can also be overcome. On the other hand, a successful proposal may sometimes be engineered through a friendly delegation thus taking the spotlight from the United States and putting it on a delegation whose favor the Soviets may at the time be courting. In all cases, the negotiator's conduct should be regulated strictly by the pertinent rules of procedure and by the American "rules of the game." For the United States, the means are important as well as the ends, -- often more so when minor issues are up -- particularly because in the open forum our ends may be judged by the means we use to pursue them. As Mr. Acheson once said, 39/ "It is in the nature of a democracy to recognize that the means we choose shape the ends we achieve." Nowhere is this more true than in multilateral negotiation; even in private negotiation we depart from this rule at our peril.

Chapter IV
KNOW YOUR OPPONENT

Introduction

Having in mind certain basic fundamentals of negotiation and tactical rules, the last point to have well in hand is a knowledge of your opponent, his history, his character and his tactics.

It is well to recognize from the start that most persons who have dealt with the Russians agree with the rueful judgment of Paul Winterman, former Moscow correspondent for the London News Chronicle, that "there are no experts on Russia -- only varying degrees of ignorance." 40/ It is also agreed that the Russian is "a stubborn and resourceful negotiator" and a formidable opponent, 41/ strengthened by what Bismarck called "the elementary force and persistence" of the Russian character. 42/ Former Secretary Byrnes in

Speaking Frankly 43/ confesses that in his whole life as a lawyer, Congressman, Senator, Supreme Court Justice and director of two great war mobilization organizations he had had "no experience that prepared me for negotiating with Mr. Molotov." If one single lesson emerges from this it is, "do not under-rate your opponent." The acceptance of this basic adage and an understanding of some of the reasons for this judgment may help to lessen the "degrees of our ignorance."

Russian History, Social Conditions and Marxian Dialectic

This is not the place for a review of Russian history even Russian diplomatic history or of the numerous books available on Russian history. It would be enough if the negotiator were conversant with the story of Russian expansion; its treaty dealings with the West: the Revolution; the Marxian dialectic and its use as a tool and the hierarchy of the Russian State and of the Communist Party. This background is essential if one is to interpret correctly Russian moves and make effective use of past Russian inconsistancies during debate. It has been observed that the Russians are most sensitive to factual revelations of economic and social conditions in Russia, especially when quotations are drawn from Soviet sources. Several very successful interventions along these lines have been made by the United States in the U. N. Economic and Social Council. 44/

Recognize the Divergencies Between the American and Soviet Political, Economic and Social Systems and the Basic Differences in their Approach to Government at Home and International Relations.

It is important, first, to recognize that these divergencies are wide. The divergencies are in fact, such that they prompted one negotiator to say of the international refugee negotiations: 45/

> "Our negotiators were talking with men whose mercy was not as our mercy, nor their justice as our justice, nor their idea of compromise as our idea of compromise."

America is a democratic, federal nation, built on compromise among diverse population elements and among states of varying size and wealth. Our political freedom is built on the idea of co-operation among equals and the belief that such equality "eliminates the basic reason for political disruption because equals politically are 'co-ordinate' in dignity and rank," and able to achieve that common identity of interest which makes them "members of the same political family." 46/ Americans naturally tend to treat their international relationships in the same way.

The "Four Freedoms" of President Roosevelt were realities to the American people. After the war they sincerely hoped the Russians would co-operate to make them a reality. But the American was dealing with a new type of character. The light had dawned by 1946 when Secretary of State Byrnes is quoted as saying to Molotov during the Paris peace conference;

> "The difference between us is that we start with the facts and try, however falteringly and even selfishly, to reach true and fair conclusions, while you start with the conclusions you want and try to select and twist the facts to your own ends." 47/

On the other hand, the Russian lives in a monolithic state where, as General Deane puts it, 48/ "his freedom of action is only in the method used to support his master's point of view." Whereas the American believes you can "get along with everybody" and that no conflicts are inevitable, the Russian has an unquestioning faith in the inevitability of conflict between his Communist world and the imperialistic, Capitalist world outside. The Russian is fortified in his belief by what Waldeman Gurian 49/ calls his "political religion which ascribes to one group, the party, knowledge of the aim of history and society." This concept of "rightness," which defies the possibility of compromise with the West is succinctly put by Stalin in his History of the Communist Party of the Soviet Union: 50/

> "The power of the Marxist-Leninist theory lies in the fact that it enables the party to find the right orientation in any situation, to understand the inner connection of current events, to foresee their course and to perceive not only how and in what direction they are developing in the present, but how and in what direction they are bound to develop in the future."

