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Engineering Influence: The Subtle Power of Small States in the CSCE/OSCE

Introduction: The Importance of Small States to International Relations

The best-known theoretical works dealing with small states – either on their own in international relations or embedded within international organizations – have generally conceded the point that small states’ best security-preserving options are either to balance or bandwagon among the great powers in the system, serve as ‘buffer states’ between great powers, or rely on their strength in numbers in international organizations such as the United Nations to effect change.² Even in the United Nations, however, with its defining principle of sovereign equality, small state influence still “...depends on their unity on major issues and the extent to which General Assembly resolutions...are perceived by the more powerful states to be meaningful expressions of the ‘general will’....”.³ Small states may have a numerical majority in international relations, but the advantage of numbers is cold comfort when it does not translate into power.

As opposed to size, most international relations scholars generally categorize states according to the dimension of power.⁴ For the most part, these scholars have concluded that powerful states (especially the most powerful states known as ‘great powers’ or ‘superpowers’) matter most in international relations. These great powers and superpowers – with few exceptions – have created a de facto situation among states where power begets power, or what one scholar has termed the ‘golden rule’ of international relations: “He who has the gold makes the rules.”⁵ Despite Waltz’s theoretical assertion that the international system is an anarchy and not a hierarchy, the clear power differentials between states makes the situation in day-to-day international relations rather Orwellian, where all states are equal, but some are more equal than others.⁶

The small states literature is beset by terminological problems, as well as a theoretical calcification which holds that the overwhelming dilemma faced by small states is their inability to protect themselves either militarily or economically against encroachment by larger and stronger powers. In the security dimension of this literature, small states are most often seen in a passive, reactive, or even negative light, contributing little to global security and in some cases even acting to destabilize it.⁷ In the economic dimension, the concentration

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2 On balancing and bandwagoning as options for small states, see Rothstein 1968; Fox 1959; Vital 1967; 1971; Keohane 1969; Handel 1981. On buffer states, see Partem 1983. On strength in numbers in the UN, see Lyons 1995.

3 On sovereign equality, see Lyons 1995:270.

4 Size and power, of course, are not mutually exclusive concepts. Nevertheless, power is far more often considered to be the crucial variable when distinguishing states in the international states system.

5 Barnett 1999.

6 See Waltz 1959; Waltz 1979 for the original neorealist conceptualization of the anarchic international states system. For modifications to the original notion of neorealism, see *inter alia* Bull 1995; Grieco 1988a; 1988b; 1990; 1993.

7 Sens 1996.

is on the ability of small-state economies to survive in a world where economies of scale still dominate.⁸ Preoccupied with looking at small state options on their own in the international states system, the small states literature barely begins to address the issue of how small states might be able to maintain their preferences (chief among which is self-preservation) through influencing larger and stronger powers in international organizations.⁹

This piece attempts to show through the story of small states embedded within one international organization, the Conference on Security and Cooperation in Europe (CSCE), that the importance of small states to international organizations and to international relations more generally has been understated and misunderstood. The focus on power rather than influence, and on states on their own in the international states system rather than within international organizations, has led the field to dismiss out of hand the possibility that small states can act strategically to preserve their security while at the same time contributing to the stability and efficacy of international organizations.

Before we examine the empirical evidence surrounding the ability of smaller states to maintain their interests through actions within international organizations, however, it is worthwhile to briefly examine the issue of what exactly constitutes a 'small' state. This issue, as we will see, is not so easily resolved.

Part One: Definitional Dilemmas

How does one define a 'small' or 'weak' state?¹⁰ Many scholars have tried, and the issue has kept small-state scholars busy since the inception of the subdiscipline.¹¹ Indeed, to its critics the stubborn and single-minded pursuit of a definition has kept scholars from finding anything substantive at all to say about small or weak states.¹² Nevertheless, it is important to understand what it is we are studying if we want to know how it matters. For this reason alone the quest to agree on a definition is justified.

Small states are usually defined in one of two ways: absolute or relative.¹³ Both characterizations agree that power is the key variable in defining a small or weak state, but disagree on how one distinguishes power. Absolute definitions generally rely on thresholds, and include such factors as population size (generally 15 million or less), geographical area, and GNP/GDP per capita.¹⁴ Once a state is reckoned to be past a certain threshold, it is no longer considered to be 'small' or 'weak.' The problem is that the threshold is defined

8 This subfield is where many of the most recent treatments of small states have been occurring. See *inter alia* Armstrong, De Kervenoael et al. 1998; Armstrong and Read 1995; Briguglio 1995; Niznik 1995; Sardar 1995; Lockhart 1996; Brunn and Cottle 1997.

9 For the purposes of this piece, *influence* is defined as outcomes which reflect small-state preferences. In this respect influence is very similar to Bertrand Russell's definition of power as 'the production of intended effects.' See Lukes 1986. See also Baillie 1996:2.

10 See Handel 1981, especially Chapter One, for a clear statement on why the terms 'small' and 'weak' may be used interchangeably with little fear of being misunderstood.

11 See Vital 1967; 1971; Rothstein 1968; Aron 1967; Singer and Small 1972; Väyrynen 1974b; 1974a; Rappard 1930; 1936; Schou and Brundtland 1971; Keohane 1969; Dominguez 1971; Fox 1959; Liska 1968; Paterson 1969; Vellut 1967; Hoffmann 1968; Mathisen 1971; Heckscher and Masaryk 1966; Wolfers 1944; Vandenbosch 1964; Hambro 1936; Hambro 1943.

