STATECRAFTING IGNORANCE: STRATEGIES FOR MANAGING BURDENS, SECRECY, AND CONFLICT

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ABSTRACT

In acknowledgment of the demands of studying state secrecy, this chapter asks how novel possibilities for knowing can be fashioned. It does so in relation to the place of secrecy within international diplomatic and security negotiations associated with humanitarian disarmament. A conversational account is given regarding how ''cluster bombs'' become subject to a major international ban in 2008. Tensions, uncertainties, and contradictions associated with knowing and conveying matters that cannot be wholly known or conveyed are worked through. With these moves, a form of writing is sought that sensitizes readers to how absences figure within debates about social problems and the study of those debates, as well as how ignorance born out of secrecy helps secure an understanding of the world. Uncertainties, no-go areas, and blind spots are looked to as analytical and practical resources.

 Keywords: censorship; cluster munitions; international relations; Oslo Process; state secrecy.

The study of government secrecy poses many demands. How can that which is deliberately concealed become available for analysis? How should the suspicion often associated with secret keeping by states be tempered by an acknowledgment of the justifications for it (e.g., Thompson, 1999)? How can social scientists and others navigate the formal and informal disclosure restrictions that often accompany becoming privy to otherwise inaccessible information (e.g., Rappert, 2009)?

This chapter provides an experimental approach to how secrecy can be examined, configured, and rendered productive in social inquiry. It does so through providing an account of recent international initiatives to prohibit a class of technology known as "cluster munitions." As argued, secret keeping figured in multiple ways within the banning of these weapons. With its play of revelation and concealment, the conversational writing format in this chapter illustrates the negotiation of revelation and concealment frequently experienced in international diplomacy and social inquiry. In line with the recent conceptual formulations of secrecy, it is treated as involving more than the control of information. Instead, secrecy is implicated in the production of social identities and relations (Gusterson, 1998). Taking this to be the case, this contribution to the *Research in Social Problems and Public Policy* volume asks how those engaged in social inquiry can find new ways of fashioning their identity and their relations.

The importance of attending to the productive aspects of secrecy is underscored by the (re-)emerging attention to ignorance. Traditionally, the social sciences have taken knowledge as their topic – how claims about the world are produced, secured, shared, contested, entrenched, etc. Less commonplace have been attempts that start with how individuals and organizations seek ignorance. Yet recent studies have sought to elaborate the usefulness of claims to ignorance (Stocking & Holstein, 1993; Proctor & Schiebinger, 2008). For instance, it can be embraced – if not outright deliberately manufactured through the strategic concealment of information – as a way of diverting, deflecting, or denying culpability (McGoey, 2007).

While such studies have posed probing questions about the importance of absences, ambiguities, and unknowns in public affairs, these have been directed at identifying and unmasking the uses of ignorance by those under study: for instance, tobacco companies, global warming skeptics, and government regulatory bodies. Far less attention has been given to how social studies rely on, reproduce, or craft ignorance because of what is left out of their accounts. This chapter seeks to redress this situation.

As background to the substantive matters at hand, in general terms "cluster bombs" (or "cluster munitions") are ground- or air-launched

weapon systems that contain multiple explosive submunitions. As a category of weaponry they have been singled out for criticism recently because (1) they are "area-effect" weapons that can strike both military and civilians objects and (2) they have been identified as resulting in a particularly high density of unexploded munitions that present a post-conflict threat to civilians (see, e.g., International Committee of the Red Cross (ICRC), 2008).

In February 2007, a series of multilateral conferences in state capitals – called the "Oslo Process" – was organized by a Core Group[1] of governments.[2] That process adopted as an aim to agree a legally binding treaty to prohibit "cluster munitions that cause unacceptable harm to civilians." On December 3, 2008, 94 states signed the Convention on Cluster Munitions (CCM). It is one of a handful of international treaties that prohibit the use, production, and transfer of a category of weaponry.

Since 2003, the international civil society criticism has been led by the Cluster Munition Coalition (CMC), a grouping that now consists of around 400 organizations from 90 countries. Richard Moyes is currently a cochair of the CMC and was in charge of handling its position on the definitions during the Oslo Process. Brian Rappert was involved with the CMC from its inception, through conducting work for member organizations and participating in relevant events. "A. N. Other" has been a significant contributor to international campaigns. Near the submission of this chapter, Other decided not to be identified out of a concern that some of the comments might be misconstrued or not taken in the spirit in which they were intended.

What follows is an annotated account of a conversation between Rappert, Moyes, and Other held in Exeter (UK) on August 10–11, 2009; one that also makes use of previous correspondence.[3] A shared intent of the discussion was to formulate a nonstandard account of the ban of cluster munitions. In particular, consideration was given to what we regard as the comparatively novel definition structure of the CCM. So, the Oslo Process started with a widely encompassing definition and then sought to determine what exclusions should be made to a ban. As such, rather than specifying what should be *prohibited*, the definition structure was part of demanding countries make a case for what exclusions should be *allowed*.[4]

The conversation below begins with a general introduction. It then broadens to consider thematic issues about secrecy and ignorance – including their relation to censorship, (research) ethics, and statecraft. As will be clear, (1) international deliberations about the rights and wrongs of cluster munitions were undertaken in conditions of managed disclosure and

(2) the analysis of those deliberations entails managed disclosure. In acknowledging overall situation, this chapter asks how researchers can fashion new possibilities of knowing through novel writing formats. The "Discussion" section concludes with a reappraisal of the relationship between government secrecy, ignorance, and social inquiry.