Recognize the Existence of Soviet Hostility Towards the United States and a General Suspicion of "the West."

To an American brought up in the atmosphere of Will Rogers' "I never met a man I didn't like," the ubiquitous social popularity contests and the addiction to the importance of the concept so bluntly put by Dale Carnegie in How to Win Friends and Influence People, the existence of hostility towards himself, or of out and out unfriendliness, is bound to be disturbing. However, we must be mature enough to accept what appears to be the fact that official Russia just does not like us. 51/ Comments of experienced negotiators range all the way from Bedell Smith's

"we must accept the Kremlin's long-range hostility as a working premise" 52/ to atomic energy negotiator Frederick Osborn's characterization of the Soviet's attitude as "remarkably hostile." Accepting this hostility our tactics must be directed towards softening it, circumventing it or over-riding it. The negotiator must be aware that he is not going to succeed on the basis of his "popularity" with his opponent who will regard his every move with the utmost suspicion.

Part of this hostility springs from a deep lying suspicion of the West in general, another feature of Russian character on which there is unanimity of agreement among those who have written on this subject. It is General Deane's 53/ opinion that the Russian suspicion of foreigners, all foreigners, is so inbred that it taints all his dealings and negotiations and even his formal agreements: it is inconceivable to the Russian that a foreigner would enter into an agreement in good faith. Deane believes this suspicion can be overcome, in a measure, by dealing with the Russians in complete frankness and always living up to the letter of those agreements we do make. Deane's experience was gained while negotiating with the Russians as wartime allies: what might be considered favorable conditions. 54/ This suspiciousness causes the Russian to question every move to test what might be the motive for the suggestion, proposal, request, etc., in terms of a possible slight to or future attack on his homeland. The existence of this suspicion points up the care which must be taken in presenting any proposals, as will be dealt with herein, in order that they may be so couched and so put forward as to raise a minimum of suspicion and thereby forward rather than delay the negotiations at any point.

Soviet Talkathons and Tactics of Filibuster and their Patience

The Soviet penchant for wordiness in international meetings has been a cross for all negotiators to bear from the first postwar peace conferences of the Foreign Ministers to the Japanese Peace Conference and the current Korean truce talks. "Time, of course, traditionally means little to the Commies," as Major General Graigie said of the Korean negotiations, and the statement applies equally to all Communist negotiators wherever they appear. It may be this is just a normal Russian practice: Malenkov spoke four hours at the recent meeting of the Soviet Party Congress. The endurance of the Russian in his endless speech-making must be matched by an unruffled listening patience on the part of his American opponent.

The talkativeness of what might be termed the "filibustering" of the Russians has been the subject of special study by the Carnegie Endowment for International Peace. 55/ This study shows, for example that during the 3rd session of the

General Assembly the Russians and their satellites made 20 out of the 23 speeches of more than half an hour in length. Altogether the Russians made 57 speeches, their nearest competitors being the United Kingdom with 29, Poland with 28 and the United States with 21; less than 10% of the members made more than a quarter of the speeches. This practice is not limited to the General Assembly. In his description of the atomic energy negotiations, Frederick Osborn 56/ concluded that the Soviet delegate talked four times as long as any other delegate and that when chairman he interfered with the discussion far more than did any other chairman. A similar situation is described by Mr. Walter Kotschnig, deputy United States Representative on the Economic and Social Council. 57/ At the 1948 summer session the speeches of Soviet, Polish and Byelorussian representatives took up a third of the time taken by all the 18 members together. The Soviet representative alone consumed 900 minutes, more time than the combined time of the representatives of the United States, the United Kingdom, France and China.

Two possibilities are open to the American faced with such verbal onslaughts: One is patience as dealt with above, patience which will permit the American to outwait his opponent and at the same time win some goodwill from other members of the conference by virtue of his restraint. The other is to resort to the appropriate rules of procedure for limiting debate and for keeping the debate on the point under discussion. For example, the Rules of Procedure of the Economic and Social Council provide for limitation of debate under certain circumstances. The relevant rule reads, "The Council may limit the time allowed to each speaker and the number of times each member may speak on any question," 58/ except for procedural questions where a five minute limit applies. A similar rule exists for the General Assembly. It is not necessary to add that the Soviets look upon such rules, usually proposed by the U. S., as a direct attempt to limit Soviet interventions (a correct interpretation, of course).

