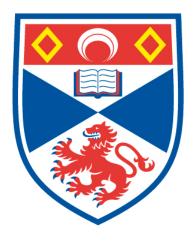
The Kimberley Process and Certificate Scheme: a classical Aristotelian rhetorical analysis of the international tripartite regime against conflict diamonds

Lori Leigh Davis

A thesis submitted for the degree of PhD at the University of St Andrews



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Abstract

Established in 2003, the Kimberley Process (KP) is a binding agreement; backed by the United Nations, that unites civil societies, state actors and the diamond industry to safeguard 'conflict' diamonds from entering legitimate rough diamond trade around the world. The unique international tripartite organization is voluntary but mandates state participants to abide by the Kimberley Process Certification Scheme (KPCS) minimum requirements in order to stem the financing or wars against legitimate governments. This study represents the first to explore the communications within the KP. The linguistic turn relies on Classical rhetoric theory with an emphasis on Aristotle's three appeals of persuasion ("pisteis"): ethos, logos and pathos of elite actors in the KP. As for the precise nature of the contribution to rhetorical analysis, this project is best characterised as an application of Classical principals of rhetorical analysis, rather than as a development of theory. A comprehensive literature review of the KP and KPCS is another distinctive contribution. Furthermore, this academic endeavour offers a unique method as shown in the observation of a KP Intersessional meeting. Supplementing the qualitative inquiry, semi-structured interviews were conducted with all of the KP groups and included a wide sample of civil society international and national non-government organizations, state actors and industry members otherwise not represented in previous empirical efforts on the subject. The data chapters achieve the primary aim to add to the understanding of the KP. Firstly, the civil societies engage in boycott rhetoric using ethos and negative pathos. As for state actors, the KP Chair exhibits charismatic leadership rhetoric, while 'recognized' established states use logical reasoning, the 'outlier' states evoke positive *pathos*. Lastly, the diamond industry experts appeal to negative emotions, the World Diamond Council to logos, and De Beers to positive emotional appeals. Combined, the rhetoric shows (a) how KP rhētors use different rhetorical strategies; (b) which in turn shape distinct discourses; (c) and contain dissimilar claims; (d) points to different motivations; (e) highlight different identities; (f) reveal key characteristics, and; (g) the nature of relationships within the KP. The organization rhetorical analysis also entails how the multiple KP leaders view the KP and KPCS and change. While the rhetoric helps demonstrate the constraints surrounding the KP and KPCS it also underlines the primary human rights and human security in which they all share. This thesis provides an extended critical view of the rhetoric by connecting Aristotelian pisteis with different conceptions of power outlined by French and Raven (1959) and Lukes (2005/1974). Combined, the rhetoric helps to explain the ways the KP attempts to achieve their specific political and economic goals while also building relationships with their stakeholders. Rhetoric is a worthwhile theory and methodological approach in order to explore organizations. The KP, and other international organizations provide an opportune arena for further rhetorical attention.

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> "There is always someone, For each of us, they say. And you'll be my someone, Forever and a day. I could search the whole world over, Until my life is through, But I know, I'll never find another you," ~ The Seekers

> > Lori Leigh Davis St Andrews, Scotland September 2017

Abbreviations

ACR - Africa Consolidated Resources AGS - American Gemological Society ATCA - Alien Tort Claims Act AWDC - Antwerp World Diamond Center CAR - Central African Republic CARAT - Consumer Access to Responsible Accounting of Trade Act CDTA - Clean Diamond Trade Act CECIDE - Centre du Commerce International pour le Developpement, Guinea CENADEP - Centre National d'Appui au Developpement et a la Participation Populaire CIBJO - Confederation of Jewelry, Silverware, Pearls, Stones and Diamonds CNRG - Centre for Natural Resource Governance, Zimbabwe CO - Certificate of Origin CSC - Civil Society Coalition CSR - Corporate Social Responsibility CVG - Corporacion Venezolana de Guyana DDI - Diamond Development Initiative DMCC - Dubai Multi Commodities Centre DTC - De Beers Diamond Trading Company EBRD - European Bank for Reconstruction and Development **EC** - European Commission ESA - Ethics, Sustainability and Accountability Group EU - European Union FPI - Foreign Policy Regulatory Instruments GAERN - Groupe d'Appui aux Exploitants des Ressources Naturelles, DRC GATT - General Agreement on Tariffs and Trade GGA - Good Governance Africa GIA - Gemological Institute of America GMO - Genetically Modified Organisms GRPIE - Groupe de Recherche et de Plaidoyer sur les Industries Extractives, Cote d'Ivoire GURN - Government of Unity and National Reconciliation of Angola HRBA - Human Rights-based Approach HRDC/HRD - Belgium High Diamond Council/Hoge Raad voor Diamont IGI - International Gemological Institute IDC - International Diamond Council IDMA - International Diamond Manufacturers Association IMF - International Monetary Fund INGO - International Non-Governmental Organization **IR** - International Relations **KP** - Kimberley Process **KPCS** - Kimberley Process Certification Scheme LGD - Lab Grown Diamonds NGO - Non-Governmental Organization NMJD - Network Movement for Justice and Development, Sierra Leone **OCS** - Organic Certification Schemes

OECD - Organisation for Economic Co-Operation and Development

PAC - Partnership Africa Canada

PPP - Public-Private Partnership

RELUFA - Reseau de Lutte Contre la Faim, Cameroon

RSS - Regulatory Standard-Setting

SADC - South African Development Community

SoW - System of Warranties

TBML - Trade Based Money Laundering

TFZ - Tax Free Zones

UAE - United Arab Emirates

UNGA - United Nations General Assembly

UNITA - The National Union for the Total Independence of Angola

UNSC - United Nations Security Council

USKA - United States KP Authority

WDC - World Diamond Council

WFDB - World Federation of Diamond Bourses

WTO - World Trade Organization

ZELA - Zimbabwe Environmental Lawyers Association

ZMDC - Zimbabwe Mining Development Corporati

Terms and Glossary

Diamond Industry Terminology

The following table details the most common terminology found in the diamond industry.

Alluvial	Diamonds are found in riverbeds and shallow mines, most prevalent in Angola, Sierra Leone, Cote d'Ivoire, Central African Republic of Congo, Democratic Republic of Congo, Liberia, Brazil, Guyana and Venezuela. Individuals or small-scale miners use simple tools and equipment in alluvial run-offs. 'Garimpeiros' are illegal small-scale miners. The trade is fully cash-based; lack formal reporting or record-keeping; monitoring or detection systems are weak and governments have shortages of valuation expertise.
Carat	Unit of measurement of a diamond. There are 5 carats to 1 gram.
Certification	Lab reports identify the first of the 4 Cs. They vary in respectability. The Gemological Institute of America is widely considered the world-leading lab.
Clarity	The characteristics in a diamond referred to as the diamond's unique birthmarks. A diamond could have any of the following: bearding, graining, cavity, crystals, clouds, feathers, needles, pinpoints, twinning wisps, or chips. If on the surface of the diamond they are called blemishes.
Color	Available in wide range of colors: white, yellow, brown, green, pink and blue.
Comptoir	The small-scale diamond buyers who act as middlemen to miners and traders who sell into the international markets.
Cut	Describes the shape of a diamond and the grade of its reflective qualities. Importance of cut gives the diamond its brilliance. Can range from Ideal, Excellent, Very Good, Good, Fair and Poor.
Diamond Trading Company	The Diamond Trading Company (DTC) is De Beers' 100%- owned rough diamonds and sales distribution arm through which it has kept its pre-eminence in the marketplace. The DTC used be called the Central Selling Organization, most commonly called the "CSO" in Europe and as "The Syndicate," in Israel (Epstein, 1982a).
Gem Quality	The highest quality of a diamond sold for consumer market.
Kimberlite	The deep subterranean volcanic pipes that are the home of rough diamonds.
Mixed Parcel	The parcel of rough diamonds is sourced from different countries.

	Is a selection of diamonds purposely placed together,
Parcel	
	thousands of carats.
	Refers to a diamond that has been cut and polished. The
Polished	diamond is faceted with flat surfaces. A diamond is
	considered 'worked' if it has been given one flat surface.
D 1	Rough diamonds are unworked, not polished – and in their
Rough	natural state.
Run of Mine	All the diamonds are extracted from the same mine.
	De Beers Trading Company offer an allocated quota of
C 1.	diamonds to selected 200 'Sightholders' ten times a year.
Sights	Sightholders take the 'Sights' as a given, they are non-
	negotiable and the entire sight must be taken.
	Carat
	Clarity
	Color
The 7 Cs	
1110 / 05	Certification
	Canadian
	Conflict
I	Commet

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1 Introduction

To begin, the first half of the chapter highlights the context to the research. The second half illuminates the background to the KP and certification. The introduction sets out the: (a) focus of the investigation; (b) key research questions; (c) overview of findings to the research questions, and; (d) aims and motivations to the exploration. An outline of the succeeding chapters concludes this thesis.

Through an exploratory approach this thesis sets out to analyse the rhetorical structures at play within the Kimberly Process (KP). The KP is the only international regime involving civil society organizations, state participants and the diamond industry. Together they oversee the Kimberley Process certificate scheme (KPCS). Even though the KP and certification scheme was adopted in 2003, there have only been a handful of empirical accounts and theorizing of the voluntary regulatory system. This thesis offers a new view on the KP and the KPCS by exploring the rhetoric used by the first tripartite stakeholder initiative in the diamond industry. Aristotle's Classical rhetorical appeals of persuasion including the ethos, logos and pathos (made in the direct quotes of elites in the KP) provide new insights into the KP and the usability of rhetoric theory in tripartite organizations. As a result of the rhetorical analysis, major themes of interest to Management scholars are highlighted including civil society roles, leadership of international regimes and the business ethics of multinational corporations. To a lesser extent, the research is linked to Management because of its focus on the elite sample.

The research questions are conceptual in nature and suitable for an in-depth exploration required for independent study (Gardner, 2008; Hart, 1998; Randolph, 2009).

In accordance with the motivations, focus and aims of the project the primary research questions are:

A) What Classical rhetorical appeals (ethos, logos, and pathos) do the civil society, state actors and the diamond industry incorporate in their discourse about the KP and certification scheme?

B) What do these persuasive appeals suggest about the participants, observers and KP as a whole?

Three research boundaries are considered. Firstly, the scholarship addresses elites directly involved with the KP. Secondly, inline with rhetorical analysis constructs, data analysis was conducted on direct quotes made by the communicators. Thirdly, the data encompasses a time frame from the beginning of the KP negotiations though to 2017.

This thesis demonstrates the two key requirements of a PhD thesis: original investigation and original contributions worthy in part of publication (Moses, 1985). An original investigation expands the understanding of the KP three-party stakeholder negotiation, the voluntary certification scheme and the diamond industry. Firstly, methodologically the researcher is the first to incorporate observations of the KP Intersessional meetings as part of the qualitative research design. Secondly, to date, there have been no studies that look at the rhetoric (Classical or new theories) of a tripartite initiative involving industry, government and civil society members. Therefore, this research links rhetoric and multistakeholder solutions to ethical sourcing schemes. Explicitly, the author provides a distinctive thesis on the KP and KPCS that includes a comprehensive empirical investigation using a qualitative approach joining rhetorical analysis of primary and secondary data. Lastly, the rhetorical analysis incorporates a critical discussion with specific theories of power.

A summary of new contributions of knowledge from the three data chapters include:¹

- From the beginning of the KP campaigning to the present, the rhetorical appeals of the Coalition of civil society organizations within a tripartite regime are predominately *ethos*-driven with negative *pathos*. The work expands the knowledge on boycott rhetoric.
- There are three distinct rhetorical strategies of state participants within the KP. The study explicates positive *pathos* and charismatic leadership rhetoric of Chairman of international regimes.
- There are also three different persuasive appeals amongst the prominent diamond industry organizations. The industry chapter highlights persuasive appeals to positive *pathos* and ads to the rhetoric of business ethics and corporate social responsibility literature.
- In relation to rhetoric body of knowledge, the thesis holds the *ethos*, *logos* and *pathos* help conceptualize the roles, relationships and ethical considerations of the KP participants and observers.
- Rhetorical analyses can be correlated with particular theories of power, such as French and Raven (1959) and Steven Lukes (2005/1974).
- Lastly, the analysis of discourse made by KP elites can supplement the elite literature in particular such as Williams (2012).

The KP and the KPCS should be studied further since they are unique, contemporary, controversial, misunderstood, understudied and theoretically underdeveloped. Equally important, this study answers academics' calls for more inquiry into the KP, international tripartite organizations and certification schemes and elite studies. Diamonds comprise, "The most remarkable of commodities and the most misunderstood of industries," (Grynberg & Mbayi, 2015:1). The KP is a new institution (Bone, 2012) and the only global regulatory system in place to address 'conflict' diamonds. The analysis of the KP and the KPCS is particularly

¹ The author intends to present these original results in journal articles in management, rhetoric and international journals.

timely. On November 18, 2015 the group of non-governmental organizations (NGOs), who observe the KP, publicly announced a boycott because the United Arab Emirates (UAE) were voted in as the 2016-overseeing Chair. Previously, Partnership Africa Canada (PAC) abandoned the KP (May-2009). Global Witness also relinquished its observer status (December 2011). The tripartite organization is now dismembered. Notwithstanding, 'conflict,' 'blood' and 'illicit' diamonds are still filtered into the legitimate diamond supply worldwide. Bieri (2009) recognized very few studies have investigated the KP, "despite its importance in international affairs, the KP remains understudied in academia." Bieri (2010b) later reports the KP has, "received virtually no scholarly attention." Consequently, the theorizing of the KP and its certification scheme remains underdeveloped (Dolan & Rajak, 2011). Lastly, the scholarship answers the calls for further research focusing on international regimes and governance (Abbot & Snidal, 2009; Brahm, 2005; Hafner-Burton, 2012; Haggard & Simmons, 1987; Murphy, 2000) and certification schemes (Jahn, Schramm & Spiller, 2005).

The research addresses the urge by rhetoric academics to bridge rhetorical theory into organizational contexts. In the same way, there are requests for further examinations of discourses by corporate actors and political elites that legitimize prevailing capitalist practices (Dolan & Rajak, 2011; Welker, 2009; Spiegel, 2015). It also responds to the frequent appeals for more critical approaches to CSR and stakeholder engagement (Banerjee, 2008,2010; Fleming et al. 2013; Jones & Fleming, 2003; Greenwood, 2007; Scherer et al., 2009).

As for the aims of the research, I was motivated to plan, conduct and complete this research in order to: (a) increase the understanding of the KP by exploring *what* and *how* people persuade others; (b) offer new voices of the KP to be heard to learn about their priorities, roles and relationships; (c) articulate the tensions between the civil society coalition and the 2016 KP Chair; (d) show new insights on how people interact and regard (or disregard) each other (cooperation); (e) create a model of how people in the KP persuade others showing the characteristics of *ethos, logos* and *pathos* tendencies; (f) re-conceptualize the

understanding of what rhetoric is and what it can do – disagreeing with the common negative associations with the word 'rhetoric;' (g) give practitioners of the KP (INGOs, NGOs, KP Chair and industry elites) an outsider's perspective of what is going on in the KP, and; (h) provide a platform towards further research in the diamond industry.

This research extends seven years work as a diamond broker ('diamantaire') and a Masters dissertation in International Business based on two major diamond manufacturers and wholesalers in Canada. The subject is a fascinating field in an area of 'warm' research as recommended by Perry (1995). Further motivations include personal and professional development and advancement as well as the possible entry into a new career (Gill & Hoppe, 2009). With the encouragement of family, friends and colleagues (Brailsford, 2010) I continue to reach the highest academic standards (Leonard, Becker & Coate, 2005). The required resources towards the planning, collection of data and decision-making were considered prior to commencing the independent study (Lovitts, 2008; Marshall & Green, 2007; Phillips & Pugh, 2000).

This thesis has nine chapters. The first chapter lays the foundations for the thesis. It introduces the research problem and research questions. The second chapter outlines the background of the diamond industry and events leading to the KP and certification scheme. Because one of the main aims is to contribute to the KP and KPCS literature, a literature review is offered on the conceptualizations of 'conflict' diamonds, the KP, and certification scheme from various disciplines. Chapter Three explains the main theoretical framework (rhetoric) and provides a literature review on organizational rhetoric. Following, the philosophical underpinnings and methods used to answer the research questions are clarified.

There are three data analysis chapters in this thesis. Chapter Five explores the rhetorical appeals by the civil society organizations of the KP and is organized in a chronological format. Chapter Six examines the rhetorical appeals of the state participants of the KP grouped into three themes: the KP Chair 2016, 'legitimate'

states and 'outlier' states. Chapter Seven studies the rhetorical appeals of the diamond industry experts, World Diamond Council and the De Beers group elites.

The discussion Chapter is organized into two parts. First, an evaluative section compares and contrasts all three data chapters. Following, the critical aspects of this research develop the links of rhetorical appeals to different conceptions of power. The final chapter concludes with major contributions, overall limitations and recommendations for further research.

2 The Diamond Industry, The Kimberley Process & Certification Scheme

"Diamonds have always been far more than jewels, they are history twinkling on the skin," (Kanfer, 1993:10).

2.1 Introduction

In order to appreciate the focus of this thesis, one must have an understanding of the diamond industry and events leading to the KP and KPCS. This chapter is in a chronological format. It starts with an overview of diamonds, the diamond industry, and 'conflict' diamonds. Consequential UN, United States, industry and civil society responses are detailed. The KP and KPCS are described in detail. Scholarship on the KP and certification scheme is themed in order to position this thesis.

2.2 Diamonds

Diamonds were first discovered in India 2700 years ago (Levinson, 1998:72). The Ancient Greeks called diamonds 'adamas,' meaning the 'unbreakable.' Diamonds are either gem quality - symbols of portable wealth (Harlow, 1998:5) or have scientific and industrial applications² (Miyoshi, 1998). Diamond demand reached record highs in 2014 (Sidler, 2014). Currently, there are around one billion carats of polished diamonds in the world, enough to fill a London double-decker bus (Zoellner, 2006:156). Diamonds are synonymous with glamour, and adventure, but they're also "stones of contention," (Cleveland, 2014), ruthlessness (Hart, 2001), great diamond heists (Selby & Campbell, 2010), organized crime and Al Qaeda (Farah, 2001). Without doubt, the diamond industry continues to occupy a cultural status like no other (Gooch, 2008). And yet, the diamond industry remains an illusive and secretive realm (Dickinson, 1965; Siegel, 2009:xxii).

² "80 percent of all diamonds pulled out of the ground are not bound for jewellery companies, but for equipment manufacturing," (Selby & Campbell, 2010:68).

Diamonds are crystalline carbon formed in kimberlite in the shape of pipes, dikes and sills (Erich & Dan Hausel, 2002:xv). Kimberlites³ were named after the town of Kimberley, South Africa, where four pipes were found in 1871 (Davenport, 2010). The central underground mine in the Kimberley area is called the 'Big Hole' and was De Beer's original mining claim (Epstein, 1982). See the following illustration:

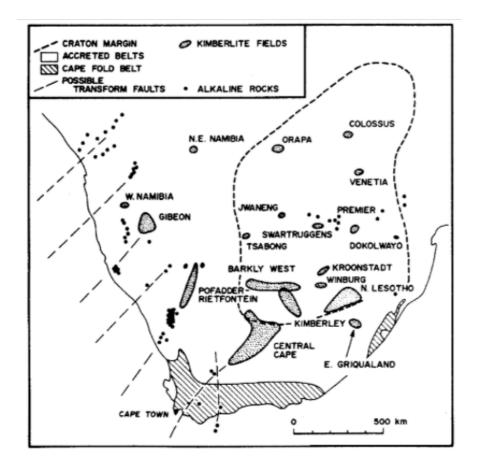


Illustration 1 - Kimberlite Fields - South Africa Source: Erich & Dan Hausel (2002:8).

³ There are only 4,000 known kimberlite pipes of which less than 60 have been mined with only about seven of 15 major producers (0.375% of all pipes) (Jennings, 1995). In 2014, De Beers produced 722,000 carats from piles of waste rock from the Kimberley mines tailings (the largest source of diamonds in South Africa) (Alexander, 2015). De Beers sold the Kimberley mining area to a joint venture (Petra Diamonds and Ekapa Mining, Ltd.) on July 9, 2016. See: <u>https://www.petradiamonds.com/our-operations/our-mines/kem/</u> for more information about the combined Kimberley operations sold to Petra Diamonds.

2.3 The Diamond Industry

On the one hand, the diamond industry exhibits many positive contributions. Around 135 million carats of rough diamonds were produced in 2015 (Zimnisky, 2015). Respectively, 10 million people worldwide are employed directly or indirectly with the diamond industry (Diamondfacts.org). While diamonds make economic contributions to Africa,⁴ Canada (Kelly, 2016) and Russia (Burnett, 2016) the sector also provides work for 35,000 people in Antwerp alone (AWDC, 2014). On the other hand, it is challenged as force of further deprivation, "Herein lies the irony. The economic benefits of diamonds, which were meant to free people from the clutches of poverty, instead enslaved them in the clutches of greed," (Conteh, 2001:248). Even so, people from all sectors are affected, either positively or negatively, through the diamond supply chain.

2.4 Supply Chain

The diamond value or supply chain can be separated into four markets: upstream includes the exploration and mining sectors who handle rough diamonds, the middle market includes the cutters, polishers and polished diamond sales by wholesalers, and diamond jewellery sector encompasses the jewellery manufacturing and retail sales. An additional sector, seen at the consumer level, is the reselling and estate jewellery where diamonds are sold back to retailers, pawnbrokers or estate jewellery purchasers. Illustration 2 shows the diamond supply chain and indicates the specific sectors the KP and certifications system oversees:

⁴ Diamond revenues support essential programmes of national development in stable, democratic countries such as Botswana (Lewin, 2011), Namibia (Hazelton, 2002) and South Africa (Meredith, 2007). "Diamond mining in Africa accounts for 65 percent of global production and injects close to \$8.5 billion per year into African economies," (World Diamond Council, 2014).

