Nonproliferation Export Control:
Problems of Capacity or Organized Hypocrisy?

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Abstract

This paper explores the hypothesis that the post-Cold War establishment of national export control systems in former Soviet states displays organized hypocrisy. Organized hypocrisy is a phenomenon in which formal organizational structures adopted for symbolic purposes are decoupled from actual behavior. It arises as a response to inconsistent pressures on organizations deriving from the organizational environment. Since the end of the Cold War, former Soviet states have, with Western pressure and assistance, developed national legal and regulatory systems to control the export and transshipment of goods and technologies with applications in the development of weapons of mass destruction. While this has resulted in the establishment of formal structures and procedural arrangements conforming, to varying degrees, to international standards, the mere existence of national export control systems has not translated into consistent implementation and enforcement. This discrepancy has generally been treated as a problem arising from a lack of capacity (resources and expertise to effectively enforce export controls) or political will within former Soviet states. Current policies, appropriate for addressing capacity problems, are unlikely to affect implementation problems arising from organized hypocrisy. This paper surveys relevant theoretical and methodological issues, and policy implications, and presents a plausibility probe of the hypothesis that organized hypocrisy has effects in the export control area that are not reducible to lack of capacity or political will.
Nonproliferation Export Control: Organized Hypocrisy

During the Cold War, the United States and its allies established trade controls to deny the Soviet bloc access to Western arms or technologies, or items that might contribute to Soviet power. These controls, implemented at the national level, were coordinated multilaterally through an organization called the Coordinating Committee on Multilateral Export Control (CoCom). In the 1970s, the export control practices developed in CoCom were applied to managing the threat of nuclear proliferation through the NPT Nuclear Exporters Committee, or Zangger Committee, and the Nuclear Suppliers Group, both of which included as founding members both the United States and the Soviet Union. During the 1980s multilateral export controls regimes were established to address the technologies underlying chemical and biological weapons (the Australia Group), ballistic missiles (the Missile Technology Control Regime). ¹

With the end of the Cold War, the nonproliferation export control regimes continued to function, expanding dramatically as states in the Former Soviet Union (FSU) and Central and Eastern Europe (CEE) sought admission both as a symbol of acceptance as legitimate members of the Western international community and for the economic benefits of export control cooperation. CoCom, a Cold War institution, saw its mission of regulating East-West trade disappear, and despite efforts to shift focus to nonproliferation, was disbanded in 1994. Although a successor had been intended to

¹ I classify these arrangements as regimes according to the standard definition of international regimes as “sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area of international relations” (Krasner, 1983, 2). Others (Hofhansel, 1993; Craft, 2002, 17) argue that not all export control arrangements qualify as regimes. For a defense of classifying the Wassenaar Arrangement as a regime, which applies for the other multilateral export control arrangements as well, see Lipson 2004b, 7.
begin operation immediately upon CoCom’s demise, negotiations to establish a follow-on regime were more difficult than anticipated, and CoCom’s replacement, the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies did not begin operation until 1996. (In the meantime, CoCom controls were maintained at the national level.) In addition, the completion of the European Community’s Common Market in 1992 necessitated coordination of member’s export controls, and in December 1994, the member states of the European Union agreed on a Community regime for the coordination of export controls on dual-use goods and technologies. In 1998, EU member states adopted a Code of Conduct on Arms Exports, and in 2000 the dual-use regime was overhauled and strengthened.

Thus, the first decade after the end of the Cold War saw a great deal of activity in the area of multilateral export control. As former adversaries sought integration into the West, both the United States and the European Union have made the establishment of national export control systems meeting international standards a condition of acceptance. The United States, and to a lesser extent other Western states, actively promoted the development of national export controls in CEE and FSU states through a series of international outreach and training programs. The European Union has made conformity with the dual-use regime and Code of Conduct part of the *acquis communautaire*, the body of community law that prospective members must incorporate into their national legislation as a condition of membership. Conversely, some CEE and FSU states have sought admission to the regimes as a sign of acceptance into the international community.

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2 The European Union was known as the European Community before 1994. Under the Maastricht Treaty, the EC became one of three pillars of the European Union.
As a result of such efforts, a number of former members of the Soviet bloc have developed national export control policies and regulations in the last decade. However, the record of such systems in practice leaves much to be desired. The formal establishment of a system of national controls has not always led to effective regulation of items of concern. This discrepancy between formal policy and actual implementation is typically explained by current and former U.S. export control officials as the result of either a lack of political will, or a lack of national capacity (legal authority, bureaucratic apparatus, resources, training, and expertise) in areas such as licensing, enforcement, and customs and border control. Policies to improve international export controls, then, are focused on either building political will or improving capacity. This paper proposes that a third, overlooked source of shortcomings in export control implementation exists, and plays a significant role in generating discrepancies between formal policy and actual practice. Policies focused on political will and capacity will fail to address this source of problems, and may in fact exacerbate the problems they are intended to address.

Specifically, I argue that organized hypocrisy – a phenomenon identified by organization theorists in which organizations respond to conflicting pressures in external environments through contradictory actions and statements – can undermine the national implementation of export control policy, even when sufficient political will and regulatory capacity are present. Organized hypocrisy arises in conditions in which an organization faces conflicting pressures from its external environment. In order to satisfy both sets of demands simultaneously, the organization develops parallel sets of structures and processes, each responding to one of the incompatible external pressures upon the organization. These parallel sets of structures and processes are either “decoupled” from
one other, so that they can operate inconsistently without interfering with one another, or
coupled in reverse, so that inconsistent behaviors compensate for and enable each other.³

Typically, one set of demands concerns the requirements for effective organizational
action, while the other arises from normative standards in the organizational environment
at odds with efficiency and operational effectiveness. In export control, the strongest such
demands are the imperatives one the one hand to export controlled items – conventional
arms, dual-use technologies, and items with WMD application – in order to generate
profits and hard currency, while on the other hand to develop a national export control
system meeting international standards in order to comply with norms of nonproliferation
and multilateralism. If export control regulations and bureaucracy serve the symbolic
function of enacting a national commitment to nonproliferation norms while actual
exports and licensing decisions are driven by economic imperatives, this constitutes
organized hypocrisy. Even if high-level political will exists to support a national export
control system, and even if the export control bureaucracy has the training, expertise, and
“capacity” to responsibly implement such controls, if such a potentially capable
bureaucracy is decoupled from actual exports in practice, it will be of limited
effectiveness.

In the next section, I set out conventional explanations for export control
inadequacies, among both policy makers and scholars. I then explain the concept of

³ Nils Brunsson (1989) distinguishes between the “organization of hypocrisy” and
“organizational hypocrisy.” In later writings, Brunsson (2002, 2003) adopts the term
“organized hypocrisy” for the latter, and identifies it with coupling in reverse, as distinct
from decoupling. In this paper, I employ the term organized hypocrisy to encompass both
Krasner’s (1999) use of the term to refer to decoupling of action and behavior, and
Brunsson’s (2003) meaning of coupling in reverse, or a causal relationship in which
organizational talk, decisions, and action tend to oppose each other.
organization hypocrisy, and how it could be manifested in export control. Following that, I describe the record of export control cooperation in the CEE and FSU, and offer a preliminary assessment of the role of organized hypocrisy in export control. Finally, I consider policy implications of the argument.