Inflexibility of Soviet Conference Instructions

The Soviet negotiator is not given the broad discretion so often given to the American negotiator. It is evident that Soviet instructions, when given, are minute to the last detail and are to be followed in detail. 59/ Within a general framework, and in line with policy objectives, an American negotiator has discretion to move about and accomplish his objective in the most effective manner possible. James Reston 60/ makes the pertinent comment that the very inflexibility of his instructions is a great mental assistance to the Soviet negotiator who, having only to parrot his instructions, does not tire as quickly as the American who must exercise discretion and take responsibility for the

concessions he proposes.

The fact of strict instructions is further confounded by the Russian characteristic of inability to compromise in the face of a fear he will be considered weak. Whereas to the American, honest compromise reached through negotiation is an indication of ability to make our democratic system work, to the servant of the Soviet Union compromise is weakness. Major General Craigie was particularly impressed by what he called the "almost fanatical fear of appearing weak" which made the Communist Chinese resist any indication of giving in and fight over every little detail. Nor do offers on our part to make minor variations, or even go halfway, seem to instill a desire to do likewise in the Soviets. On the contrary, any sign of compromise on our part is usually interpreted as a sign of weakness which encourages the Russians to hold out even longer in the hope that we will surrender our entire position. As Stephen Kertesz, former Hungarian diplomat, puts it: 61/

> "Friendly gestures and especially the policy of appeasement are considered as traps or signs of weakness. An independent way of thinking and an independent political attitude is utterly incomprehensible to the suspicious Soviet mind."

Contributing to the implacability of Soviet negotiators appears to be their constant fear of the Kremlin and their desire to show their masters that they did their best. Apparently it is better to battle for a point to the very end and then lose it than to compromise. Mr. Philip Jessup tells of an experience he had on the United Nations Committee on the Codification of International Law. In the discussion, the Western representatives went 90 % of the way towards the Soviet position but when the Soviet representative refused even then to meet his coleagues on the remaining 10 % the Western members went back to their original position. When Mr. Jessup questioned the Soviet representative as to why it would not have been in the Soviet interests to compromise in order to get 90 % of their proposal, the reply was, "I am not interested in compromises." Anything rather than appear weak before the Capitalist enemies!

One more factor may be mentioned as contributing to the difficulty of getting a Russian negotiator to change his mind and that is the difficulty he has in getting any change in instructions, even if he is willing to ask for them because of the ponderousness of the Soviet bureaucracy "back home." Whether the slowness with which responses come reflect a purposeful desire to obstruct or just inefficiency is a nice question, but the fact of delay does exist and undoubtedly the attitude is reflected in turn in the hesitation of the negotiator on the spot to request changes

whether for doctrinal or time lag reasons.

Soviet Conference Practice of Vilification and Diatribe

The negotiator must rapidly become inured to insult and wild accusations. There are some who say that the Soviets do this to try to get under an American's skin; others that it is just a Soviet characteristic, a type of approach which they take even with each other. An American must expect to be referred to as a "Fascist", an "Imperialist" and a "war monger." Examples of the affront direct are Vishinsky's "while our blood flowed, you were making profits" and 62/ Gromyko's "If certain governments want to live on the remains from American stables and sell their freedom for American aid, it is their own affair." 63/ This is not to say that the negotiator should learn to enjoy it but only that he should learn to accept it as all part of a day's work. The Soviets seem not to have any personal animosity towards their colleagues; they are only expressing their argumentative views in the manner they believe most effective. In any event, a negotiator may always expect a rough-and-tumble far from the classical diplomatic tradition bemoaned by Lord Vansittart. 64/ Perhaps a labor negotiation on the San Francisco waterfront ten years ago offers as close an analogy as is possible to a vigorous Soviet attack. There is no indication that we will get away from this Soviet technique of abuse in the near future. What we must do is make the best of the situation in the interest of attaining our national objectives regardless of the obstacles, our policy still being that words are preferable to bullets. The negotiator must not be surprised by such abusive tactics, nor thrown off by them nor allow himself to be so provoked as to impair his ability to deal objectively with whatever basic issue is under discussion.

It must be kept in mind that the Russians in conversation following a meeting or when entertaining officially are not personally disagreeable. The American negotiator should no more be thrown off by this change of pace than he is by the calculated insult during a meeting.