12 See, for example, Baehr 1975 and Amstrup 1976.

13 See the contribution by Kramer in this volume for a more rigorous theoretical treatment of the small state.

14 See Handel 1981, esp. Chapter 1. The 15 million person threshold was originally conceived by Vital 1971. Another form of absolute definition of a small state relies on statistical correlations. According to Singer (this volume), smallness is a mathematical function related to the 'three C's:' capability, contiguity, and commitment.

differently by each scholar, with the end result being that absolute definitions of small states inevitably encounter the all-too-common problem of arbitrariness.¹⁵

The relative definition of a small state, by contrast, considers power to be much more fungible. Size still plays a role in defining a small state, but not the obvious one that the absolute definitions rely upon. Rather, perceptions of a state's size may be linked to its geographical position relative to its neighbors, but is not contingent on physical contiguity. Size is merely a variable, and furthermore is relative; Poland is a large state when compared to Lithuania but a small state when compared to Russia. Relative notions of power can also be linked to a state's self-image: Canada is a 'medium' power economically and is the world's second largest country in terms of land mass, but despite these apparent advantages feels dwarfed (and often slighted) by its larger neighbor to the south.¹⁶ Relative definitions can also take into account the factor of influence. Nigeria, a large state in terms of both area and population, nevertheless is considered a small or weak state in the international arena because of the lack of influence it can exert on international affairs.¹⁷ Regardless of the definition used, the fact remains clear that there is no agreement on what characterizes a small state. Despite the rigor and substance of absolute definitions, the greater flexibility granted by the relativist definition makes it the definition of choice for this piece.

How did small states function in the CSCE? What strategies did they use to maintain their interests and their security? Did the institutions of the CSCE aid them in their struggle against the larger and stronger participating states? To find answers to these questions, let us now turn to the story of the Neutral and Non-Aligned states (NNA) of the CSCE process, whose lack of ties to either military alliance (NATO or the Warsaw Pact) and therefore protection from the superpowers, make them useful to probe the relationship between influence and power in international organizations.

Part Two: The History of NNA Influence Engineering in the CSCE

Much has already been written of the NNA states and their impact on the CSCE, most notably Hanspeter Neuhold and Stefan Lehne's contributions to the field, but these studies have usually taken place only within the framework of dedicated CSCE scholarship.¹⁸ Relatively little has been written from the perspective which considers the role and actions of the NNA states to be representative of small states in international organizations more generally. The actions of the NNA, in other words, should not be seen as unique to the CSCE, the time period in which they took place, or the effects of détente. Rather, they may be both indicative and predictive of the behavior small states undertake in international organizations where there are enormous power differentials, but where there are also decision-making rules that are favorable (or not unfavorable) to the small states in question.

15 The same critique can be, and has been, leveled at the scholars who undertook the task of defining 'war.' See Wayman, Singer et al. 1983, Singer and Small 1972; Leng and Singer 1988, and various works on the Correlates of War (COW) project.

16 Handel 1981:52.

17 Along these lines of reasoning, it may be that Brazil, in light of its recent economic difficulties, is transitioning downward from a 'medium' power in terms of influence to a small or weak state.

18 See Neuhold 1987a; 1987b.

The decision-making rules of the CSCE: consensus as a weapon?

The CSCE was a quasi-institutionalized international organization, formally created in the 1970s in the midst of a general thaw between the United States and the Soviet Union with both states as founding members.¹⁹ Unlike the United Nations, where the two superpowers and the UK, France, and China sit as permanent members on the Security Council and can veto any resolution put forward by non-permanent member states, the CSCE is more egalitarian in nature. The rules of procedure were specifically designed to reflect the ideal of sovereign equality, both through the principle of rotating chairmanships of committees and subcommittees, and the deservedly much-discussed decision-making rule of consensus.²⁰ The norm of sovereign equality is uncontroversial and a key foundation of international law, and the desire to found the CSCE on this particular principle was not limited to small states. Sovereign equality was thus agreed upon as the fundamental principle of the CSCE without any dissention.

As opposed to the ease at which the general organizing principle of sovereign equality was agreed upon, arriving at the specific decision-making rule of consensus was more difficult.²¹ Various types of decision-making rules were bandied about in the multilateral preparatory talks leading to the signing of the Helsinki Final Act in 1975.²² The most credible of these was a kind of 'two-tier' system like the one in place at the United Nations, put forward as a suggestion by the delegation of the United States, but it was felt that the light institutional structure of the CSCE would be strangled by the imposition of a United Nations-like decision-making apparatus. Thanks in part to vociferous lobbying by the Romanian delegation, supported by the Finns and most of the Western delegation, it was decided that consensus would remain the order of the day.²³ This has had important implications for the CSCE/OSCE ever since, as the process of engendering consensus on every issue before it can be formally

19 Though the CSCE itself was not formally created until the signing of the Helsinki Final Act in 1975, the idea of a European security conference is an old one. Since the end of World War II, there had been a number of initiatives of the Soviet Union to develop a European collective security system, "the main purpose of which was to prevent the entry of the Federal Republic of Germany into the Western military alliances" (Bloed 1993b:4). The organization which eventually became the CSCE grew out of the Soviet Union's desire for a formal recognition of the territorial status quo in Europe, and the West's desire to achieve progress in first military security issues and later humanitarian concerns. See Bloed 1993b:5

20 Victor-Yves Ghebali is recognized as perhaps the leading expert on the creation and implications of the decision-making rule of consensus in the CSCE. For a good overview of his opinions surrounding the consensus rule throughout the history of the CSCE, see Ghebali 1989.

21 Consensus in the CSCE was defined as the absence of any significant disagreement, not unanimity. This is an important distinction, for it allows states to go along with proposals with which they may not absolutely agree. See Heraclides 1993:21.

22 In addition to Ghebali cited above, see also Sizoo and Jurrjens 1984 for a comprehensive and enlightening discourse on the debate surrounding the adoption of consensus as the decision-making rule for the CSCE to follow. Also see Bloed 1990; Bloed 1993b; Bloed 1997 for a useful discussion of the implications of the consensus rule in practice, especially during the formative years of the CSCE. For analysis of the consensus rule on the CSCE in its later years, see Ghebali 1989, Heraclides 1993 and Lehne 1991.

23 There are a number of different reasons why Romania, a full member of the Warsaw Pact military alliance and thus not included as a 'small state' for the purposes of this piece, would want to lobby so hard for the decision-making rule of consensus to be adopted. Most analysts agree that the Romanian desire for consensus falls in line with its desire to be seen as more independent of the Soviet Union than the rest of its Warsaw Pact neighbors. See Sizoo and Jurrjens 1984 for more on the rationales behind the Romanian actions during the early phase of the CSCE. Interestingly, Romania during the later phases of the CSCE was one of the few countries to make a formal (on the record) reservation to a major CSCE document, when it stated that it would not be bound by any provisions in the Vienna Concluding Document (1989) that it considered 'inadequate.' See Bloed 1993a:19.

adopted led to CSCE Follow-up Meetings lasting for years.²⁴ Nevertheless, consensus brought with it a number of advantages, not least of which was the fact that once agreement had been reached it had the moral force of having had all the participating states in agreement. This differs greatly from a system of majority or qualified majority voting (QMV), where a minority (sometimes sizable) can rightly claim not to be bound by the proposal as they did not vote for it.