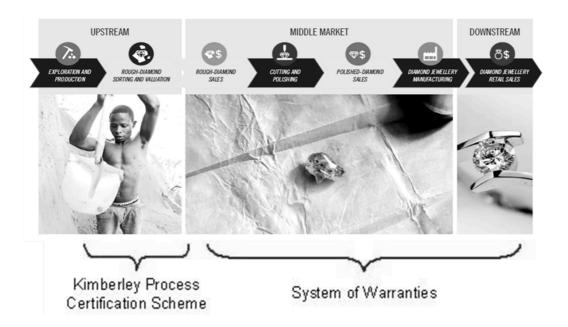


Illustration 2 - The Diamond Industry Supply Chain Source: Adapted Amnesty International (2015:11).

Most of the world's diamonds are mined in regulated open-pit or underground kimberlites: Australia, Botswana, Canada, Namibia, Russia, and South Africa — all peaceful and politically stable (Tamm, 2002). A second method of extraction is called alluvial mining.⁵ Unlike large diamond pit mining, alluvial deposits are outside the legal and regulatory framework and are the cause of most human rights issues relating to 'conflict' diamonds in Africa (Van Bockstael & Vlassenroot, 2011), the use of child labour and soldiers (Desierto, 2010; World Vision, 2013), the high incidence of prostitution in mining camps, and the associated spread of HIV/AIDS (Maconachie, 2009; Peterson & Shaw, 2006; Vlassenroot & Van Bockstael, 2008), and environmental degradation (Hilson, 2002; USGS, no date; van Wyk et al., 2009). Diamonds can also be mined from the ocean. De Beers Marine Namibia (est. 1985) is the world leader in sea-based diamond mining in the Atlantic.⁶

⁵ It has been estimated that throughout the world small-scale mining involves approximately 13 million people directly, and affects the livelihoods of a further 80 to 100 million people." Diamond Development Initiative (DDI) home page available: <u>http://www.ddiglobal.org/issues/about-artisanal-diamond-mining</u> (Accessed: 2015, November 28).

⁶ CEO of De Beers Group asserts, "SS Nujoma is the world's most advanced diamond exploration vessel ever constructed. Owned by 50/50 joint venture with De Beers and Namibian government

Rough diamonds are sorted in six major diamond hubs in the world including Antwerp, New York, Tel Aviv, Mumbai, Hong Kong and Dubai. They can be traded in "white" markets (transparent), "black" markets (completely illegal) and "grey" markets (questionable) (Fowler Report, 2000). Manufacturers are cutting and polishing centres encompassing a complex system of melting, casting, prepolishing, diamond setting and final polishing (Caspi, 1997) with often-difficult working conditions (in India) (Engelshoven, 1999; UNDP, 2009). 'Finished goods' are then sold through differing channels including monobrand stores (i.e. Pandora or Swarovski), multibrand boutiques, department stores or online shops. The US and China are expected to remain the leading diamond jewellery while, India will likely become the third-largest market, ahead of Europe and Japan, by around 2020 (Bain & Co., 2016; Dauriz et al., 2013).

Despite the volatile conditions, the entire diamond supply chain realizes strong earnings (Diamond Insight Report, 2014; DIB 2013-April; The Times of India, 2014), however; "more is made on the book ends of the value chain," (Krawitz, 2014). The long-term outlook for the world's diamond market remains positive with global demand expected to grow 2-5% per year, (Bain & Co., 2016). Forecasts for 2017 expect producers will sell over \$15 billion (US) (Even-Zohar, 2017).

2.5 Industry Concerns

Nowadays the diamond industry is fraught with challenges (Novisoti, 2015; Shor, 2005; Spar, 2006): relating to supply (Even-Zohar, 2010; Goldhill, 2014; Seccombe, 2014), changes in consumer demand (Diamond Industry Report, 2014), emergence of competitive products such as synthetic, lab grown diamonds (LGD) (Bates, 2013; Even-Zohar, 2015,2017; Kane, 2016b; Leyl, 2015), continued upheavals in Africa (DuVall, 2017, Klein, 2014ab; PAC, 2016; Pilkington, 2017; Wojcik, 2016), increasing mining related costs (Goodman, Bratt & Brantberg, 2014:4-5), social and environmental concerns (Bebbington, 2014) bank financing issues (Diamond Insight Report, 2014), terrorist financing (Farah,

the vessel cost N\$2.3 billion. In 2016, Namdeb holdings made US\$219 million in profits and in 2016 signed another 10 year sales agreement for sorting, valuing and sales," (Cleaver, 2017).

2001; PAC, 2001No4; PAC, 2002No7; PAC, 2004No15; PAC,2005No17), money laundering (FATF, 2013), new technologies for selling 'conflict' diamonds online (Krawitz, 2014a) and with social media (Chutel, 2017).

2.5.1 Civil Wars and Conflict Diamonds

Conflict gems,⁷ including 'conflict' diamonds are a 'lootable' resource. They are highly susceptible to smuggling and illegal trade due to their small size, high weight to value ratio, which is easy to hide and carry. Both rough and polished diamonds have convenient liquidity and fungible natures (Gilmore et al., 2007; Linde et al., 2014; Lujala et al. 2005; Paes, 2005). It is not surprising then that diamonds change multiple hands (Wallis, 2005) and are linked to offshore havens (Even-Zohar, 2005).

Diamonds have been argued to start (Deen, 1999) and fuel unrest (Miesen, 2012) while others disregard the connections altogether (Collier & Hoeffler, 2002,2004; Lujala, Gleditsch & Gilmore, 2005; Wexler, 2009). Most authors trace the evolution of 'conflict diamonds' and the significant role they play in the onset and duration of armed civil conflict in Angola (Global Witness, 1998; Le Billon, 2001,2006,2008), Central African Republic (Malamut, 2005), Cote d'Ivoire (Chirot, 2006), Sierra Leone (Banat, 2002; Dietrich, 2001,2004; Forest, 2001; Gberie, 2002; Maconanchie & Binns, 2007; Ndumbe, 2001; PAC, 2002; Ross, 2004; Silberfein, 2004), Liberia and Democratic Republic of Congo (Samset, 2002) as well as in Zimbabwe (Howard, 2016; Kaplan, 2003; Saunders, 2009; Tamm, 2002). Diamond related issues in Africa include refugees (Orogun, 2004), recruitment by rebels (Weinstein, 2005), the relocation of Bushmen (Solway, 2009; Taylor & Mokhawa, 2003) and links between diamonds and agricultural development (Binns & Maconachie, 2005, 2007) or foreign aid (Grant, 2005).

More importantly, diamond-driven wars have caused millions of deaths and have separated five million children and teenagers from their families by war (Roberts,

⁷ 'Conflict' gems range through the rainbow (Naylor, 2010) but commonly include sapphires (Donaldson, 2017) and tanzanite (Schoeder, 2010).

Country	Period	Estimated Deaths
Angola	1975-2002	500,000
DRC	1993-2003	200,000
Liberia	1989-1996	250,000
Sierra Leone	1991-1999	85,000

2007/2003). The estimated casualties of the civil wars associated with diamonds are indicated:

Table 1 - Diamond Driven Wars in Africa MortalitiesSource: Adapted From Lwanda (2003).

'Conflict' diamonds are categorized as: "rough diamonds used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments, as described in relevant United Nations Security Council (UNSC) resolutions," (KP Core Document). The concept of 'conflict' diamonds is not (These definitional misconstructions have not been consistent or clear. substantiated by academics in the literature). The term "conflict diamond" is thought to be a "media creation, convenient and descriptive shorthand for a complex subject," (Smillie, 2002:15). 'Blood' diamonds are those involved in: "murder, mutilation, rape or forced servitude," (Rapaport, 2010:8). Many authors use the word 'conflict' and 'blood' interchangeably (Fishman, 2005; Gooch, 2008; Hummel, 2007; Marchuk, 2009; Murphy, 2011; Ntlhakana, 2014; Sethi & Additionally, the term can be confusing as 'conflict Emelianova, 2011). diamonds' can also be called 'war' diamonds, 'hot' diamonds or 'converted' diamonds. Further terms are used including, 'contested diamonds,' (Spiegal, 2013), 'cursed stones' (Alex, 2010) and 'red diamonds' (Farineau, 2013). The term 'illicit' diamonds refers to diamonds that are linked with organized crime and terrorism (Farah, 2001; Passas & Jones, 2006).

Practitioners in the diamond industry like Bone (2004, 2012) limit the use of either 'conflict' or 'blood' diamonds in their discourse. Others in the industry link 'conflict diamonds' to conspiracy theory. The Managing Director of Belgium's Diamond High Council (HRDC) Peter Meeus insist, "the whole issue is little more than a Canadian plot to damage the Belgium diamond industry,"

(PAC, 2003No.13). "The international rough diamond trade produces 30 billion USD annually; and a staggering 300 million USD a year is associated with blood diamonds," (Ntlhakana, 2014:61). Notwithstanding, 'conflict' diamonds traded on the open market are estimated between 1-4% (www.diamondfacts.org; Hughes, 2006; Hummel, 2007; Sethi & Emelianova, 2011:216; Times, 2015).

2.6 Publicity and Advocacy Campaigns Against 'Conflict' Diamonds

The KP was the product of all the societal pressures (de Boer, 2003). Civil societies from around the world exposed the human rights violations in the diamond sites in Africa. Global Witness (UK) (1998) and Partnership Africa Canada (PAC) (2000)⁸ were instrumental in providing research, campaigning and continuous pressure on the international community during the late 1990s-early 2000s.⁹ On October 3, 1999, Fatal Transactions¹⁰ campaigned against 'conflict diamonds' and urged for an international certification system for the diamond trade. In March 2000, the Canadian ambassador to the UN, Robert Fowler, produced the 'Fowler Report' of the Panel of Experts on Violations of Security Council Sanctions Against the National Union for the Total Independence of Angola (UNITA) (Le Billon, 2001a). By September 2001, 181 NGO organisations from 40 countries¹¹ took part in the campaigning against 'conflict' diamonds, including large organisations like Oxfam, World Vision and Amnesty International (PAC, 2001-Oct; Smillie, 2005).

⁸ Ian Smillie, of PAC, makes reference to the first notion of a certificate for rough diamonds from Angola in the breakthrough report 'The Heart of the Matter' in 2000.

⁹ On March 19, 2002, Global Witness and PAC were nominated for the 2003 Nobel Peace Prize. The nomination was made by US Congressmen Hall and Wolf, and by US Senator Patrick Leahy, for the efforts that the two organizations have devoted to ending the trade in 'conflict diamonds,' (PAC, 2002,No6).

⁽PAC, 2002,No6). ¹⁰ Global Witness joined with the German NGO Medico International and two other important Dutch NGOs (Netderlands Institute Voor Zuldelijk Afrika-NIZA and Oxfam Netherlands-NOVIB). Fatal Transaction Action Guide, Available: <u>http://actionguide.info/m/inits/32/</u> (Accessed: 2017, July 12).

July 12). ¹¹ The petition was signed by 181 NGOs, Churches and academic institutions in 40 countries, including 12 countries in Africa. Signatories included various national affiliates of Amnesty International, CARE, Oxfam and World Vision. The estimated combined donor and membership lists of the signatories were in excess of five million people.

In January 2001, the UN adopted the General Assembly Resolution 55/66, which officially recognized the diamond conflict problem, offered support and backing for an international diamond certification scheme.¹² Resolution 1295 encouraged the proposal for the adoption of an international diamond of origin certificate scheme of the Interlaken Declaration (Holmes, 2007). The UN report of the Panel of Exports established by Resolution 1306 (2000), presented to the Security Council Committee, places emphasis on the issue of legitimacy of states: "diamonds that originate in areas controlled by forces fighting the legitimate and internationally recognized government of the relevant country," (Global Policy Forum, 2000:December 20). Specifically, Resolution 1306 banned all rough sales from Sierra Leone except diamonds with certificate of origin from the government of Sierra Leone (Hummell, 2007; Rogers, 2006). The UN passed S/RES/1173 and S/RES/1176 prohibiting all exports not accompanied by a certificate of origin (CO) issued by the Government of Unity and National Reconciliation (GURN) in Luanda, Angola.

Major US interventions also cultivated the conflict diamonds campaign in the late 1990s and early 2000s. In 1999, after his visit to Sierra Leone, US Congressman Tony Hall introduced a bill into Congress, called the Consumer Access to Responsible Accounting of Trade (CARAT).¹³ On April 23, 2003 US President George W. Bush signed the Clean Diamond Trade Act (CDTA) to support the KPCS. For a summary of events leading up to the KP meetings see APPENDIX 11.1

2.7 The KP Meetings

The Kimberley Process (KP) signified the, 'international response,' (Hummel, 2007) and "international campaign," (Ntlhakana, 2014) to 'conflict' diamonds. The KP also refers to the international body that sets rules for the import and

¹² UN Document General Assembly Resolution A/RES/55/66 available: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/55/56&Lang=E

¹³ The act required every diamond entering the US valued over \$100 must have a certificate of origin. The bill was unsuccessful. Congressman Hall revamped and reintroduced the CARAT Act later in September 2000 but was unsuccessful. In October, Tony Hall introduced a new bill titled the 'Conflict Diamonds Elimination Act,' a compromised bill between the diamond industry and NGOs (PAC, 2001No4). It did not pass either.

export of rough diamonds and is the only international agreement overseeing the trade of rough diamonds via certification scheme.¹⁴ It was named after the South African town where affected stakeholders, namely producing, exporting and importing states, the diamond industry and civil society first met in May 2000. There were eleven KP meetings in total from 2000-2002. See APPENDIX 11.2 for list of KP Meetings. Contested issues were agreed upon during the meetings including: minimum standards for the movement and management of rough diamonds, national legislation to support the standards, certificate templates, creation of the statistical data base and rigorous application of standardized membership criteria (PAC, 2003No11).

2.8 Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds

On November 5, 2002 in Interlaken, Switzerland, 50 nations¹⁵ expressed satisfaction with the proposals for an international certification scheme for rough diamonds, Kimberley Certification Scheme (KPCS). Refer to APPENDIX 11.3 for an example of a KPCS. Thereafter, certification scheme was officially launched on 1 January 2003. However, only a handful of countries, including India, Canada, Switzerland and some countries in Africa, were actually ready on January 1, 2003 (PAC, 2003 March). Nevertheless, the UNSC, through Resolution 1459 (2003) and the UNGA, through Resolution 57/302 (2003) recognized the role diamonds played in fuelling conflict and supported the KPCS as best solution for armed conflict fuelled by rough diamonds.¹⁶

¹⁴ The KP orchestrates the international policies for 'conflict' diamonds and resolution. Other options for international community could include, foreign aid, a tax on arms exports and/or taxes on diamond exports from conflict areas (Lahiri, 2010).
¹⁵ Ministers and other Heads of Delegation of Angola, Australia, Botswana, Brazil, Burkina Faso,

¹⁵ Ministers and other Heads of Delegation of Angola, Australia, Botswana, Brazil, Burkina Faso, Canada, Cote d'Ivoire, People's Republic of China, Cyprus, Czech Republic, Democratic Republic of Congo, the European Community, Gabon, Ghana, Guinea, India, Israel, Japan, Republic of Korea, Lesotho, Malta, Mauritius, Mexico, Namibia, Norway, Philippines, Russian Federation, Sierra Leone, South Africa, Swaziland, Switzerland, Tanzania, Thailand, Ukraine, United Arab Emirates, USA and Zimbabwe.

¹⁶ UN General Assembly 57/302. Available:

https://www.worlddiamondcouncil.org/downloads/resources/resolutions/UNGA%20Resolution%2 057302%20%2830-4-2003%29.pdf

2.9 The KP Tripartite International Family

The KP is an international regime.¹⁷ The innovative tripartite organization includes state 'participants' along with civil society and industry 'observers.' They refer to themselves as a "family." Yet, there remains no congruent definition or consensus as to what the KP is and what it was set up to do. The conceptions of the KP emphasize different aspects as shown on the following page:

Researchers	KP Conceptualization	Area of Emphasis
Cross (2011); Cullen (2013); Desierto (2010)	"Soft law regime,"/"soft law instrument"	Legal boundaries.
Dietrich (2004)	"Regional diamond trading platform"	Trading spaces.
Gberie (2009,2002)	"International forum"	Global scope.
Gilgen (2007); Meyer (2010)	"International regime"	In international relations: a group with expectations usually in the area of natural resources.
Global Witness (2006,June5)	"System of self-regulation"	Involvement requires honesty.
Grant and Taylor (2004); Grant (2013)	"Regulatory framework"	Monitoring, supervising and controlling involved.
Holmes (2007)	"Initiative"	Leading, first time actions.
Khadija and Grobler (2013)	"Public-private partnership" (PPP)	Postulates cooperation.
Sethi and Emelianova (2011:213)	"Voluntary multi-group initiative"	Deliberately chosen and not a forced requirement.
Vircoulon (2010)	Diamond-trade 'watchdog'	Stipulates surveillance, oversight.
Wallis (2005)	"Movement"	Progression.

Table 2 - The KP: A Difference in Opinion Source: Author's Research

¹⁷ The study of regime theory is concerned with international cooperation in world politics (Axelrod & Keohane, 1985;Keohane, 1982,1984,1990;Krasner, 1982,1983,1991). Krasner (1983:2) gives the first, most popular and longstanding definition of an international regime as a set of orders and commitments to: "Principles, norms, rules, and decision-making procedures, around which actors' expectations converge in a given area of international relations. Principles are beliefs of fact, causation, and rectitude. Norms are standards of behaviour defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for action. Decision-making procedures are prevailing practices for making and implementing collective choice."

2.9.1 Coalition

In 2009, the KP adopted an Administrative Decision regulating the participation of "Observers."¹⁸ There are 11 recognized civil society organizations (who are voted in) called the "Coalition." They have no voting rights but are engaged in all the working groups and committees. The Diamond Development Initiative (DDI) are also KP Observers comprised of industry, governments, NGOs and academics (Temple, 2011). Together, they compliment the KP by concentrating on issues outside the limited mandate such as the social and economic factors in artisanal mining, environmental concerns, labor issues, improving livelihoods, working conditions, human rights, and community beneficiation (PAC, 2005No18; PAC, 2008No26). NGOs like Global Witness argue the KP should adopt a human rights-based approach (HRBA) (Atabongawung, 2016) but it does not combat resource curses and human rights abuses (Wexler, 2009). The details of the Coalition Observers are outlined further in Chapter 5.

2.9.2 States

The KP is open to all countries willing and able to implement the KPCS minimum requirements. Countries are called 'participants' and they join on a voluntary basis. States have voting rights in all decision-making. Together they represent 98% of rough diamonds produced worldwide (Holmes, 2007). As of 2017, the KP involves 54 *participants*, representing 81 countries (the 28 European Union and its member states are considered a single participant). See APPENDIX 11.4 for the list of participants. Non-compliant countries include Central African Republic (CAR) (Amnesty International, 2015, 2015a; Ball, 2015; Graff, 2013; UN, 2014), Republic of Congo (ROC), United Arab Emirates (UAE) (PAC, 2005No18, PAC, 2010No32), Venezuela (Global Witness, 2007; PAC, 2006,No22; PAC, 2007No23; PAC, 2007No14; PAC, 2008No27; PAC,

¹⁸ An 'Observer' means a representative of civil society, the diamond industry, international organizations and non-participating governments invited to take part in Intersession and Plenary meetings (KP Core Document). Observers must have experience or knowledge in activities relating to natural resource exploitation, particularly diamonds; demonstrated interest in the KP; and a willingness and ability to participate in the activities of the KP. 'Observers' are involved in monitoring the effectiveness of the certification scheme, provide technical and administrative expertise to the Secretariat, Working Groups, Applicants and Participants (KP website).

2008No28, PAC, 2009:No29; PAC, 2009No30; PAC, 2015), Brazil (PAC, 2015No18,PAC, 2006No20; PAC, 2006No21), Cote D'Ivoire (and Ghana) (PAC, 2006No.22). Zimbabwe and the KP have recently taken centre stage in academic journals (Kersten, 2011) and international news (BBC, 2016). 'Conflict' diamonds and governance issues such as violence, political oppression and corruption are prevalent in the Marange region (Davidson, 2016:95; Global Witness, 2008Dec; HRW, 2009; Madebwe & Madebwe, 2016; Nichols, 2012; PAC, 2006No23; PAC, 2007No23; PAC, 2009No29; PAC, 2009No30; PAC, 2010No33; PAC, 2011No35; Saunders, 2016:26; Vircoulon, 2010).

2.9.3 Industry

Industry 'Observers' include industry experts, the World Diamond Council (WDC) and De Beers. They provide technical, financial and other support (expertise) in the KP Working Groups, ad hoc committees, participate in Review and Mission Visits, provide the data base for rough diamond evaluations (Polyakov, 2016a) and maintain the KP website. The WDC¹⁹ is an industry body (est. July 2000) headquartered in New York and represents 49 core diamond industry members (producers, dealers, manufacturers and retailers) and affiliated trades (banks and shipping companies) in the development and implementation of the KPCS. See APPENDIX 11.5 for the list of WDC members. Indeed, the WDC is to ensure consumer confidence in diamonds of any type (Runci, 2010). The De Beers Company (est. 1888) is now apart of Anglo American Corporation (est. 1985).²⁰ See APPENDIX 11.6 for the brief history of De Beers and APPENDIX 11.7 for De Beers organizational structure. The multinational company once controlled eighty percent of the world's uncut diamonds (Berman, 2010; Gupta et al. 2010; Spektorov et al. 2013; Turrell, 2008).

¹⁹ Technically speaking, the WDC is a NGO, however; it is discussed in the industry chapter because it is recognized by the KP as the main 'industry observer' and the umbrella for all the diamond industry throughout the entire supply chain.

²⁰ Chairman Nicky Oppenheimer sold the 40-percent family stake in the De Beers Company for \$5.1billion dollars in 2012 because of the political changes in South Africa, succession planning, devaluing of mining interests, increases in required capital and to invest the money into other more profitable ventures (Mupepi, 2017:150).