Refutation of Diatribes

There is a difference of opinion as to just what is the best attitude to take in the face of violent Soviet abuse, propaganda attacks and false charges. The two extreme alternatives are: (1) to ignore them on the grounds that response only bores the other participants to the negotiations and lends credence to the charges; or (2) to reply in detail on the grounds that if no response is made, the implication is that the charges are true. For example, the need for reply was strongly urged by various friendly delegations to the 1951 General Assembly of the United Nations in Paris. Their home papers were carrying the

the Soviet charges but, because of the restraint of the American negotiators, had no counteracting stories to carry on the American position. These attacks usually involved issues completely extraneous to the matter under debate and thus subjects upon which the United States would not normally have commented. It was believed necessary under these circumstances to counter certain Soviet charges and persons such as Mr. Channing Tobias, a prominent American Negro, were highly successful in refuting absurd Soviet charges by a masterly factual exposition and, at times, by humor. 65/

Where replies are given it is most effective to keep them brief, to the point and completely factual. After a specific refutation is made, the preferable practice is merely to refer subsequently to such statement as may be necessary, not repeat it. This will save the time of the negotiators and the nerves of the listeners. The atomic energy debates brought Frederick Osborn to the same conclusion:

> "To a very real extent they (the delegates) became hardened to Soviet name calling, and learned that it was often wiser to reply briefly, or even not to reply at all, than to become involved in arguments which seemed to have no purpose except delay or the attempt to catch up on some poor use of words." 66/

Actually the truth lies, as usual, somewhere between the alternatives noted above although if one must err, erring on the side of "no reply at all" is the better part of wisdom. Mr. Churchill, in commenting on the rebuffs he received from the Soviets during the war, wrote, "Almost invariably, however, I bore hectoring and reproaches with 'a patient shrug; for sufferance is the badge' of all who have to deal with the Kremlin." 67/ Senator Vandenberg describes a similar British reaction at the 1946 Council of Foreign Ministers. During the discussion of the disposal of the former Italian colonies, Molotov lashed out at Bevin in a most insulting manner accusing his foreign policies as representing the "worst of 20th century imperialism," linking him with Churchillism and so forth. After the tirade had ended, Mr. Bevin's only reply was, "Now that you have that off your chest, Mr. Molotov, I hope you feel better." 68/ It is not so much that the soft answer turneth away wrath but that the wrathful answer accomplishes nothing.

It is interesting to note that the Bolton Report on The Strategy and Tactics of World Communism 69/ in commenting on measures to be taken to fend off Communist sabotage and interference, state in part that; "We must avoid a drift into recrimination and abuse..... against them (the Soviets). That case calls for mastery, not for drift, and recrimination is a

form of drift."

The negotiator should, above all, avoid being drawn into a pointless debate point by point or a verbal duel where he may well be worsted by opponents who are past masters in the art of insult and falsity. This does not rule out our position clearly and refute Russian misstatements where they exist and which can be circulated separately.

Although the Russian is certainly not without a sense of humor, this attribute is strikingly absent from Russian negotiations. An exception occurs in those instances when as biting satire, it becomes a fearsome weapon in the hands of such a master as Vishinsky. However, the good-humored spirit of give and take of the all-American negotiation is conspicuously absent from our Russian negotiations. The Russian seems unable to accept our sometimes light treatment of serious matters and is inclined to look for hidden motives in innocently humorous remarks. In case of doubt, the American negotiator can well afford to resist the temptation to "lay his colleagues in the aisles" although a humorous point well taken is, as always, a breath of fresh air even when filtered through ear phones.

The strict sense of protocolaire of the modern Russian must always be kept in mind. Not only is he overly conscious of possible slights to his country and himself but he carries to an extreme the practice of dealing only with equals in the political heirarchy. Junior negotiators must not expect the easy American practice on interchange of ideas between officials of differing levels to be followed in the international forum when the Russians are involved. The negotiator may in general count on following strictly the "opposite number" approach; attempts to depart from it in the interests of cutting corners will universally only delay matters further.

The Russian sense of secrecy is not to be ignored. Essentially, it is sufficient to be prepared to have each and every request for information looked upon as an attempt to ferret out "state secrets." This outlook applies to gold reserves, numbers of freight cars, miles of train tracks, birth rate and crops as well as to more obviously security information. Even during wartime General Deane 70/ found it impossible to get information on such matters as the nature of military tactics used, success of certain tank operations, airfield locations and so forth. The Communist regime apparently operates in "absolute security" and the state alone is the one to decide what information is security. A dramatic example of a tragedy which followed from a lack of understanding of the Soviet security

code is furnished by the case of William Oatis, the Associated Press correspondent imprisoned in Prague for spying: his heinous offense was sending out a story on the open wire about a new uranium discovery in Czechoslovakia, a matter of great pride locally and presumably public knowledge.