INTRODUCTION

BR: "So reactions please to the background paper I wrote? I thought we might just work through it for our conversations today and tomorrow."

RM: "I thought it was good, entertaining too. Before we plunge into it, what's this really all for? What you have written is all about structures of argument. As a professional generator of material related to processes of argumentation I can see why you did that, but thinking about purpose, there is the question of what we want to achieve out of this."

AO: "Self-aggrandising?"

(Laughter)

RM: "Is that how you see it?"

BR: "I suppose for me it is about being able to give a sort of insiders' history to the ban given the two of you figured so prominently in the process. It would be about trying to highlight some of the subtler issues at stake in attributing rights and wrongs to technology in conditions of secrecy-…"

RM: "-Hmm."

BR: "… and an opportunity to talk about some of the more conceptual issues I am preoccupied by."

RM: "Yeah, well for me, I am keen to think about how forms of analysis like this can have utility in future situations. Important issues get written out of a lot of histories. As a result, they are less relevant, insightful for individuals working through processes because they write out the uncertainties that are the lived experiences of these processes."

AO: "That sounds good to me. I think the role of individuals is too often underplayed too. Even reading the article the two of you wrote in *Non-proliferation Review* about the burden of proof,[5] there is no acknowledgement of individuals and the tensions that went on, it's all about ideas and the structure of arguments."[6]

RM: "Yes."

AO: "Then there is the whole question of what can be known, and what maybe is not OK that it is known because it might be bad for us, the Convention, or the future meaning of it. Exploring those issues is important too."

BACKGROUND

BR: "About Richard's point about lessons, I suppose one of my long running preoccupations has been whether it was possible to find ways of analytical and practical engagement not solely based on throwing facts around. Even if we ignore the way many facts have been in short supply because of things unknown or made unknown, they can't resolve disputes about what is acceptable about the use of force. So, I know both of you have heard me talk about this in terms of adopting a sceptical orientation. That is sort of encapsulated in shifting the question at hand away from 'What are the effects of cluster weapons?' to something like 'How is it known that cluster weapons have certain effects?'[7] Is that your phone?"

RM: "Sorry, I will just text back."

BR: "So, in past years, almost all of diplomatic debate about cluster munitions was framed in terms of whether they fell foul of the rules of IHL [international humanitarian law]. With that kind of quasi cost-benefit analysis states like the U.S. and Russia used the abstract possibility that certain types of cluster munitions might be employed without disproportionate humanitarian costs to close down any talk of a prohibition."[8]

AO: "I am with you on the importance of the past IHL framing, it meant that it was those concerned about cluster munitions that have to prove they caused excessive damage. This along with the inaccessibility of strike sites meant we as members of civil society often didn't have the evidence necessary, in the eyes of many, to offer definitive assessments, certainly not evidence to prove that however they were used, cluster munitions would almost always fall foul of IHL."

RM: "I look back to that early IHL discussion as a real testament to the power of professional discourse to stifle people. I remember a

meeting, let us say in 2005, when United Nations Development Programme wanted to call for a ban and some in the CMC, you can guess who, were arguing that you couldn't because it was not legally justified. I interjected that just because existing IHL didn't *require* a ban didn't mean there might not be other grounds for one. That was rejected, no doubt partly because I couldn't lay out what these other grounds were in relation to some preauthorised discourse.

After that I got sucked into the IHL type of framing for a while. Partly, I think, this was because the people shouting 'ban cluster bombs' didn't engage at all with the IHL arguments. I think I rationalised this orientation by saying that the strengthening of IHL in general was perhaps more important than the specific issue of cluster munitions and for this reason it was important to give states an opportunity to take action through existing institutions. Certainly for me, a lot of factors were at play in my own subservience to IHL despite seeing the problem straight away-institutional identities and personal insecurities for a start."

IGNORANCE AND HUMANITARIAN EFFECTS

BR: "I saw the *Out of Balance*[9] and *Failure to Protect*[10] reports that we did Richard as an effort to test our emerging assessment of the ignorance of states. By making explicit that the UK and others had done next to nothing to assess the humanitarian effects of its use of cluster munitions-"

AO: "-And the U.S., you could say the same about what the U.S. knows. They admitted they hadn't done any studies of humanitarian effects at a meeting with Ken,[11] me, and some others a couple of years ago. It was at a conference you didn't attend."