2.10 The KP Institutional Framework

The KP refers to the tripartite negotiations during 2001-2003 and to the current overseeing body of the KPCS. The KP follows the mandate of the "Core Document" exhibited in APPENDIX 11.8. in the efforts to address diamond governance, corruption and internal conflict (Burbank, 2006). It also oversees the national and international sanctions, including the regulations and restrictions that prohibit the trade and economic activity of rough diamond trade. Measures include the processes of decision-making, chairmanship, meetings, reviews and missions, and working groups and committees. All voting is conducted by *consensus* basis. The KP is administered by a rotating Chair who holds the position for one year. See APPENDIX 11.9 for the list of KP Chairs. As of 2017, the KP does not have a permanent secretariat.

Each year around 300 representatives from civil society, state actors and the global diamond industry meet over three days at the Intersessional (usually in June) and Plenary (November). The KP is built on a peer review system. Each year, participants are required to submit a report on their implementations of the KPCS. In addition, participants are subject to reviews and missions. Fact Finding Reviews ascertain whether a participant is compliant with the minimum requirements and also verify the annual production of statistics. The KP comprises five working groups (artisanal and alluvial, diamond experts, monitoring, rules and procedures, and statistics) and three committees (participation and chairmanship, selection and the KPCS review). See APPENDIX 11.10 for the details of the Working Groups and Committees.

2.11 The KP Certification System Requirements

The certification system follows the first state-based²¹ certification and industryled diamond programs.²² The KPCS was formally adopted on January 1, 2003

²¹ Certification Scheme in Angola UN Security Council Resolution 1173(1998) is available at: <u>http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1173(1998)</u> and Sierra Leone Global Policy Forum 2000, August 1.

²² HRDC (est. 1973) represents the Belgium diamond industry and its primary shareholder is the Antwerp World Diamond Centre (AWDC). The HRDC has the largest diamond lab in the world and provides diamond certificate and jewellery-grading reports set by the International Diamond

stipulating: a) all rough diamonds with the Harmonized System Codes 71021000, 71022100, 71023100 must be accompanied with a KPCS when exported and imported, and; (b) all rough diamonds with KP certificates can only be traded with active members of the KP. Precisely, shipments require the, "forgery resistant document with a particular format which identifies a shipment of rough diamonds as being in compliance with the requirements of the Certification Scheme," (KP Core Document). Non-compliance causes exclusion from the diamond trading market (Feichtner, 2009).

2.12 The KP and Certification Scheme in the Literature

Origins of 'conflict' diamonds are always presented in the KP literature (Grant, 2013,2013a; Grant & Taylor, 2004). Accounts of 'conflict' diamonds are theoretical-descriptive (Grant, 2010; Grant & Taylor, 2004; Hummel, 2007; Lujala, 2010) and usually include responses and campaigning against 'conflict' diamonds by industry (Tamm, 2004; Goodhand, 2006) or state actors including the US (Fluet, 2005). Fittingly to the background literature on the KP, issues relating to the natural resource conflict resolutions (Humphreys, 2005), governing war economies (Jakobi, 2013; Snyder & Bhavnani, 2005) and arguments pertaining to the diamond "resource curse"²³ are prevalent (Le Billon, 2012; Lujala, Gleditsch & Gilmore, 2005; Wexler, 2009). It's only recently the issues relating to 'illicit' diamonds are linked to the KP (Gooch, 2008; Khadija & Grobler, 2013; Sharife & Grobler, 2013).

2.13 Analytical Research on the KP & KPCS

A large and growing body of literature has investigated the KP and KPCS inline with international relations (IR) perspectives. Some academics specifically call

Council (IDC), World Federation of Diamond Bourses (WFDB) and the International Diamond Manufactures Association (IDMA). Other recognized diamond grading agencies that certify polished diamonds and jewellery include the Gemological Institute of America (GIA), American Gemological Society (AGS), European Gemological Laboratory (EGL), International Gemological Institute (IGI) and the International Confederation of Jewellery, Silverware, Pearls, Stones and Diamonds (CIBJO).

²³ The resource curse refers to "the tendency for many low-income commodity exporters to experience slower economic growth than countries that are less well-endowed with resources," (Collier, 2008:11).

the KP an "international regime," (Gilgen, 2007; Haufler, 1993,2008,2009,2010; Paes, 2005). Authors in IR discuss the KP in terms of international regimes theory (Arts, 2000; Grant, 2013a; Hafner-Burton, 2012; Hassenclever, Mayer & Rittberger, 2000) promoting good governance (Aaronson, 2011; Meyer, 2010; Snyder & Bhavnani, 2005; Spiegel, 2012), as a means to resource management (Holmes, 2007) and a way towards positive development outcomes (Olsson, 2007; Gooch, 2008). Another categorization of the KP in IR is in relation to 'global governance,' (Abbott & Snidal, 2009, 2010). Abbott and Snidal (2009) extend the global governance by modelling a "global governance triangle." See APPENDIX 11.11 to see where the KP fits in the triangle.

A second body of literature addresses the legal aspects of the KPCS. The KP imposes no binding obligations under international law (Wexler, 2009). The system follows the 'Core Document;' purposely designed not to be a treaty. There is no mention of required signatures or ratifications (Cullen, 2013). Contrariwise, the KPCS violates international trade laws and the World Trade Organization (WTO) (Feichtner, 2009; Gilgen, 2007; Pauwelyn, 2002; Woody, 2007). Resultantly, the KPCS is understood as an international non-binding 'soft law' system²⁴ (Cross, 2011; Cullen, 2013; Desierto, 2010).

Another group of law-based scholars contemplate the possibilities to copy the KPCS into other markets, especially to be used as a "model for the governance of other commodities for which either is significant inadvertent funding of conflict," (Bannon & Collier, 2003:13). In one case, Harrington (2009) considered the potential of a Kimberley-styled legitimacy certification for the global gemstone market and other mining sectors. Ekmen (2011) assesses the past experiences with the KPCS to determine if the same regulatory practices could be applied to the coltan trade. He concludes it wouldn't be sufficient. A final area attempts to

²⁴ Some state actors do have legislation against 'conflict' diamonds (i.e. US), which industry actors are cognizant of and seek to comply with in addition to their KP obligations. Thus, hard law also exists and operates in the background to the work of the KP.

restructure the KP within multilateral export control regime systems²⁵ (Joyner, 2004). As a result, globalization blurs sovereignty and questions how multinational corporations "ought" to withhold legal and social responsibilities (Atabongawung, 2014). The interests from this discipline could be explained by, "Perhaps most important, the KPCS demonstrates a shift in the importance of non-state actors in international law," (Holmes, 2007:215).

2.14 Empirical Studies

Few published empirical studies investigate the diamond industry. Correspondingly, few scholars have collected data on the KP or the KPCS using either qualitative or quantitative methods. Not surprisingly then, 'the mixed-methods' approach is under-utilized within the KP and KPCS research too. The taciturnity of empirical research in the literature from a Management perspective should be no surprise - due to the illusive and suspicious nature of the diamond industry. Consequently, much of the previous research (and this study) has been exploratory in nature. Similar to conceptual studies, much of the empirical research has focused on identifying and evaluating the strengths and weaknesses of the KP and certification scheme. The specific qualitative studies on the KP and KPCS are summarized in a chronological order.

Bieri (2016/2010,2011,2010,2009,2008,2006)

Franziska Bieri is a predominate voice on the KP, particularly on the role NGOs and civil society had during the KP discussions.²⁶ From a sociological theoretical framework, she extends the scarce body of work specifically on NGOs working with the UN and international concessions (Clark et al., 1998; Alger, 2014,2003). Her major contribution is: the NGOs brought expertise, acted as watchdogs and ensured legitimacy to the KP negotiations.

²⁵ In addition to 'conflict' diamonds, there are also regulatory transparency schemes in multilateral agreements controlling exports of tropical timber and E-waste (Wolfe & Baddeley, 2012).

²⁶ After completing a PhD in 2008 entitled: From Conflict Diamonds to the KP: How NGOs Reshaped a Global Industry, at the University of Emory she later published a book in 2010 with the same title. She changed 'conflict' to 'blood' diamonds, assumedly to garner more public attention.

Although Bieri is one of a few first-hand researchers who have explored explicitly the KP and the KPCS she only looks at the roles the NGOs made during and throughout the initial KP meetings. She interviewed 18 people, mostly Canadians from NGOs (PAC). Considering the title of her PhD thesis and book, it is surprising the other major organizations in the civil society coalition involved with the KP are not included in the research. Her findings are heavily weighted on the input from just one of the civil society coalition members.²⁷ Resultantly, Bieri created a lifespan model of the KP further explained in Chapter 5.

Meyer (2010)

In 2010 Meyer conducted a study exploring the economic and political aspects shaping the KP. The study was explained at the 7th Pan European Conference on International Relations and has yet to be published. The aim of the research was to understand how stakeholders of the KP recognize successes and failings of the KP and KPCS. Notably, he used qualitative techniques to collect his data but he presents his finding in a quantitative way. Meyer (2010) interviewed and sent a questionnaire to 25 representatives in the diamond industry, government officials and NGO members. In addition he analysed data from questionnaires from 19 industry members. The questions cover issues relating to accordance with UN mandate, purpose and limitations, beneficiaries, functioning of public-private partnership, driving forces, NGO efforts, government compliance, industry leverage, industry self-policing, strengths, weaknesses, threats, improvements, mandate expansion and model function in regulating other commodities. His findings reveal the participants of the KP share an understanding of its purpose and limitations, the industry largely benefits the most from the KPCS, the publicprivate partnership functions "very well"/"well with reservations," the involvement of the NGOs is essential, state compliance is debatable, the certificate of origin is widely 'effective,' and industry self-regulation is varying in efficiency. He allows for open coding for the question: "What are the major strengths of the scheme?" The response categories encompassed the tripartite

²⁷ 6 of the 23 interviews were from Partnership Africa Canada (PAC). She did not include data from any of the Coalition observers.

setup, monitoring mechanisms, signaling effect, national implementation, minimal bureaucracy and flexibility. The tripartite setup and monitoring mechanisms are offered as the primary strengths and flexibility as the least recognized aspect. In regards to weakness, the response categories ranged from (most response) insufficient enforcement, politicization, corruption, lack of resources, negative changes in industry, decentralized structure, abuse by "legitimate" governments, increasing bureaucratization to (least response) financial burden to developing countries. The greatest threats to the future development of the KP were identified as potential inactivity, lack of political will, obsolescence, unrealistic expectations, lack of financing, interstate war, nationalization to (least noted) competing certifications systems. It is recommended to keep the KP's mandate, however; human rights issues and incorporating cutting and polishers into the scheme should be adopted. Only a few responses, by industry, declare the KP and KPCS should be abandoned altogether.

Spiegel (2015)

Spiegel (2015)²⁸ focuses on the KPCS as a contested diamond certification system in relation to the human rights issues in Zimbabwe. Spiegel also used a qualitative method from 2006-2014. Data was collected from document reviews and interviews with key stakeholders in the multinational diamond industry including two companies with previous claims to exploration rights (DeBeers and Africa Consolidated Resources (ACR)), human rights organizations (including representatives of NGOs based in Europe, North America, South Africa and Zimbabwe), government officials (Ministry of Minds and Zimbabwe Mining Development Corporation (ZMDC) and over 150 artisanal miners from diverse socio-economic backgrounds. His major contribution to the KP literature is this: Those who argue for and against the certificate scheme overlook the interests of the artisanal miners. Of all the researchers, it is believed he would disapprove of this thesis the most because it does not include direct data from artisanal miners.²⁹

²⁸ Spiegel is from the Centre of African Studies at the University of Edinburgh.

²⁹ Research about diamond artisanal miners is widely conducted by civil society groups, i.e. Diamonds Development Initiative (Hilson, 2009,2010,2001;Hilson & Banchirigah, 2009) and

Falls (2011)

From a theoretical standpoint, Falls (2011) study on diamond consumption in New York most closely relates to this current study. She incorporates visual rhetoric theories and the KP. From a critical arts background she gives a new description of the diamond industry and analysis on images and advertising material on blood diamonds. Her input to the body of knowledge on the KP tracks the visual conversation of NGOs and diamond industry images on blood diamonds and how they advance parallel neoliberal agendas. She is the first to use *visual* rhetoric theories of six images, (perhaps the sample size is thin) nonetheless, her main point is: NGOs and industry have different ideologies, but together in their own ways, actually advance parallel neoliberal agendas with the use of the KPCS, advertising and marketing.

Davidson (2016)

Nigel Davidson made the most recent empirical research publication on the KP in 2016.³⁰ This is the second PhD thesis on the KP as he confirms on page 4: "Only two monographs have been published about the KP to date." His research questions are: (a) "To what extent has the conflict diamonds governance system achieved its objectives?" (b) Does an application of the networked pyramid regulatory model to the conflict diamonds governance system provide descriptive or normative insights into its effectiveness? He incorporates a, "dual networked pyramid model," to determine the strengths and weaknesses of the KP. "The networked pyramid model is a hybrid, combining insights from networks theory, the regulatory pyramid model, and the pyramid of rewards," (p.262). Network theory suggests:

Regulation occurs through the combined operation of different individuals and organizations, which are considered roughly equal.

Hilson & van Bockstael (2012,2011) from Partnership Africa Canada. Academics not associated with civil societies include: Maconachie (2009) and Maconachie and Binns (2007).

³⁰ Nigel Davidson awarded a Doctor of Juridical Science at the Australian National University in July, 2012. He began as a Masters Thesis at the University of Texas in 1964.

Its main regulatory techniques are dialogue and persuasion, and informal naming and shaming, which together create a process of socialization towards compliance with a particular set of standards, (ibid).

Davidson does not explain 'dialogue' or how he understands 'persuasion.' (He does not refer to Aristotle's art of persuasion...) The networked pyramid model suggests the most successful regulatory approaches extend beyond governmental action alone, to embrace non-governmental actors such as civil society organisations and business entities. He argues the most significant regulatory gains are made through the horizontal techniques of dialogue, persuasion, and socialisation. The model recognises the deployment of vertical coercive interventions may be necessary in appropriate circumstances.

Although he declares a rigorous overview of conflict diamonds literature (p.7), looking at his reference list would prove otherwise. Arguably, there are no critiques of the literature. The diamond industry understanding is somewhat partial and outdated (p.22). Perhaps the study would have been more comprehensive if he would have included more than three interviewees.³¹ According to Davidson, his major findings are: (a) The KP is successful because it is associated with reducing the quantity of conflict diamonds to less than one percent since the 1990s; (b) The process is deemed an innovative tripartite partnership that was responsible for directing the major diamond industry members to become active members in the KP; (c) Advances the argument that the conflict diamonds governance system has made modest gains, but has failed in its efforts to address situations of serious non-compliance by member

³¹ Reminder: Davidson's work is based on a number of standardized questions presented to government, NGO and industry participants of the KP: (a) The Government Participant: Australian Federal Government provided written response (b) NGO Participant: Global Witness provided verbal interview (recorded and transcribed) (c) Industry Participant: Rio Tinto provided verbal interview, (recorded and transcribed). The second stage of the methodology was to draw on the existing regulatory theory literature in order to develop a new theoretical model that might explain how the conflict diamonds governance system might, in a descriptive sense, be analysed and understood, as well as offering insights, in a normative sense, as to how the system might be improved upon.

governments (p.8). These findings add little to the background of 'conflict' diamonds or to the KP and KPCS literature.

2.15 Evaluations of the KP and Certification Scheme

Many people ask if the KP and KPCS even work (Melik, 2010). In the literature as a whole, the KP and certification scheme are treated as one entity, when in fact they represent one specific organization and one unique system. The literature predominately focuses on the successes and failures of the KP and KPCS from either an international relations (Feldman, 2003; Grant & Taylor, 2004; Haufler, 2004,2008,2009,2010; Paes, 2005) or international law perspective (Saunders, 2000; Fishman, 2005; Holmes, 2007; Hummel, 2007; Woody, 2007; Nichols, 2012). On one end of the scale, Paes (2005:320) personifies the KP as a woman and heralded her as, "an enormous success by all standards." Reasons include its voluntary nature (Smillie, 2005) flexible method built on mutual respect and trust (Cullen, 2013) and ability to curtail rebel access to the world diamond market, (Collier, 2008). As a result, the KP is heralded for maintaining regional stability (Bennett, 2002). Additionally, the KP has made the diamond industry more transparent (Banfield, Haulfer & Lilly, 2003:44). The KP is a fine example of tripartite international organization cooperation (Gooch, 2008; Sethi & Emelianova, 2011:213). From a different point of view, a government member who attended the initial KP negotiations indicates unique praises the KP because it has, "a common purpose, shared experiences and expertise, a sense of ownership, and the assurance of being heard were the key ingredients that made the KPCS a success," (Wright, 2012:184). In addition, the application and the effectiveness of the KP and certificate scheme are specified to various countries including Zimbabwe (Mirell, 2012; Munier, 2016; Nichols, 2012; Nthakana, 2014; Vircoulon, 2010), South Africa (Hughes, 2006), Democratic Republic of the Congo (Malmut, 2005) and Brazil (Blalock & Jaffe, 2006). The certification is believed to guarantee diamonds are conflict free to consumers, and is argued to re-instill the norms for legitimate diamonds (Santiago, 2014). In summary, at least the KP is a, "step in the right direction in the global effort to curb the trade of blood diamonds," (Howard, 2016:158).

On the other end of the scale, much of the literature emphasizes the inadequacies of the KP and KPCS. News outlets in particular refer to the KP with scepticism and loopholes (Nicholson, 2013): "mission impossible," (Hughes, 2006), "A Rough Cut?" (Hilderbrandt, 2009) creating "The 'Perfect Cover Story for Blood Diamonds," (Aoife, 2012; Rhode, 2014).

Critiques of the KP can be separated into its *structures* such as the mandate does not directly address human rights issues due to the definition of 'conflict' diamonds (Howard, 2016; PAC, 2005No17; PAC, 2009No29; PAC, 2011No34), stop illicit diamonds (PAC, 2004No13) or target money laundering and smuggling (Campbell, 2004; FATF, 2014; Amnesty International, 2015). Secondly, the KPCS gathers considerable reproach about legal violations such as with the WTO (Price, 2003a; Woody, 2007) and General Agreement of Tariffs and Trade (GATT) (Holmes, 2007).³² Thirdly, consensus voting is ineffective (PAC, 2007No25). Fourthly, membership lacks strength necessary to shape global compliance (Fishman, 2005). Fifthly, countries shoulder disproportionally large share of the price causing a 'free-rider' problem (Van Bockstael & Vlassenroot, 2011:9). To add, the KP is "woefully underfunded," (Bone, 2004; PAC, 2004No16). Seventhly, internal controls are non-existent or inadequate in diamond producing countries (Fishman, 2005; Global Witness, 2005). Likewise, the statistic measures are a "bafflegab," (PAC, 2005No16) due to their "limited utility," (PAC, 2008No28) from an unwillingness to gather and share (Kantz, 2007) irregularities with countries like ROC (Grant, 2013). Even still, the disclosure of information on the website for the public to see is lacking (Hughes, 2006). Independent monitoring is problematic for both states (Fishman, 2005; Howard, 2016; PAC, 2004:3) and industry (Desierto, 2010). Following, enforcement mechanisms are a prominent criticism of the KP (Cullen, 2013; Holmes, 2007; Murphy, 2011; Nthakana, 2014). Correspondingly, the KP has been called a "watchdog without teeth," (Fishman, 2005). In effect, it is only a

³² "In Europe, the General Agreement on Tariffs and Trade ("GATT"), a treaty first signed in 1947, but now governing over 110 countries in the World Trade Organization ("WTO"), including the United States, bars restrictions on trade among the signatories," (Feldman, 2003).

"band-aid on a machete wound," (Malamut, 2005) because "sanctions are imposed with extreme reluctance, if ever," (Sethi & Emelianova, 2011:214). Durnovich (2014) propose the KP should be addressing land ownership. Director Chairman Gooch of Global Witness lists three specific ways the KP and KPCS failed:

(1) It failed to deal with conflict diamond trade in Cote d'Ivoire; (2) it took no serious action when Venezuela blatantly and repeatedly breached KPCS rules; and (3) the KPCS has failed to halt the human rights violations and violent atrocities occurring in Zimbabwe, (Global Witness, 2011).

The diamond industry is heavily criticised in regards to the KP. De Beers, in particular, attracts the bulk of disapproval (Andrews, 2006; Paes, 2005:315; Saunders, 2000). So, the KP has underserved legitimacy and is nothing more than a public relations stunt (Blalock & Jaffe, 2006; Desierto, 2010; Graham, 2015).

There are also varying assessments specifically to the certification scheme. In a positive association, the certificates of origin promote peace and development (Fluet, 2005). On the other hand, the certificates of origin have attracted an array of condemnations. Firstly, they only address rough diamonds and not cut or polished gems (Holmes, 2007). If a rough diamond is partially bruted or faceted it would not need a certificate. Wetzel (2010) wants "to extend the KP to further parts of the supply chain," via geochemical characteristics. Roberts (2007/2003) calls for a "Kimberley Two" because:

There is utterly no guarantee that a certified "Kimberley Process" stone will not have been cut illegally by a child working in dangerous conditions, or mined by a miner breathing asbestos dust, or come from land from which indigenous people have been unjustly evicted, (PAC, 2004:3).

Secondly, there are inherent flaws with fraudulent³³ certificates and fake certificates (Fishman, 2005) are an on-going concern from Sierra Leone (Graff, 2016), Democratic Republic of Congo, Angola, Malaysia and Ghana (KP, 2017). Forgery of certificates is also a concern (Howard, 2016). Fourthly, certificates are not the same for each country, there isn't a template or uniformity of information required for each certificate (Atabongawung, 2016). Fifthly, inaccurate values are put on certificates³⁴ (PAC, 2006No20). In the experience of the researcher, importers, manufactures and wholesalers are required to keep the certificates for three years, however; there are few accounts where certificates have been verified. For these reasons, the certification scheme "runs the danger of remaining a paper exercise," (PAC, 2002).

2.16 KP and KPCS Literature Review Summary

Overall, the infrequent empirical studies suggest more work needs to be done on the KP. It is likely academics face difficulties of access, engagement and building trusted long-term relationships in the diamond industry and the KP as a whole. Qualitative empirical research on the KP is often descriptive and prescriptive. There are minimal opportunities for quantitative studies based on existing data. Data from several studies establishes the visual rhetoric of the KP (Falls), the roles of civil society (Bieri), the perceived strengths and weaknesses of the KP and KPCS by KP stakeholders (Meyer), lack of artisanal regard and involvement (Spiegel) and the KP and KPCS works (Davidson).