The reverse of the 'positive' side of consensus brings with it another potential advantage: consensus itself could also be used as a weapon. Specifically, any state could withhold consensus and scuttle any proposal, no matter how widespread the support the proposal enjoyed. On the face of it, this negative use of consensus may have seemed an attractive option to those states who for whatever reason felt unwilling to support a particular proposal. Rather than put forward a proposal of its own, a state could theoretically merely threaten to withhold consensus and either scrap the proposal entirely or else force enough changes to make the revised proposal acceptable. Depending on at which point in the negotiation process the state withheld or threatened to withhold consensus, the cost/benefit ratio of the negative strategy changed considerably. The withholding of consensus early on in the negotiation procedure would have little consequence for the state or states who were employing the negative strategy, as this tactic could be charitably seen as being part of the normal process of negotiation on a proposal. But threatening to withhold consensus at the end of the negotiations, when the proposal has reached the point of becoming officially accepted and where acquiescence is expected, is another matter entirely.

Consensus relies on the trust and harmony between states for its effectiveness, and it may be that the (surprise) negative use of consensus at times when it appears agreement has been reached has such deleterious ramifications that a state employs it only at its peril. In many respects, the withholding of consensus in this way and at this time can be likened to a state's 'nuclear option' in its arsenal of strategies to get its way in the CSCE. In this analogy, a state will use this option only as a weapon of last resort, and only after all other strategies such as negotiation and bargaining have been exhausted. Moreover, the threat of withholding of consensus also serves as a useful 'deterrent' strategy for states, who can utilize the possibility of the action to coerce other states to go along with its proposal.

For the most part, proposals by various states in the CSCE process that were favorably received at their first reading stood a good chance of maintaining consensus throughout the process and becoming accepted in the Final Document of the meeting of which the states were a part. In very few circumstances were states willing to go 'on the record' and threaten to withhold consensus on a proposal on which the other states agreed.²⁵ When states did threaten to use consensus in this way, however, other states noticed.

There have been at least two instances of 'on the record' threats to withhold consensus on major CSCE proposals, both of which occurred when a small state felt unable and/or unwilling to support the growing consensus surrounding a particular issue. In addition, another consensus-related episode occurred while the CSCE Ministerial Council, meeting in New York on the eve of the Gulf War in October 1990, was debating a resolution on the use

24 The Madrid meeting, for example, lasted from 1980 until 1983, while the Vienna meeting lasted from 1986 to 1989. Once the CSCE assumed the institutional character it has now and became the OSCE, it was decided that future follow-up meetings would have definite time periods to avoid such lengthy and drawn out negotiations as in the past.

25 There may have been other instances where the Chairman of the committee recognized a consensus on a particular problem was not developing and withdrew the proposal, but as the proceedings of the committee meetings of the CSCE were not a matter of public record, this is impossible to verify.

of force. The Holy See, not technically a state but for the purposes of the organization acceded all the rights and privileges thereof, stated for the record that there would be instances where it could not in good faith support a decision reached by consensus by the other participating states. Though the Holy See was very careful not to imply that it was threatening to withhold consensus on any particular issue, the implication was clear: on some issues ‘consensus’ would be reached by something less than a fully unanimous body.

The first instance of actually utilizing consensus to attempt to achieve a state’s ends occurred late in the CSCE process, when the CSCE itself was undergoing tremendous change. In 1991, after the fall of the Berlin Wall and the end of the Cold War, the CSCE felt that in order to consolidate the democratization process in Central and Eastern Europe it would be wise to locate some of the organization’s new institutions in these countries. To this end, Warsaw, Poland was chosen to host the Office of Democratic Institutions and Human Rights (ODIHR), and Prague, Czech Republic was tapped to host the fledgling CSCE Secretariat. The proposal regarding the location of the ODIHR achieved a consensus quickly and with no reservations, but the decision to establish the Secretariat in Prague did not go quite so smoothly. For historical reasons, one state, Liechtenstein, was unhappy with the choice of the Czech Republic as the Secretariat’s home and raised considerable objections to it. Despite the Liechtenstein Delegation’s insistence that it at no time threatened to withhold consensus on the location of the Secretariat in Prague, the other delegations (most notably the United States) felt that this was exactly what Liechtenstein was attempting. After a long and sometimes acrimonious debate, the Liechtenstein delegation was mollified, consensus was achieved, and the Secretariat (for a time, at least) was headquartered in Prague.²⁶

The second instance of using consensus as a weapon by a small state was much more serious, and occurred at a much more formative time in the CSCE process. This was the famous case of Malta’s refusal to support the Helsinki Final Act. Though the story is an oft-told one, its main points bear repeating here. As one of the smallest participating states in the CSCE process, and the most southern, Malta occupied a relatively unique position among those states who accepted the Finnish invitation to participate in the Helsinki consultations in 1972. According to its Ambassador to the OSCE, Malta was by definition extremely insecure but had to remain outside military alliances for three important reasons. First was the issue of Malta’s extremely small population. Second, Malta had a small technological base and thus could not consider itself advanced, like other small but influential countries such as Switzerland. Finally, the issue of geopolitics had much to bear on Maltese security. Because of its geographical position and the tense international political climate of the 1970s, the Maltese felt it would be ‘madness’ to join either military bloc. It was important to remain neutral as well so that the North African states, to whom Malta lies very close and with whom it has close ties, would feel less threatened by its joining a conference so clearly ‘European’ in focus.²⁷

Given these preconditions, Malta thus saw joining the CSCE process as an eminently justifiable and prudent proposition. It came to the negotiations armed with the idea that the CSCE was first and foremost a conference on security, and that Mediterranean issues were the key to developing and maintaining Maltese security. Unfortunately, few of the other participating states saw the Mediterranean as anything more than tangential to the ‘major’ issues of the process, which were the discussions surrounding the borders of East and West

26 Interviews with Erika Schlager, Counsel for International Law, Helsinki Commission, Washington, 23 August 1999 and Maria-Pia Kothbauer, Liechtenstein Ambassador to the OSCE, Vienna, 27 October 1999.