BR: "Yeah, no, I heard about that. What I was saying was that I hoped bringing to the fore *how* what was known was known would provide the inspiration for a different kind of political engagement, deflating the grand and abstract claims made about the careful weighing done under IHL. My thinking being that since it was those making critical remarks that had to do the

running under IHL to prove what was what, getting states to start justifying how they knew what they said they knew could improve the sterile, well, non-discussions that were happening.

(Pause)

I trust both of you will agree that what has been so amazing is that the attempt to promote a debate has brought such a paltry substantive response. Here, I mean, in relation to facts and arguments. One presumes someone in some Ministry of Defence has some understanding of the humanitarian and military issues associated with cluster munitions, certainly they publicly projected such an understanding. After having probed for years though, I am left with little sense as to who."[12]

RM: "Knowing how much states know means knowing that they do not know very much."

AO: "Yes, I would agree with that. States that used clusters have not closely scrutinised the CMC's position and they just didn't have detailed arguments to support their upbeat claims. The way the Oslo Process structured the definition, we were able to put them on the back foot. I know, Brian, you said you wanted to talk about burden of proof later, so maybe we can get into that then."

BR: "Well we are kinda getting out of order here, but we can talk about it now. For me, thinking about what you said before about the role of individuals, some of my starkest memories of the Oslo Process are about how the burden mattered in personal interactions. So, in the background paper I distributed for our chat, I wrote out part of that exchange at the Wellington Conference between Ambassador Don MacKay and a UK representative."

RM: "I remember it."

BR: "The UK was proposing some major exclusions to what should be prohibited, and let me read what Don said. He asked: '… If one is looking at exclusion based on less than a certain number of sub-munitions, is your proposal that it is based on this alone, and, again, looking at the broader parameters we need to fit this into, how would one argue, how would you argue that that does not cause unacceptable harm to civilians? And I realise that is asking a quite large question, but I am sure our colleague from the United Kingdom is more than up to deal with it and I pass the floor.'"

AO: "Oh yeah, I remember that too, the response went around and around."

BR: "Yeah, yeah. I don't think you could say the UK spokesperson
           was 'up to it'. In the end he said it was a matter of judgement. True
           enough, but those calling for a less wide ranging definition during
           the process were the ones having to justify their judgements."
RM: "It goes a lot further than that. Those that wanted to enact a
           distinction between cluster munitions that cause 'acceptable
           harm' versus 'unacceptable harm' in order to retain their
           weapons did not get anywhere near to agreeing that or even
           specifying how they would make that distinction."
BR: "Yes, I mean, at one level, how could they? There isn't some sort
           of easy equation for calculating that. I know IHL assumes some
           sort of balancing is always done, but, really, it isn't like there is
           an accepted scale for weighing civilian costs and military
           advantages. The point was that the problem of proving the
           balance was a problem with those wanting to put in exclusions."
RM: "There was another aspect to the strategy with the burden of
           proof I want to get on the record, maybe one less visible. I
           argued consistently and I think persuasively that when the
           definition of cluster munitions was debated in Wellington and
           Dublin that the discussion start from the most sophisticated end
           of the technology spectrum, based on a sense that if governments
           couldn't argue those in, they would not be able to argue in lesser
           measures. And even if they were able to argue those more
           sophisticated technologies, the arguments they would have to use
           would undermine their claims that anything less should be
           exempted. So by controlling the structure of debate, even
           'successful' arguments might actually serve to tighten the noose."

DEFINITIONS, GOVERNMENTS, AND SECRECY

BR: "So, [AO], how did that happen that the definition introduced
           into the process at Vienna had the starting presumption against
           cluster munitions? I was not party to the backstage negotiations
           with the government officials in the Oslo Process."
AO: "Well, really it was touch and go. I would say that I was more
           worried about that than anything else at any time during the
           process."
RM: "Well …"
AO: "Honestly. Around the time leading up to Vienna I would say
           very, very few people including in the Core Group of
           governments or the CMC leadership grasped the importance of

banning the whole category of cluster munitions. I had many
email exchanges and telephone conversations, and I was really
getting worried. While obviously a number of people came
around later, at the time it wasn't like that. Markus from Austria
knew though, he got it because of his experience with us and
Judith and his own national law,[13] and if the conference hadn't
been in Vienna with the Austrians chairing, I think we could
easily have lost it."

BR: "OK, well that is with the states advancing a prohibition. What
about those within the Oslo Process but asking for less. Did
those states simply not realize until it was too late the general
advantages conferred by the definitional approach adopted? It
just doesn't make sense to me that experienced officials would
not see, and so oppose, this way of establishing the prohibition."

AO: "Some did, just a few, some in the UK did-some did oppose it."

RM: "Not really though."

AO: "No they did, in Vienna, there was quite a bit of opposition."

RM: "Sure, but never very organised and never very effective. I mean,
if they would have opposed the definition structure at that time
in anything like a concerted way, they could have gotten
something else."

AO: "Ah … "

RM: "Of course, it is an open question of what any government is and
what it really wanted out of this. We don't want to present states
like the UK, Australia, or Japan as opposing any humanitarian
movement at all. Since they took part in the Oslo Process and
signed the treaty we have to assume they wanted to ban this
category of weapons. Don't we?"