As indicated, the research illustrates a 'silo' effect of disciplines since they rarely overlap. The perceptions of the research are frequently seen as a tool for criticism rather than understanding and assisting the KP itself. Academic research has tended to take an overly critical approach instead of a reflexive or overly friendly stance. As a result, the KP literature has the potential danger of being 'absolution research' whereby the aims are only confirming validity and appropriateness of the KP and KPCS. Opportunities remain for clear, careful and in-depth

³³ For example, fraudulent diamond shipments valued at an estimated \$46million had been covered by Brazilian Kimberley Process certificates (PAC 2006No.21).

³⁴ The Diamond High Council HRD has long argued that values should be removed from the Kimberley Certificates due to taxation in Belgium (PAC, 2006No.20).

explanations of theoretical lenses used to view the KP and KPCS in first-hand research studies. Also, KP studies undertaking meta-analyses, or bringing together disparate theoretical sources, i.e. rhetoric and 'power' are underdeveloped.

3 Rhetorical Theory

"Rhetoric has always been a flexible term," (Smit, 1997:41).

3.1 Introduction

The aim of this research is to explore the Aristotelian rhetorical appeals of persuasion (*ethos/logos/pathos*) of the participant and observer members in the international organization called the Kimberley Process (KP). The international tripartite organization¹ proves to be a suitable case to analyze rhetorically. Goodnight (2015:150) demands for the communications field to investigate the, "complicated histories of international agreements, sovereign structures, and networked market practices." This thesis oscillates between the theory and practice of rhetoric (McCroskey, 1968). The rhetorical analysis of the KP is both a method and way of analyzing the different ways people use communication "in and around" an organization² (Phillips & Brown, 1993). While authors in rhetoric and Management studies incorporate Classical rhetoric to examine organizations, the numbers are few. The purpose of this chapter is to outline the origins, issues and potential of rhetoric in organization studies.

To prepare the reader for this chapter, the arrangement of sections are as follows. First is a brief orientation to rhetoric and its terminology. Second, is a chronological account of rhetoric with a focus on Aristotelian rhetoric. Third, academic debates and organizational rhetoric are explained to situate this thesis.

Many readers are unfamiliar with the history of rhetoric (Sellers, 2006). Since its earliest notions in Ancient Greece and Rome, rhetoric as an independent study,

¹ Bittner (1965) defines an organization as the, "stable association of persons engaged in concerted activities directed to the attainment of specific goals."

² Rhetoric examines the components within human communication and is different from the seven other perspectives on discourse, categorized by Putnam and Fairhurst (2001:103): a) logic and formal argument; b) pragmatics; c) interaction; d) conversational analysis; e) semiotics; f) narrative theory, and; g) critical discourse analysis, because rhetoric not only investigates the what but the how in "strategic" communications (Cheney et al., 2004:84;Palenchar, 2011; Suddaby & Greenwod, 2005).

has maintained a focus on the ways humans³ can persuade others through communication (Cheney et al, 2004; Cole, 1991; Gearhart, 1979). 'Rhetoric' derives from the Greek word rhētorikós, a rhētor meaning a "public speaker." It is linked to rhôma, 'that which is said' or the 'spoken word' and the verb erō translated as 'I say, I speak.' Persuasion underlines most definitions of rhetoric.⁴ Rhetoric is the study of the effective use of language (Miller, 2006) whereby communications are directed to a specific audience with the intent to achieve certain goals (Leith, 2012:19-20; McCloskey, 1985) such as to "impress the hearers and influence them for or against a certain course of action," (Freese, 1926:vii). The function of rhetoric is about "adjusting ideas to people and people to ideas," (Bryant, 1953:413). Watson (1995) insists we also persuade ourselves too. Recognizing the context - the 'rhetorical situation' ("kairos") - involves an "exigence"/problem, discourse, audience and constraints, is necessary in order to understand rhetoric (Barley & Kunda, 1992; Benoit, 1994; Bitzer, 1968,1992; Consigny, 1974; Nugus, 2009; Vatz, 2009,1973).

The term rhetoric may refer to the practice (rhetorica utens), theory (rhetorica docens) or the product of strategic message making for an intended audience (Burke, 1950; Gross, 1994). The person who prepares, creates or presents rhetoric is known as a *rhetor*. Rhetoric is referred to as a 'tool' capable of enhancing compositions⁵ and aims to persuade, inform, express, educate or to entertain (McGuigan et al., 2007:4). We may explore the product the author or speaker produces in, "rhetorical discourses, spoken or written," (Black, 1965/1978:15) such as a speech, presentation, media expose or books. These products are referred to as *rhetorical discourses* or *rhetorical artifacts*. The process of analyzing artifacts or discourse is called *rhetorical analysis*, and is guided by sets of questions or frameworks known as *rhetorical methods*.

³ Burke (1966/1970:16) clarifies man as the, "symbol-using animal, inventor of the negative, separated from his natural condition by instruments of his own making, [and] goaded by the spirit of hierarchy."

⁴ As Scott (1973) maintains rhetoricians are infatuated with defining rhetoric.

⁵ To be clear, rhetoric is not the same as composition: "Rhetoric and composition are not always distinguished, because they are usually studied together; however the difference between them should be understood. Composition produces discourse, rhetoric analyzes discourse," (Hudson, 1923:168).

Rhetorical theory includes the use of rhetorical criticism to formulate general principles governing how rhetoric works in line with power.⁶

Attacks on rhetoric are commonplace. Condemnations of rhetoric, as "ornament, display, or 'mere-rhetoric'... all style and no substance," (Throgmorton, 1991:38), "rhetrickery," (Booth, 2004:128), "inflammatory speech," (Molina & Spicer, 2004) or "mere rhapsody," (Kozy, 1970) largely go unchallenged. Yet, rhetoric is everywhere and everyone uses it. Richards (2008:115) avows, "Everyone living in [a] community with other people is inevitably a rhetorician." The world is "incredibly full of old rhetoric," (Barthes, 1988:2) and "We live in an age dominated by it...we live in the most rhetorical age of all time," (Booth, 1965:36). Rhetoric is a condition of human experience and characterized in every human endeavor (Johnstone, 2007; Sillince, 1999a). Essentially, "There is no escape from rhetoric," (Simmons, 1990:16).

One rhetorical perspective examines the producer of discourse (the rhetor) through the use of meaningful signs or symbols (such as words or images) and the audience of the intended discourse. Alternative tools of rhetoric, that may be the focus of a study, include figures of speech, topoi, lines of argument, invention and style and Aristotle's ethos, logos and pathos (Johnstone & Eisenhart, 2008).

One view sees rhetorical analysis as narrow in scope. The focus is on style and delivery often within oral rhetoric following in a Classical tradition (Carroll, 2007,1975). The other holds rhetoric inquiry is too vast in scope as it can include the examination and review of all types of discourse (Bryant, 1953; Jasinski, 2004). To elaborate, the "rhetorical turn" into humanities (Lyne, 1985) has reached anthropology (Rosaldo, 1987), fiction (Booth, 1961), films (Blakesley, 2004), fine art (Helmers, 2004), history (Griffin, 1952; Hexter, 1967; Nelson, Megill & McCloskey, 1987), journalism (Daniel, 2002), law (White, 1987), theology (Klemm, 1987), political research (Nelson et al., 1987), psychology (Carlston, 1987), public relations (Ihlen, 2011), religion {in prayers and hymns}

⁶ Hoffman and Ford (2009:3) claim the relationship between rhetorical theory and rhetorical criticism is circular in nature which, "helps determine what critics look for when analyzing rhetoric, and the findings of the analysis modify and supplement what we know about rhetorical theory."

(Pernot, 2006) and women's studies (Elshtain, 1987). For an extensive review of rhetoric studies in the human sciences see Nelson, Megill and McCloskey (1987) and Simon (1989). The emergence of the rhetorical inquiry into the sciences (Wander, 1976; Weimer, 1977) including mathematics (Davis & Hersh, 1987), physics (Pera, 1994) and economics has also grown in large part by the work of McCloskey (1994, 1988, 1988a, 1985, 1983). Lastly, the rhetorical tradition is gaining ground among researchers interested in traditional domains of politics and political actions (Charteris-Black, 2005; Garsten, 2011; Kaminstein, 1996; Mshvenieradze, 2013), politics and image construction (Strachan & Kendall, 2004) and the law (McCloskey, 1998).

Bitzer (1987) contends the most significant development in rhetoric theory is the "public communications" through the mass media communications. More recent rhetorical analysis has been conducted on environmental reporting (Brennan & Merkl-Davies, 2014), social movements (Cathcart, 1972) and technology (Foss et al., 2002). Today's technology allows for a greater audience and permits rhetoric to operate worldwide (Toye, 2013:107) bringing new interpretations of and new meanings of rhetoric (Toye, 2013:94).

3.2 The Rhetorical Heritage

The heritage of rhetoric is an odd story (Farmer & Patterson, 2003). It is necessary to relate the rhetorical framework of this thesis within the history of rhetoric in order to understand the rationale for its origins and the debates which rhetoric as a theory and practice now faces. The history of rhetoric is shown in the illustration following and then expanded in relation to the focus and aim of this thesis.

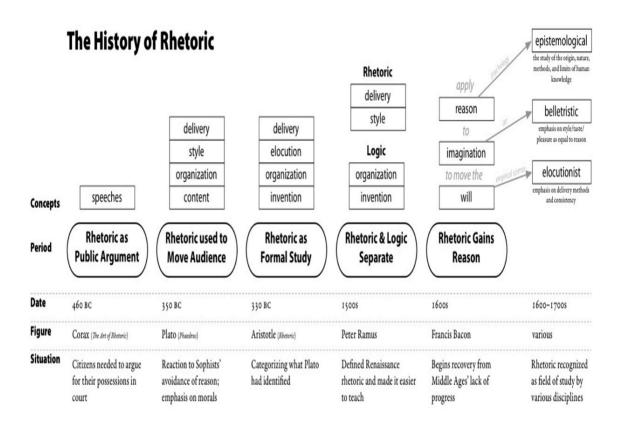


Illustration 3 - The History of Rhetoric Adapted from: Friend (2010).

This thesis shows how the rhetoric of the KP, although through different rhetorical appeal strategies, together aim to persuade the diamond community to work together to make the industry a better place for all of its stakeholders. Likewise, the founding fathers of rhetoric maintained the need to persuade their audiences to live 'justly.' Ptah-Hotep, Homer, Corax and Tisias are the originators of rhetoric (who equate rhetoric as a way to behave and to persuade in public and private life). These men are rarely referenced in the rhetoric literature.

In the Egyptian Fifth Dynasty (ca. 2414-2375BC) an old man named Ptah-Hotep wrote the *Instruction (or Maxims) of Ptah-Hotep*, a book now considered the oldest in the world. In it he commends the actions of the Gods and makes an appeal for the readers to follow his recommendations for living in the fields, in the home and in the royal court (Kennedy, 2007). Ptah-Hotep persuades citizens how to live with virtue in fifty instructions, which include the same Ten Commandments in the Old Testament (Gunn, 2009).

Later, Homer was deemed the 'father of rhetoric'⁷ (Freese, 1926) and described the power of language in three forms in the *Iliad*: heuristic (the discovery of facts and insights), eristic (power of the discourse to express, captivate, argue, or to injure) and protreptic (the ability to persuade) (Enos, 1993:408).

The Classical sense of rhetoric, as the systematic study of oratory, arose in ancient Sicily in the fifth century BCE when tyrant leaders ruled and upheaval and lawlessness ensued (Keith & Lundberg, 2008; Toye, 2013). Corax and Tisias are regarded as the inventors of rhetoric as the *art of persuasion* (Ferrenga, 1979, Freese, 1926, Hinks, 1940). Corax was most likely a nickname because 'corax' means 'crow' in Greek (Cole, 1991) and probably is just folklore (Gencarella, 2007).

3.3 The Sophists in Ancient Greece

As mentioned in the introduction, one of the aims of this thesis is to give an example whereby rhetoric is shown to be a helpful and constructive tool in understanding an undertheorized organization. This contrasts with the commonly held belief whereby rhetoric is a perilous and unaccommodating phenomenon. Opinions like this originated with the Sophists.

Greek rhetoric begins with the Sophists in the 5th century (Bryant, 1968). 'Sophist' derives from the Greek word 'sophos,' meaning *wise* or *skilled* (Herrick, 2005:34-35). Barilli (1989:3-4) pronounces, "Without a doubt the Sophists constitute the first big event in the history of rhetoric." They were travelers who made a living from teaching and practicing rhetoric to those who could afford their fees (Jarratt, 1991:xv). Socrates defined the sophists as "a sort of merchant or pedlar of goods for the soul," (Benitez, 1992:226). They were argued to have "more charms than truth," (Campbell, 1911:118). The most commonly recognized teachers of rhetoric include Protagoras, Gorgias,⁸ Prodicus, Antiphon, Hippias, Crititas, and Thrasymachus. It is believed they held relativistic

⁷ Disputably, Farmer and Patterson (2003) and Fisher (1987) argue, "If anyone was the father, the father of rhetoric was Aristotle."

⁸ "Gorgias of Leontini (c.483-375B.C.)...view of rhetoric was that it was only a means of persuasion, and he was careful to explain that his only object was to make his pupils skillful rhetoricians, able to speak on every subject, either for or against, and not like certain other sophists, to teach them virtue or wisdom," (Freese, 1926:x).

epistemological beliefs since, "human sensory perception distorts external reality, creating subjective mental images in each individual," (McComiskey, 1992:205). The Sophists emerged from the social upheaval in Greece in the fifth century B.C.E. and were critical in the history of rhetoric, Western democracy and set the basis for many of the criticisms of rhetoric throughout history. Indeed, the ability to be persuasive in public was regarded as the "most important measure of success in public life in fifth-century Athens," (Jarratt, 1991:xv).

3.3.1 *Plato (427-346 B.C.E.) The First Critic of Rhetoric and Rhetoric as an Art*

Throughout the fourth century the Greeks referred to the Sophist's theory and practice of public oratory as rhetoric (rhetorike). Predominant denunciations on rhetoric begin with the ancient Greeks and within the field of philosophy, and in particular Plato (Vickers, 1988).⁹ Plato (380BCE) has been attributed to coining the word *rhetoric* (Ramsey, 1999). Ironically he also, provides the earliest attacks of rhetoric most noted in the literature on the subject.¹⁰ His most recognized condemnations of rhetoric in ancient times were offered in the Gorgias (Kauffman, 1979). Plato (1993:xii) agrees the Sophists taught people to contradict each other and cautioned they created appearances and implemented 'false beliefs.' Plato criticizes rhetoric through the conversations Socrates had with three Sophists of the day: Gorgias, Polus¹¹ and Callicles. Socrates tries to persuade the sophists to choose the "right life" found in philosophy (Moss, 2007). In the Gorgias rhetoric goes against these aspirations, and instead, "demonstrated to be an amoral, irrational technique of flattery, aiming single-mindedly at persuasion and completely dis-regarding the question of justice," (Curran, 1986:66). Therefore, rhētors are assumed to use, "deceit and manipulation for their private advantage," (Kastely, 1991:96) to "inculcate "correct" thought and

⁹ Vickers (1988) dedicates a large section of his book In Defense of Rhetoric to Plato's 'attack' on rhetoric. Later authors have adopted 'attack,' (Roochnik, 1995; Richards, 2008; Paskin, 2013).

[&]quot;Most interpretations of Plato's rhetoric use a "standard" version of what is called "Platonism" ...an interpretivist construct," (Petruzzi, 1996). ¹⁰ Not everyone is convinced with Plato's arguments against rhetoric. Roochnik (1991) provides a

¹⁰ Not everyone is convinced with Plato's arguments against rhetoric. Roochnik (1991) provides a list of criticisms: a) his arguments are too rigid within binary forms of categories; b) his arguments are bad; c) Socrate's terms are ambiguous; d) his reasoning is inconsistent; e) he does not justify his assumptions; f) he makes up rule as he goes along; g) goes against free speech and tolerance.

¹¹ According to Freese (1926:xi) Polus of Agrigentum was Gorgias's favorite pupil.

action in audiences," (Kauffman, 1982:353). Plato deemed the nature of rhetoric as both 'good and evil.' Rhetoric, however, does not necessarily reflect true knowledge or mere 'opinion.' In the second speech with Polus, Plato compares the human arts from the impostor arts, illustrated in the Table below:

	Genuine Arts	Spurious Arts
Body	Gymnastics	Cosmetics
	Medicine	Cookery
Mind	Legislation	Sophistic
	Justice	Rhetoric

Table 3 - Human and Imposter Arts According to Plato

Source: Socrates Division of the Human Arts Adapted from Vickers (1988:98).

Socrates characterizes rhetoric as a sham art, like cooking (the art of making dainties) which does not necessarily require an understanding of the subject matter (Paskin, 2013). In this respect rhetoric is not an 'art' but a 'technique' or 'craft.' Having knowledge is a prerequisite for virtue, so rhetoric is a talent for persuading people by telling them what they want to hear not out of truth or knowledge. As a result, the ethics of rhetoric can be challenged because telling people what they want to hear does not make the speaker or the audience virtuous. Following from the first two points, the third conversation with Callicles¹² argues the pursuit of power without knowledge (instead of mere 'opinion') can lead to potential injustices.

The *Phaedrus*¹³ (ca. 370B.C) takes a more temperate view of rhetoric as the art of "influencing the soul,"¹⁴ (Murray, 1988). Plato assumed, "all discourse is rhetorical, (277e5-278b4) and that rhetoric is present wherever and whenever people speak, (261d10-e4)," (SEP, 2016). He also questioned performed speeches and rhetorical handbooks and signaled the need for a 'true' rhetoric to

¹² Socrates himself wasn't always the master of rhetoric: "Callicles ends by being so annoyed that he drops out of the conversation altogether, leaving Socrates to converse with himself in a parody of his failure to engage others (505d4 ff.)," (Moss, 2007:229).

¹³ The Phaedrus, in addition to rhetoric, also discusses love, philosophy, the afterlife, dialectics and writing (Brownstein, 1965) and is more concerned with the theories of and normative aspects while Gorgias is about the definitions and nature of rhetoric (Freese, 1926:xx).

¹⁴ Plato used the term 'soul' (not a separate, spiritual energy) characterized as three elements that make one act: (1) reason which determines the best means to reach an end; (2) spirit which allocates emotions, and; (3) desire which prompts actions out of desires such as hunger or lust.

nurture 'good' and the virtue of temperance (Richards, 2008). Nonetheless, he extends a more positive assessment of rhetoric in Phaedrus, because it encouraged men to learn philosophy and further education (Black, 1958; Kastely, 1991). 'True'¹⁵ rhetoric was the art, which not only developed leaders but allowed leaders (who adhere to truth) to direct others towards good (Quimby, 1974).

While Cicero¹⁶ determined, "Rhetoric is one great art comprised of five lesser arts performed by the strategic use of the five cannons of rhetoric: invention, organization, style, delivery, and memory," (Booth, 2004:5). Quintilian (95AD) supported rhetoric as the art of speaking well. Immanuel Kant defined rhetoric as the, "art of transacting a serious business of the understanding as if it were a free play of the imagination," (Kant, 1790 translated by Merideth). Campbell (1963:xix) considered rhetoric as a universal art, "by which the discourse adapted to its end." Farrell (1993:1) claimed the art of rhetoric addresses and guides judgment and decision-making. Poulakos (1999:26) agrees rhetoric is an art and an activity, "which seeks to capture in opportune moments that which is appropriate and attempts to suggest that which is possible." Rhetoric has also been described as an art to reconcile individual goals and constraints (Edelman, 2003). A recent definition emphasizes the capability for rhetoric as an art can bring knowledge to audiences (Lunsford et al., 2009:xii-xii).

3.3.2 The Nature of Rhetoric

It has become commonplace to distinguish positive and negative forms of rhetoric. Whether in the form of linguistic, aural or visual discourse, rhetoric has gained mixed reviews. On the one hand, the nature of rhetoric often correlates with negative connotations. "Rhetoric' is not a word we want applied to our own speech or writing, not least because of its association with ostentatious or empty expression," (Richards, 2008:3). Suspicion runs deep, claim Wilson and Wilson (2011), as rhetoric is "propaganda and empty speech," (Hauser, 2002:2), ubiquitous (Gross, 1990) and "attracts practitioners by its power to manipulate

 ¹⁵ Socrates insisted the purpose of 'true' rhetoric was the ability to be able to ''persuade himself [by] producing coherence in an individual's beliefs," (Rendall, 1977).
 ¹⁶ Cicero deemed society cannot escape rhetoric and saw rhetoric as the taming of <u>men</u> (Richards,

¹⁶ Cicero deemed society cannot escape rhetoric and saw rhetoric as the taming of <u>men</u> (Richards, 2008:4).

and coerce," (Herrick, 2005:58). Wilson and Wilson (2011) claim the mistrust of rhetoric was first a pagan suspicion since preaching 'empty words' was discouraged in the Bible. Others such as Conrad (2011:xi) suggest the term rhetoric is treated as meaningless adornment, or "mere rhetoric" spurs from the Middle Ages when the church dictated what was 'true' (Conrad, 2011:ix).

Rhetoric was also viewed with hostility and deemed as deceptive by Locke and Kant (Nelson, Megill & McCloskey, 1987:222). John Locke (Essay on Human Understanding) equated rhetoric as a deceitful art, "It is evident how much men love to deceive and be deceived, since rhetoric, that powerful instrument of error and deceit, has its established professors, its publicly taught," (Kennedy, In the Critique of Judgment, Kant condemned oratory rhetoric 1999:271). because it produced only fraudulent discourse. He thought rhetoric taught the art of appearing to be ""serious" while actually engaging in a wordplay purely frivolous in nature," (White, 1997:25). White (1997) shares Jeremy Bentham's view (who he argued along with Kant persuaded the suppression of rhetoric in the nineteenth century). The 'father of utilitarianism' regarded rhetoric as, "the very antithesis of rational discourse, as the pseudo-art of substituting "sound" for "sense," and as the enemy of that morally neutral speech," (White, 1997:26). Hariman (1986:38) indicates the threat rhetoric has on taking away society's freedoms argued by Kant who:

recognizes distinctions between better and worse forms of rhetoric and does not ban its practice altogether from the arts of civil society, his basic appraisal is thoroughly negative: rhetoric uses illusion not to liberate the understanding but to preclude judgment and deprive us of our freedom.