Export Control Cooperation and Its Limits

As the Cold War drew to a close, CoCom sought to secure the cooperation of former target states in Central and Eastern Europe. In the 1980s neutral and Western non-members of CoCom, and in 1990 Poland, Hungary, and Czechoslovakia, were offered favorable treatment if they developed national export controls meeting a CoCom “common standard of effective protection.” With the eventual collapse of the Soviet Union itself, newly independent states also sought admission to Western and global export control arrangements, both for the economic benefits of greater access to sensitive technologies and Western markets, and for the symbolic status as a member of the “club” that admission carried. Newly independent states also found that border control was an essential attribute of sovereignty, encompassing the ability to regulate flows of goods and technologies through their borders. Developing export controls was an element of the larger state-building project these nations faced.

Western states, with the United States playing a lead role, sought to encourage and assist CEE and FSU states in developing national export control systems. The export

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5 This paper addresses export control assistance in terms of intergovernmental cooperation. Exporting firms, and especially their internal compliance programs and officers, are an important part of export control assistance, but are bracketed in this paper in order to focus on the export control policies of national governments.
control regimes developed outreach programs to seek greater cooperation and eventual participation by non-members. The United States, Japan, Canada, England, Germany, and other Western states hosted seminars, workshops, symposia, and other meetings to provide training and expertise for establishing and operating national control systems. The United States was the central actor in these efforts, with programs in the Departments of Defense, State, Commerce, and Energy. A key example of such programs is the Department of Commerce’s National Export Control Cooperation (NECC) program. This program was established in 1994 with a focus on the FSU and CEE states, but has expanded with India participating in 2002, and Turkey and the United Arab Emirates participating as observers. The Department of Energy operates an International Nuclear Export Control Program (INECP), and Defense, State, Justice, and Customs participate in U.S. export control technical assistance programs, which are coordinated and funded through the State Department’s Export Control and Related Border Security Assistance (EXBS) Program. These programs have involved over thirty countries, some of which have “graduated,” after having established control systems meeting international standards. In 2003, the Commerce NEC Team participated in export control assistance activities with officials of Armenia, Azerbaijan, Bulgaria, the Czech Republic, Georgia, Hungary, India, Kazakhstan, the Kyrgyz Republic, Moldova, Poland, Romania, Russia, Slovakia, Slovenia, Tajikistan, and Ukraine.

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6 According to Khripunov (2003, 149), “More than 90 percent of export control assistance has come from the United States.”
Nonproliferation Export Controls: A Transgovernmental Organizational Field

The increased level of international export control cooperation after the end of the Cold War, along with dramatically increased membership in the various multilateral regimes coordinating controls on nuclear, chemical and biological, missile, and conventional arms and dual-use technology exports, has led to the development of an extensive transgovernmental network, or in the terminology of sociological institutionalist theory, an “organizational field,” in the area of export control. In addition to U.S. bilateral and multilateral export control programs, a number of other countries have played significant roles in international export control assistance. Japan conducts the annual Asian Export Control Seminar, with approximately 20 countries participating. An annual International Conference on Export Control, held since 1999, involves officials of North American and European governments. According to the Department of Commerce, U.S. officials participated in the following multilateral export control conferences in 2003:

- the Secure Trade in the Asian Pacific Rim Conference; the 10th Asian Export Control Seminar; the 7th Central Asia and Caucasus Regional Forum on Export Controls.

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10 Officials of 41 countries, four multilateral regimes, as well as representatives of the IAEA and World Customs Organization, and several NGOs attended the fifth annual International Conference on Export Controls in Budapest in 2003. *NIS Export Control Observer* (September 2003), 17.
The multilateral regimes hold annual plenary meetings (except for the NPT Nuclear Suppliers Committee, which meets twice a year), and regular meetings of working groups, regime outreach to non-members, and other export control related interactions. All of this activity has produced significant standardization of national export control systems.

The Center for International Trade and Security (CITS) at the University of Georgia has developed a methodology to measure and compare national export control systems with reference to an ideal-type international standard. Based on surveys of export control officials in national governments and others with expertise in particular countries’ export control systems, CITS researchers assign scores in ten categories, which are then weighted to calculate a national export control score out of a possible 100 (with 100 representing full compliance with the ideal-type standard).\textsuperscript{12} According to CITS data, the average score of Belarus, Kazakhstan, Russia, and Ukraine (countries for which data is available across the longest period of time) has increased from 35.475 in 1992 (ranging from Kazakhstan’s low score of 29.5 to Ukraine’s 40.4) to an average in 1999 of 73.64 (with Kazakhstan’s low score improved to 59.26 and Ukraine still holding the highest


\textsuperscript{12} The categories are: licensing system, regime adherence, training, customs authority, penalties, control lists, catch-all clause, bureaucratic process, import/export verification, and information gathering/sharing. Grillot, 1998, 12.
score in the group at 85.79). These data provide important validation to the efforts of U.S. export control officials who have been involved with export control assistance to these countries. As one U.S. official states, “We do feel that in cases where assistance has been offered over a number of years that we do see some progress.” In fact, Poland, Hungary, and the Czech Republic are considered to have “more or less graduated,” from such assistance.

However, it is important to note that both CITS scores and a related set of measures developed by U.S. government agencies involved in export control assistance are heavily focused on procedural elements of export controls rather than outcomes. In other words, what increased CITS scores and other such measures indicate is that a country has adopted procedures, regulations, and bureaucratic structures of the sort generally regarded as necessary for effective export control implementation. It does not, however, demonstrate actual export control effectiveness.

Both the CITS measures, and those used by the U.S. government have their origins in efforts to codify common export control standards within CoCom. Between 1988 and 1990, CoCom defined and adopted elements of a “Common Standard Level of

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13 Averages calculated by the author based on 1992 scores from Grillot and Craft (1996, 14) and 1999 scores from a table provided by Scott Jones (personal communication to the author, June 29, 2000).
15 Ibid.
16 Within each of the ten categories, the surveys that form the basis for the CITS measurements seek to assess three elements: policy and/or legal foundation, institutions and procedures, and behavior or implementation (Grillot, 1998, 12). The first two elements concern capacity and procedural elements of a control system, and thus the system emphasizes those factors. However, the third element does represent an effort to measure implementation and, indirectly, outcomes.
Effective Protection,” which members agreed to comply with by 1991. Members also
developed a Third Country Initiative, or Third Country Cooperation (TCC) effort, to
promote the adoption by non-members of CoCom-defined elements of an effective export
control program. These elements were:

1. Acceptable import certificate and delivery verification documents (IC/DV)
2. Control over reexports of CoCom-origin, controlled goods
3. Control over indigenous exports of CoCom-controlled goods
4. Cooperation in prelicense and postshipment checks
5. Enforcement cooperation

These CoCom-defined common standards became the basis for later efforts to define
international standards for export control systems. The U.S. Commerce Department in the
early 1990s developed an Export Control System Appraisal and defined “Essential
Elements of an Effective Export Control System.” Commerce Department officials in
the Bureau of Export Administration, since renamed the Bureau of Industry and Security,
later developed a Model Country Plan specifying elements of national export control
systems that their technical assistance programs would focus on. This plan became the
basis for an interagency assessment tool developed by the State Department, which

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20 U.S. Department of Commerce, Bureau of Export Administration, “Essential Elements
   of an Effective Export Control System,” mimeo, n.d. This document was the Department
   of Commerce contribution to a National Research Council handbook prepared for foreign
   export control officials. Sometimes called Export Control System Assessment. (U.S.
   Department of Commerce 1996, II-94.)
coordinates U.S. export control assistance through the Export Control and Related Border Security Program. All such measurement tools derive from the CoCom common standard, and all share a focus on process measures rather than outcome measures.