(Pause)

RM: "You're shaking your head."

(Pause)

RM: "I just wonder whether we should maintain this sense that they
didn't want to do it. Maybe ministers wanted to do it but were
prevented by the bureaucracy. So there is the question of what
any country is, like the UK?"

AO: "The queen."

RM: "We could consider the case of the Dutch that originally funded
the CMC. They got it off the ground. What can we infer from a
state in the process resisting a comprehensive ban being the one
that also funded the establishment of the civil society group
leading international criticism?"

AO: "No that's right. We as NGOs were often trying to help one part
          of a government against another too, so typically working with
          ministries of foreign affairs against their defence colleagues. If it
          hadn't been for people in key departments sticking their head
          above the parapet to take risks, we would have never had the
          treaty. If officials hadn't gone against their policy lines in
          private conversations to be helpful to us, forget it. ██████
          ██████████ summed it up nicely at that *Banning Cluster
          Munitions* report ([http://lm.icbl.org/index.php/publications/
          display?url = cm/2009/](http://lm.icbl.org/index.php/publications/display?url=cm/2009/)) launch when he said, what was it?
          Something like 'Obviously we do not mention the work of many
          government officials in this report, partly because if we did
          mention you, you would get sacked.'"

BR: "Wow."

AO: "And he said it in front of all of the government people at a
          public meeting. It was an open recognition that this process was
          substantially achieved because a lot of individuals worked
          against their own governments' position."

BR: "Outing an open secret."

RM: "I thought it was great. A sense to governments that the process
          worked by us turning their agents against them – and that we all
          secretly knew this."

AO: "Supreme confidence."

RM: "It pushed at a boundary that I did not think would be
          acceptable."

AO: "I liked it because it got out a message that people need to take
          personal responsibility beyond their institutions. So change
          happens when people step beyond their mandate."

BR: "Well, there's an interesting dynamic at work there in revealing
          an open secret. I mean, it would have been extremely unlikely that
          after ████████ said that anyone would stand up and say that was
          not the case, that that never happened at anytime. How could
          anyone say what happen behind the scenes in events they were
          not involved in? They would have been putting themselves in the
          hot seat in terms of needing to say more. The exposure of secrets
          is often resistant to questioning like this. And because of that lack
          of likely challenge, ████████could build up a sense of collective
          identity and define what 'really' happened in the process."

RM: "Back to the matter of what states wanted though, it's actually
          quite complicated because I think there were also people saying

things to us that appeared, on the surface, to be false. I remember ▆▆▆▆▆ ▆▆▆▆▆ took aside my old boss very early on in this process and said 'we are on your side.' Well, it is very difficult to see how. Certainly one thing I don't know but I want to know is how the process and its outcomes were represented within certain governments, especially to ministers."

AO: "There has been a lack of honesty in terms of positions, well patent dishonesty in some cases. Governments talking about humanitarian imperatives, when they should have been talking about state control and sovereignty. If you look at many of the proposals offered for what should be banned over the last few years, they were not drawn around arguments based on information from testing regimes or some sense of how to gauge humanitarian harms, but rather on what existing stockpiles a country had. They were coming up with proposals to keep what they had. Period."

RM: "We should start thinking of lunch soon. There is some dahl left over from our meal last night."

STRATEGIC DISCLOSURE AND CONCEALMENT

BR: "On the matter of the lack of engagement and strategy by some states, I don't know what is going to come out of our discussions in terms of a product, but I am wondering whether either of you would have any qualms about what got told as part of that. So, do you think that might matter for the future? I mean, do you think that some sort of all-chips-on-the-table revelation, whatever that might be, would jeopardize attempts to secure prohibitions in the future?"

RM: "Despite what I said about a goal of this for me being sharing lessons learned, sometimes I think you could write it all down and in the future people would not see it. Partly because I think states often had to delude themselves. During a process like this, diplomats have to tell their ministers that everything is under control. They cannot say they are on a slippery slope to losing everything. And now afterwards those very officials that were arguing for a weaker treaty are offering glowing internal briefs