In summary, Barthes (1988b:43) identifies rhetoric's moribund in the sixteenth century because of three directions of: "a personal evidence (in Protestantism), a rational evidence (in Cartesianism), a sensory evidence (in empiricism)." It seems Plato incorporated rhetorical moves of his own (Eades, 1996).

In a pragmatic sense, "rhetoric is a neutral term that simply refers to the strategic use of symbols to generate meaning," (Hoffman & Ford, 2009:2). People use rhetoric to influence and have an effect on an audience to some end (Gill & Whedbee, 1997:157). Therefore, motivations behind rhetoric can be either ethical or unethical (Smith, no date). Besides, rhetoric is simply a "tool" and is not inherently 'good' or 'bad.' It is the people's nature, not the tool, whose nature should be under scrutiny (McCloskey, 1983).¹⁷ Despite this, an author or speaker is able to create and produce positive or ill effects, as Vaara, Tienari and Laurila (2006:797) point out:

Particular things come to be portrayed as positive, beneficial, ethical, understandable, necessary or otherwise acceptable to the specific community in question. In contrast, other things are constructed as negative, harmful, intolerable, or, for example, morally reprehensible. To retain a balanced view, rhetoric can also be beneficial.

References to rhetoric in a positive light are more difficult to find than 'attacks' on the phenomenon. While Cicero equated the objective of rhetoric was to "teach, delight or move," (Cockcroft & Cockcroft, 2005:22), George Kennedy (1963:3) asserts, "In its origin and intention rhetoric was natural and good: it produced clarity, vigor and beauty." Varying themes include rhetoric as a mechanism for cohesiveness with the potential to enhance the skills of the rhetor. "Rhetoric appears as the connective tissue peculiar to civil society and to its proper finalities, happiness and political peace," (Fumaroli, 1983 referenced by Lunsford et al., 2009:xi). Indeed, for some, "rhetorical reality likes pleasure," (Lanham, 1976:7).

3.4 Aristotelian (384B.C.-322B.C.) Classical Rhetoric

Aristotle's notions of rhetoric are termed the "Classical view" and are the fundamental framework for this thesis. The following section details the

¹⁷ 'The Rhetoric of Economics' by McCloskey (1983,1985) (considered a classic in the field) maintains rhetoric and economic systems are not inherently good or evil. Secondly, rhetoric enhances the economics arena (and other fields of study) because rhetoric leads to better writing, better teaching, better foreign relations, better science and better dispositions - rhetoric cannot be just "sneaky words," (McCloskey, 1988).

underlying foundations for Classical rhetoric along with the main rhetorical appeals at the heart of this research.

There are three categories of communication models: linear, transactional and interactional, see Appendices 11.14.1 & 11.14.2. The *transmission model* is the simplest model of communication process and includes a sender and a receiver encoding and decoding messages despite interferences like 'noise.' The components in the model and the surrounding context or 'kairos' are called the 'rhetorical situations,' (Bitzer, 1968,1992; Vatz, 1973). Aristotle's conception of the rhetorical situation is rather simpler than today's complex communications. In Aristotle's time rhetorical situations, "involved an educated, propertied, male speaker addressing a homogenous audience about an issue of the day for which the speaker and audience had a shared interest," (Cheney et al., 2004:79). All communication models build on the one-directional model of communication first set out by Aristotle:¹⁸

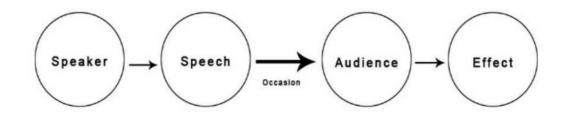


Illustration 4 - Aristotle's Model of Communication Source: Mishra (2016) 'Aristotle's Model of Communication.'

¹⁸ In 1948, Shannon and Weaver developed a model based on the Classical understanding of communication. Their model consists of five elements similar to the analogy human communications transmits messages like a telephone system. This transmission model acknowledges the noise, which can distort the message. Interferences of the decoding messages over a channel can include environmental noise, physiological-impairment, semantic noise, (different interpretations of meanings of certain words), syntactical noise (mistakes in grammar), organisational noise (poorly stated), cultural noise (stereotypical assumptions) or psychological noise (Narayanrao, 2011). See Appendix: 11.14.1.

In Barnlund's (1970,2008) transactional model the flows of messages from sender to receiver happen simultaneously. In this model, there is recognition two or more people can be in the give and take of the communication process. A sender is a receiver and the receiver is also a sending, and therefore incorporates 'feedback.' See Appendix: 11.14.2.

Based on his formation of communication, it is believed Aristotle (384BC – 322BC) wrote *Rhetoric*¹⁹ in Athens around 330B.C. It is the most complete ancient treatment of rhetoric. Most authors assume Aristotle's conceptualization of rhetoric is the superior version (Cheney et al., 2004).²⁰ The treatise comprises three books and is considered a *technê*, or rhetorical handbook for the Sophists (Curran, 1986). Rhetoric I (deals with the means of persuasion), II (ethical proofs, human emotions) and III (styles of expressions). Aristotle discerned rhetoric as persuasion, rhetoric as an activity, three types of discourses, two types of arguments and three rhetorical persuasive appeals.

In *On Rhetoric* (book one, chapter two, sentence one) Aristotle gives the most important definition of rhetoric: "Let rhetoric be an ability, in each [particular] case, to see the available means of persuasion," (Aristotle translated by Kennedy, 2007:37). Aristotle defines the rhetorician as someone who is able to see what is persuasive in any circumstance (SEP, 2010). In *A Rhetoric of Motives* Burke (1950:172) equates, "Wherever there is persuasion, there is rhetoric. And wherever there is 'meaning,' there is 'persuasion.'" Some contemporary theorists no longer regard the Classical definition as set out by Aristotle. Bryant (1953:402) goes so far as saying the characterization is, "bombast; high-sounding words without content; oratorical falsification to hide meanings; sophistry, ornamentation." Rhetoric is more than just persuasion considering, "rhetoric has been closely concerned with the techniques for gaining compliance," (Herrick, 2005:3).

3.5 Aristotle's Rhetoric: A Craft or Techne

Aristotle viewed rhetoric as a mixed method activity "with its own subject matter: the means of persuasion," (Herrick, 2000:75). Instead of being seen as a way of knowing (episteme) Aristotle regarded rhetoric as a *techne*, which can be likened to as an art (Atwill, 2009:x). As Crowley and Hawhee (2004:12) point out, "the Rhetoric is the earliest extent example of a complete *techne*, or art, of rhetoric.

¹⁹ Titles vary from the Rhetoric, the Art of Rhetoric or a Treatise on Rhetoric or simply On Rhetoric. It is believed Aristotle wrote other books on rhetoric, but they are since lost (Freese, 1926).

²⁰ Poulakos (1984) argues the Sophistical perspective of rhetoric is different, but equally important to Aristotle's Rhetoric.

Aristotle's major contribution to rhetoric was his systematic and thorough treatment of invention – the art of finding the available arguments in a given case," (emphasis in original). Socrates, on the other hand deemed rhetoric was not a techne but a "knack based on experience," (Roochnik, 1995:81).

Aristotle divided intellectual activity into theoretical sciences, practical arts, productive arts and methods and tools of which were deemed crafts or technes. Rhetoric, according to Aristotle, is a type of method or tool indicative of an activity with a process and recommended guidelines "to use" in order for the rhetor to persuade his²¹ audience. Table 4 differentiates the types of intellectual activities and goals that could be learned and mastered:

Intellectual Activity	Goal	Examples
Theoretical Sciences	"Knowing"	Mathematics, physics, biology and theology
Practical Arts	"Doing"	Politics and ethics
Productive Arts	"Making"	Architecture, the fine arts, crafts and medicine
Methods/Tools	"Using"	Logic and dialectic

 Table 4 - Aristotle's Divided Intellectual Activities

 Source: Adapted from Kennedy (2007).

Kennedy (2007:16) makes two important observations. First, there is a shift in perceiving rhetoric as a tool towards theoretical, political and ethical contents and its productive capabilities. Secondly, scholars in the late antiquity and Middle ages equated rhetoric primarily with methods or tools while modern scholars see rhetoric as a productive art (ibid). These shifts are a result of more 'rhetorical situations,' compared with just the courtrooms of ancient Greece and Rome. The shift allowed people to use rhetorical skills, amass written discourse (and avenues

²¹ The history of rhetoric is comprehensively compiled and coordinated by men. Women have commented on this problem including Foss and Griffin (1992:2,1995) and Foss et al. (1997) who point out the, "patriarchal bias" to rhetoric as the art of persuasion. In other terms, rhetoric is seen as "malesteam," and "phallogocentric," (Lucaites, Condit & Caudill, 1999:21).

to access the material online) and engage in a number of types of discourse including visual rhetoric.²²

Aristotle recognized three general types of discourse: *judicial, deliberative* and *epideictic*. The judicial discourse or forensic refers to incidences in the past and judge the legality or justice of an action in the context of a court of law. Deliberative discourse looks at future events/issues, including the actions of government legislature or parliaments. Epideictic discourse issues praise, blame or celebrates values and self-promotion.

3.5.1 Aristotle's Appeals of Persuasion

Aristotle specified the essence of rhetoric is the 'argument.' He divided the argument into *external* and *internal* types. External arguments (sometimes called non-artistic proofs) such as witnesses, contract laws or oaths are not deemed within the 'art' of rhetoric because they are considered persuasive in and of themselves. In Book II²³ of the *Rhetoric*, Aristotle outlines the three internal arguments or *artistic proofs* that a rhetor needs to craft. These include having the technique of *ethos* (character of the rhetor), *logos* (reasonableness of the arguments) and *pathos* (emotions of the listener). The *ethos*, *logos* and *pathos* are called 'pisteis.' For Aristotle, artistic appeals are of three kinds:

Of the modes of persuasion furnished by the spoken word there are three kinds. The first kind depends on the personal character of the speaker [ethos]; the second on putting the audience into a certain frame of mind [pathos]; the third on the proof, or apparent proof, provided by the words of the speech itself [logos]. Persuasion is

²² Visual rhetoric rests on the assumption that when an argument is visual, it is an attempt to be persuasive in some way (Blair, 2004).

²³ Although Aristotle outlines the appeals in Book II as pathos, ethos and logos, the data in this thesis is sorted in the same order as Higgins and Walker (2012) first by ethos, logos and then pathos. Hoffman and Ford (2010), Guenther (2015) arrange the data in ethos, pathos and logos last while Green (2001,2004) organizes the appeals: pathos, logos then ethos. The researcher was invited to the International Rhetoric Conference at the Uppsala University in the Summer of 2016 and paired with a leading rhetoric scholar named Maria Alejandra Vitale, University of Buenos Aires, Argentina. She insisted the examination of the appeals should be in ethos, logos, pathos order too. Although it must be noted, "At any given time, a justification may contain all three types of appeals and may be positive or negative," (Green, 2004:659). Like Green (ibid) the "pure" appeals are discussed in this chapter.

achieved by the speaker's personal character when the speech is so spoken as to make us think him credible, (Aristotle, 1356a 2,3, Roberts, 1954: translation of Rhetoric).

Despite being over 2000 years old, Aristotle's persuasive appeals²⁴ (*ethos*, *logos* and *pathos*) are both timeless and valuable (Frost, 1994). Certainly, rhetoric studies the effectiveness of *how* one says something in as much as *what* someone says (Silva Rhetoricae, 2016). A rhetor is persuasive, according to the audience, depending on how they craft the message appropriately with the pisteis. The rhetorical triangle demonstrates the relationship between *ethos*, *logos* and *pathos* and considers the character, the message and the audience in the context (aim) and setting (idea) in order to make an argument. Referred to as "Aristotle's Big Three," (Heinrichs, 2007:39) and the 'three musketeers' (Leith, 2012), *ethos*, *logos* and *pathos*, can be visualized in the 'rhetorical triangle' (Lutzke & Henggeler, 2009) as illustrated below and then described thereafter:

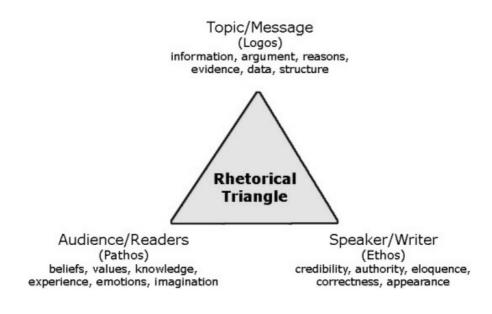


Illustration 5 - Aristotle's Rhetorical Triangle

²⁴ In this research, the word 'appeal' is incorporated instead of 'proof' because Killingsworth (2005) argues to use this word specifically in contemporary analysis studies of ethos, logos and pathos.

3.5.2 Classical Notions of Ethos

The first Sophists, Corax and Tisias,²⁵ had a keen interest in the understanding of ethos (McCroskey, 2009). Aristotle's notion of ethos is grounded in the speaker's ability to make the audience believe in his or her *credibility* or *prestige* through their capacity to portray good sense, excellence and goodwill (Brahnam, 2009; Warnock, 2009:243). Ethos equates to credibility (McCroskey & Young, 1981). Green (2004:659) ads "honor, tradition or justice are often elicited by the character or credibility of the speaker." Sattler (1947:55) says ethos is, "derived from the Greek word for custom, habit, or usage," but clarifies there is no one agreed upon conception of *ethos* in ancient rhetoric. According to Aristotle, there are two types of ethos including situated (external) ethos built from the rhetor's character and invented (internal) *ethos*, which derives from the text and the way the rhetor, conducts themself in oratory appearances. Ethos forms wisdom, virtue and goodwill (1378a5). *Ethos* is rendered as an adaptable technique depending on the audience whether young (2.12), old (2.13), those in their prime (2.14), the well-born (2.15), the wealthy (2.16) and the powerful (2.17). The references to these appeals are rarely mentioned in the literature especially in the organizational rhetoric discourse. However, rhetoric is, "the entire range of resources that human beings share for producing effects on one another: effects ethical (including everything about character), practical (including political), emotional (including aesthetic) and intellectual (including every academic field)," (Booth, 2004:xi). In any case ethos is, "an unavoidable component of dialogue and forms the basis for believing and being persuaded by another's speech," (Brahnam, 2009:9). "The practice of rhetoricians through the years, then, would seem to support the belief that the task of the rhetorical critic most certainly does include the estimate of the moral character of the speaker," (Brandenburg, 1948:25). Of the three pisteis, ethos is considered the most important element in an effective communicator (Crismore & Farnsworth, 1989). The persuasive techniques involving *ethos* appeals are summarized in Table 5:

²⁵ Corax and his Tisias are considered the first Sophists, (<u>www.americanrhetoric.com</u>)

<i>Ethos</i> Appeal To:	Examples of Persuasive Techniques Coded in the Data		
Credibility	Good Sense, (phronesis), good moral character (arête) and goodwill		
(perceived	(eunoia) (Aristotle, 1954)		
~	Competence, community, effectiveness (Hoffman and Ford (2010)		
character of the	Similitude, ingratiation, deference, expertise, self-criticism,		
speaker)	inclination to succeed, consistency (Higgins and Walker, 2012)		

 Table 5 - Ethos Appeals Dimensions

Source: Adapted from Aristotle (1954:623), Hoffman and Ford (2010) and Higgins and Walker (2012).

A rhetoric appeals to *ethos* in order to establish credibility through authority created through evidence in the forms of research and reliable scholarly sources (Halloran, 1982). Most importantly, *ethos* is, "concerned with the recipient's trust in the sender, such that the credibility or authority appealed to by the sender creates approval," (Nørreklit, 2003:594).

Even though rhetorical scholars and theorists seem to be most interested in *ethos* because of its associations with good character (Yoos, 1979) *ethos* studies are underdeveloped in political practitioners (Hatzisavvidou, 2016) and in organizational studies (Brown, Ainsworth & Grant, 2012). The International Relations (IR) discipline understands *ethos* as 'ethics,' (Seckinelgin, 2001:201) and is orientated as "an attitude or mode of relating to the other," (Odysseos, 2002:404). In organizational rhetoric, however, *ethos* proofs are the, "appeals to organizational credibility those that aim to show competence and obligation for the community," (Hoffman & Ford, 2010:51).

3.5.3 Classical Notion of Logos

Aristotle (1984) differentiated the ways to persuade an audience as *ethos*, *logos* and *pathos*. *Logos* is the appeal to reason or by the use of logic and has been debated to be the most dominant in Aristotle's time (Braet, 1992). However, even today the increasing importance of scientific matters over the course of this century has, "elevated the status of logos and degraded the status of pathos," (Waddell, 1990:382). From a Management point of view, *logos* rhetoric are rational arguments (Green, 2008) understood as the appeals to efficient, effective,

profitable actions (Eryilmaz & Eryilmaz, 2015; Green, 2004; Özen, 2014:119). The *logos* techniques understood by organizational rhetoricians also include the study of inductive, causal and deductive reasoning (Hoffman & Ford, 2010:52). Lastly, *logos* appeals are associated with the rational calculation of means and ends (Brown, Ainsworth & Grant, 2012; Green, 2004).²⁶ The features considering the *logos* in the data are shown in the next Table:

Logos Appeal to	Examples of Persuasive Techniques Coded in the Data					
Reason	Claims, evidence (statistics, testimony, examples) (Hoffman & Ford, 2010:238). Rational calculation of means to an end (Brown, Ainsworth & Grant, 2006) Reason/the appearance of rationality: argumentation, logic, warrants, justifications, claims, data, evidence (Higgins & Walker, 2012)					

 Table 6 - Logos Appeals Dimensions

Source: Adopted from Aristotle (1954), Hoffman and Ford (2010) and Higgins and Walker (2012).

In order to appeal to the recipients rational commitment, Kanu and Durham (2014:325) argue, "Its important to demonstrate strong evidence by using facts, figures and testimony to support the claim." Statements including rules, regulations or economic justifications were coded *logos* because they show rational calculation of means to ends and pander to desires for efficient and effective action (Green, 2004; Green et al., 2009; Heracleous & Barrett, 2001).²⁷ For the purposes of this study, the researcher considers *logos* appeals as the topoi of the argument or the speech itself (Hauser, 1986:79).

²⁶ Brown is from Warwick Business School, Ainsworth the Department of Management and Marketing at the University of Melbourne and Grant is at the School of Business at the University of Sydney.

²⁷ The coding follows the same rationale why politicians use ethos, logos and pathos during political debate: "A politician appealing to reason usually intents to portray himself/herself as rational and capable of dealing with difficulties in an organized and sophisticated way," (Tserkezis, 2014).

3.5.4 Classical Notions of Pathos

"Pathos is directly linked with an audience," (Mshvenieradze, 2013:1940). Aristotle defined *pathos* as the appeals made by the speaker to arouse emotions in the intended audience. He advocated rhētors should understand the different human sentiments and ways to garner them:

The emotions are all those feelings that so change men as to affect their judgements, and that are also attended by pain or pleasure. Such are anger, pity, fear and the like, with their opposites. We must arrange what we have to say about each of them under three heads. Take, for instance, the emotion of anger: here we must discover (1) what the state of mind of angry people is, (2) who the people are with whom they usually get angry, and (3) on what grounds they get angry with them, (Aristotle, 1984,1.9).

In Book Two, the emotions range from anger and calmness (2.2-2.3), friendliness and enmity (2.4), fear and confidence (2.5), shame and shamelessness (2.6), kindliness and unkindliness (2.7), pity and indignation (2.8-2.9) and envy and emulation (2.10-2.11). Quintilian in his *Institutes of Oratory* stressed the importance of teaching rhetoric, and specified *pathos* as the:

Necessity of studying how to work on the minds of the judges, (1.2). This department of oratory requires great ability, (3-7). Of $\pi \dot{\alpha} \theta o \varsigma$ (pathos) and $\tilde{\eta} \theta o \varsigma$ ($\bar{e}thos$). If we would move others, we must feel moved ourselves, (25-28) Of presenting images to the imagination of our hearers, (29-35). Pupils should be exercised in this in the schools, (36), (Honneycutt, 2006).

Gagliardi (2007) stated the awareness of *pathos* in organizational research started in the 1990s and consists of three distinct strands:²⁸

²⁸ All the studies on pathos in organizational studies share the same epistemological premise of "the heuristic value of exploring the spaces lying 'between the organization as regulatory (the Law) and as experience (the Body)' (Linstead & Höpfl, 2000)," Gagliardi (2007).

The study of artifacts and organizational aesthetics (Gagliardi, 1996; Ramirez, 1991; Strati, 1992); the analysis of the role played by emotions in utilitarian organizations (Fineman, 1993) and the narrative approach to organizational studies (Czarniawska, 1997; Czarniawska and Gagliardi, 2003).

Pathos appeals in organizational rhetoric are important strategies (Hoffman & Ford, 2010:29). Determining *pathos* in organizations, "can significantly increase our understanding of organizational dynamics," (Gagliardi, 2007:336). They are specifically described as appeals bound in emotions derived in human needs according to Maslow's (1943) hierarchy of needs, Packard's (1964) needs, "for emotional security, reassurance or worth, ego gratification, creative outlets, love objects, a sense of power, roots, and immortality," (Hoffman & Ford, 2010:30) and Schutz's (1958) needs of affection, inclusion and control (ibid). Although a range of characteristics can describe *pathos*, "a full understanding of emotion is not yet realized," (Marcus, 2000). In any case, *pathos* arguments stir instinctive emotions (Green, Babb & Alpaslan, 2008). The data was coded predominately *pathos* if it corresponded to the dimension outlined by Classical notions of rhetoric, organizational rhetoric, and *pathos* notions seen in a Management-based study seen in Table following:

<i>Pathos</i> Appeal	Examples of Persuasive Techniques Coded in the Data
То	
Emotion	 Aristotle's Emotions: anger and calmness (2.2-2.3), friendliness and enmity (2.4), fear and confidence (2.5), shame and shamelessness (2.6), kindliness and unkindliness (2.7), pity and indignation (2.8-2.9) and envy and emulation (2.10-2.11). Human Needs – Maslow (1943)/Packard (1964)/Schutz (1958). Hope, aspiration, loyalty, sympathy (Higgins & Walker, 2012).