This focus on process is at partly due to the difficulty, if not outright impossibility, of measuring export control effectiveness with any precision or reliability. Assessing the effectiveness of export controls requires knowing with some confidence both what proscribed exports are bypassing the efforts of export enforcement officials to prevent their transfer, and what volume of proscribed exports would take place in the absence of existing controls. The first is inherently unknowable: if officials knew of such exports, they would presumably stop them from occurring. So estimates of undetected violations are little more than guesses. And the question of what exports would have been completed in the absence of existing controls is, of course, a counterfactual, and thus inherently difficult if not impossible to measure.  

As a result, few good outcome-based measures of export control effectiveness are available to policy-makers. As one former U.S. export control official who looked at the problem concluded, there is “no systematically reliable way to measure” the effectiveness of export controls. The problem extends to assessment of multilateral export control regimes as well. A 2002 Report of the General Accounting Office, an arm of the U.S.

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21 Grillot and Craft (1999) present a creative attempt to get around these problems, to my knowledge the only effort to rigorously evaluate the effect on nonproliferation outcomes of a specific export control policy. They draw on a 1993 report to Congress on suppliers of Iraqi WMD programs prior to the 1991 Persian Gulf War, and compare the number of violations by a country’s firms with the level of transparency in the country’s national export control system, rejecting the hypothesis that greater transparency increases effectiveness. However, they do not control for the size of countries’ economies, or technology export sectors, undermining the validity of their findings.

Congress, found that “Neither the U.S. government, member governments in the regimes whom [the report's authors] contacted, nor the regimes have established explicit criteria for assessing the regimes' effectiveness,” and “the regimes often lack even the basic information that would allow them to assess whether their actions were working as intended.” Ultimately, much of the difficulty of measuring the effectiveness of the multilateral regimes derives from the same difficulties that confound measurement at the national level.

The Commerce Department’s Bureau of Industry and Security (BIS) does attempt to use outcome measures where possible. For example, in 2002 it replaced as an annual measure of performance in assisting nations to develop effective export control programs the previous measure (“number of nonproliferation and export control cooperative exchange activities held”) with the more outcome-focused measure of “number of targeted deficiencies remedied in the export control systems of key nations.” In its FY 2001 Annual Performance Plan, BIS (then called the Bureau of Export Administration) justified the use of the earlier measure as follows:

An output rather than an outcome measure is used because NEC activity has a greater ability to affect the output (i.e., the number of technical exchanges) than it has to affect the outcome (i.e., improvements in the export control systems in the

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foreign countries. The latter is substantially determined by the actions of foreign sovereign governments, a factor clearly out of NEC control.²⁶

However, note that the outcome measure is “improvements” in other states’ export control systems, as identified in the Model Country Program.²⁷ Most such improvements concern procedural aspects of program countries’ export controls, not their effects on preventing proliferation-related exports.²⁸

Although determining the overall effectiveness of export controls in a systematic manner is a difficult task, anecdotal evidence of export control violations is available. In some cases, exports in violation of a country’s international export control obligations are approved by high-level political leadership. For example, Russia sold two nuclear reactors to India in 1998 and nuclear fuel to re-supply India’s Tarapur reactor in 2001, violations of NSG guidelines because not all Indian nuclear facilities are under full-scope IAEA nuclear safeguards.²⁹ Ukraine is reported to have sold, with the approval of President Kuchma, Kolchuga passive air defense radar systems to Baathist Iraq in 2002.³⁰

²⁷ Information on the Model Country Program can be found at http://www.bxa.doc.gov/NECTIC/Model2.htm.
²⁸ As measures of its ability to detect and punish violations, BIS tracks the number of cases that resulted in preventing an export or criminal prosecution, the number of post-shipment verification checks conducted, and the time between licensing decision and presenting the case to the Justice Department. U.S. Commerce Department, 2004, 202.
Kazakhstan witnessed a number of violations, including the transfer to North Korea of 30 or more MIG-21 fighter jets in 1999. Similarly, although China has in recent years bolstered its export control system, joining the NSG in 2004 and seeking admission to the MTCR, “Assistant Secretary of State for Verification and Compliance Paula DeSutter told Congress in July 2003 that China is failing to enforce its export control laws properly and implied that China sometimes deliberately allows sensitive technology transfers to occur.”

All of these countries have devoted significant effort and resources over the past decade to improving their export control capacity. And CITS scores show all of them to have moved closer to the ideal type international standard for a national export control system. Kazakhstan is an NSG member and has inquired into the possibility of joining the Wassenaar Arrangement. Its control lists cover the items controlled by the various multilateral regimes. Russia and Ukraine are members of the Zangger Committee, NSG, MTCR, and Wassenaar Arrangement. China is a member of the Zangger Committee, joined the NSG in 2004, and is seeking admission to the MTCR. As members of the

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various regimes, the states listed here are obliged to prevent many of the exports noted above. Even in cases where an export is not a specific violation of the rules of a regime of which the state is a member, (for example, Kazakhstan was not a member of any regime at the time of the North Korean MIG-21 sale), such exports still represent non-compliance with international norms regarding nonproliferation and arms transfers, violations that are particularly salient in the case of states participating in international export control assistance programs. Recent improvements to these countries’ export control systems, and their regime memberships raises the question of why such non-compliance with international export control obligations persists.

**Explaining Noncompliance: Theoretical and Policy Perspectives**

Within export control policy circles, differences between stated and actual export control practice are typically explained in terms of either an inadequate political commitment to export control (in other words, unwillingness to effectively control weapons-related trade) or an inability to control exports, due to shortcomings in the regulatory and bureaucratic framework supporting export control policy. For example, in an interview, a former official in the U.S. Commerce Department’s Bureau of Export Administration offered two reasons for persistent shortcomings in export control implementation: “technical or capacity limitations,” and “a lack of political will.”

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35 Author’s interview with former official in the Bureau of Export Administration in the U.S. Department of Commerce, Washington, DC, June 26, 2003. The official emphasized that such shortcomings are not restricted to states that have participated in Commerce’s technical assistance programs, but also characterize states with longstanding export control experience.
State Department official, referring to the Department’s Export Control and Related Border Security (EXBS) Program, which seeks to improve partner countries’ export control capabilities in five aspects of export control capacity listed as bullet points in State Department documents, termed political commitment the “sixth bullet.” A study by the Center for International Trade and Security (CITS) at the University of Georgia, describing its evaluation system for measuring export control capacity, states that “While evaluation scoring increases do suggest greater potential export control system effectiveness, in the absence of the requisite political will to animate and employ the system, however, actual effectiveness will remain elusive.”

One observer noted in 1998 in reference to Russian missile exports to Iran that “The problem is not the lack of Russian regulations, of which there are dozens, but the failure to enforce them.” Thus, beyond capacity, political will is necessary for effective export control.