	about the CCM. I just can't see how in these conditions bureaucracies can learn lessons all that effectively."
AO:	"Also I think that those opposing humanitarian initiatives would discount our analysis. My personal sense is that the officials of certain states, mainly those outside the process, were, well, too arrogant. Though that might sound arrogant of me to say it. Maybe dismissive is the right word. They thought they would not be beaten by a coalition of NGOs and middle power states-"
RM:	"-Again. Simon Conway and I sat in a meeting with UK FCO officials, probably in 2005, and they said directly: 'don't think you will get away with doing on cluster munitions what was done on landmines.'"
AO:	"And I think that this goes for states outside the Oslo Process like the U.S. If they do an after action report on the process, they should recognise that they should've engaged more."
RM:	"In many respects I was extremely open with the UK government about our strategy."
AO:	"I was actually worried about the level of your strategic sharing."
RM:	"Yeah, I gave them suggestions about how I would have argued the case for retaining cluster munitions if I was in their shoes."
BR:	"Why?"
RM:	"It's a good question … I guess it was a matter of confidence. You can feel in yourself that you are being completely honest if you can give people your best assessment of how the arguments could play out. You don't need to feel like, you are holding back lines of argument that you are going to trump them with in a sort of 'I beat you' way. You are framing it quite differently. You are framing it in terms of 'Here is what I am thinking, here are my arguments'. It is not oppositional, it is about mutual problem solving. Though, clearly, at other times I framed things in very oppositional terms."
BR:	"But what if they came back with one of your arguments?"
RM:	"We would've had to come up with better arguments. It is not like any argument does not have a counter-argument."
AO:	"And there were little traps."
RM:	"Yeah, in the sense that what I gave them would have also bought them into larger framings about the need for

precautionary principle-type approaches or the importance of area effects. That sort of thing. So even if they had used those arguments, then we would have them extending themselves in ways we wanted."

BR: "Umm."

RM: "I didn't see what needed doing through this process as just banning whatever stuff could be banned, but rather putting in place something tactical that could be built on in the future. And operating more in terms of mutual problem solving and mutual examination of the different underpinning viewpoints is itself part of taking much of the battleground, because, what do they do? They can either step on to your terrain and start engaging in that discussion or they don't, and they have that disengagement noticed."

AO: "Thinking about the issue of what we disclose, I guess you have to have a sense of balance between openness and disclosure in terms of how it can be used for or against progressive change."

RM: "That is a fundamental issue about knowledge and how it is handled, and my sense would be that you err on the side of disclosure, basically. I think that sets the right tone. We just have to be confident in that position. Having said that, I can think of ways states could have avoided getting in trapped in the CCM that I am not sure I would want shared."

AO: "Besides matters of personalities clashing, quite a number actually, I would be uncomfortable openly discussing certain things like-"

BR: "-Certain states' policy positions being written by the CMC?"

AO: "-the way NGO activists can create the space for those within risk adverse bureaucracies. There were so many instances in which officials said to us quietly to please hit their governments in the media so that they could move it forward. They wanted and worked for their governments to look out of touch, ignorant, uncaring, unengaged. I'm not sure how much I want to get into that."

BR: "If we look at the Oslo Process, then it certainly strikes me as plausible to argue that states have been able shore up their image of being responsive to humanitarian concerns because of what has not been said."

AO: "Such as?"

BR: "Well, I may have missed something, but I don't remember
       many suggestions being aired publicly that governments have
       been acting in bad faith in the past. Some because they were
       making unsubstantiated claims for years, if not decades, about
       cluster munitions. Others because they have been complicit in
       not offering criticisms."

RM: "The failings of the international community are systematic ... "

BR: "Sure, and in the informal banter we have joked about this, but
       the way things were presented in public forms bought into an
       image of the international community consisting of responsible
       and responsive states.[14] Is this too abstract to be a concern? For
       reasons I can't articulate, this really worries me."

RM: "No, that's right. The nation state reaffirmed itself as the most
       appropriate framework for the management and undertaking of
       violence, parading this latest commitment to do better in the
       future as a badge of accountability!"

AO: "Linking up to what I said before, there has been little critical
       attention to the concept of expertise. I mean, a lot of states came
       to us during the process to ask what we thought. I am glad if they
       did this rather than going to France or Germany, say, but still, I
       felt unless we gave them a clear steer on the options that people
       might swing on to a very different position because of some
       fantasy concern. I felt awkward because people were definitely
       putting a trust in me as a NGO person to give an objective
       account."

BR: "This was like with the Spanish proposal at Dublin for
       exclusions that favoured its stockpiles."

RM: "Yeah, sure, some Latin countries really seemed to go for its
       proposal because, it would seem, because Spain is Spanish
       speaking ... Suddenly if you read the diplomatic records, it feels
       like Spanish speaking countries are repeating the exclusions
       Spain proposed."[15]

AO: "It was a smart move."

RM: "Yeah, but there we were about to lose a broad coalition
       because not that many states seemed to see the implications
       of what was being said. Their position came down to something
       else. Something like, I don't know, that they could easily
       converse with another government about technical matters.
       On the other side, you had states not just arguing that
       cluster munitions were unacceptable, but that all weapons were.

In a process set up to single out one group of technology from others, those sorts of statements were not necessarily that helpful.''

IGNORANCE, BURDENS, AND ADVOCACY

BR: "So we have been talking a lot about states. I wonder if we could turn to NGOs and the CMC. Thinking about who knew what, how many people actively weighed in on the matter of definitions in any detail before Dublin? Several? That figure would be within the right order of magnitude based of my experience. How many people considered the logic of the definition in relation to other possibilities and bought into its logic before then? I do not know, I am just asking. I have spoken with a number of campaigners throughout the Oslo Process and the overwhelming impression I get is that the answer would be 'not many.'"