Misunderstandings may be avoided by refraining from asking for information which will only serve to convince your particular opposite number that you are after information dangerous to the security of the Soviet state, an indication that the whole negotiation is a ruse.

On the other hand, of course, this Soviet insistence on secrecy may become a propaganda weapon in American hands during open multilateral negotiations when we can spread our information on the table and ask for a similar expression of good faith on the part of the Soviets.

Finally, it might be stated that the Russian tactics must be kept under careful scrutiny at all times. They are past master of such ruses as getting in the last word even on a United States proposal by delaying until almost after "the last minute" their request to be included as the last speakers on a closing list of speakers. They are adept at delaying matters by referral and re-referral of matters to subgroups and by re-arguing issues without change of position up through a hierarchy of subcommittees, committees, commissions, councils and assemblies. Careful attnetion to the proceedings, thorough understanding of the rules of procedure, refraining from bombast and careful planning of conference strategy can do much to thwart these Soviet moves and bring your own proposals through to approval. The greater part of current negotiations are multilateral negotiations and although bilateral negotiations will often end deadlocked in a tie, the multilateral negotiation gives an opportunity for bringing off a favorable majority decision in spite of Soviet efforts.

Predictable Conduct of Soviet Satellites

Many if not all of the characteristics discussed above will be found in the satellite representatives attending the various conferences. Certainly in all meetings of the various bodies of the United Nations, whether it is the General Assembly or the Commission on Human Rights, it is assumed the Soviet and the satellite representatives will speak with one voice and indulge in the same tactics. Another point to keep in mind is that the Soviets will often use one of their satellite's representatives as a "fall guy". This may be to try out a particular approach which, if it boomerangs, might possibly reflect badly on the Soviets or to carry on the constant reiteration in playing over and over again the same record played originally by the Soviet

representative himself. An illustration of this tactic was seen during the Japanese Peace Conference in San Francisco 71/ where Mr. Gromyko used Mr. Wierblowski, the Polish delegate, as a stalking horse in a series of procedural maneuvers intended to delay the conference and prevent the signing of the treaty. Secretary of State Acheson's masterly handling of the procedural questions defeated this maneuver but by the device of using the Polish and to a lesser extent, the Czechoslovakian delegate, Gromyko avoided drawing too much adverse attention to himself.

As a countertactic, the American negotiator should keep in mind the possibility of exploiting differences between Soviet Russia and her satellites. Such differences may lie in national aspirations, national cultures, unfavorable economic treatment or racial discrimination. This particular problem would appear worthy of separate study and consideration by the State Department, the CIA and the PSB. It is merely mentioned here as a possibility for the negotiator who feels he is up to such an attempt.

FOOTNOTES

1. Hans J. Morgenthau, Politics Among Nations, p. 432.

2. Ibid; also:

   James Reston, "Negotiating with the Russians," Harper's Magazine, Vol. 195, August 1947, p. 97;

   Articles by Messrs. R. F. Penrose, C. E. Black and Frederick Osborn in Negotiating with the Russians, ed. by Raymond Dennett and Joseph E. Johnson, World Peace Foundation;

   John Fischer, Why They Behave Like Russians;

   George Stoddard and Philip C. Jessup, Lectures at NWC, 1952.

3. John Fischer, "Unwritten Rules of American Politics," National War College reprint from Harper's Magazine, November 1948.

4. Frederick Osborn, "Negotiating on Atomic Energy, 1946-47," Negotiating with the Russians, op. cit.

5. Ibid; p. 236.

6. Report of Subcommittee No. 5, National and International Movements, Hon. Francis P. Bolton, Chairman, Committee on Foreign Affairs The Strategy and Tactics of World Communism, 80th Congress, 2nd Session, House Document No. 619.

[redacted]

7. Philip C. Jessup, "Upholding Principles and Rights of Others in the Process of International Negotiation," State Department Bulletin, Vol. 23, July 3, 1950, p. 26.

8. Ibid.,

9. Chester Wilmot, The Struggle for Europe, p. 630.

10. New York Times, May 31, 1951.

11. John Fischer, Why They Behave like Russians, p. 255.

12. Walter Bedell Smith, My Three Years in Moscow, p. 224.

13. Arthur H. Vandenberg, Jr., The Private Papers of Senator Vandenberg, p. 208.

14. Ibid., p. 271

15. State Department Bulletin, Vol. 16, p. 923.

16. See footnotes 16, 54 and 57 and the Rules of Procedure of such specialized agencies as The United Nations Educational, Scientific and Cultural Organization; the International Labor Organization; the World Health Organization and others. Reference may also be had to such standard works on rules of procedure as Henry H. Robert's Rules of Order, and Clarence Cannon's Procedures in the House of Representatives or two lesser known but excellent works: John Q. Tilson Manual of Parliamentary Procedure and Paul Mason Manual of Legislative Procedure for State Legislative and other Legislative Bodies (California State Printing Office).