27 Interview with Maltese Ambassador to the OSCE, Maurizio Abela, Vienna, 25 October 1999.

Europe and human rights.²⁸ The United States thought that Malta's insistence on a Mediterranean chapter in the Helsinki Final Act was merely a pretext to bringing in the Middle East, whereas the Soviet Union believed that Malta was being problematic and was unnecessarily complicating the CSCE process by raising this issue. As the negotiations for the Helsinki Final Act neared completion and no sign of a Mediterranean chapter appeared for inclusion, Malta began to undertake increasingly complex diplomatic maneuvers to press for its insertion. Finally, Malta publicly threatened to withhold consensus and send the Final Act down to defeat unless a Mediterranean chapter was included, prompting a furious reaction from the Soviet delegation.²⁹ In the end, the Maltese delegation granted its assent to the consensus surrounding the Final Act. The Mediterranean chapter was included, however, and remains part of the OSCE to this day.³⁰

Sovereign equality, bridge-building, and consensus as 'weapons of the weak' in the CSCE: myth and reality

What lessons can be drawn from the Maltese experience during the Helsinki consultations, and the experience of the small states in withholding consensus more generally? Primarily, and most relevant to the discussion here, is the fact that the principle of sovereign equality, when pushed to its logical extreme by a determined state, affords protection from retaliation by other states that would otherwise not be possible. In very real terms the principle of sovereign equality mitigates the power differentials between states of different sizes in international organizations.

In and of itself, however, sovereign equality is not enough to permit microstates such as Malta to go up against superpowers in pitched battles over national interest and emerge unscathed. Coupled with this principle must be decision-making rules that allow smaller states to implement the principle in practice. In the case of the CSCE, the consensus decision-making rule was just such a tool for Malta, though most analysts agree that Malta's use of the rule in such a predatory and transparently self-interested way stretched the rule to the breaking point. Indeed, so reproachful were the other states of the CSCE of the blatant way that Malta exercised its right to sovereign equality that a new phrase entered the CSCE lexicon: 'the Malta syndrome.'³¹

28 Spain was a major exception, and backed the Maltese proposals on the Mediterranean until it became clear that the Maltese position was untenable.

29 As it was their idea to begin with, the Soviets were especially unwilling to allow the CSCE to end in ignominious defeat. There were at least two occasions when the Soviets attempted to persuade Malta to back down from its increasingly isolated stance on the Mediterranean. First, acting on behalf of the Soviets, the East German Foreign Minister told the Prime Minister of Malta that the entire CSCE would fall apart unless Malta relented on the inclusion of the Mediterranean issues. Malta's Prime Minister in effect told the East German Foreign Minister that whereas the Soviets prime interest was borders, Malta's was the Mediterranean, and since both states were equal on the basis of sovereign equality, Malta was justified in promoting its interests. Even more spectacularly, in a famous speech given to the CSCE delegates in closed session, Soviet Ambassador Gromyko denounced the Maltese (mis)use of the consensus rule and threatened to push through the adoption of the Final Act with or without Malta [Interview with Maltese Ambassador Abela].

30 The Malta story did not end with the signing of the Helsinki Final Act, however. Maltese insistence on portraying the Mediterranean as an area where the CSCE had a vital role to play continued throughout the 1970s, 1980s and early 1990s. Indeed, even as late as the 1993 Rome Council Meeting the Maltese representative, Guido de Marco, proposed the establishment of a Working Party for the Mediterranean Region in the context of the CSCE.

31 Interview with Stefan Lehne, Vienna, 30 October 1999. See also Lehne 1991 and Heraclides 1993 for more on the effects of the Maltese actions on later discussions.

Besides the Maltese example of taking the consensus principle to its logical extreme, the most analyzed and visible function of the NNA during the CSCE process was their ability to act as ‘bridge-builders’ between East and West. Specifically, the NNA states could act as bridge-builders by offering their cities as conference sites, acting as coordinators of informal contact groups, launching procedural initiatives to break deadlocks, and serving as mediators on matters of substance.³² Most importantly, the NNA could help to build bridges over chasms between East and West that threatened to bring the entire process to a halt.³³ This was especially evident during the Madrid Follow-up Meeting from 1980 to 1983, when various international crises endangered the continuation of the meeting but where the balanced and compromissory NNA draft concluding document eventually won the support of both the NATO and Warsaw Pact alliances. Neuhold notes that the role of the NNAs in the Madrid meeting was nothing short of ‘heroic’ though he qualifies this assertion when he posits that the adversarial blocs may have accepted the NNA states as intermediaries simply because “no more attractive third party candidates are available within and outside the CSCE framework.”³⁴

Why were the NNAs able to act as bridge builders? In an article devoted to the function and role of the NNAs at the Vienna Follow-up Meeting (1986-1989), Stefan Lehne and Hanspeter Neuhold note that “The CSCE process has offered them [the NNAs] an additional multilateral and quasi-institutionalized forum for their bridge-building endeavours.”³⁵ I take this to mean that these states would have found it more difficult to act as bridge-builders without the institutional framework of the CSCE behind them. This assertion dovetails nicely with the general theoretical propositions outlined above regarding the role of institutions and international organizations in international relations. International organizations such as the CSCE, however ‘quasi-institutionalized,’ allowed smaller and weaker participating states the opportunity to express their views and engage in creative diplomacy in ways hitherto impossible. It is doubtful that the NNAs would have had any impact at all on the superpowers without the benefit of the CSCE (and, to be fair, the crumbling of the détente process), as can be seen in the minimal role the NNA played in the CFE negotiations, which took place on the margins of the ‘official’ CSCE process. In addition, the limited geographical scope of the CSCE meant that the NNAs present were automatically more focused in their desires for maintenance of stability between the superpowers, unlike the NNA community in a larger International Organization (IO) such as the United Nations. Finally, unlike the United Nations, the NNAs in the CSCE were ostensibly equal to their peers, however large and powerful. It may be that their ability to build bridges between the adversaries rested a great deal on their moral authority as equals.