Table 7 - Pathos Appeals Dimensions

Source: Adopted from Aristotle (1954), Hoffman and Ford (2010) and Higgins and Walker (2012).

"For rhetoricians, emotion makes the language and identity matter," (Gross, 2006:xxvi). Appeals are made to shared-values of audience often by drawing on vivid language and strong imagery to appeal to emotions. Socrates insisted rhētors must understand *ethos* and *pathos* if they seriously want to persuade (Kastely, 1991). *Ethos* is strongly connected to the acceptance of *pathos* (Waddell, 1990).

3.6 Rhetoric After Aristotle

Aristotle's Classical rhetoric period lead to Roman, medieval, renaissance, enlightenment and contemporary periods. Ancient Roman rhetoric feature two key rhetoricians: Cicero and Quintilian. In his treatise entitled *De Inventione* (50B.C.) Cicero outlined the arrangement of the "five cannons of rhetoric": (i) inventio, invention of ideas and arguments; (ii) disposition, arrangement of communication; (iii) elocution, style and presentation; (iv) memoria, memorization of the speech, and; (v) action, delivery of speech with understanding of gestures, pronunciation and tone of voice (Sloan, 2001:42-43). Quintilian was crucial in the development of rhetoric because he conformed the first "textbook" on the theory, typology and practical elements of rhetoric in *Institutio Oratoria* (35A.D.-100A.D.). He expressed the desire for rhetoric to help rhētors become good people and able to speak well (Heath, 2009:18).²⁹

The study and practice of rhetoric between 400A.D. to 1400 is referred to as medieval rhetoric. Following, teaching, learning and performing rhetoric in the Renaissance occurred approximately 1400-1650. During this time, rhetoric and logic are separated (Friend, 2010). Plett (2004:46) indicates the major development of this era:

During the Renaissance, rhetoric was not confined to a single human occupation but in fact comprised a broad range of theoretical and practical activities. . . The fields in which rhetoric played a major part included scholarship, politics, education, philosophy, history, science, ideology, and literature.

²⁹ For a bibliographical dictionary of 200 ancient Greek and Roman rhetoricians see Byrant (1968).

In relation to its history and literature, rhetoric was most studied during the Renaissance period with an emphasis on invention and style (Mack, 1994).³⁰ Thereafter, Enlightenment of rhetoric was studied and practiced in midseventeenth to early nineteenth century. The 1800s marked the "end of rhetoric," (Matzner, 2013). Key works from this period include *Philosophy of Rhetoric* (1776) by George Campbell and *Lectures on Rhetoric and Belles Lettres* (1783) by Hugh Blair. Rhetoric lost its popularity during the Enlightenment and Romanticism, "distanced from truth seeking and regulated to the world of speculations, to conditions of uncertainty, and to ornamentation of language," (Cheney et al., 2004:80) due to the move towards logic in science (Bonet & Sauquet, 2010). Unfortunately, rhetoric was suppressed in the nineteenth century, but remained in taught programs for the children in elite schools and universities (White, 1997).

3.7 Contemporary Rhetoric

Whilst this study incorporates Classical ideologies, it is situated in today's environment. Thus, it is a contemporary rhetorical study incorporating fundamentally Classical connotations of rhetoric. The next section briefly illustrates how rhetoric is understood and studied in modern times in order to showcase how this thesis contributes (and compares) to the existing work in the field.

Rhetoric has had a revival since the 1950s (Nelson, Megill & McCloskey, 1987:3), in part because the rise in fascism in Europe and the Second World War drew people to the importance of rhetoric in human affairs (Perelman & Olbrechts-Tyteca, 1969). Conrad and Malphurs (2008) claim rhetoric would help avoid repeating the errors of the 1930s and 1940s. While some of the literature of rhetorical understanding in the 21st century attempts to categorize the definitions made throughout history (Bizzell & Herzberg, 1990; Herrick, 2000; Kennedy, 2007,1980,1963) others like Kenneth Burke re-conceptualize rhetoric altogether.

³⁰ According to Shuger (1993:121) one of the reasons for the shift in rhetoric as an approved field was because, "The consolidation of centralized monarchies in the European states…entitled the loss of a political arena for public oratory on themes of communal significance, thus destroying the early humanist vision of rhetoric as the instrument of social renewal and reform."

3.7.1 Rhetoric is Identification and Strategic Use of Symbols

Rhetoric is also understood as the strategic use of symbols (Ehninger, 1968), study of all areas of symbolic activity and action (Bazerman, 1988). Kenneth Burke (1950) provides a contemporary definition of rhetoric, which does not neatly fit into Classical theory - as either an art, or as a means of persuasion. Instead rhetoric is, "the use of language as a symbolic means of inducing cooperation in beings that by nature respond to symbols," (Burke, 1950/1969:43). Schiappa (2001) outlines the symbolic rationale into a syllogism:

All persuasive actions are rhetorical. All symbol/language-use is persuasive. Therefore: All symbol/language-use is rhetorical.

The goals corresponding to the theory proposed by Burke include:

Rhetoric, as an area of study, is concerned with how humans use symbols, especially language, to reach agreement that permits coordinated effort of some sort...Its goal is to influence human choices on specific matters that require attention, often immediately, (Hauser, 2002:2-3).

Furthermore, symbolic rhetoric can, "create, enhance, undermine, or otherwise influence human belief, attitude, emotion, judgment, behavior," (American Rhetoric). Burke (1984:40) described 'pyramidal magic' as the communication able to bridge different levels of hierarchy such as higher classes with low classes in a society.

In contemporary rhetoric there remains three main criticisms. Firstly, "Much of the academic debate surrounding modern rhetoric has been driven by American scholars and has concerned US politics," (Toye, 2013:99). Secondly, "American rhetoricians have focused on the literal, the practical, and the pragmatic, the European understanding of rhetorical practice emphasizes the figurative, the aesthetic, and the formal," (Jasinski, 2001:xvii). Lastly, Classical and

contemporary rhetoric are foundationally Western and lack non-Western depictions (Glenn, 1991).

3.8 Academic Debates

3.8.1 'Old' vs. 'New' Rhetoric

Rhetoric is generally classified into two types: 'old' and 'new.' The 'old' versus 'new' rhetoric debate grew in stature during the 1950s (Nichols, 1952). Initial calls for reform came from I.A. Richards (1936) who appealed for a 'new' rhetoric to refocus on the metaphors in discourse. Billig (1996) noted 'new' rhetoric emerged out of the psychology field. In 1958 Perelman and Lucie Olbrechts-Tyteca published The New Rhetoric in which they reason, "in effect, that everything outside of scientific demonstration and mathematical logic was the province of rhetoric and argumentation," (Schiappa, 2001:262). Zachry (2009:74) summarizes the major contribution of Perelman and Olbrechts-Tyteca who, "offered instead a model of argumentation based on ethics and values, productively arguing that reality is realized socially through rhetorical achievements that broadly structure human thinking." The 'old' versus 'new' debates also include rhetoric as persuasion or identification, the nature of man, the differences in rhetor relationships with the audiences, links with power and focuses on discourse. This study seeks the ways in which people in the KP persuade each other and can be characterized as 'new' study incorporating 'old' rhetorical concepts.

In *Rhetoric – Old and New*, Kenneth Burke (1951) clarifies the different key terms for 'old' rhetoric as persuasion and identification in 'new' rhetoric theory. He differentiated the "old" rhetoric from the "new" rhetoric by reducing it to identification: "The key term for the "old" rhetoric was "persuasion," and its stress was upon deliberate design. The key term for the "new" rhetoric would be "identification," which can include a partially unconscious factor in appeal." Lunsford and Ede (2012) expand the differences where 'old' or Classical rhetoric assume man as a rational animal living in a society formed by social cohesion and agreed-upon values. The emphasis is placed on logical or rational proofs; where the rhetor-audience relationship is antagonistic and characterized by a one-way

communication. Hence, the goal for Classical rhetoric is persuasion as Burke suggested. The key term for 'new' rhetoric is 'identification.' The nature of man is seen as a symbol-using animal living in a fragmented society; emphasizing emotional or psychological proofs. New rhetoric exhibits a cooperative rhetor-audience relationship characterized by an emphatic, two-way communication. Rhetoric provides insights into identity and power, visual and material symbols and into the public and democracy in the twenty-first century, "even though the beginnings of rhetoric focused on the narrow context of persuasive public speech, rhetoric today can serve more broadly to help us think about issues of identity and power," (Keith & Lundberg, 2008:9). Focus on type of discourse: "human culture moved broadly from its initial 'primary orality,' in which the spoken word was everything, to dependence on writing, to the 'second oratory' of the modern age," (Toye, 2013:106).

Classicist George Kennedy (1980) argued rhetorical theory traditionally has been defined by a tension between "primary" and "secondary" rhetoric. The former is the conception held by the Greeks when they developed the art during the fifth century B.C.E. Primary rhetoric is an art of oral persuasion within civic life, enunciated on a specific occasion (with an exact audience and purpose), and has no defined text (although it can be recorded and treated as a text). In secondary rhetoric, a text takes primacy over the speech act itself, and the focus of attention shifts from persuasion to "commonplaces, figures of speech and thought, and tropes in elaborate writing," (p. 71). Cyrul (2009) contends the importance of 'old' rhetoric to contemporary rhetoric is the expansion of audience-oriented theory into modern contexts.

3.8.2 'Little' versus 'Big' Rhetoric

The 'little' versus 'big' rhetoric is another debate in the rhetoric discourse. This thesis is an example of a study within "big" rhetoric. In its earliest form, rhetorical analysis concentrated on an individual's speech and the persuasive qualities. With hesitation, rhetoric has grown too "big." The globalization or universalization of rhetoric is characterized by the "theoretical position that everything, or virtually everything, can be described as "rhetorical,"" (Schiappa,

2001:260). Present-day studies expand the scope of rhetoric into: "graphic design, advertisements, movies, web sites, museums, monuments, graffiti, radio hosts, television and so on," (Keith & Lundberg, 2008:9).³¹

In the same view, the constructivist position sees language, including rhetoric as a means to understand the world and the undifferentiated textuality thesis. Despite the differences in authors or different contexts, adherents of the undifferentiated textuality thesis maintain all discursive practices result in a "text" and whereby, "linguistic and discursive practices – scientific reports, poems, newspaper articles, political speeches, philosophical treatise, legal contracts, corporate "advertorials," radical manifestos, advice columns, and so on – are essentially the same," (Jasinski, 2001:xix). This means any text, despite the genre or purpose can be analyzed. McCloskey (1988:752) is a strong proponent of the expansion of rhetoric understanding in disciplines where there is a preference for positivism and proof-based logic: "Economics, like mathematics, thinks it uses no rhetoric but logic." This thesis supports both a big theoretical and constructivist approach to rhetorical theory.

Those who are against the globalization of rhetoric such as Garver (1994) and Leff (1992), who favor a traditional meaning of rhetoric as only a public or civic discourse, would disagree with the expansion of rhetoric into new fields because the boundless limits makes rhetorical theory undistinguishable and out of control. Other critics against the 'globalization' of rhetoric have different reasons including the 'dumbing down' of rhetoric to accommodate more people, as seen in politically-based speeches (Toye, 2013). Furthermore, rhetoric has no clear boundaries since a rhetorical analysis could apply to any object, symbol, place or discourse (College of Liberal Arts & Sciences).

3.9 Rhetoric in Management

Management studies in rhetoric tend to focus on organizations since, "organizations are inherently rhetorical," (Crable, 1990:115) and "constitute major players in today's rhetorical landscape," (Meisenbach & McMillan, 2006).

³¹ For a detailed critical account of visual rhetoric in a digital age see Handa (2004).

Even more, "rhetoric is the axis of management," (Eryilmaz & Eryilmaz, 2015:298). Research incorporating rhetoric in Management seeks to understand *how* people use *persuasion* strategically (Eisenberg, 1984; Liska & Hazleton, 1990) or to secure commitment from employees (Guzley, 1992), transparency (Christensen, 2002) and resolve crises with stakeholders³² (Hill, 1977; Ewing, 1979; Willimans & Treadaway, 1992; Snyder, 1994; Sturges, 1994; Englehart, 1995). Indeed, it seems there are no boundaries of rhetorical analysis, as one can be completed to any persuasive situation (Bonet, 2014; Gaonkar, 1993a).

3.10 Organizational Rhetoric in Management – A Literature Review

The next section is outlined to answer the following questions: (a) what counts as "organizational rhetoric?" (b) how has the study of organizational rhetoric developed?; (c) what methods have been used to study organizational rhetoric?; (d) what is the process of analyzing organizational rhetoric?; and (e) what are the unique findings of organizational rhetoric studies?

Since 1930s and early 1940s, the status of communication has been studied in the organizational context (Tompkins & Wanca-Thibault, 2001:xviii). Initial attempts for communication models in social sciences were realized in the 1950s (Deutsch, 1952). Yet, many of these accounts get little help from the historical record. Organizational communication scholarship has multidisciplinary origins in social psychology, human relations and within organizational theory (Goldhaber et al., 1978; Jablin & Putnam, 2001). Although, interdisciplinary and cross-disciplinary approaches are encouraged (Craig, 1993) the field has been criticized today as being too "managerially biased," (Daniels, Spiker & Papa, 1997:14). Nonetheless, studying organizational rhetoric is important for three key reasons: (a) individuals have been replaced as key figures in society; (b), communications by organizations influence public opinions, and; (c) organizational rhetoric impacts public policy (Conrad, 2011:14). Even still, studies about multicultural communications in organizations (Fine, 1991) and multi-racial institutions (Foeman, 1991) are rare.

³² R.E. Freeman (1984:46) first articulated 'stakeholders' as, "a stakeholder in an organization is any group or individual who can affect or is affected by the achievement of the organization's objectives."

Recently, there has been a "linguistic turn" in organizational research (Alvesson & Kärreman, 2000). Definitions of organizational communication include a group of people (social collectives or aggregate of persons), interacting independently or collectively, in an organized system to coordinate activities to accomplish shared, stated goals and objectives (Redding, 1964:33; Kreps, 1986:5; Richmond & McCroskey, 2009:1, Miller, 2012:11). ³³ In organizational communication, "we study the creation and exchange of messages throughout organizations," (Goldhaber, 1993:17). The messages are either directed to the people within the organization (internal) or to stakeholders outside (external) of the organization. Problematically, external and internal communications of organizations are not always clear (Cheney & Christensen, 2001; Cheney et al. 2004:82; Heath, 2011).

Customarily, organizational rhetoric scholars assume contemporary life is unavoidably affected by organizations, and no matter which individual speaks on behalf of the organization, the organization is always speaking (Cheney & McMillan, 1990). Also, rhetorical scholars assume everyone uses rhetoric (including managers and employees) in organizational studies (Ehnigner, 1968) for some purpose (with either good or bad intentions). Therefore, we cannot avoid being rhetorical; where the focus is on spoken or written words, is versatile, rhetoric is interested in 'power,' rhetoric is integral to the life of the organization, and rhetoric is a way to interpret these phenomena (Hartelius & Browning, 2009). Another essential point recognizes different audiences are persuaded by different appeals (Russell et al. 2008). Lastly, communication is considered the essential ingredient in organizations (Cooren et al. 2006).

³³ The understanding of organizational communication rests on these other assumptions: The organization is recognized as a whole system (Francis, 1987:xii) and as a living entity (xiii) containing emotions, culture, values and principles (p.7), that use communication as a creative tool in a purposeful way (p.5). Accordingly, the assumption that organizations are made of people, not things results in the view whereby the social construction of collective action is inevitably sites in which multiple tensions exist (Conrad & Poole, 2012:10). Indeed,

"Organizational communication and management are continuously evolving process," (Goldhaber, 1993:109). Lastly, organizational collective identities are believed to be, "multi-voiced, quasi-functional, plurivocal and reflexive constructions that unfold over time and are embedded in broader discursive (cultural) practices," (Brown, 2006:734-735).

The focus of the traditional view of organizational communication seeks the instrumental effects and the ways to enhance the organization with communication.³⁴ Traditionally, organizational discourse has been studied through three main perspectives: i) *interpretive* approaches, language constructs of social and organizational shared realities, meanings and identities often through varying narrative analysis; ii) *instrumental* or *managerialist* approaches, language is recognized as a tool for facilitating managerially relevant processes and outcomes such as effective leadership, strategies and organizational change often examined through metaphor analyses; and, iii) *critical approaches,* focus on power–knowledge, identities, relationships, context, social structure and domination (Heracleous & Hendry, 2000).

In the Management field, the communication of organizations is studied in order to understand:

The medium, through which managers lead, direct the activities of others, harness human creativity, coordinate specialists and control activities and understand the needs and wants of those who work within the organization and those who use the organization's goods or services, (Francis, 1987:xi).

Typically, studies on organizational rhetoric fall within three arenas: organization communication, propaganda analysis and rhetorical social movements (Meisenbach & McMillan, 2006). In particular, Management scholars seek to understand the *effectiveness* of rhetoric in organizations (Quinn & Rohrbaugh, 1983). The effectiveness of communications lend cohesively to comparative studies (see Hum & Lyon, 2009). For example, effectiveness emphases and communication theory are directly linked to total quality management (TQM)

³⁴ There are various justifications to studying the communication of organizations. Firstly,

Goldhaber (1993) addresses why it is important to study organization's communication because: "Organizational communication has been called the "life blood of the organization," "the glue that binds the organization," "the oil that smooths the organization's functions," "the thread that ties the system together," "the force that pervades the organization," and "the binding agent that cements all the relationships." Secondly, the efforts "can reveal sources of creativity, constraint, meaning, interpretation, and context," (Eisenberg & Goodall, 2001:36). Thirdly, communication theory posits humans need communication to survive, test perceptions and negotiate unresolved problems (Barnlund, 2008). Additionally to the management field, communication is the manager's number one problem (Knippen, 1974).

(Deb, 2001:29). From a Management perspective, comparative organizational communication studies have shed light on discourse between organizations (Spiker & Daniels, 1981), decision making groups (Hirokawa, 1980) and between men and women in business (Baird & Bradley, 1979). However, there are a few empirical studies incorporating rhetorical analysis of NGOs (Bakir, 2007; Balanoff, 2013) and activist groups (Sommerfeldt, 2011). This type of research is imperative in understanding *who* make rhetorical strategies and *how* they work for or against the company, their stakeholders and their products or services.

Communication studies in Management have just recently begun incorporating Classical rhetoric lenses. The majority of attention has been spent on using Aristotle's appeals in organizational studies (Brown, Ainsworth & Grant, 2012). This thesis follows the Aristotelian conceptions of *ethos* (credibility), *logos* (logic) and *pathos* (emotions) in organizational studies in the same way as Brown, Ainsworth and Grant (2012), Green (2004), Tserkezis (2014), Suddaby and Greenwood (2005) and Symon (2005). Aristotle's three appeals in varying areas of contemporary academic studies include: architecture (Jones & Livne-Tarandach, 2008), economics and business (Beason, 1991), law (Frost, 1994), medicine (Van de Ven & Schomaker, 2002) and technology (Branhnam, 2009). Other empirical studies incorporating non-Classical rhetorical theories to conceptualize organizations include Green, Li and Nohria (2009) and Watson (1995) who studied tropes (metaphor, similie, metonymy, rhetorical questions, irony, anaphora, parison, personification, epitropis, epizouxis, antithesis, epanorthesis, aporia). "Even today, rhetoric has still not been fully accepted and integrated into the repertoire of management research," (Flory & Iglesias, 2010:114).

3.10.1 *Methodological Approaches of Classical Rhetoric*

Organizational rhetoric has been studied by mostly qualitative approaches,³⁵ however; there are also examples of Aristotelian rhetoric involving *ethos*, *logos* and *pathos* in Management, from quantitative and mixed-method perspectives.

Textual analyses are inherent to rhetorical analyses (Grint & Case, 1998; Markel, 2005). One study determined the rhetorical strategies complement each other built on the data collected from surveys and reports from other international organization such as the European Bank for Reconstruction and Development (EBRD), the International Monetary Fund (IMF) and the World Bank (Halliday, Block-Lieb & Carruthers, 2009). Other rhetorical analyses include observations of managers (Haskins, 2003; Watson, 1995; Whittle et al., 2008) and cooks (Fine, 1996). Interview scripts (Cheney, 1983a; Cliff, Langton & Aldrich, 2005; Green, Babb & Alpaslan, 2008) conducted rhetorical analyses of 71 phone and in-person interviews of Board Members from 1978-1998. Speech transcripts are also a means for rhetorical analysis (Emrich et al., 2001). Experiments pose another way to collect data for rhetorical analysis. Minozzi et al. (2012) conducted experiments on political actors looking at the *ethos, logos*, and *pathos* in elitemass communication. King and Kugler (2000) who determined credible, rational and emotional arguments by business decision makers on innovation projects.

It is common to see the data findings conveyed in a quantitative format in the Management literature as seen in Özen and Berkman (2007) and Özen (2014). The aforementioned authors compared the rhetorical strategies and found rhetoric legitimates total quality management between Turkey and the US. The researchers completed a rhetorical analysis and demonstrated their findings (*Logos* strategies are used the most by both countries but the US in total incorporated an almost equal amount of *ethos* and *pathos*, while Turkey appeals more *ethos* and *pathos*) in a quantitative method. While the authors identify the differences in strategies they do not explain why they think the strategy uses are so dissimilar. The data does not support an excess of use of *ethos* rhetoric made

³⁵ There has even been a rhetorical analysis of qualitative methods in Management by Hunt (1994).