17. Rules of Procedure of the General Assembly, United Nations Publication A/520/Rev.1, 1 January 1950, Rule 122.

18. This was the First Congress of the World Meteorological Organization, Paris, 1951. The main task of the Congress was to establish the WMO on the basis of its new Convention which had been drawn up in 1947 and was designed to transfer this formerly limited organization of meteorologists into a specialized agency of the United Nations. The Soviet Union and all its satellites except Albania are members and were present. In addition to being a member of the WMO and the United Nations, the Soviet Union is a member of the International Telecommunication Union and the Universal Postal Union. Soviet Union membership assures a political tinge being given to every question, even in technical meetings, and increases the need for giving "political" attention to all meetings regardless of their supposed limited scope if the Soviets attend. For example,

[redacted]

the Chinese Communist representative was seated by the Universal Postal Union's Executive Committee in 1950 and then "unseated" the next year by U. S. initiative.

19. Japanese Peace Conference, San Francisco, California, September 4-8, 1951, Department of State Publication 4392, released Dec. 1951.

20. Department of State, Division of Historical Policy Research, Research Project No. 278, The Paris Session of the Deputies of the Council of Foreign Ministers, March 5-June 22, 1951, p. 65. The meeting was convened at the request of the Soviets to work out an agenda in preparation for a top level meeting on Germany. It ended in failure after 4 months of debate.

21. Major General Laurence C. Craigie.

22. Philip E. Mosely, "Techniques of Negotiation," Negotiating with the Russians, op. cit., pp. 196, 293.

23. Edward Page, State Deputy, NWC.

24. See generally Philip E. Mosely, op. cit., 55; John N. Hazard, op. cit., 39; and other articles in Negotiating with the Russians; Mr. Edward Page, State Department Deputy, NWC.

25. John R. Deane, The Strange Alliance.

26. "The Private Papers of Senator Vandenberg," p. 214.

27. Vandenberg, Ibid., p. 214.

28. Mosely, op. cit., p. 298.

29. John N. Hazard, "Negotiating under Lend-Lease," Negotiating with the Russians, p. 46.

30. Department of State, see note 19, passim.

31. Hans Morgenthau, Politics Among Nations, p. 432.

32. Vendenberg, op. cit., p. 286.

33. James F. Byrnes, Speaking Frankly, p. 280.

34. John R. Deane, "Negotiating on Military Assistance, 1943-1945," Negotiating with the Russians, op. cit., p. 27.

35. Nicholas Nyaradi, My Ringside Seat in Moscow. Mr. Nyaradi was Hungarian Minister of Finance and a member of the Small Landholders Party; he is now a refugee in the United States following the Communist Party's "taking over" in Hungary.

36. Jessup, op. cit.

37. A Report prepared for the American Friends Service Committee, The United States and the Soviet Union, Some Quaker Proposals for Peace, Gilbert F. White, Chairman, Elmore Jackson, Secretary, Yale University Press 1949, p. 32.

38. R. B. Fosdick, "We Need New Words and New Faiths," reprinted from The New York Times Magazine, edited by Harold and Margaret Sprout, p. 758.

39. Secretary of State Dean Acheson, "Achieving a Community Sense Among Free Nations--A Step Toward World Order," State Department Bulletin, Vol. 23, p. 14. (Address before Harvard Alumni Association, June 22, 1950.)

40. John Fischer, Why They Behave Like Russians, p. viii.

41. Byrnes, op. cit., p. 277.

42. Morgenthau, Politics Among Nations, p. 97.

43. Byrnes, op. cit., p. 277.

44. See Summary Records of the debates in the U. N. Economic and Social Council 11th and 13th sessions: freedom of information, forced labor, etc.