AO: "Yeah, I don't know how far to push this, the way the matter of definitions, like other topics, was handled by a handful of people in the CMC steering group. So there is a way in which you could talk about the construction of ignorance within the CMC itself. So the split between those campaigners pressing for an all out ban and those people setting the policy that had a sense of the need for some exclusions that were not problematic-"

RM: "-What we didn't do enough was to take our analysis to the CMC and ask them what they thought. We basically decided we were the people that knew what we should think."

AO: "Others were busy with other things too. They just did not have time during much of the last few years. That did change."

BR: "The reason I am asking is that the potential for the CCM to set precedents and new standards for the future might be limited because of the lack of discussion about the definition of what got banned. So, if I can put it this way, you guys didn't make the definition structure a big issue because you were trying to sneak it into the treaty."

RM: "On the quiet."

BR: "Yeah, because you didn't want states to react against it. And now, because we are in the process of ratification,[16] you still don't want to be too loud about the wider advantages we see in the CCM because it might put some states off."

AO: "Yeah."

BR: "I am concerned about that because I read from some progressive people an attempt to fit the treaty into an IHL framing that I think fails to acknowledge how the convention went beyond the past failings of IHL."[17]

RM: "Sorry, that's mine again ringing."

BR: "Just thinking about it now though, I wonder whether the reversing the burden of proof structure was associated with certain negative consequences. So the basic CMC message to campaigners and states was to question the adequacy of arguments put forward by states wishing to retain cluster weapons. But if you just suggest people counter the claims of others, they do not necessarily have to get stuck into the details themselves. Might that have meant people were sort of disempowered of the issues at hand?"

RM: "I don't like the word disempowering, but I agree the sceptical countering approach enshrined a degree of disengagement among CMC campaigners and some states. When it got tense at the end in Dublin, I didn't think that many had a sense of how we got to that point. A number of us had to work quite a bit to get to that situation in Dublin to be faced with the dilemmas and choices we were faced with there. Because I don't think many people saw that, the understandings within the CMC and with some states were fragile. There are still underlying questions in my mind about to what extent, in the end, we did give into industry and compromised about the exclusions to the definition in order to get certain states to sign the treaty – but they don't keep me awake at night."

AO: "The final text is a compromise in my mind, obviously because it's a negotiation and you can't expect to get 100% of what you want, but we came pretty close. On the original point though, if people wanted to get engaged in a detailed way with the issues, they could have. It was hardly necessary that the reverse burden of proof and the way the definition was set necessitated some sort of deficiency in understanding or engagement."

RM: "There were states though whose basic interventions throughout the process were to say that what others said wasn't good enough. I don't think you could argue that all of them had a great grasp of the finer details."

AO: "Yes, but the scope was there for people to use that framework to get engaged with the issues if they wanted to. And we did

reach out a lot, particularly before Dublin both with campaigners and with governments. That was one of the CMC's key goals from the regional conferences before Dublin. I thought we were quite systematic about it."

CENSORSHIP, ABSENCES, AND INQUIRY

RM: "One of the things I would like to know is what were the strategies and plans people devised, in NGOs and governments, that just never came out in the process, because they weren't required, because someone above them told them 'no,' because people were unsure of themselves, or whatever."

BR: "So on unknowns. Just thinking about whatever comes out by way of a product of our conversation, I suppose the question could be asked of it, 'Well you guys are not giving a full account of the Oslo Process and even in relation to the topics you do mentioned you are leaving out information, so what's the use of this history?'"

AO: "Who is to say we are not going to be open? What I'd say is have a first go at writing up this dialogue and then send it to us for comments and see if we object. We can delete what we are uncomfortable sharing. We might not delete anything."

BR: "One of the things I would like to do is to acknowledge the things that have been said in our conversation but that are not being included in the write-up of it. Because within typical academic accounts, readers rarely know that there are things that are not being included."

AO: "So you want to write in the conversation that I am saying that there are things that shouldn't be repeated."

RM: "You should write in that we are erring on the side of keeping things in and you, as an academic, are saying 'No, we have to take them out.'"

(Laughter)

BR: "I will put in you said that."

RM: "So that is part of the point, to signpost what is absent from other accounts and, indeed, from that future account of us as well."

BR: "Yeah."

RM: "And also, it is going to talk about ignorance and absence in the process. This for me is very important in terms of, well, hopefully empowering people in future, empowering them in relation

to the notion of uncertainty and ignorance because
standardised histories tend to write this out because they
have a narrative structure that makes you feel you are moving
inevitably from the beginning to the end. I can't think of
anything like this for the Mine Ban Treaty. That sort of history
of experience and ideas."

BR: "No, that's right. I think we are especially able to talk about
uncertainties because we are not trying to look back with
hindsight at what happened years ago."

RM: "For me, anything that shows the level of doubt involved is a
way of owning the problems associated with that doubt. It is a
matter of getting on the front foot. I want to be there first and
saying that there are gaps here and then framing those. I think it
is about being open to risk and owning those risks through being
open."