Origin of				Rhetorical strategies			Total
practices				Pathos	Logos	Ethos	
Indigenous (M-form)	Countries	USA	Count	6	43	5	54
		2	% within countries	11.1%	79.6%	9.3%	100.0%
(Holding)		Turkey	Count	14	v 29	^ 23	66
		461.00	% within countries	21.2%	43.9%	34.8%	100.0%
	Total		Count	20	72	28	120
			% within countries	16.7%	60.0%	23.3%	100.0%
Foreign (TQM)	Countries	USA	Count	23	45	29	97
			% within countries	23.7%	46.4%	29.9%	100.0%
(TQM)		Turkey	Count	11	V 6	^ 21	38
			% within countries	28.9%	15.8%	55.3%	100.0%
	Total		Count	34	51	50	135
			% within countries	25.2%	37.8%	37.0%	100.0%

by the US compared with any other state. An example of how the data found on the pisteis is presented in a quantitative way is shown below.

Illustration 6 - Example of Quantitative Study in Management of *Ethos*, *Logos* and *Pathos* Source: Özen (2014:124).

A recent mixed-methods approach was recently completed by Eryilmaz and Eryilmaz (2015) who compared the rhetoric by public and private sector managers from 647 segments of text from 238 interviews and 209 written articles. The researchers conducted a rhetorical and statistical analysis and found the two sectors implemented the same legitimization strategies. Previous studies of rhetoric have largely been conducted in the context of developed countries; this is one of the few studies of rhetoric including both developed *and* developing countries.

3.10.2 Themes Within Classical Rhetoric Ethos, Logos, Pathos Combined in Management Research

In Management research, there have been calls for the incorporation of rhetorical theories including Aristotle's *ethos*, *logos* and *pathos* (Trüninger de Albuquerque, 2009) and in particular with different organizations (Boyd & Waymer, 2011).³⁶ Rhetoric in this field tends to focus on corporations, managers and employees (Barley & Kunda, 1992) and are oriented to formal, public communications (i.e. CEO speeches, mission statements, PR campaigns), (Cheney, et al. 2004).

3.10.3 *Rhetoric Through the Management Fields*

Organizational rhetoric scholars who have isolated *ethos*, *logos* and *pathos* in their studies will now be summarized in chronological order. Guenther (2015) equates rhetoric as a means of persuasion and compares the *ethos*, *logos* and *pathos* of stakeholders involved with genetic modified organisms (GMOs). For Jensen (2010), skills of persuasion build both scientific management and rational management models. Symon (2005) explored the pisteis in senior care. *Ethos* arguments appeal to community values through social and collective interests to produce moral and ethical legitimacy. Rhetoric justifies the care of the young or elderly in terms of cost, efficiency or effectiveness was coded *logos*. Rhetorical appeals to emotions (individuals' fears they or other relatives have had to endure poor quality of care) were categorized as *pathos*. Der Derian (2005) shows how images of terror are used to raise awareness in the general public. Nørreklit (2003) rhetorically analyzed the discourse by authors of *The Balanced Scorecard*, a 'genre of management guru texts.' Although the focus was about tropes, the findings suggest the articles studied were persuasive by using *emotional* appeals

³⁶ There are also theoretical accounts of organizational rhetoric, whereby rhetoric is understood as a means of persuasion, but do not feature coded ethos, logos or pathos seen in the works of Green (2001), Nohria and Harrington (1994), Özen (2014), Özen and Berkman (2007) and Suddaby and Greenwood (2005). Other rhetorical studies –not incorporating ethos, logos, and pathos theory – instead use rhetorical tropes like metaphors in environmental reporting (Brennan & Merkl-Davies, 2014), reasoning (Thibodeaus & Boroditsky, 2011), accounting (Amernic & Craig; 2009), leadership (Amernic, Craig & Tourish, 2007), environmental sustainability, (Milne, Keanns & Walton, 2006), politicians (Charteris-Black; 2005) and organizational theory (Morgan, 1980).

to the audience. Others like Hunt (2003) use a Classical rhetorical approach to determine how companies establish a presence on the world-wide-web.

3.10.4 The Rhetoric of Managers and Elites

The rhetoric of elites, leaders and managers offers great potential. Predominately seen are various studies on how managers use rhetoric *instrumentally* in order to achieve something such as; achieve needs and goals from employees (Abrahamson, 1997) and controlling teams (Barker, 1993).

Riaz, Buchannan and Ruebottom (2016) highlight how elite actors rhetorically defend their position following the financial crisis. Green, Babb and Alpaslan (2008) show how managers use *ethos*, *logos* and *pathos* to criticize institutional logics advocating for practices for and against shareholders. They found managers tended to use the same rhetorical strategies over time and started with *pathos* during the earliest stages of a takeover, then moved to *logos*, and in later years implement *ethos* appeals. Jarzabkowski and Sillince (2007) examined top managers' use to influence academic commitment to multiple strategic goals in three universities. Cliff, Langton and Aldrich (2005) found no difference in the rhetorical analysis on human resource managers and found they use rhetoric to highlight their differences in relations to their power relations. Watson (1995) determined managers, through rhetoric, make sense of their work and espouse their pursuing interests.

Another subset of rhetoric executed by leaders in politics and business seeks to find how they use persuasive language and for what means. Building from the speeches made by leaders including Churchill, Stalin and Hitler, and Mussolini, the emphasis of rhetoric is associated with the language of war created, delivered, received and strategically rebroadcasted during the last century (Toye, 2013:85). Minozzi, Esterling and Lazar (2006) as well as Esterling, Neblo and Lazer (2012) paired members of Congress with random samples of their constituents. The aim was to determine the *ethos*, *logos* and *pathos* made by the political actors on an important and controversial issue (immigration reform) and found rhetoric was

the art of elites who falsely persuaded the masses especially with "political science." Authors have called for the rhetorical awareness of elites, who use rhetoric to buttress a favorable corporate image (Hyland, 1998)

A few studies focus primarily on elite *ethos* (Cherry, 1998; Hartelius, 2008; Wilson & Banfield, 1971). Stiglitz (2002) examined how elites in government and business have, "recently adopted stakeholder-friendly rhetoric in their publication pronouncements on globalization related issues." The data is consistent with the elite *ethos* theorized by Higley and Lengyel (2000:7). Rhetoric of state elites are made to show "unity-in-diversity" as seen in the discussion of diamond community members. On the one hand, the responses are consistent with the main area the country is involved in the diamond supply chain. However, unlike the predominate KP discourse which focuses on protecting the exploited, the leading developed countries (United States, Canada and European block) did not mention or elude to the exploited small scale miners or people in manufacturing the KP aims to address. Theories on elite *ethos* are not dissimilar to how *ethos* is conceptualized in leadership:

Rights, responsibilities, ethics, fairness, justice, transparency, accountability, precedent, compassion, efficiency, community, environmental protection, safety, a code of conduct and reasonable expectations, (The Centre for Leadership, 2016).

A second theme in organizational rhetoric concentrates on how rhetoric constructs identity and constitutes individual and organizational identity. For example a recent study by Moufahim, Reedy and Humphreys (2015) examined the Flemmish-based Vlams Belang, an extreme right wing political organization and showed how they use rhetoric to mobilize support. The authors indicate rhetoric constructs organizational identity and causes ethical questions. In a different spectrum, Shepard and Challenger (2013) completed a rhetorical analysis of key articles from within the paradigm wars between Kuhn (1962) and Burrell and Morgan (1979) in Management research. Their paper identifies three main rhetorical strategies supported by scholars in Management in these arguments: (a) constructing identities for both the individual and the group; (b) transferring

activity to a concept; and (c) managing accountability. In another case, Brown, Ainsworth and Grant (2012) draw on all of Aristotle's appeals and find dominant *logos* appeals are often in conflict and contradict one another within elderly care institutions. They also reveal different authors favor the strategic use of *ethos* (as moralizing) or *pathos* (as emotion-evoking).

These differences in strategies are responsible for constructing social identity categories and are aimed to reconfigure relations of power and knowledge. The discussion on theorizing power alludes to Foucault's depictions of power, but unfortunately does not delve into an in-depth critical review.

An additional theme illustrates how rhetoric organizes process and change (Green, 2004; Nohria & Harrington, 1994; Sillince, 1999). Suddaby and Greenwood (2005) observed rhetorical strategies in a law firm during a take-over by an accounting firm. They discovered individuals coordinate the rhetorical strategy based on history and tradition in their attempts to persuade for and against change. They also exposed one of the strategies included a model of expertise during the organization's change. *Ethos, logos* and *pathos* have helped understand organizational change (ibid) and resistance (Symon, 2005).

3.11 Justifications for Rhetorical Framework

Rhetoric theory, and specifically Aristotle's *ethos*, *logos* and *pathos*, were chosen for this research for many reasons. Most importantly, the study follows in-line with the primary research question. Rhetoric helps with forming and understanding communication (Cockcroft & Cockcroft, 2005). In line with the second research question, Suddaby and Greenwood (2005) contend scholars haven't paid adequate attention to how persuasive language affects access to resources and shapes markets. The timing to use the theory is ideal too. During 2015-2016 the KP was facing many differences in opinion, doubt and uncertainty. According to Health (2009:22), this is exactly when rhetoric should be used to understand human experiences.

There has been a resurgence of interest in the history, theory and practice of rhetoric in modern scholarship (MacDonald, 2017). Calls for rhetorical analyses

in Management and organizations are mounting (Sillince, 2002, 2005; Heracleous, 2006; Sillince & Suddaby, 2008; Bonet & Sauquet, 2010; Shepherd & Challenger, 2013). Even still, "rhetorical theory has been underutilized in organizational studies," (Green, 2004:654). Classical rhetoric still has much to offer in analyzing organizations, including multinational tripartite organizations. Yet, there has been very little attention to rhetorical attributes of international organizations (Halliday et al. 2009). Indeed, "rhetorical analysis provides an enabling and practical site for interdisciplinary study," (Hunter, 1999:9). Hartelius and Browning (2008) appeal for more interdisciplinary works in rhetorical practice. As a key management tool, rhetoric needs to be constantly assessed and regenerated (Nørreklit, 2003).

There is a great opportunity for contemporary studies, which involve rhetoric and Management, to include an in-depth comprehension of Classical rhetoric (Hartelius & Browning, 2008; Heath, 2009:22). Sillince and Suddaby (2008) stipulate organizational rhetoric is a bridge that connects Management and communication scholarship. Understanding the language use is, "increasingly being understood as the most important phenomenon, accessible for empirical investigations, in social and organizational research," (Alvesson & Kärreman, 2000:1126). Since rhetoric and organizations are "natural allies," (Hartelius & Browning, 2008), it makes sense to use Classical rhetoric to explore the KP organization(s). In fact, several authors advocate the potential and further studies for rhetoric in organization studies, including Classical rhetoric (Boyd & Waymer, 2011; Cheney et al., 2004; Jensen, 2010; Moufahim et al., 2015; Murtagh, 2006; Sillince, 2005; Suddaby & Greenwood, 2005).

This study also addresses the invitations for further rhetoric-laden research at, "a cross-cultural level and with larger samples," (Eryilmaz & Eryilmaz, 2015:173). Rhetoric builds from political theories: "rhetoric is central to the understandings of politics; the categories of rhetoric inherited from ancient writers remain illuminating and useful," (Martin, 2014:12). "Policy analysis is inherently rhetorical," (Throgmorton, 1991:153). Thus far, organizational rhetoric scholarship has overlooked ethical issues (Meisenbach & McMillan, 2006).

Aristotelian rhetoric theory honors value neutrality and universality (Cheney et al. 2004:82) and is intimately connected to ethics (Molina & Spicer, 2004).

Most attention has focused on using Aristotle's appeals in organizational studies (Brown, Ainsworth & Grant, 2012). There is a harmonious correlation between wanting to look at the communications of the KP (as a international political solution to 'conflict' diamonds) with Aristotelian-based rhetoric as the blending of communication, politics and ethics (Heath, 2009:26). Ethos, logos and pathos are the basic elements, or principle dynamics, of the rhetorical theory and process (Rosenthal, 1966; Cheney et al. 2004:86). Correspondingly, "Rhetorical theory provides a unique analytical framework for the study of organizational issues," (Green, 2004:664-665). It is also a versatile framework (Hartelius & Browning, 2008). To elaborate, scholars have voiced the need to "identify the multiple, overlapping, and conflicting interests that define the organizational voice, and we must pay special heed to the interests that can easily go unnoticed or ignored," (Boyd & Waymer, 2011:488). Furthermore, there are recent pleas for rhetoric of organizations to include diverse cultures and dialogues within complex political situations (Palenchar, 2011). Rhetoric is applicable as an, "indispensable tool for effective expression across time, cultures, and (even) disciplines," (Enos, 1989:181).

Even still, we know very little about elite actor rhetoric (*ethos*, *logos*, *pathos*) (Cyphert, 2010; Riaz, Buchannan & Ruebottom, 2016). Organizational leaders need to have effective communication and rhetorical skills as a core competence (Eryilmaz & Eryilmaz, 2015; Green, 2004; Prahalad & Hamel, 1990). Rhetoric is particularly helpful in understanding managers' rhetoric (Holt, 2006) since *ethos*, *logos* and *pathos* are the, "keys to successful management," (Murtagh, 2006:10). Similarly, calls are mounting for rhetoric investigations and explanations alongside power. Brown, Ainsworth and Grant (2012:297) suggest, "Studying rhetoric can help us understand the dynamics of power between subjects, authors and audiences."

Rhetoric theory supports academic and professional (and personal) development, Cherwitz and Daniel (2002). Corbett (1990) gauges the pedagogy of rhetoric in his *Classical Rhetoric for the Modern Student*:

The elaborate system of the ancients, which taught the student how to find something to say, how to select and organize his material, and how to phrase it in the best possible way, is still useful and effective perhaps more useful and effective than the various courses of study that replaced it, (Ward, 2007:xii).

Through the study of Classical rhetoric, the "modern student" can enrich their writing and teaching because: "One of the chief values of rhetoric, conceived of as a system for gathering, selecting, arranging, and expressing our material, is that it represents a positive approach to the problems of writing," (Corbett, 1990:30). Then again, rhetoric was also chosen because some consider rhetoric as the "queen," "lady," or "grand dame" of communication studies (Heath, 2009:24; Brummett, 1995; L'Etang, 1996). Lastly, Classical rhetoric was chosen because it is a stimulating discipline (as presented in this chapter) that can lead to answering unanswered questions while also finding new ones (Walter, 1981).

3.12 Precise Nature to the Contribution of Rhetoric Theory

This section clarifies the nature of the researcher's relationship to theory development. This project is best characterised as an *application* of classical principles (*ethos/logos/pathos*) of rhetorical analysis and not intended to *develop* rhetoric theory. Instead, the rhetorical framework tailored all the research and took an important role in identifying the research questions, data analysis and interpretation phases by supplying a theoretical template. The aim was not to develop new analytical principles of rhetoric nor was it to test rhetoric theory. In the same way, previous studies in organisational rhetoric tend to hold the identifications of the pisteis without aiming to change them. Likewise, other rhetorical analyses of individual's speeches do not advance the notions of *ethos, logos* or *pathos* either. Accordingly, the existing theory of the classical rhetorical appeals have been used and validated by others and "considered a generally accepted theory in scholarly literature," (Grant & Osanloo, 2014:16).

The area of the theory that needs elaboration is in the last the phase of how to do an *organizational rhetoric analysis* as set out by Hoffman and Ford (2010). Their framework suggests a critical analysis be completed in the last phase to determine how the discourse links to power. However, they do not specify what theory or theories of power to incorporate. Therefore, the precise nature of the contribution to rhetorical analysis made in this thesis brings together, for the first time, an organizational rhetoric study with specific notions of power including French and Raven as well as Lukes.

While the theoretical framework connected the researcher to existing knowledge, it also provided focus on the variables of the research question and shaped the research methods, and limited the scope to the relevant data to analyse. To be clear: the contribution to rhetorical theory, in this sense, is the demonstration of an organizational rhetorical analysis into a new context (the diamond industry), case study (the KP) and specific rhetors (the KP civil societies, state actors and industry leaders).

3.13 Conclusion

Rhetoric theory is explained to clarify the framework of this thesis. A chronological account of rhetoric is given with priority allotted to Aristotelian rhetoric. Along with current debates in the field organizational rhetorical accounts are detailed to situate this thesis. The next chapter will justify the research paradigm and methodology.

4 Research Paradigm & Methodology

"Different types of research are based on different sets of beliefs; to understand research, one must examine the philosophy behind it," (Killam, 2013).

"There is no single, accepted way of carrying out qualitative research," (Ormston et al. 2014:2).

4.1 Introduction

The structure of this chapter follows the research map for business and Management students (O'Gorman & MacIntosh, 2015). First, the research questions are outlined in consideration of the motivations and gaps in the literature. Secondly, the philosophical background of the research is entailed. Then, the data gathering methodology is proposed. Following, the data gathering techniques are outlined. Lastly, explanation of the data analysis approaches is given. The outline is in line with the Illustration following:

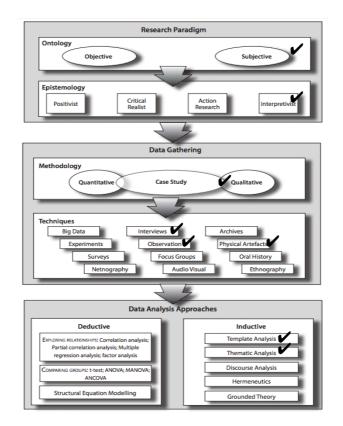


Illustration 7 - The Research Map Source: O'Gorman, K. and MacIntosh, R. (2015).

4.2 Research Questions

"Methods are only more ore less appropriate to particular research question," (Silverman, 2010:9).

The research questions are:

A) What Classical rhetorical appeals (ethos, logos, pathos) do the civil society, state actors and the diamond industry incorporate in their discourse about the KP and certification scheme?

B) What do these persuasive appeals suggest about the participants, observers and KP as a whole?

4.3 Research Paradigms from an Aristotelian Perspective

Every art and every inquiry, and similarly every action and pursuit, is thought to aim at some good; and for this reason the good has rightly been declared to be that at which all things aim (NE1094a 1–3).

4.3.1 Introduction

Following the theoretical framework chapter, which was based on a Classical Aristotelian notion of rhetoric and rhetorical appeals, this section addresses Aristotle's ontological and epistemological perspectives. I then reflect on my own worldviews and attempt to reconcile certain points of context. Whilst my subjectivist-interpretivist stance differs from Aristotle's position, there is an intersection between Aristotle's understanding of rhetoric as *technê* and the recognition of contemporary social science that language constructs and shapes the world.¹ It is important to be aware of the research paradigms because it grounds the investigation including the orientation of the research questions and ensures the data gathering and analysis procedures are aligned (de Gialdino, 2009; Lonner, 1999).

¹ My ontological/epistemological beliefs are compatible with international regime theory. In relation to the KP and ontology: "International regimes are commonly defined as social institutions around which expectations converge in international issue-areas. The emphasis on convergent expectations as the constitutive basis of regimes gives regimes an inescapable intersubjective quality. It follows that we know regimes by their principled and shared understandings of desirable and acceptable forms of social behaviour. Hence, the ontology of regimes rests upon a strong element of intersubjectivity," (Kratochwil & Ruggie, 1986:764).

4.3.2 Aristotle's Structure of Reality and Natural Kinds

Aristotle's ontology sits awkwardly with interpretivist social science. Beginning with Aristotle and Plato, ontology is the study of existence² and the structure of the world³ (Horroks, 2013), which aims to understand "how things in the world are divided into categories and how these categories are related together," (Munn & Smith, 2008:backcover). At the cornerstone of Aristotle's ontology, was his belief that the substances of physical objects could be the basis for sure knowledge or reality (Vezina, 2007). Porphyry (C.232-304) represented Aristotle's linear, systemic categories in the "Tree of Porphyry" - highest genus, subordinate genera, species and individuals. See Illustration below:

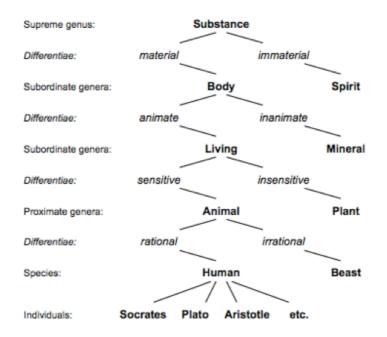


Illustration 8 - Tree of Porphyry

 $^{^{2}}$ In part, the understanding of existence addresses the conceptions of time: the past, the present and the future (Cocchiarella, 2007:53).

³ Aristotle believed that a God was responsible for the organization of the world and of all of life: And life belongs to God; for the actuality of thought is life, and God is that actuality; and God's self-dependent actuality is life most good and eternal. We say therefore that God is a living being, eternal, most good, so that life and duration continuous and eternal belong to God; for this is God (Metaphysics, 12.7).

4.3.3 Aristotle's Predication in Reality

Another aspect of ontology is the predication of reality. Predication of reality can be in the form of logical realism (Platonism) and natural realism (Aristotle's theory of natural kinds) (Cocchiarella, 2007:272). On the one hand Plato's ontology asserts that the essence of something is knowable by an object's form or physical properties, which may be uncovered by reason: universals exist despite the natural world (Cocchiarella, 2007:138). On the other hand, the Aristotelian tradition of "so-called immanent realism," (Vleu, 2004:49) or 'natural realism' means understanding the relationships between universal qualities, genera and species help decipher what is *real*⁴ (Vezina, 2007:102). The following illustration shows exactly how Aristotle's ontology fits within realism paradigm:

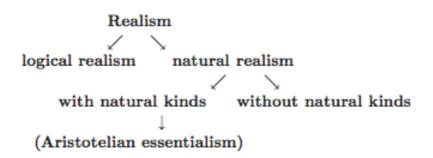


Illustration 9 - Realism and Aristotelian Essentialism

Source: Cocchiarella (2007:11)

In natural realism, it is argued universals only exist in things⁵ in nature (Cocchiarella, 2007:274) and that species cannot change (Matthews, 1990). Categories and their systemization must be discovered inductively (Cocchiarella,

⁴ Smith (2004:73) separates views on reality - idealist, skeptical, or constructionist philosophy: a) a view according to which there is no such thing as objective reality to which the concepts or general terms in our knowledge representation systems would correspond; b) a view according to which we cannot know what objective reality is like, so that there is no practical benefit to be gained from the attempt to establish such a correspondence; c) a view according to which the term 'reality' in any case signifies nothing more than a construction built out of concepts, so that every concept-system would in principle have an equal claim to constituting its own 'reality' or 'possible world.'