45. E. F. Penrose, "Negotiating on Refugees and Displaced Persons, 1946," Negotiating with the Russians, p. 168.

46. Frank Tannenbaum, "The Balance of Power vs. the Coordinate State," NWC reprint from Political Science Quarterly.

47. James Reston, "Negotiating with the Russians," Harpers Magazine, Vol. 195, August 1947, p. 98.

48. John R. Deane, Strange Alliance, p. 301.

49. Waldemar Gurian, The Soviet Union, Background, Ideology, Reality, A Symposium, published by the University of Notre Dame, Committee on International Relations. The reference is to Gurian's own article, "The Development of the Soviet Regime: From Lenin to Stalin," p. 14.

50. Published in New York, International Publishers, 1939; the quotation appears on p. 355. It is also quoted by John Fischer, op. cit., 23.

51. This view is borne out by such persons as former Ambassador Bedell Smith; Frederick Osborn, who negotiated on atomic energy control; and such writers as James Reston of the New York Times and John Fischer, author of Why They Behave Like Russians.

52. Walter Bedell Smith, My Three Years in Moscow, p. 188.

53. Deane, op. cit., p. 303.

54. John Hazard, another negotiator working under what might be called optimum conditions on negotiations on lend-lease supplies for the Russians during the war, had exactly the same impressions. (See note 29.)

55. Carnegie Endowment for International Peace, Preliminary Memorandum Concerning the Conduct of the Business of the General Assembly of the United Nations, 25 April 1949.

56. Osborn, op. cit., p. 231.

57. Walter M. Kotschnig, ECOSOC 1948: A Review and Forecast, State Department Publication 3404.

58. Rules of Procedure of the Economic and Social Council, United Nations Publication E/33/Rev. 5, 19 March 1949, Rule 50. (The corresponding General Assembly rules are 73 and 113.)

59. See footnotes 4, Osborn; 25, Deane; 47, Reston.

60. Reston, op. cit.

61. Waldemar Gurian, note 45; article by Stephen Kertesz, The Method of Soviet Penetration in Eastern Europe, pp. 85, 122.

62. John Fischer, Why They Behave Like Russians, p. 255.

63. Paris Session of Disputes of Council of Foreign Ministers, see note 19, at p. 65.

64. Lord Vansittart, "The Decline of Diplomacy," Foreign Affairs, Vol. 28, No. 2, January 1950.

65. Philip E. Jessup, Ambassador at Large, Member of United States Delegation to the 6th General Assembly of the United Nations. See Summary Records of 6th U. N. General Assembly.

66. Osborn, op. cit., p. 223.

67. Winston S. Churchill, The Grand Alliance, p. 388.

68. Arthur H. Vandenberg, Jr., Private Papers of Senator Vandenberg, p. 278.

69. Report of Subcommittee No. 5, op. cit., p. 59.

70. Deane, op. cit.

71. Japanese Peace Conference, note 18.

[redacted]

BIBLIOGRAPHY

Material studied in connection with this paper is listed in three categories in the order of its priority of assistance in helping meet the problem of this paper.

I. In the first group come the nearest works found which bear directly on the problem. These are brief, readable and extremely enlightening:

1. James Reston, "Negotiating with the Russians," Harpers Magazine, Vol. 195, August 1947, p. 97.

2. Edited by Raymond Dennett and Joseph E. Johnson, World Peace Foundation, Negotiating with the Russians, this is a symposium of articles by eleven men who have negotiated with the Russians on: military assistance, lend lease, the Nuremberg Trial, Bretton Woods agreement, the Far Eastern Commission, refugees, the Balkans, atomic energy and cultural exchange. The final article, and the most pertinent to this paper, is "Some Soviet Techniques of Negotiation," by Philip E. Mosely.

II. In the second group come works by persons experienced in dealing with the Russians but which are not concerned exclusively with the problem of this paper:

3. James F. Byrnes, Speaking Frankly.

4. John R. Deane, Strange Alliance.

5. John Fischer, Why They Behave Like Russians.

6. Walter Bedell Smith, My Three Years in Moscow.

III. In the third group come works which provide interesting background and illustrations of how negotiations sometimes work out in practice:

7. Winston S. Churchill, The Grand Alliance.

8. Department of State publication, Division of Historical Policy Research, Research Project No. 278, May 1952, The Paris Session of the Deputies of the Council of Foreign Ministers.

9. Department of State Publication 4392, released December 1951, The Japanese Peace Conference, San Francisco, California, September 4-8, 1951.

10. Waldomar Gurian, The Soviet Union, Background, Ideology, Reality, a Symposium, published by the University of Notre Dame.

11. Fisher Howe, Soviet Tactics Toward International Economic Organizations, National War College Seminar Report, 10 November 1947, NWC, IR-48, S, H83.