AO: "I think it is important to acknowledge that our conversation
has not just started. Since 2004 we have tried to follow certain
principles, debating what needs to be done. So let's highlight
those to see how they have been of benefit to others."

BR: "Well, yeah, the only reason I can have this sort of frank exchange
with you two is that we have known each other for years."

AO: "True. Academics and students come and ask me what happened
in the process and I don't really get into any of this. Partially
because they don't ask the right questions and partially, I don't
know, I just don't."

BR: "What isn't in social research is becoming a pervasive concern for
me. Academic types can't really just think of research as opening
the curtains to let the light shine. Maybe that is a good analogy at
points, but things are often far more complicated than that. What
we focus on can create blind spots elsewhere, there are always
alternative ways of describing things, making some people aware
of something has implications for those not made aware, etc."

RM: "I suppose I would see that at a kinda moral level. We talked
before, Brian, about moving away from an 'us' and 'them'
framing. We have been having a bash at some states so far.
Clearly governments have withheld information from the
populations they serve. But if I have to be honest, NGOs are
selective as well. I don't think the two are equivalent, but we
can't simply pat ourselves on the back for being such good
guys."

AO: "It raises an important issue because the quality and the rigour of NGO use of data is one of the few ways our legitimacy as institutions can be assessed."

BR: "For me there are representational issues here too. I suppose I'm thinking about to what extent it is possible to devise modes of representation that sensitize about how ignorances and uncertainties figure within social relations and how they help constitute claims to knowledge about those relations.

RM: "But there are going to be limits to that."

BR: "Huh."

RM: "Are you going to put the swearing in? It's a question isn't about language and representation. Is the swearing not appropriate for academic things?"

(Laughter)

BR: "Who is to say I will not be open?"

AO: "But, it would make us sound less intelligent, less credible, authoritative." (laughter)

BR: "Well, yeah, there is no escape from the tensions of representation just because you choose one form of writing. I'd prefer to keep the tensions in. We want to talk about unknowns, ignorance, and duplicity. Well it is always going to be a tension ridden affair to give a presence to what is missing in some way. I'll think about what that means for swearing."

AO: "If you are talking about writing conventions. I don't know enough about, the bloody standard literature you are supposing this would be a contribution towards in order to understand why this would be a good format. I'm kinda in the dark."

RM: "Well let's keep-"

BR: "-Let's keep ██████████ in the dark."

(Laughter)

(Discussion continues)

DISCUSSION

In his seminal work, "The Sociology of Secrecy and the Secret Society," Georg Simmel (1906, p. 462) wrote:

> [S]ecrecy secures [an] enormous extension of life, because with publicity many sorts of purposes could never arrive at realization. Secrecy secures, so to speak, the possibility of

a second world alongside of the obvious world, and the latter is most strenuously affected by the former.

This section reflects on the possibilities for "new worlds" that can be secured.

To begin with, this chapter has examined the place of secrecy within international diplomatic and security negotiations. As contended, the story of recent international efforts to ban cluster munitions is one that cannot be told without attending to how information was strategically exchanged. While governments and members of civil society notionally occupied distinct roles and often held oppositional positions, in practice, such distinctions were blurred. Backstage officials and campaigners shared (at least some) information and positioning strategies as part of attempts to achieve certain agendas. As well, and was known by many, against official policy some functionaries cooperated with campaigners to make their governments appear culpable. As part of this, the way the definition for a "cluster munition" was agreed within the negotiation process was intended to question what lay beyond the optimistic claims some states publicly trumpeted but shielded from scrutiny.

And yet, in seeking to recount such negotiations of concealment and revelation in international diplomacy, this chapter has engaged in them. The redactions, deletions, and allusions given have suggested various limits to disclosure. These derive from formal agreements, but also (and more often) informal trust-laden compacts.

As recognition of the multifacetness of secrecy, the overt partial disclosure given here could be interpreted as contributing *both* to the ignorance and understanding of readers. For instance, McGoey (2007) referred to liminal ignorance as "the presentation [...] of a public front of ambiguous half-knowledges, chimerical knowledges which precariously straddle the boundaries between public and private information." With the flagging of the contingencies of claim-making, the dialogue could be interpreted as an instance of an attempt to induce liminal ignorance and an effort to work against it. Ignorance was fostered because details were withheld that are required for establishing the significance and standing of what was discussed (see Michaels, 2008). And yet, the explicit and implied recognition of the bounds of disclosure itself helped acknowledge a "meta-ignorance" (Smithson, 1989) about knowing what was not made known. The partial disclosures were used to signal acts that would not be possible for the authors to mention if fuller elaborations were required.

More generally and more programmatically, the comparatively novel writing style combined with the preoccupations of the authors have been used, paraphrasing Simmel, to secure another depiction of security practices

alongside those typically given an airing. In that alternative one, the acknowledgment of secrecy within social inquiry has been looked to as a way of providing new resources for addressing secrecy more widely.