But political will by itself is insufficient. High-level political leadership may judge effective export controls to be in the national interest, but without the necessary legal and regulatory framework, bureaucratic apparatus, trained personnel, and resources, controls will be ineffective. For instance, a 2001 report of the UK Parliament’s Select Committee on Foreign Affairs recorded the British Foreign Secretary’s assessment that problems regarding implementation of Bulgaria’s export controls on small arms “arose

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36 Author’s interview with U.S. government official, Washington, DC, June 25, 2003. The five bullet points are: comprehensive legal/regulatory frameworks; effective licensing procedures and practices; effective enforcement techniques and capabilities; government outreach to industry; interagency coordination and cooperation.
from the absence of administrative capacity to implement agreed policies rather than from a lack of political will.”

Policy reflects this conception of political will and technical capacity as each necessary and jointly sufficient to produce compliance with international standards. For example, the NECC Program’s methodology calls for initial steps to establish political interest and commitment, followed by technical exchanges and training exercises to develop and implement national export controls.

IR Theory and Compliance

This distinction between political will and capacity that frames policy discussions of export control compliance mirrors the way compliance is addressed in the International Relations theory literature. The theoretical debate is framed by the poles of the “enforcement” and “managerial” perspectives. The first explains states’ decisions to comply with international agreements as outcomes of cost-benefit calculations by rational state actors. Thus, compliance will be more consistent where incentives to defect are reduced, as in coordination rather than collaboration problems. States will be less likely to comply with agreements requiring “deeper” cooperation, defined as cooperation requiring a greater divergence from the policies that would have been adopted in its

absence. The enforcement perspective’s focus on political leaders’ calculations of interests as the basis of compliance decisions mirrors policy makers’ focus on political will.

Yet why, if a state does not see compliance as in its interest, would it accept the agreement in the first place? As Jonas Tallberg puts it, “The proposition that states may willfully choose not to comply rests on the recognition that states’ interests may include signature but not compliance.” This nicely captures the core elements of organized hypocrisy as interpreted within a rational choice perspective.

The managerial perspective, by contrast, assumes that states have a “propensity to comply.” Its proponents attribute noncompliance to three primary factors: the ambiguity of agreements and rules, with noncompliance arising from lack of clarity about what the rules require; lack of capacity; and the “temporal dimension,” or the fact that it often takes time for a state sincerely committed to an agreement to come into compliance with it. That is, the managerial perspective views noncompliance as typically inadvertent, and sees efforts to assist states in coming into compliance as more promising than sanctions and other means of enforcement. In viewing lack of capacity as one of the major sources of noncompliance, the managerial perspective overlaps the terms in which policy makers conceive of sources of export control noncompliance. The institutional

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43 Downs et. al, 1996.
44 Tallberg, 2002, 611.
46 Chayes and Chayes, 1998, 10-17. Iankova and Katzenstein (2003), in a constructivist adaptation of Krasner’s rationalist conception of organized hypocrisy, describe inadvertent noncompliance with the acquis communautaire arising from ambiguity, capacity, and the temporal dimension as “institutional hypocrisy,” as distinct from intentional “political hypocrisy.”
design of export control regimes generally reflects the managerial perspective.

Multilateral export control regimes are informal, non-treaty-based arrangements lacking enforcement mechanisms and reliant upon the voluntary compliance of members. Further, export control technical assistance is focused on addressing the factors highlighted by this perspective, by reducing ambiguity through transparency and training, enhancing capacity, and bringing states into compliance over time.

Other mechanisms are employed to address the issues of political will and calculations of self-interest addressed in the policy discussions and enforcement theory respectively. For example, members of export control regimes generally receive preferential treatment regarding their firms’ access to sensitive technologies and Western export markets. And regime membership is conditioned on, among other things, an acceptable level of national export control capacity.

Thus, both enforcement and managerial techniques are employed to improve export control compliance, in accordance with Tallberg’s advocacy of a combination of the two produces as more effective than either approach alone.47 In general, enforcement strategies are aimed at addressing a lack of political will, by changing the equation of interest calculations. Managerial techniques, such as technical assistance, aim to increase national export control capacity. Yet, if organized hypocrisy is at work, either of these approaches, or both in combination, is likely to be ineffective, or even dysfunctional.

47 Tallberg, 2002.
Organized Hypocrisy in Export Control?

Organized hypocrisy is a phenomenon in which organizations respond to conflicting pressures in their external environment by responding separately to each set of pressures through inconsistent rhetoric, decisions, and action. The concept was originally developed by organization theorist Nils Brunsson who applied it to organizations at the domestic level. Stephen Krasner adapted it and used it to explain the persistence of sovereignty norms in the face of continued violations of national sovereignty. Krasner argued that sovereignty was, in fact, organized hypocrisy, with states responding to conflicting international norms and demands of power politics by proclaiming their adherence to a norm that they routinely violated.

At levels less abstract than the organization of the international system, organized hypocrisy is often manifested through inconsistencies between formal and informal aspects of the organization. Organizations will often respond to normative pressures inconsistent with the requirements of effective action by establishing symbolic formal structures to represent compliance with prevailing norms (such as an affirmative action office), while behavior continues to operate according to mechanisms inconsistent with norms (such as hiring and promotion through “old boys networks”).

Brunsson distinguishes between “action” and “political” organizations as ideal types. Action organizations obtain support from their environment by efficiently producing action. In an ideal-typical action organization, all aspects of organizational activity – “talk,” decisions, and action – will be coordinated in order to produce efficient

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49 Krasner, 1999.
Political organizations, by contrast, obtain resources and support primarily by representing the inconsistent preferences of different constituents. In such organizations, talk, decisions and action will often be “decoupled,” contradictory. The organization may use official rhetoric and public relations – talk – to satisfy one or more set of environmental demands, decisions unconnected to action to satisfy another, and action inconsistent with both talk and decisions to respond to other pressures. Such inconsistency constitutes “organized hypocrisy.”

In principle, export control non-compliance often resembles this model. States may establish national export control systems – regulations, bureaucratic structures, and personnel, and resources – at significant expense and effort – in order to demonstrate their acceptance of international nonproliferation norms, while at the same time determining export decisions on the basis of economic and political calculations, rather than common export control principles. While such inconsistency can result from a lack of political will and/or capacity, these alternatives do not exhaust the possible sources of such shortcomings. Imperfect implementation of existing export controls may reflect organized hypocrisy – the satisfaction, through decoupled sets of organizational structures and processes of inconsistent external demands.

Such decoupling is evident in what one U.S. export control official has described as a “disconnect between the diplomatic-legal and actual implementation side of things.” The same official notes “There are countries that have ratified the CWC that

51 Brunsson (1989, 26) distinguishes decisions from talk, describing decisions as “a form of talk important enough to warrant classification as a separate category.”
52 Author’s interview with U.S. government official, Washington, DC, June 25, 2003. Note that the organized hypocrisy interpretation is my own, and I do not mean to imply any endorsement of this argument by the official.
don’t have any practical means to implement it. It remains just a signature on a piece of paper. They thought it would be a good thing politically...It’s a thing that they want to do to be seen as international good citizens.”

What implications would follow from identifying organized hypocrisy rather than lack of political will or capacity as the source of export control shortcomings? Current policies, based on the conventional political will/capacity framework for thinking about export control effectiveness, naturally focus on enhancing these two elements. If this analysis is correct, policies aimed at addressing inadequacies of political commitment and bureaucratic capacity will likely be ineffective, even counterproductive, in addressing export control shortcomings arising from organized hypocrisy.