12. Robert H. Jackson, International Conference of Military Trials, London 1945, Report of the United States Representative, Department of State Publication 2080, released February 1949.

13. Philip C. Jessup, "The Preparation of U. S. Government 'Positions' for International Conferences," National War College Lecture, 5 October 1951.

14. Philip C. Jessup, "Upholding Principles and Rights of Others in the Process of International Negotiation," Department of State Bulletin 23, July 3, 1950.

15. Hans J. Morgenthau, Politics Among Nations.

16. Stephen Potter, Gamesmanship or the Art of Winning Games without Actually Cheating; also Lifemanship.

17. Nicholas Nyaradi, My Ringside Seat in Moscow.

18. Opie and Associates, The Search for Peace Settlements (1951), Brookings Institution.

19. Edited by a committee of which Gilbert F. White was Chairman and Elmore Jackson Secretary, The United States and the Soviet Union, (Quakers) American Friends Service Committee, Yale University Press.

20. Frank Tannenbaum, The Balance of Power vs. the Coordinate State, Political Science Quarterly, National War College reprint.

21. Arthur H. Vandenberg, Jr., The Private Papers of Senator Vandenberg.

22. Lord Vansittart, "The Decline of Diplomacy," Foreign Affairs, Vol. 28, No. 2, Jan. 1950.

23. Chester Wilmot, The Struggle for Europe.

24. Report of Subcommittee No. 5, The Strategy and Tactics of World Communism, the so-called Bolton Report on National and International Movements, Committee on Foreign Affairs, 80th Congress, 2nd Session, House Document No. 619. The committee chairman was the Hon. Frances P. Bolton.

25. "Carnegie Endowment for International Peace," Preliminary Memorandum Concerning the Conduct of the Business of The General Assembly of the United Nations, 25 April 1949.

26. Walter Kotschnig, ECOSOC 1948: A Review and a Forecast, Department of State Publication 3404.

27. Rules of Procedure, United Nations Economic and Social Council, United Nations Publication E/33/Rev.5, 19 March 1949.

28. Rules of Procedure, United Nations General Assembly, United Nations Publication A/520/Rev. 1, January 1, 1950.

29. R. B. Fosdick, "We Need New Words and New Faiths," reprinted from The New York Times Magazine, December 19, 1948, in Foundations of National Power, edited by Harold and Margaret Sprout.

30. John Fischer, "Unwritten Rules of American Politics," Harpers Magazine, National War College reprint November 1948.

31. Dean Acheson, "Achieving a Community Sense Among Free Nations, A Step Toward World Order," Department of State Bulletin, Vol. 23; page 14.

32. Sir Charles K. Webster, "The Art and Practice of Diplomacy," Foreign Service Journal, Vol. 29, No. 11, November 1952.

IV. In addition to the sources and information noted in the above Bibliography and the footnotes, the writer drew upon his experience in a series of international conferences over a period of five years. These conferences are listed with the thought that anyone exploring further this same subject of negotiations with the Russians may wish to apply the experience of conferences in different fields. Conferences attended by the writer, mostly in the capacity of Adviser, but in several cases as a Delegate or Representative, are:

1. United Nations Transport and Communications Commission: 1st, 3rd, and 4th sessions - 1947, 1949 and 1950.

2. United Nations Maritime Conference, February 1948

3. Preparatory Committee of the International Maritime Consultative Organization, 1st and 2nd session March and November 1948.

4. United Nations Economic and Social Council: 11th Session 1950 and 13th Session 1951.

5. United Nations Economic and Social Council, Committee on Procedures, January 1949.

6. United Nations Economic and Social Council ad hoc Committee on Implementation of Resolutions on Economic and Social matters, December 1949.

7. United Nations Conference on Road and Motor Transport, August 1949.

8. United Nations Human Rights Commission 7th session 1951 (observer 1950)

9. International Civil Aviation Organization: 1st, 2nd and 3rd Assemblies, 1947, 1948 and 1949.

10. International Meteorological Organization: 12th Conference of Directors 1947, and last Conference of Directors 1951. World Meteorological Organization: 1st Congress 1951.

11. Permanent International Association of Navigation Congresses, 17th Congress 1949.

12. International Telecommunication Union, Administrative Council 5th session 1950 (observer 1949).

13. Universal Postal Union, Executive and Liason Committee 14th session 1951: Technical Transit Committee 1951.

14. UNESCO (United Nations Education, Scientific and Cultural Organization) General Conference June 1951.

15. HICOG Women's Conference, Bad Reichenhall 1951 (observer).

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