One of the things sought through the engagement with secrecy here was to demystify the allure that so often accompanies its discussion. Rather than the mere exposure of hidden government information, we sought to place on the table for consideration the pervasive aspects of secret keeping – this even in the analysis of secret keeping. This account has stood in contrast to the conventional orientations of social studies that relegate to a neat footnote (if that) a consideration of the representational and epistemological implications of what they leave out (see Nespor, 2000). While such banishing acts might increase the standing of an analysis for its readers – especially when those studies seek to uncover what others hid – they do so on a questionable basis.

More though, rather than just acknowledging how it entailed secret keeping, this chapter has sought to turn incompleteness into an analytical resource. With its play of revelation and concealment, the conversational writing format is meant to epitomize the negotiation of revelation and concealment prevalent in international diplomacy. An experimental form of writing has been taken to convey an experiential appreciation "what it was like" to undertake inquiry in conditions of partial disclosure (see Sparkes, 2000). That has meant highlighting the tensions, uncertainties, and contradictions associated with knowing and conveying matters that cannot be wholly known or conveyed. If readers are left wondering what has been left out of the depiction given, this parallels what happened the authors in their interactions.

An underlying premise of this chapter has been that in examining issues where question marks exist about candour and openness, an account that does show this should beg questions about how it was seamed together. An analysis that smoothes out such roughness denies the conditions under which it takes place and presumably many of the reasons why it takes place. In acknowledgment of the demands of secrecy, this chapter has asked how investigators can fashion alterative possibilities for knowing.

It has also sought to consider novel possibilities for doing. Through its consideration and exemplification of secret keeping, this chapter has sought to convey the balancings, presumptions, and dispositions that might prove useful for those seeking to intervene in the affairs of statecraft. As advocated, uncertainties, no-go areas, and blind spots can become resources for active engagement. With its attention to the limitations of what was known and what was communicated during the Oslo Process, the authors have suggested ways in which otherwise disabling limitations can be

marshalled for critique. As in the "authorial voice" chosen for this chapter, intervention can be conducted through the use of social identities that place front and center the fallibility and limitations of (our) claims to knowledge.

In sum then, by seeking to evoke a sense of the conditions of social inquiry, this chapter has sought to foster an appreciation of how ignorance is produced through the claim-making of officials, campaigners, and academics.[18] For that reason, though, the dialogue format also sought to resist treating its claims as a straightforward disclosure about concealment and disclosure. Instead, it has looked to acknowledge the strategic bounds, construction, and purposes of its claims. Through these moves the authors have sought to undertake a form of writing that sensitizes readers to how absences figure within debates about social problems and the study of those debates, as well as how ignorance born out of secrecy helps secure an understanding of the world. As such, the lessons of this chapter are perhaps best understood as not deriving from reading off of specific bits of texts, but rather from the mindfulness cultivated by the play of its claims to knowledge and ignorance.

NOTES

1. The group included Austria, the Holy See, Ireland, Mexico, New Zealand, Norway, and Peru.

2. For further information, see www.clusterconvention.org/

3. Notably an email exchange between Brian Rappert and Richard Moyes was the basis for a paper presented to the 24th Colloquium of the European Group for Organizational Studies in July 2008.

4. So to reiterate, through the definition structure of the CCM, the presumption was that exclusions to a wide-ranging definition had to be "argued in," rather than options "argued out" (see Rappert & Moyes, 2009 for further details). In contrast, the principles and rules of international humanitarian law (IHL) require a cost–benefit type weighing of the civilian harms against military advantages on a case-by-case basis. As a result, the rules of IHL have stood against the establishment of a ban in the past in favor of a contingent attack-by-attack assessment. In advocating the novel definitional approach within the Oslo Process, the authors sought to highlight governments' lack of knowledge regarding the humanitarian consequences of cluster munitions.

5. Rappert and Moyes (2009).

6. For an account with acknowledgment of the role of individuals see Borrie (2009).

7. For a primer on skepticism as envisioned here read Grint and Woolgar (1997).

8. See Rappert and Moyes (2010).

9. Rappert (2005). Among the findings of this report included the conclusions that the UK had undertaken no practical assessments of the humanitarian impact of cluster munitions and does not gather information that would be useful to such assessments (such as the type and country of origin of submunitions found during disposal operations) despite being in a position to do so.

10. Rappert and Moyes (2006).

11. Professor Ken Rutherford from Missouri State University and the NGO Survivor Corps.

12. For further points along these lines, see ICRC (2007), Geneva International Centre for Humanitarian Demining (2007, p. 27), and Borrie (2007).

13. Austria passed comprehensive legislation prohibited cluster munitions in December 2007.

14. For a discussion of IHL in relation to issues of the legitimation of state violence, see Jochnick and Normand (1994).

15. For example, CCM/CW/SR/11, Summary Record of the Eleventh Session of the Committee of the Whole, May 26, 2008.

16. In February 2010, the CCM obtained the required number of ratifications for it to enter into force.

17. As in Di Ruzza (2009) and Kaldor (2009).

18. Taking inspiration from Stocking and Holstein (1993).

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