**Operationalizing Organized Hypocrisy**

Before assessing the plausibility of organized hypocrisy (OH) as a factor in export control, it is necessary to establish that it really is distinct from the conventionally acknowledged factors. In some ways, organized hypocrisy can be seen as closely related to a lack of both political will and capacity. To the extent that decoupling of formal organization and informal behavior is deliberate, it overlaps conceptually with absence of political will. Only a national leadership lacking in political will to implement effective controls would condone decision-making and behavior inconsistent with formal export control regulations. Thus, if we view organized hypocrisy as a strategic choice of political leaders seeking to have their cake and eat it, too, we should regard organized hypocrisy as a byproduct of the lack of genuine political commitment, rather than as a distinct source of export control shortcomings.
This conception of organized hypocrisy is more or less the interpretation presented by Krasner in his analysis of sovereignty as organized hypocrisy. Krasner develops an “actor-oriented” conception of organized hypocrisy focused on the rulers of states as the key actors. For Krasner, rulers are self-interested rational actors who seek to remain in power, and to manage competing domestic and international pressures, both material and normative, to that end. Facing inconsistent norms and political imperatives, such as the nonintervention norm and the logic of power politics, rulers respond with organized hypocrisy: they say one thing and do another. Or they respond symbolically to norms, including through diplomatic pronouncements of the sanctity of sovereignty, while behaving in ways dictated the international balance of power and the constraints of international anarchy. Organized hypocrisy, then, is a product of strategic choice through which rulers reconcile their self-interested behavior with inconsistent normative principles that cannot be openly defied.

If we adopt Krasner’s actor-oriented conception of organized hypocrisy, the concept offers somewhat limited added value (relative to a standard political will explanation) for the analysis of export control weaknesses, or to policy responses to such weaknesses. It would, however, explain why states lacking a political commitment to export control would nonetheless expend significant effort and expense to establish and maintain a national export control system, and proclaim adherence to international nonproliferation and export control norms. These states would be acting symbolically to conform to normative pressures, even though the symbolism is insincere and regularly contradicted by actions. By contrast, a focus on lack of political will as the source of

export control failures doesn’t explain why states lacking a political commitment to nonproliferation would establish export control systems.

However, Krasner’s interpretation of organized hypocrisy is a departure from that of the concept’s originator, and the original conception is more relevant to the arena of export control. Crucially, for Brunsson organized hypocrisy is a characteristic of organizations. The concept emerges from an understanding of organizations as non-unitary actors, composed of decoupled or loosely-coupled elements and constituent parts. Organizations, for Brunsson and the institutionalist tradition of organization theory from which his work emerges, are defined largely through interactions with their environments, with organization-environment boundaries highly porous and fluid. Thus, Brunsson’s conception of organized hypocrisy differs significantly from Krasner’s adaptation. Brunssonian organized hypocrisy – which I will call open-system organized hypocrisy due to its basis in so-called open-systems organization theory – pertains to non-unitary, non-rational actors that are interpenetrated by their environment, while Krasnerian organized hypocrisy refers to partially autonomous unitary rational actors.54

In terms of the conventional political will-capacity framework for thinking about export control weaknesses, open-system organized hypocrisy is more closely related to problems of capacity. Even if a political commitment to export control is present, organized hypocrisy could decouple such a commitment from actual export behavior, producing the functional equivalent of a lack of capacity to implement national controls.

54 The distinction between open and closed systems comes from Scott (1998). For an interpretation of Krasner’s and Brunsson’s conceptions of organized hypocrisy in terms of closed and open-systems organization theory, respectively, see Michael Lipson “Peacekeeping: Organized Hypocrisy?” unpublished manuscript, Concordia University, Montreal.
However, while the outcome might be the same, the process by which political commitment’s translation into action is short-circuited would differ in this scenario from the causal mechanism at work in the event of a lack of implementation capacity. Organized hypocrisy could blunt the implementation of a political commitment to export control even in a state possessing an export control apparatus with sufficient resources and expertise, and an adequate policy framework to put export control regulations into practice. In the case of organized hypocrisy, such capacity would be decoupled from national behavior in export licensing and actual transfers.

In cases where capacity is lacking, it would be difficult to determine whether organized hypocrisy might also be in play. However, if it were, increased capacity would not improve export control implementation, as it would remain decoupled from action. On the other hand, in cases where capacity is high but implementation falls short, the extent to which organized hypocrisy plays a role should be relatively more evident.

Conceptually, then both the actor-oriented and open-system conceptions of organized hypocrisy are distinct from, though related to, political will and capacity. Empirically, however, the distinction can be difficult to pin down, and the empirical implications differ between the actor-oriented and open-systems models. (See Table 1.) From an actor-oriented OH perspective, inadequate export control implementation can be explained solely by reference to lack of political will. However, explaining efforts to develop and maintain a national export control system in the absence of such political will requires further explanation. Organized hypocrisy should be considered a leading candidate for explaining this phenomenon, but alternative explanations are available as well. If the development of a national export control system by a government with no
commitment to its implementation is seen as a strategic choice by that government – an
effort to reap the benefits in market access and international legitimacy of complying
with international export control standards on paper if not in practice, while still profiting
from exports formally proscribed by export controls – that would constitute an
explanation in terms of (actor-oriented) organized hypocrisy. However, the discrepancy
between the establishment of export controls and the absence of political will to
implement them could be explained as resulting from non-strategic mechanism, such as
bureaucratic politics or organizational routines.\textsuperscript{55} While such explanations constitutes
alternatives to the OH explanation, in viewing the state as a non-unitary and non-rational
actor they fit poorly with the broader actor-oriented perspective. Thus, within an actor-
oriented perspective, an organized hypocrisy model presents the most viable explanation
of inadequately implemented national export controls established in the absence of
political will.\textsuperscript{56} From an actor-oriented perspective, if both political will and capacity
were present, export controls should be implemented effectively.

Alternatively, from an open-systems organized hypocrisy perspective, the
empirical implications are somewhat different. An open-systems perspective would
predict that, even if both political will and capacity were present, the existence of
countervailing domestic or international pressures could produce decoupling between the
formal apparatus of export control agencies and regulations, on the one hand, and actual
exports on the other. If political will were present but capacity lacking, an open-systems

\textsuperscript{55} Allison and Zelikow, 1999.
\textsuperscript{56} It could also be the case that an export control system was established at a time when
the government possessed a political commitment to implementation, but interests
changed and commitment evaporated, leaving a politically unsupported export control
system.
OH model would predict the same outcome as the conventional political will-capacity framework: ineffective export controls. However, the two explanatory frameworks would hold different policy implications. The conventional framework would suggest that the solution lay in simply improving capacity. The organized hypocrisy framework implies that capacity enhancement would be insufficient in the presence of countervailing pressures that could produce decoupling.