But bridge-building seems to be the high point at which NNA influence engineering stopped in the CSCE. Besides their role promoting compromise solutions between East and West, the NNAs did not make active use of the consensus rule to advance their own interests, despite the fact that they had disparate interests of their own to uphold. The NNAs were seemingly unable to advance their interests by utilizing the decision-making rule of consensus as much as the influence engineering hypothesis might have predicted. In spite of Malta’s aforementioned threat to withhold consensus on the Helsinki Final Act unless a section on

32 Neuhold 1987b:27-28.

33 See *inter alia* Neuhold and Thalberg 1984; Sizoo and Jurrjens 1984; Neuhold 1987a; Neuhold 1987b; Ghebali 1989; Lehne 1991; Lehne and Neuhold 1991; Neuhold 1992; Bloed 1993a.

34 Neuhold 1987b:28-29.

35 Lehne and Neuhold 1991:35.

Mediterranean issues was included, the NNAs never again threatened to withhold consensus on any issue that the superpowers considered vitally important.³⁶

Moreover, in some cases the NNAs were even unable to get items on the agenda that they considered to be important, and which would have been perfect opportunities to utilize consensus in a self-interested way, much like Malta did on Mediterranean issues. For example, among the many proposals during the Geneva portion of the Helsinki Consultations was an Austrian suggestion for a pan-European waterway and transport system, while Switzerland began its longstanding policy of proposing peaceful settlement of disputes, neither of which were adopted at the time.³⁷ Though in his closing speech to the Helsinki Consultations the Austrian Foreign Minister made note of the fact that Austria was disappointed in its fellow states' refusal to accept these proposals, Austria never once during the negotiations threatened to block consensus on issues other states considered to be important. Perhaps seeing the writing on the wall, Austria eventually dropped these quixotic proposals to join Switzerland and the other NNAs for more ambitious yet more easily understandable calls for arms reductions. Here too these proposals met with little success in the broader CSCE framework until they were eventually adopted by the alliances in the negotiations on Conventional Armed Forces in Europe (CFE).³⁸ Despite grumbling from the NNAs at being left out of the CFE negotiations, they again did not utilize the weapon of withholding of consensus that was available to them.

Finally, and potentially most damning, the sainted rule of consensus itself has undergone four rather sharp modifications, three in the area of human rights and one in the field of military security.³⁹ These were: the mechanism agreed to in Vienna in 1990 on 'unusual military activities,' which allows for an emergency meeting of all CSCE participating states at the request of only one state; the 'Berlin mechanism,' which allows for the convening of a special meeting within the CSCE framework with the consent of only 13 states; the 'Moscow mechanism,' which allows for rapporteur missions to be sent to a state even without its permission; and 'consensus-minus-one,' which allows the CSCE to adopt political measures against a participating state without the consent of the state involved.⁴⁰ The most serious of these are the Moscow mechanism and consensus-minus-one, which we might have expected the NNA states to fiercely oppose but which in fact no small state opposed either in principle or on practical grounds.⁴¹

The Moscow mechanism was adopted at a time when the optimism of the Charter of Paris for a New Europe, signed in 1990, was still fresh.⁴² Meeting in Moscow in October, soon after the aborted coup, the CSCE Conference on the Human Dimension Meeting in Moscow agreed to the adoption of the 'Moscow mechanism.' With the recommendation of ten participating

36 Though the Maltese representative later apologized for pushing the CSCE process to the brink of failure, the fact remains that in this one instance at least a small state consciously used the decision-making rule of consensus to get its way on an issue it considered vital.

37 Peaceful settlement of disputes was brought into the CSCE at the Montreux Meeting on Peaceful Settlement of Disputes in 1978.

38 See Bloed 1993a:74-77.

39 Bloed 1993a:20.

40 Bloed 1993a:20-21.

41 In the Journals of the Day of the Prague 1992 meeting there are no reservations made by small states, NNA or otherwise, on the consensus-minus-one issue.

42 This document envisioned a 'new Europe' in which 'A new era of Democracy, Peace and Unity' had emerged out of the ashes of Communism in Europe and which would require a newly institutionalized CSCE to deal with the new tasks of increasing cooperation in the fields of economic cooperation, the environment, Non-Governmental Organizations (NGOs), and many other issues. See Bloed 1993a:60-61 as well as *Charter of Paris for a New Europe* chapters one, two and three.

states, this mechanism allows for the provision of sending rapporteur missions to a CSCE state accused of “a particularly serious threat to the fulfillment of the provisions of the CSCE human dimension,” i.e., egregious violations of human rights. Importantly, the Moscow Mechanism allows for such a rapporteur mission to be sent even to a state that did not agree to the mission in the first place.⁴³

In addition to the Moscow Mechanism decided in 1991, the Second Meeting of the Council of Ministers of the OSCE in Prague in January 1992 brought another deviation from consensus, which has become known as ‘consensus-minus-one.’ This principle, further refined at the Helsinki-II follow up meeting later in 1992, is in theory a much greater departure from the consensus principle than the Moscow Mechanism, mainly because it allows the Committee of Senior Officials to take ‘appropriate action’ against a participating state charged with ‘clear, gross, and uncorrected violations of relevant CSCE commitments.’⁴⁴ As Bloed points out, however, these ‘appropriate actions’ are limited to political declarations or other political steps outside the territory of a participating state.⁴⁵ Thus, the Moscow Mechanism is in reality a much greater change in the consensus rule than consensus-minus-one.

These examples highlight a broad pattern of NNA behavior in the CSCE that defies the hypothetical logic of influence engineering. In essence, the best tool in the NNA toolkit for engineering influence has, with the notable exception of Malta, largely gone unused. Reexamining the hypothesis outlined earlier, we should have expected to find in an examination of the NNA states of the CSCE numerous occasions where they threatened to withhold consensus unless they got their way on issues they considered to be important. Instead, we find only one case where a small state utilized its right to block consensus, and at least one case of the non-aligned states being shunted aside and left out of a major piece of CSCE history.⁴⁶ Why was this so, and what conclusions can we draw from these findings?

The easiest answer to this question falls back on the realist assumption that power differentials are the key determinant of international relations, and that all states, no matter whether ensconced in international organizations or on their own in the international states system, must eventually pay heed to the inexorable logic of anarchy and the distribution of power. Thus it comes as no surprise to realists that the NNA states were unable to hold the CSCE hostage to their demands, except in the extraordinary case of Malta, which had nothing to lose and everything to gain in pushing its agenda. The CFE Treaty, which dealt with conventional military issues, also fits into a realist counterhypothesis that on issues of ‘high politics’ not merely the states with the most at stake in the status quo but also those who have the capacity to change it will be the most intimately involved in the negotiations on that status quo. For the states of the NATO and Warsaw Pact alliances, being involved in the negotiations on conventional armed forces in Europe was a given. For the NNAs, despite their claims that they were directly affected by the negotiations, their inability to affect the outcome (by reason of their neutral status) made it much more difficult for the alliances to include them.

43 Moscow Document on the Conference on the Human Dimension, paragraph 12. Such violations as were occurring in the former Yugoslavia in the early 1990s were of a grave enough concern to the delegates present to put into motion a new mechanism which allows for ‘deviations’ from the consensus rule Bloed 1993b:96.

44 Prague Document on Further Development of CSCE Institutions and Structures, paragraph 16.

45 Bloed 1993a:106.

46 The CFE Treaty was, in fact, the only legally-binding treaty signed within the context of the CSCE process.

For realists, consensus-minus-one is also not surprising, and is in fact a welcome change from the increasingly cumbersome consensus rule that fit the organization when it was lightly institutionalized but which serves only as a brake to quick decision-making in the 'new' OSCE. In fact, realists might argue that consensus-minus-one does not go far enough, that it needs to be extended to other areas besides human rights, and into procedural matters as well. The realist counter argument that smaller states are either unable or highly unlikely to use formal decision-making rules to engineer influence is quite strong. The one example where it did occur in the CSCE, that of Malta, may well be an outlier, and the exclusion of the NNAs from areas of security where they may have had a stake but had little effect on the outcome may well have been the norm had not international events overtaken the CSCE and the alliances.⁴⁷

But the realist argument does not encapsulate the entire history of the NNA contribution to the CSCE. It does not adequately address the fundamental role the NNAs did play in the CSCE, most notably in their success at keeping the conference alive during the dark days of the late Cold War but also in the day-to-day negotiations on finding consensus on many different issues not as likely to make the spotlight. It also does not capture the essentially normative character of the CSCE, which affected the actions of all states, not merely the small NNAs.

In reality, the NNAs were successful in getting their main interests across to the superpowers and their respective alliances. Let us assume that the number one interest of a neutral and non-aligned state during the later Cold War was to maintain its security in the face of the world's greatest concentration of military firepower and the increasing saber-rattling on both sides of the Iron Curtain, an assumption that is borne out by the official speeches of NNA foreign ministers and heads of state at various CSCE meetings. Add to this the fact that the CSCE was the only forum for a direct dialogue with the superpowers where the NNAs had an equal voice (in principle, at least) and their attempts to broach compromise solutions to a potential breakdown in CSCE negotiations look less like pacification and more like hard-nosed negotiation. Bridge-building was not altruistic behavior, but rather was the best strategy for the NNAs to achieve their stated end of maintaining both their neutrality and their security.

Beyond the number one issue of security preservation through bridge-building lie other indicators that the NNAs were not merely being used by the superpowers as sounding boards for their proposals. The most visible of these indicators was the very tangible fact of location of CSCE meetings and conferences. Finland's ability to engender compromise solutions stretches all the way back to the proposal to host the multilateral preparatory talks in Helsinki, a neutral site acceptable to both sides. In the same vein, the locating of Phase II of the Helsinki Consultations in Geneva, the locating of major follow-up meetings until Rome 1994 in neutral, non-aligned, or at the time participating states that did not belong to an alliance, and the establishment of the OSCE Secretariat in Vienna speaks highly of the fact that there was something about the NNAs that appealed to both sides of the CSCE divide.⁴⁸

Clearly, however, maintaining security by preventing a breakdown of the CSCE and hosting follow-up meetings are not the glittering achievements that the most hopeful reading of the influence engineering hypothesis would engender. In the CSCE case, at least, the

47 Bloed 1993a:76 notes that the end of the Cold War has brought with it defense cuts more drastic than the CFE Treaty envisioned. This has been shown to be the case most recently with the German announcement of a 10 billion D-mark cut in defense spending in the next fiscal year, much to the chagrin of its NATO allies.

48 Though Spain was in negotiations to join the NATO alliance at the time of the Madrid Follow-up meeting in 1980, it was not yet a member of the alliance.

smaller states not officially attached to one of the two alliances found it quite difficult in many respects to create any influence at all, let alone push the superpowers in directions they did not already wish to go. This does not mean, however, that we must abandon the idea that small states in the OSCE can proactively attempt to manipulate their larger partners. Rather, we should examine more closely the workings of the CSCE itself to discover more about how its essential character might have affected the actions of the NNAs.

The OSCE, like the CSCE before it, is a different type of international organization than the United Nations, or NATO, or any other organization that deals with international security on a regular basis. OSCE delegates speak of an OSCE ‘culture’ that has existed in the organization since the beginning, and note that the organization has always been much more concerned with maintaining dialogue among the superpowers than it was in brokering concrete breakthroughs, for only in the maintenance of dialogue could the two sides begin to institutionalize the common ground that had developed in the heady days of détente. The most concrete example of how this emphasis on dialogue affected the behavior of all states concerned, not just small states, is in the way the consensus decision-making rule works in practice in the OSCE.