<table>
<thead>
<tr>
<th></th>
<th>Political Will and Capacity</th>
<th>Political Will, No Capacity</th>
<th>Capacity, No Political Will</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONVENTIONAL (Pol. Will-Capacity)</td>
<td>Compliance</td>
<td>Non-compliance (no significant export control development)</td>
<td>Non-compliance</td>
</tr>
<tr>
<td>ACTOR ORIENTED OH (Krasner)</td>
<td>Compliance</td>
<td>Non-compliance (significant efforts at export control development)</td>
<td>Non-compliance</td>
</tr>
<tr>
<td>OPEN-SYSTEMS OH (Brunsson)</td>
<td>Noncompliance (if countervailing pressures present)</td>
<td>Noncompliance (significant efforts at export control development)</td>
<td>Indeterminate</td>
</tr>
</tbody>
</table>

Determining which phenomenon is at work is a difficult empirical challenge. Two approaches suggest themselves as appropriate for the task: process tracing and, as a fallback, counterfactual analysis. Because the conventional and open-systems OH perspectives predict the same outcome in the case of political will without capacity, methods based on comparisons the values of independent and dependent variables will be unable to distinguish between the two. However, process tracing may pick up evidence of.

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57 George and McKeown, 1985; Tetlock and Belkin, 1996.
which causal mechanism is at work: simple involuntary noncompliance as predicted by
the conventional framework, or decoupling as a response to inconsistent pressures in the
organizational environment as predicted by the open-systems OH model. Alternatively,
with sufficient cases to establish a baseline, it may be eventually possible through
carefully constructed counterfactual analysis to assess with reasonable confidence in a
given case whether an increase in export control capacity would by itself produce a
different outcome or whether addressing organized hypocrisy is also necessary.

Regardless of the method chosen, the empirical task of systematically
distinguishing organized hypocrisy from political will and capacity in case studies will
require measures of both political will and capacity. While the CITS methodology
provides a measure of capacity, political will is a difficult phenomenon to define and
measure. It is also treated differently by actor-oriented and open-systems conceptions of
organized hypocrisy. While official statements and government decrees or laws are
indicators of political will, from an actor-oriented perspective such phenomena may be
merely symbolic “talk” and “decisions,” decoupled from action. Thus, from the actor-
oriented perspective, some action consistent with the political goal, such as the
commitment of resources, should also be considered a key indicator of political will.

In an open-systems understanding of organized hypocrisy, however, organized
hypocrisy will often be an unintended consequence of uncoordinated responses to
conflicting pressures by different organizational actors.58 Distinguishing genuine political
will from insincere performance is more complicated from this perspective, as
inconsistency between statements, decisions, and actions may well be unintended.

Therefore, a lack of consistent action does not necessarily prove political commitments counterfeit. In fact, seen from an open-systems perspective, the concept of political will becomes problematic, as the actor in possession of this characteristic is itself regarded as a non-unitary entity constituted largely through interaction with an inconsistent environment, and obtaining needed resources and legitimacy on the basis of its ability to reflect that environment’s inconsistency. Ultimately, then, the concept of political will itself fits poorly within this framework, complicating efforts to operationalize it in standard positivist terms. Methodologically, this suggests a more interpretive approach for the open-systems organized hypocrisy perspective. Regardless, organized hypocrisy in either variant is a difficult phenomenon to operationalize precisely. Acknowledging these methodological difficulties, the next section presents a preliminary plausibility probe of the hypothesis that organized hypocrisy plays a role in export control.

**Export Control Development in the CEE and FSU: Organized Hypocrisy?**

In this section, I present a preliminary assessment of the hypothesis that organized hypocrisy plays a role distinct from that of capacity and political will in hampering the implementation of national export controls. The analysis asks: first, whether there is evidence of shortcomings in export control implementation that may arise from organized hypocrisy; second, whether inconsistent pressures of the kind that give rise to organized hypocrisy are present; and third, whether there are indications of decoupling or reverse coupling between talk, decisions, and action in export control. Due to limitations of time, I do not present a process tracing of export control implementation here, leaving that task to further study.
The analysis presented here focuses on Newly Independent States (NIS) and in particular on Belarus, Kazakhstan, Russia, and Ukraine. These countries are selected because of the availability of data, and because of their importance for nonproliferation, having been left with nuclear weapons on their soil after the breakup of the Soviet Union. Although all except Russia subsequently denuclearized, these states have received considerable attention regarding their nonproliferation policies, including export control, as a result of that nuclear legacy. They are the only four states for which CITS scores are available over an extended period, allowing longitudinal comparison. The scores for the four states, drawn from research conducted by scholars associated with CITS, are given in Table 2 below.

Table 2: CITS National Export Control Evaluation Scores for Belarus, Kazakhstan, Russia, and Ukraine, 1992-2000.*

<table>
<thead>
<tr>
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<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Belarus</td>
<td>32.5</td>
<td>76.4</td>
<td>81.3</td>
<td>74</td>
<td>73.22</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>29.5</td>
<td>38.6</td>
<td>67.6</td>
<td>64</td>
<td>59.26</td>
</tr>
<tr>
<td>Russia</td>
<td>40.4</td>
<td>70.5</td>
<td>83</td>
<td>84***</td>
<td>76.29</td>
</tr>
<tr>
<td>Ukraine</td>
<td>39.5</td>
<td>69</td>
<td>77.8</td>
<td>78</td>
<td>85.79</td>
</tr>
</tbody>
</table>

* Scores are reported as percentages of an ideal score of 100. On the methodology underlying these scores, see Craft and Grillot, 1997; Bertsch and Grillot, 1998, pp. 10-22; Center for International Trade and Security, “Elements Research Guide,” mimeo, 1997.
**1997 scores reported as integers only.

CITS national export control evaluations have been reported for 28 states plus Hong Kong and Taiwan. However, for most states scores are available for only one or two years. Evaluations based on the U.S. government interagency assessment tool are not publicly available due to diplomatic sensitivities.
As these scores show, all four states have seen substantial development of their national export control systems, though there is some evidence of a plateau or even decline in the latest scores available. The development of legal and procedural bases for export controls, and the bureaucratic apparatus to implement them, is lagged by actual export control regulation and enforcement. 1997 marked a high point for the CITS scores three of the four states. A study that year found that “In each of the four successor countries there is a considerable gap between the requirements and plans for export control activities and the implementation of effective programs for fulfilling those requirements, particularly in the area of enforcement.”

Thus, we have seen significant development of the formal organizational apparatus of export control in the four NIS states, but in practice, significant noncompliance and implementation shortcomings persist. While problems of political will and capacity doubtless figure in these shortcomings, export controls in the former

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61 According to Richard Cupitt (2001, iii) “The pace of multilateral cooperation in the four major multilateral nonproliferation export control arrangements has slowed dramatically in the last five years [prior to 2000], yet the infrastructure for coordinating export controls remains weak.”


Soviet Union take place in circumstances that fit the conditions for the development of organized hypocrisy. Specifically, former Soviet states, and the export sectors of their economies, face contradictory internal and external pressures. On the one hand, the economies of these states are, to varying degrees, in poor condition. Throughout much of the 1990s, Russia and the NIS states were in “desperate economic straits.”64 Domestic economic and political conditions thus created great pressure to export including dual-use and weapons-related goods. Export revenues and hard currency were and are badly needed. Widespread corruption constitutes an additional pressure for greater export revenues. Export controls, by reducing the volume of exported goods and increasing costs and delays involved in external trade, both reduce the revenues and foreign currency that exports bring and involve costs for the establishment and maintenance of an export control system that are needed for other priorities as well. Thus, there are significant pressures operating against the implementation, or even establishment, of export controls.