Consensus is not equivalent to unanimity, a distinction which was not lost on the smaller states of the CSCE. As analysts who have investigated the consensus rule in the CSCE have pointed out, achieving consensus on an issue requires a great deal of negotiation and compromise, so that the final result is often much more of a ‘best-case’ scenario than a ‘lowest-common-denominator.’ With consensus as the decision-making rule, states are willing to put forward ambitious proposals in the hope that they may get as much of the original proposal adopted through careful negotiation as possible. To use consensus effectively requires subtlety, not the frontal assault approach tried by Malta in the early stages of the CSCE (which is more akin to the proactive use of decision-making rules than the influence engineering hypothesis envisions). When a consensus is developing, parties involved in the negotiations can often ‘test the wind’ to see which way it is blowing, and may modify their position accordingly so as not to be caught outside the consensus (and thus be forced to back away from their position in a more public way at later stages of negotiation).⁴⁹ Consensus can benefit small states, but not as a weapon. Rather, by encouraging dialogue among all states, consensus allows small states to get their interests across in a manner that other decision-making rules such as a great-power veto would not permit. Even if small states are unable or unwilling to withhold consensus on an issue they see as vital, the fact that they are able to bring it to the attention of all the states concerned means that the issue will at least have a public hearing. Eventually, given enough of these public hearings at enough meetings, an issue might gradually become acceptable to the participating states and a consensus might finally be reached.⁵⁰

Next, consider the cases of the ‘Malta syndrome’ and the shutting out of the NNAs from the CFE negotiation. In many respects, Malta’s use of the consensus rule in a predatory way and the dismissal of NNA claims in the CFE negotiations are both outliers, black-and-white actions in an organization that can better be characterized as operating in the myriad interstices between the poles of black and white. Malta paid such a high price in terms of the

49 Contrast this with unanimity, where states recognize that their assent is required in order for a proposal to be passed and are more likely to be obstinate in defense of their interests. This kind of decision-making rule encourages ‘lowest-common denominator’ proposals, as a proposal is tabled that is designed to appeal to all parties involved from the beginning.

50 This was the case, for example, with the original Swiss proposal for peaceful settlement of disputes, which took many years and repeated airings but which eventually became part of the CSCE at the Montreux Meeting and the Valetta Meeting.

outrage of its peers for its actions at the early stages of the CSCE that no other state has attempted to use the consensus rule in this way. And for reasons of changing institutional direction as much as for changing international climate, the CFE Treaty was and is likely to be the only legally binding treaty on security issues that was negotiated in the CSCE.

Perhaps the best example of the subtleties that characterize the CSCE is in the case of the modifications to the consensus rule. An unspoken but implicit corollary to the central hypothesis of this piece is that any modification to the decision-making rules of an organization that run contrary to the interests of the smaller states will be fiercely opposed by them. Thus, a black-and-white interpretation would lead us to surmise that small states should rise to the defense of the consensus principle if it is threatened and vociferously protest any modification.

As noted earlier, four such occasions have taken place in the last ten years in the CSCE and OSCE, of which the Moscow mechanism and the principle of consensus-minus-one are the most serious. Rather than cry foul at this repeated evisceration of the sacrosanct consensus principle, however, the small states of the CSCE have reacted in a most peculiar way. They appear not to have considered the Moscow mechanism nor the consensus-minus-one principle a threat to their right of sovereign equality at all, and in fact willingly and enthusiastically supported the adoption of the principles. What can we make of this seeming paradox?

First, as has been made repeatedly clear in interviews with small-state representatives, the principle of consensus-minus-one is far from being the overwhelming threat to sovereignty that it appears to be at first sight. Though the principle has been used to suspend the Federal Republic of Yugoslavia from further participation in the CSCE process, according to at least one small-state representative it is a matter of interpretation whether the CSCE suspended Yugoslavia or it suspended itself through its actions.⁵¹ In this interpretation, the principle of consensus-minus-one is contingent on the violator state, which has put itself outside the agreed consensus. Thus, consensus-minus-one is not imposed on a state so much as a state steps outside the agreed consensus and thus is in a *de facto* position of consensus-minus-one.⁵² Moreover, consensus-minus-one is still very much the exception to the rule of consensus, and is applied only in the human dimension, which is still only a part of the OSCE *in toto*.

Secondly, the small states of the CSCE/OSCE obviously did not and do not consider the Moscow mechanism and consensus-minus-one to be threats to their actions, regardless of the theoretical implications. Though Heraclides notes that “consensus-minus-one haunted many a state since the Prague Council, particularly the smaller ones,” interviews with representatives of two of the smallest participating states fail to confirm this statement empirically.⁵³ One representative went so far as to note that they had nothing to fear from the consensus-minus-one principle, as the principle only concerned itself with gross violations of human rights and this particular state had no history of human rights violations. This seems to be the attitude among most of the advanced industrial countries (AICs) of the OSCE, small or otherwise.

Finally, political circumstances in the OSCE have changed a great deal since 1992 and the adoption of consensus-minus-one and have helped to diminish the enthusiasm one of its most vocal supporters has had for it. At the time of the adoption of consensus-minus-one, Russia was still optimistic that working with the West through such institutions as the Partnership for

51 Interview with Liechtenstein Ambassador Maria-Pia Kothbauer, Vienna, 27 October 1999.

52 There is still a nameplate for Yugoslavia at OSCE meetings, for example.

53 See Heraclides 1993:83 for the statement on consensus-minus-one in the context of the Helsinki-II meeting. Interviews were conducted with Liechtenstein Ambassador to the OSCE Maria-Pia Kothbauer, Vienna, 27 October 1999 and Maltese Ambassador to the OSCE Maurizio Abela, Vienna, 25 October 1999.

Peace (PfP) and the CSCE could produce tangible results. As the successive Balkan crises have revealed the shaky foundations on which Russian-Western cooperation has been built, however, the relationship can be considered to be more of ‘resentful dependence.’

This change in attitude on the part of the Russians can be seen most clearly in their attitude towards the institution of consensus-minus-one. During the negotiations surrounding its implementation the Russian delegation “...pointed out that it would be appropriate in the future to extend ‘minus-one’ decisions to matters other than ‘gross and uncorrected violations’ in the human dimension.”⁵⁴ This was consistent with the Russian idea of the early 1990s that the CSCE could be expanded institutionally to take over many of the functions of NATO, thus at one and the same time ridding Russia of the thorny issue of NATO expansion to the east and building strength in an institution in which Russia already had a clear leadership role (unlike the untried PfP).

But the use of consensus-minus-one to suspend Yugoslavia (for despite the assertions made earlier in this piece that Yugoslavia suspended itself, Russia did not see it that way), coupled with the growing Russian realization that consensus-minus-one might be in future used against it (in situations analogous to the confrontation in Chechnya, for instance) have led to a considerable revision in the Russian thinking about the principle of consensus-minus-one. This is most evident in the negotiations surrounding the just-adopted ‘Charter for European Security,’ a document which for its five years of work bears little resemblance to the original Russian idea of an OSCE counterweight to NATO expansion.⁵⁵ Intriguingly, consensus-minus-one appears nowhere in the final draft, owing to the fact that the Russian delegation withheld consensus on placing it in the document.⁵⁶ Though the majority of states in the OSCE still believe in the principle of consensus-minus-one, and though the Prague 1992 and Helsinki-II language is clear that the principle is not tied to specific circumstances, at this point in time the principle must be considered moribund. Ironically enough for the engineering influence hypothesis, it was not a small state that considered a revision of the consensus rule a threat to its sovereignty, but rather the largest state of the entire OSCE. Until this situation changes, the principle of consensus-minus-one is unlikely to be revived.