At the same time, former Soviet states throughout the 1990s also faced significant pressure to acquire and implement effective national export controls. There were powerful material incentives to participate in technical assistance programs and develop national controls. States doing so received not only funding for the cost of establishing their export control system, but also foreign aid and lucrative access to Western markets denied states that were judged unwilling or unable to control the re-export of Western goods to rogue states. At a more abstract level, international norms regarding nonproliferation had shifted during the decades of the Cold War, so that the possession of nuclear weapons by a non-nuclear weapons state under the NPT was more likely to lead

64 Bertsch and Potter, 1999, 3.
to outlaw status than to recognition as a great power. Thus, states “born nuclear” seeking legitimation and acceptance into the international community could best achieve those goals by abandoning any nuclear ambitions they held.\textsuperscript{65} Export control cooperation was tied into the broader normative “frame” of nonproliferation.\textsuperscript{66} And former Soviet states, eagerly seeking validation of their status as sovereign members of the international community, regarded membership in multilateral export control regimes similar to CoCom – which had targeted them for decades – as a potent symbol of such validation.

Thus, export controls in the FSU are caught in a twisting vise of opposing pressures. These competing imperatives are amplified when a government agency is charged with enforcing export restrictions on “entities that they oversee, as [in Russia] most entities are state owned, raising the problem of self indictment.”\textsuperscript{67} According to the logic of organized hypocrisy, organizations facing such contradictory pressures will typically respond by establishing separate sets of structures to independently satisfy the different demands. These separate structures may be either decoupled from one another, functioning independently and inconsistently, or they may be coupled in reverse, so that for example symbolic organizational behavior (talk and decisions) enables and actually compensates for contradictory action. \textsuperscript{68}

According to Brunsson, inconsistent talk, decisions, and action can be separated in four general ways, which he terms separation by time, topic, environment, and organizational unit.\textsuperscript{69} The last is especially relevant in the export control area. In

\begin{itemize}
  \item \textsuperscript{65} Sagan, 1996/97.
  \item \textsuperscript{66} Mutimer, 2000.
  \item \textsuperscript{67} Khripunov, 2003, 140.
  \item \textsuperscript{68} Brunsson, 2003, 205-6.
  \item \textsuperscript{69} Brunsson 1989, 34-38.
\end{itemize}
separation by organizational unit, different divisions, agencies, or bureaus within an organization may respond through talk, decisions, or action inconsistent with that of other organizational units, to different pressures acting on the organization.

For example, export control functions are often vested in agencies with export promotion responsibilities. In the United States, the Commerce Department has an overall mission of promoting U.S. exports, but also contains the Bureau of Industry and Security (formerly the Bureau of Export Administration) which has responsibility to implement U.S. export controls on dual-use items. In Russia, the Ministry of Economic Development and Trade performs some export control functions, along with the Ministry of Defense (MOD). MOD has the responsibility for controlling arms exports, and was given authority over the Federal Service for Technical and Export Control in the recent reorganization of the Russian executive, but also oversees Rosoboronexport, which promotes weapons sales. Along the same lines,

Gennady Mesyats, Vice President of the Russian Academy of Sciences and the Academy’s representative to the Russian Export Control Commission, has described his efforts to work around controls in order to arrange export control agreements. Mesyats claimed that directors of Russian scientific institutes have the right to negotiate technology transfers and make assessment as to the dual-use

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70 The Russian export control bureaucracy has undergone regular reorganizations over the last decade. Lines of authority and responsible are uncertain in the wake of the most recent, announced in March 2004 (Bouldin 2004). Along with turnover, such instability represents another capacity-related obstacle to effective export control implementation.

71 Khripunov, 2003, 134.
(and proliferation) potential of transfers. Mesyats noted that if a conflict arises “I make a few calls and the [Export Control] Commission will look the other way.”72

The Export Control Commission, with responsibility for interagency coordination, was “virtually disbanded” in late 2001, and its responsibilities transferred to other entities, then reestablished in 2002 but placed under the authority of the Finance Minister. As Igor Khripunov notes, the Finance Ministry’s “departmental interest may run counter to the spirit of export control limitations.”73 Thus, some bureaus, agencies, and institutes respond primarily to the interests of domestic exporting firms, while others are driven by a need to be seen as upholding international nonproliferation norms, and meeting the formal standards of multilateral export control regimes and bilateral technical assistance programs. Thus, different bureaus of the same department or ministry work at cross purposes, to satisfy different sets of normative and political pressures.

Organized hypocrisy in the form of different organization units acting at cross-purposes more closely resembles the open-systems conception advanced by Brunsson. A form of organized hypocrisy more closely fitting Krasner’s actor-oriented conception can be seen in the case of states which devote resources to establish export control systems, for the political, normative and, economic benefits that follow, but where high-level political leadership overrides or undercuts the implementation and enforcement of those controls when they interfere with other interests. For example, in the early 1990s, Belarus

72 Bertsch 1996, 244-245.
73 Khripunov 2003, 138.
demonstrated “a genuine commitment to nonproliferation export control and cooperation with the West.”\textsuperscript{74} However,

Under [President Alexander] Lukashenko, the export control system became less transparent and more manipulated by government agencies, especially in dual-use and conventional weapons transfers. It was reported that in some questionable international transactions, Russia chose to siphon its arms via Belarus.”\textsuperscript{75}

The reported Ukrainian export of passive radar systems to Iraq, said to have been personally approved by President Kuchma who had previously been known as a liberalizing reformer seeking closer relations with the West, may be another example of high level political leadership seeking to subvert national export control regulations.

The discussion presented here has been primarily anecdotal, and constitutes only a plausibility probe of the hypothesis that organized hypocrisy may account for problems in export control implementation beyond the effects of weak political commitment and capacity. Nonetheless, the cases surveyed provide enough evidence consistent with the hypothesis – of incomplete implementation, inconsistent pressures, and apparent de- and reverse-coupling in and among export control agencies – to merit further research. Such further research will require the identification of cases exhibiting characteristics that allow the researcher to distinguish among alternative causal mechanisms producing the overdetermined outcomes classified in Table 1. To do that, it will be necessary to

\textsuperscript{74} Khripunov, 2003, 143.
\textsuperscript{75} Khripunov, 2003, 143.
conduct process tracing of the export licensing process in the selected cases. This analysis is left for later research.

This paper concludes with a provisional consideration of the policy implications that would follow from the possible confirmation by future research of the organized hypocrisy hypothesis.

**Conclusion and Policy Implications**

To the extent that export control noncompliance, and weak export control implementation, are byproducts of organized hypocrisy, policies that focus on enhancing capacity and political will are likely to be ineffective, or even counterproductive. Programs such as the U.S. State Department’s Export Control and Related Border Security program, Commerce’s Nonproliferation Export Control Cooperation Program, and the Department of Energy’s International Nuclear Export Control Program that aim to enhance national capacity in the area of export control could well succeed in their goals, and generate significant increases in the capacity of partner countries to implement national export control regulations. Available evidence suggests that the accomplishments to date of these programs are considerable. However, if that capacity is decoupled from actual behavior due to organized hypocrisy responses to competing internal and external pressures, the effort expended in training and technical assistance could be largely wasted.

Furthermore, efforts such as outreach programs by multilateral export control regimes, and national programs such as the Japanese-led annual Asian Export Control Seminar, that seek to promote the development of a political commitment to
nonproliferation export control might be similarly short-circuited if the resultant political will were disconnected from decision-making in the agencies charged with export control implementation. This could occur through the “separation by organizational unit” form of organized hypocrisy in which competing pressures and mandates led different elements of the executive to act at cross-purposes. Or it could arise through reverse-coupling, in which “talk” expressing a political commitment by high-level leadership served to buffer pressure to actual convert the rhetoric into action.

The latter mechanism illustrates how organized hypocrisy could render existing policies not only ineffective but counterproductive. These policies are based on traditional theories of decision-making and public policy which assume that organizations’ public statements, formal decisions, and actions will be coordinated to achieve stated goals. Current policies aimed at promoting more effective nonproliferation export control thus aim at encouraging states to adopt the right decisions – to adopt the elements of national export control systems such as control lists and standard licensing procedures – and enhancing their ability to implement these decisions. According to Brunsson, however:

In the model of hypocrisy, talk, decisions, and actions are still causally related, but the causality is the reverse: talk or decisions in one direction decrease the likelihood of corresponding actions, and actions in one direction decrease the likelihood of corresponding talk and decisions.\textsuperscript{76}

\textsuperscript{76} Brunsson, 2003, 205.
If this is the case in the export control area, “successful” programs aimed at encouraging states to adopt decisions – such as legislation and administrative regulations – in support of export control, may actually “decrease the likelihood of corresponding actions” because the talk and decisions by themselves satisfy or at least reduce external pressure for greater control of sensitive exports.

Following this logic, Brunsson suggests that while efforts to influence organizations through formal decision-making processes may, “succeed in convincing the decision-makers to make the right decision, they may well lose the chance of seeing the desired action actually being carried out. Maybe they should push for the opposite decision instead.”

A recommendation that export control outreach and technical assistance programs push for “the opposite decision” and encourage states not to adopt the elements of national export control systems is excessively radical, and politically unacceptable. A more plausible policy recommendation for addressing the danger Brunsson points to would be that incentives in the area of export control assistance be tied as much as possible to outcomes rather than to legal, organizational, and procedural steps. Organized hypocrisy is more likely to produce pathological outcomes – in which statements and decisions supportive of nonproliferation efforts are tied to inconsistent and counteracting behavior – to the extent that symbolic steps such as the adoption of export control legislation by themselves satisfy external demands. To the extent that those demands are focused on action rather than talk and decision, organized hypocrisy is less likely to undermine the ultimate goal of preventing weapons proliferation.

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77 Brunsson, 2002, xvii.
This implies that greater emphasis on outcomes, relative to either political will or capacity, would be desirable in evaluating national export control systems. As long as measures used to evaluate countries’ export control behavior focus predominantly on structural and procedural elements of the export control laws, regulations, and bureaucracies, there will be a tendency for incentives to be tied to the elements that are measured—things like whether national regulations include a “catch-all” clause requiring license approval for items not included on national control lists if exporters are aware that such items may be used for weapons production. But the adoption of a catch-all clause is a decision, not an action. And if incentives, such as aid money and admission to multilateral regimes, are tied to such decisions, there will be a danger of states responding with symbolic talk and decisions, but not corresponding action. However, for reasons discussed above, detecting proscribed exports of sensitive technology and measuring actual export control behavior is exceedingly difficult, complicating the sort of effort recommended here to shift the focus of incentives from more easily measured procedural factors to outcome measures. Greater transparency within national export control systems and multilateral export control regimes, improved intelligence capabilities, and policies such as the requirement of advance cargo declarations called for by the members of the Proliferation Security Initiative could help to address this challenge.  

The diplomatic reverberations of the events of September 11, 2001 may also have increased the risk of such dysfunction consequences of export control policies arising from organized hypocrisy. The U.S., after September 11, has become increasingly willing to overlook undesirable behavior in areas such as arms transfers and export control, in

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exchange for cooperation in the war on terror by states in Central and South Asia. This shift in priorities increases the likelihood that symbolic compliance may be sufficient to resolve US pressure on these states to control flows of arms and sensitive items across their borders. Furthermore, by changing the terms of many diplomatic relationships, 9/11 may have introduced more of the sort of conflicting pressures that give rise to organized hypocrisy.

While this paper has focused on states of the former Soviet Union, if the hypothesis it developed is confirmed by further research, it would hold implications beyond the NIS and Central and Eastern Europe. According to one recent study, “Chinese officials have largely accepted global nonproliferation norms,” demonstrating political commitment. China joined the Nuclear Suppliers Group in May 2004 and is seeking membership in the Missile Technology Control Regime. And China has improved its export control capacity in recent years. However, China also faces a host of contrary internal and external pressures, economic, political, and military in nature. Thus, even with enhanced capacity and political will, the effectiveness of China’s export controls could be undermined by organized hypocrisy. Indeed, there is no reason such problems should be restricted to states with newly established export control systems. States such as the U.S., France, and Canada are subject to the same dynamics within the organizational apparatus of their governments.

Finally, in at least two senses, organized hypocrisy may be beneficial for export control effectiveness. It may allow the establishment of an export control system (capacity), though one decoupled from behavior, in states presently lacking the political

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79 Bulkeley, 2004, 166.
will to actually implement controls. Without organized hypocrisy in such situations, the absence of political will would render the development of an export control system highly unlikely given the startup costs, and impossible if it were actually coupled to action. But changes in leadership, the domestic economic situation, and other factors can then lead to a lessening of the pressures opposing implementation of export controls, and even to the development of political will, allowing export control capacity previously decoupled from actual export behavior to become effectively implemented in practice. In this spirit, Khripunov recommends that export control assistance programs seek to support export control officials facing hostile political climates in their own governments.  

Also, according to Brunsson’s logic, the cost of achieving desired action may be accepting contradictory talk and decisions – we may see more open defiance of nonproliferation norms in the public statements of governments that at the same time are increasingly compliant with those norms in their actual behavior. Such rhetoric may be politically necessary for them to satisfy domestic constituencies. A further implication, then, is that policy-makers should recognize that, when the conditions that give rise to organized hypocrisy are present, defiant rhetoric may actually increase governments’ capacity to comply with external nonproliferation demands. Thus, recent Iranian statements of defiance (talk) towards the IAEA and the United States are, by themselves, not necessarily to be deplored. Neither are Iranian announcements of a decision to restart the building of centrifuges for processing of uranium. If talk and decisions in fact decrease the likelihood of corresponding actions, these developments may actually be

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81 Khripunov, 2003, 149-151.
reassuring. It may turn out to be the case that such talk and decisions compensate, by satisfying domestic constituencies, for behavioral compliance with Western pressure to abandon Iran’s efforts to refine weapons grade uranium for nuclear arms. While admittedly counterintuitive, this analysis is reminiscent of Graham Allison’s classic injunction against inferring states’ intent or goals from their foreign policy actions. Neither can we always infer actions from their talk and decisions. Organizational factors complicate both analysis and policy in the foreign policy realm.

**Bibliography**


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82 This is a speculative example presented for illustrative purposes. Establishing whether the conditions for organized hypocrisy are present, and whether talk, decisions, and action are actually coupled in this way would require further research on this case, as well as waiting to see whether Iran does in fact resume building centrifuges for processing uranium. Without such research, we cannot conclude whether or not the Iranian case represents a strong test of the organized hypocrisy hypothesis.

83 Allison and Zelikow, 1999.


CSIS/Stimson Study Group on Enhancing Multilateral Export Controls for US National Security, April 2001.)