More examples of the nuanced way in which the CSCE/OSCE operates as an international organization come from responses to questions posed to small state representatives concerning their use of consensus as a proactive tool (or weapon, as the case may be). No small state representative could foresee in future OSCE negotiations a possibility arising of another ‘Malta syndrome.’ All agreed that small states must make the most of the political capital they are given, which in many cases means operating on the margins of the negotiations rather than in the limelight. And while they rely on the rules of procedure to safeguard their actions against encroachment by larger and stronger participating states, they realize that to utilize these rules in the way Malta once did would do them more harm than good.

A response given by a high-placed official to the question of how small states felt about the decision-making rules – and the consensus rule in particular – of the OSCE speaks directly to the idea that the small states of the CSCE/OSCE operate best in these margins and that the structure of the organization itself allowed them to do so quite effectively. The official notes

54 Heraclides 1993:84.

55 A closely placed source to the negotiations reports that the Security Model Chairperson did a ‘masterful’ job in placating both Russia and the US in the Charter for European Security, which contains the remnants of the original Russian idea but which the US was able to accept due to the *fait accompli* of NATO expansion it had already presented to Russia in 1997.

56 See previous footnote.

that while there was/is a tremendous power differential between the NNA/small states and the superpowers in the CSCE/OSCE, the small states relied heavily on the rules of procedure in the CSCE to maintain their interests and security, and continue to do so today, despite the end of the Cold War. Moreover, the rules of procedure naturally go hand in hand with a clear and consistent rule of law and international law, so that, in her words, “the rule of law is our security policy.”⁵⁷

Finally, other institutional factors besides the decision-making rules and procedures also come to the aid of smaller states in the contemporary OSCE. One of the most important of these institutions is the OSCE Secretariat in Vienna, which aids smaller states by providing them with ready-made access to information that they ordinarily might not be able to obtain on their own. In addition to the formal information sharing that the Secretariat provides, informal group discussions take place outside the official negotiations. As in other international organizations, these discussions are where a great deal of OSCE deal-making is done, and in these circumstances small states have shown their ability to be quite effective negotiators.⁵⁸

Conclusion: What now for the small states of the OSCE?

The rules and decision-making procedures of the OSCE are necessary but not sufficient for small states to create influence. Though it may be that these rules and decision-making procedures can serve not just as voice opportunities for smaller states but also as binding agents for the larger states in the organization, we have seen in these pages that the rules are not enough to convince smaller states to take maximum advantage of their rights as sovereign equals. Something else in the OSCE is at work, supplementing and at times mitigating the effect of the formal rules and decision-making procedures. Were the rules alone enough to allow small states to maximize their potential, we could generalize from the examples of Malta and Liechtenstein to hypothesize that small states in international organizations will take advantage of the opportunity the rules provide to strategically manipulate the formal rules of an international organization to increase their own power and influence, often at the expense of the larger and stronger states of the organization. This strategy, which relies more on subtle manipulation than outright coercion, could be labeled ‘engineering influence.’

But the formal rules of the OSCE are only a part of the organization’s essential character. The underlying norms of the OSCE are as powerful as the formal rules and decision-making procedures in providing a voice to the smaller participating states. Despite its recent institutionalization, the OSCE is still dialogue-centered and remains the only organization which gives equal voice to superpowers like the US and Russia, medium states like the UK, France, and Germany, and microstates such as Liechtenstein and San Marino. In the end, then, it is not so much the formal decision-making rules of the CSCE that empower small states. Small states still attempt to engineer influence. But their cause would have no chance of success were it not for the nature of the organization itself, which encourages the specific kind of bargaining and dialogue that small states are able to accomplish given their limited resources.

This piece has mostly dealt with a brief theoretical exploration of the role small states might be expected to play in international organizations, and a historical treatment of the role the small NNA states did play in the CSCE. It has attempted to show that despite their size,

57 Interview with Liechtenstein Ambassador to the OSCE Maria-Pia Kothbauer, Vienna, 27 October 1999.

58 Interview with Hans-Peter Glanzer, Austrian Mission to the OSCE, Vienna, 28 October 1999.

small states were able to engineer influence in the organization, but not without utilizing the built-in rules and decision-making procedures undergirded by strong norms favoring equality and negotiation over confrontation. Much more than a negative use (or threat of use, as the case may be) of the consensus decision-making rule was at play in giving small states a voice in the operations of the CSCE. In fact, it may be stated without too much exaggeration that the operational modalities of the CSCE itself gave the opportunity for any state, regardless of size, to engineer influence, but that the small NNA states were the ones who had one of the largest stakes in keeping the process alive and thus were most keen in having their voice heard. It is no surprise, then, that the NNAs were able to get their interests across in the CSCE. What is surprising, however, is the way they were able to go about it.

By way of conclusion, therefore, it might be worthwhile to briefly recall what features of the OSCE may allow its small participating states to continue to have an impact on the organization as it heads into the new millennium. Briefly, these are:

- The principle of sovereign equality, which gave all participating states regardless of size a voice in the proceedings of the CSCE and which still is a cornerstone of the OSCE;
- The consensus rule, which despite modification still allows states to rely on the principle of sovereign equality for protection to put forward ‘highest common denominator’ scenarios to advance their interests;
- The normative and nuanced character of the OSCE itself, which encourages bargaining in the margins of official meetings and which also encourages dialogue between all states regardless of size;

Taken together, these factors give encouragement to small state delegations who wonder if their voice will ever again ring as loudly in the corridors as it did during the dark days of Madrid. The structural features of the OSCE that allow for the principle of small state influence engineering have not changed; what remains now is for the small states of the organization to seize the opportunities that exist and make the most of them. Only then will their influence be assured.

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