⁵ A thing can be described in its 4 causes: i) Material cause: the matter making up an object (persists through change); ii) Formal cause: sensible qualities like shape, size, color (alters during change); iii) Agent cause: the source of its change and; iv) Final cause: purpose/goal of its change.

2007:17). This means that in natural realism the categories of nature and their laws are not knowable a priori. Some of the other assumptions suggest the natural and social worlds exist independently from human action and observation (Blaikie, 2007), humans are rational animals (Cockcroft & Cockcroft, 2005:85) and truth can be observed empirically. In sum, "Aristotle's ontology offers a more pragmatic and plausible theory in that he grounds his epistemology, theory of knowledge, in the physical world," (ibid).

4.3.4 Aristotle's Epistemology

This section clarifies Aristotle's epistemological perspectives,⁶ by incorporating Aristotle's primary texts, to corroborate with my epistemological foundations. The distinctions of *episteme/technê* associated with the ways of gaining knowledge are briefly detailed.

Epistemology⁷ is the theory of knowledge (*epistêmê*), the inquiry into its nature, sources and how it differs from opinion or belief (Arner, 1972). Having knowledge is important, according to Aristotle, because it supports attaining the 'good life' (*eudaimonia*).⁸ There are two types of knowledge: propositional knowledge (*eidenai*) focuses on facts and practical knowledge (*phrónēsis*) is the "know how" or the ability to act. More specifically, propositional knowledge discerns wisdom as the knowledge of the whole or *universals* and of the *individual* (Metaphysics 1.1). By discerning the "knowledge of the universal then we see the particulars' demonstrates his interest in the role played by the individual within the universal," (Prior Analytics 2.21).

⁶ Various versions on epistemology include the traditional view (Plato/Aristotle), modern views (Descartes/Locke/Kant) and postmodernist/poststructuralist views (Nietzsche/Derrida/Foucault). Many considerations and critiques can alter the epistemology today compared to the how it would have been conceptualized by Aristotle in ancient Greece including the different cultural assumptions, function of language and cyclical nature of human history (Haskins 2004). Furthermore, Aristotle's paradigms have been criticized for lacking clarity (Leszi, 1975:543), limited (Allen, 2003) and being biased against certain people in society (Politics 1252a34). Lastly, due to the scope of this research and not being in Classics, I accept the translations of Aristotle's work to be accurate.

⁷ Episteme derives from the Greek word for the knowledge and "ology" means the 'study of.' ⁸ "The general run of men and the people of superior refinement say that it is happiness, and identify living well and doing well with being happy" (NE1095a 17–20).

4.3.5 Ancient and Modern Epistemologies

Aristotle establishes *knowledge* and *truth* in his various primary texts. In *Metaphysics* Aristotle elicits what he considers to be *truth:*⁹ "To say of what is that it is not, or of what is not that it is, is false, while to say of what is that it is, and of what is not that it is not, is true" (Book 4:Chapter 7 1011b25). In *Nicomachean Ethics* (Book 6 Chapter 11) the logical syllogism encompasses two different sets of truths via a major premise (general truth), a minor premise (particular truth) and a conclusion. Eternal truths are found in the natural sciences and mathematics irrespective of human involvement (Berg,1983:21). "True knowledge" is dependent on two conditions: cause, "We suppose ourselves to possess unqualified scientific knowledge of a thing…when we think that we know the cause on which the fact depends," (Posterior Analytics 1.2) and; nature, "the proper object of unqualified scientific knowledge is something which cannot be other than it is" (ibid). Conversely, Aristotle thought truth was privileged to a selective few: "the domain only of philosophers," (Lan 2017:9).

While there are clear differences between Aristotle's understandings of science and contemporary interpretivist understandings of rhetoric, Aristotle's distinction between episteme-*technê* does offer a way forward. The primary text that bridges Aristotle's philosophical beliefs (of *episteme*) and art or *technê* is in the *Nicomachean Ethics*. The first sentence identifies the goal of *technê or* 'skill', 'art' 'expertise' or 'craft' is about being able to live the 'good life:' "Every technê and every inquiry, and similarly every action and choice, is thought to aim at some good" (NE 1094a1-3). It is through the particular know-how of an art that one can live a moral life (Angier, 2010). Later, in Book VI Chapter 4 Aristotle

⁹ Knowing is not the same as believing or opinions. Aristotle differentiates between the two: "The truth perhaps is that if a man grasps truths that cannot be other than they are, in the way in which he grasps the definitions through which demonstrations take place, he will have not opinion but knowledge: if on the other hand he apprehends these attributes as inhering in their subjects, but not in virtue of the subjects' substance and essential nature possesses opinion and not genuine knowledge (Posterior Analytics, 1.33). Also, one cannot gain knowledge of a thing by defining it: "never yet by defining anything – essential attribute or accident – did we get knowledge of it," (Posterior Analytics 2.3).

lists the ways or 'states of the soul'¹⁰ to find knowledge in order to be a good or ethical character:¹¹

Let it be assumed that the states by virtue of which the soul possesses truth by way of affirmation or denial are five in number, i.e. art, scientific knowledge, practical wisdom, philosophic wisdom, intuitive reason (NE 1139b:15-18).

In line with this thesis, I will concentrate on the distinction of the art as a way to attain knowledge.¹² Art or *technê* is the reasoned state of capacity with production and bringing something into existence (NE 1140a 8–9). The origin of an art is with the craftsperson:

Coming into being, i.e. with contriving and considering how something may come into being which is capable of either being or not being, and whose origin is in the maker, not in the thing made; for art is concerned neither with things that are, or come into being, by necessity, nor with things that do so in accordance with nature (since these have their origin in themselves) (NE 1140a 9–16).

Aristotle's assumed *technê* has some purpose, involves doing something in a physical capacity and requires certain skills and virtues like patience, attention and passion (Chai, 2015). He anticipated one could get better at their craft with practice, enough to internalize an art and make it second nature (ibid). Therefore, it is through these conventions that a craftsperson is able to complete the craft, attain knowledge and therefore build moral character.

¹⁰ There are two elements of the soul: rational (with reason) and irrational (NE 1102a27-29).

¹¹ Knowledge concerned with one narrow thing: what is best to do action (NE Book 6 Chapter 8). To acquire ethical virtue, several conditions are necessary: (1) the good must be known, (2) one must deliberate properly to seek the means for it through reason, (3) one must intend to do the good for its own sake, (4) one must desire to do what is good, and (5) virtuous action must be repeated to produce a habit (NE Book 6 Chapter 11).

¹² Aristotle writes: As for the other approaches to knowledge, scientific knowledge arrives at eternal truths by means of deduction or induction whereby "scientific knowledge" is incontestable knowledge – what we take for granted and accepted as truth (NE Book 6 Chapter 4). Thirdly, prudence or practical wisdom (phronesis) helps figure out what is true or false which moves truth and desire into action in order to achieve the good life (NE Book 6 Chapter 2). Fourthly, wisdom (sophia) is a combination of scientific knowledge and intuition, which helps us arrive at the highest truths of all. Wisdom is the "most precise" kind of knowledge, universal, eternal and unchanged by other variables or opinions (NE Book 6 Chapter 7). Lastly, intuition helps us to grasp first principles from which we derive scientific truths.

There is a clear overlap between Aristotle's notion of rhetoric as an art (aimed at doing something) and contemporary interpretivist social science that understands language to be performative.¹³ Rhetoric, as defined by Aristotle in *Rhetoric*, is the art or technê of persuasion. Indeed, "Rhetoric is techne in the fullest sense: the activity it performs is not only cognitive but transformative...its aim is to carry away the audience; to produce an effect on them, to mold them; to leave them different as a result of its impact," (Barilli, 1989:x). For productive arts or technical skills "arguing that its status as a productive are is the key to understanding Aristotelian rhetoric," (Leff, 1993:318). As a researcher, I take a constructive approach to communication whereby language constitutes the meanings and practices of the elites in the KP. Aristotle was also aware of the capacity for rhetoric to construct worlds: "A mode of altering reality, not by the direct application of energy to objects, but by the creation of discourse which changes reality through the mediation of thought and action" (Bitzer 1968:3-4). Rhetoric within language and discourse constructs society and our knowledge of it (Nelson, Megill & McCloskey, 1987; Scott, 1967; Simmons, 1989). Thus, Aristotle's understanding of the moral content of technê and thus rhetoric whether by truth or falsehood, right or wrong or good or bad - can serve to inform contemporary social science to the moral and political work of rhetoric. Contemporary social science might stress one last point – the moral ambivalence of rhetoric and the possibility of truth or falsehood, right or wrong or good or bad, as opposed to Aristotle's belief in the benign powers of art.

4.3.6 Knowledge is Also Obtained Through Empiricism

Underlying Aristotle's epistemological views was his assumption that humans are capable of accurately sensing the phenomenal world (Haskins, 2004:3). Aristotle was a "staunch empiricist and systematic thinker," (Vezina, 2007:101). The empiricist position goes against the rationalist argument that knowledge can also be attained through the use of reason,¹⁴ which bypasses the problems of biased

¹³ The understanding of rhetoric as both a craft and as a contemporary performative language stem from separate ontological backgrounds so therefore cannot be identical (Richards, 1965).

¹⁴ In *Posterior Analytics* examines the ways truth can be proven by argument alone.

and deceptive human senses. There are limits to the empiricist standpoint. Even though "We can never know reality in its purest form; we can only interpret it through our senses and experiences. People with experience have a better chance of perceiving truth," (NE Book 6 Chapter 11). This was crucial for Aristotle because: 'Men of experience succeed even better than those who have theory without experience,' (Metaphysics 1.1). Additionally, knowledge is bounded by the discipline within which it is operating (Posterior Analytics 1.13). Of great importance to Aristotle is the knowledge of 'why' or the principle causes (Metaphysics 1.1). He argued, "people can find truth through merely observing and understanding particular objects," (Vezina, 2007:103). This coincides with my qualitative study in order to understand the elites of the KP through observation and interviews (in addition to secondary data).

4.3.7 The Researcher's Statement of Ontological and Epistemological Assumptions

I have undertaken a subjectivist and interpretivist position in the making of this thesis. Truths are seen to be independent, dynamic and contextual. The researcher focuses on the meaning in the experiences of individuals rather than the 'truth'. Each person has their own perceived reality constructed by language, culture and the world around them; their yet many truths may conflict but still may be valid [Law & Urry 2004). Naturally, peoples' perception of truths may change with time.

Interpretivism rejects the objectivist view, a modern version of Aristotle's realism, whereby reality sits independently of human consciousness. The interpretivist assumptions are reflected in the aims of the research and desired information to collect, how I understand the nature of reality, how knowledge is generated, what good evidence looks like, the nature of the relationships between researcher and subjects and what part values play in research (Vasilachis de Gialdino, 2009).

Firstly, <u>the aim of the research</u> and <u>desired information</u> to collect was to learn what elites in the KP think about the international regime and what is meaningful in their *ethos/logos* and *pathos*. It does not seek to predict or hypothesize certain outcomes. Nor does it attempt to generalize data to the entire population (Mitchell & Bernauer, 1998). Instead, it is about *discovery*, *description* and *understanding* of the persuasive proofs integrated by the elites in the civil society, state actors, and industry members of the KP. There is no intention to test or develop theory in this study as there might be in a positivist-based research. In contrast, I emphasize my perspective in the attempts to understand the aspects of the social world of the points of view of the key elites in this study.

Secondly, I understand the <u>nature of social reality</u> and the social world are created and shaped by perceptions and interactions of individual subjects. 'Facts' are subject to changeable interpretations and are influenced by history and cultures. Therefore, reality cannot exist without context – multiple mental constructions of reality. Physical and social aspects do not follow pre-existing patterns nor do people always act rationally.

Thirdly, <u>knowledge generation</u> relies on meanings and is relative to context (time, cultures and value bound). Following the interpretivist paradigm, the focus of the research is on meanings, in order to try to understand what is happening, by looking at the totality of each situation by using multiple methods to establish different views of phenomena based on small samples, investigated in-depth over time (O'Gorman & MacIntosh, 2015:60). There are multiple ways to interpret a text (Nørreklit, 2003). The foundation of the qualitative research paradigm is an interpretative method (Denzin & Lincoln, 1994:2; Vasilachis de Giaidino, 2009), which pursues actors' language (Silverman, 2000:89).

Fourthly, <u>good evidence</u> constitutes facts that are not impartial, neutral and need to be placed in context (emphasis on context).

Lastly, the subjectivist approach recognizes knowledge cannot be separated from individuals and that there is a clear link between the researcher and research subject. This means the distance or interaction, or the <u>nature between the</u>

researcher and the researched is close and integrated (as opposed to the belief researchers must not interfere with the settings). For example I had an active part of the research setting during the semi-structured interviews. Consequently, the observer is part of what is being observed. In short, interviewee subjects are 'subjects' not 'objects.' The last assumption of the subjectivist/interpretivist stance is that it is impossible for a researcher's work to be disconnected from their values since they must reflect upon their own involvement in the research, as indicative here.

4.3.8 *Rhetoric – Ontology and Epistemology*

Considering this thesis adopts a rhetorical framework, it is suitable to determine in this section how rhetoric has been conceptualized in terms of ontology and epistemology. In rhetoric-based studies ontology is "flexible in defining what is true," (Riaz, Buchannan & Ruebottom, 2016:1538). Rhetoric is considered a mode of, "altering reality, not by the direct application of energy to objects, but by the creation of discourse, which changes reality through the mediation of thought and action," (Bitzer, 1968:1). Again, there are convergences with ancient rhetoric and scholars have examined Aristotle's claims in the light of the ontological and epistemological position of rhetorical theory. For Aristotle, rhetoric is counterpart to epistemology (Harpine, 2004:22): "Aristotle never clearly and systematically explains his conception of the relationship among rhetoric, truth and ethics," (Leff, 1993:316). It is only in the Rhetoric that Aristotle's naturalistically conceived hierarchy of knowledge comes to the fore (Haskins, 2004:17). Scholars of rhetoric see it as epistemologically interpretivist (Hernadi, 1989; Leff, 1980,1997) and embedded in social constructionism (Cheney, 2005; Heracleous & Barrett, 2001). Baldwin (1928:3) deems "the true theory of rhetoric as the energizing of knowledge", where Aristotle links truth to rhetoric since, "Rhetoric is useful, because the true and the just are naturally superior to their opposites," (Rhetoric, 1355a12) and because "rhetoric stretches out to truth" (Grimaldi, 1978).

4.3.9 Research Paradigm Conclusion

The researcher recognizes the contradictions between Aristotle's primitive realist paradigm and this contemporary study. There is an appreciation of the nuances of our different cultural milieu and "Aristotle's difference on these issues from our modern assumptions," (Haskins, 2004:2). At the same time it is acknowledged, "rhetoric is culturally and contextually specific," (Haskins, 2004:13). Classification research, including the identification of *ethos*, *logos* and *pathos*, could be more prolific by using constructivist viewpoints (Mai, 2004). In summary, the research paradigm is embedded in subjectivist and interpretivist ideologies including there is no single reality or truth, that reality needs to be interpreted and that the most appropriate way to understand the multiple realities is through qualitative methods, which are now explained further.

4.4 Methodology

4.4.1 The KP - Case Study Approach

The KP is the one case study or 'unit of analysis' in a qualitative research method in this empirical inquiry in Management (Cassell et al., 2006). It was selected as the case because it is the only "bounded system," (Stake, 1987) of three different groups whose aim is to stem 'conflict' diamonds. Two other reasons for using a case study strategy include: (1) A case study is a flexible study allowing, "for the generation of multiple perspectives either through multiple data collection methods, or through the creation of multiple accounts from a single method," (Gray, 2009:106). The evidence or data can be from, "fieldwork, archival records, verbal reports, observation, or any combination of these," (Yin, 1981:58). (2) Additionally, case studies provide a depth of enquiry with "real-time information that can be as up to date as the researcher requires, making this approach ideal for contemporary issues and especially relevant in the fastchanging world of business and management studies," (Remenyi et al.,1998:167).

The research seeks to answer "how" and "why" type research questions of a contemporary phenomenon within its real-life context (Yin, 2009). Centered on the research questions, the case study is an appropriate qualitative research

methodology. Frenz, Nielsen and Walters (2009:xi) highlight, "Within management studies the case study can be used to better understand an individual organization, a group of organizations, or a particular industry." More specifically a case can include, "individuals, a role or occupation, organizations, a community or even a country. It could even be a policy, process, crisis or event," (Frenz, Nielsen & Walters, 2009:107). Stake (1995:2) clarifies that the case study as an integrated system does, "not have to be working well, the purposes may be irrational." (This is important to explain as the KP is currently in a state of turmoil).

The process for building theory from a case study research and rationale was followed by Eisenhardt (1989) as shown in the following Table.

Step	Activity	Reasons
Getting Started	Definition of research question.	Focuses efforts. Provides better grounding of construct measures. Retains theoretical flexibility.
Selecting Cases	Choose specific population. Theoretical, not random, sampling.	Constrains extraneous variation and sharpens external validity. Focuses efforts on theoretically useful cases – i.e. Those that replicate or extend theory by filling conceptual categories.
Crafting Instruments and Protocols	Multiple data collection methods.	Strengthens grounding of theory by triangulation of evidence. Synergistic view of evidence. Fosters divergent perspectives.
Entering the Field	Overlap data collection and analysis including field notes. Flexible and opportunistic data collection methods.	Speeds analyses and reveals helpful adjustments to data collection. Allows investigators to take advantage of emergent themes and unique case features.
Analyzing Data	Within-case analysis.	Gains familiarity with data and preliminary theory generation.
Shaping HypothesesTabulate evidence for each construct. Replication, not sampling, logic across cases. Search for evidence for "why" behind relationships.		Sharpens construct definition, validity and measurability. Confirms, extends and sharpens theory Builds internal validity.
Enfolding Comparison with similar and conflicting literature.		Builds internal validity, raises theoretical level, and sharpens construct definitions. Sharpens generalizability, improves construct definition and raises theoretical level.
Reaching Closure	Conclusions	Ends process when marginal improvement becomes small.

 Table 8 - The Process of Building Theory From Case Study Research

 Source: Eisenhardt (1989)

4.4.2 *Qualitative Approach*

Qualitative methods were conducted to answer the main research questions including observation, personal semi-structured interviews, email correspondence and document analysis. A qualitative approach was embraced to gather data in order to, "discover the new and to develop empirically ground theories," (Flick, 1998:5) of the KP. This approach seeks how the world is, "understood, experimented or produced," (Mason, 1996:4). The researcher is particularly interested in actors' different views and knowledge (Flick, 1998:6) and, "perspective on their own worlds," (Marshall & Rossman, 1999:7).

Justifications

There are ten justifications for using qualitative research for this thesis. (1) The qualitative research was a better fit for the type of research questions. (The key questions are not 'How Many?') (2) The aim was to highlight the individual respondent's rhetoric. (3) There are no secondary sources on the rhetoric of key stakeholders of the KP and KPCS to reference. (4) My personal preference is to work predominately with people instead of numbers. The particular research model fits most appropriately with the skills of the researcher. (5) The themes of different institutional rhetoric could be best explored through qualitative approaches. (6) I wanted to align with the other two empirical research projects completed on the KP and KPCS which were completed by focused, semistructured interviews and content analysis of industry related documents. (7) For practical reasons, the research setting was accessible for the researcher (due to previous work and research in the industry) and the access to the respondents for data was readily available. (8) The qualitative method was suitable to the finances (costs and budget) required to complete the study within the given time restrictions. (9) Additionally, the benefit of the interviews provided the researcher to become fluent with the latest key players in industry, NGOs and the states actors involved with the KP and KPCS, which could provide opportunities for further post-thesis employment within various sectors, linked with diamonds. (10) Lastly, the method strategy was realistic considering the time availability and the target date for completion.

Consideration of Research Boundaries

The researcher made consideration for clear research boundaries. Holliday (2002:38) identifies five criteria required for qualitative research: a) clarifies boundedness; b) provides a variety of relevant and interconnected data; c) be sufficient in richness; c) sufficiently small, and; d) be accessible. The limits to time, place and culture are clear in this research. The participants are bound together by sharing the time frame of interviews conducted between 2015-2016. This is important because it means the participants are subject to the similar economic, social and political conditions and changes. The time frame of the preparing for the semi-structured interviews was during the first quarter of 2015. The interviews were conducted from Spring 2015 to Autumn 2016. The first interview was conducted on April 23, 2015 and the last interview was completed The initial analysis commenced during the first three on October 21, 2016. months of 2016. While the interviews took place in the UK and Dubai the preparation and analysis phases took place in St Andrews. In order to gain a variety of relevant and interconnected data, the participants are bound by being directly connected to the KP either as acting participants, observers or involved with the initial KP meetings. The different instances, facets and viewpoints provide the necessary richness of the research topic in the wider society. The artifacts are wide-ranging too and include transcribed interviews, field notes from interviews and observations at diamond industry events and a KP meeting. Considering the previous criteria, the research project in its aims and methods, is logistically and conceptually manageable. Lastly, due to the researcher's previous work experience in the wholesaling and manufacturing levels within the diamond industry and recent completion of a dissertation on the diamond wholesalers, the researcher was able to successfully take whatever role was necessary to collect the data from different KP stakeholders.

4.5 Sampling Strategy

I studied elites using qualitative methods to understand the community of elites (NGOs), political elites and business/professional elites (Hertz & Imber, 1995). Due to the wide array of participants in this study, the researcher adopted a

combination/mixed purposeful sampling methods. I incorporated *purposeful* or *judgement* sampling¹⁵ which is an approach suitable for exploratory research (Remenyi et al. 1998:194) comprising "individuals considered to have knowledge and information to provide useful ideas and insights," (ibid). The most powerful persons called "elites" in each social system were identified and chosen using a *positional* approach instead of a *reputational* approach (Hoffmann-Lange, 1987). The steps of the positional method for selecting elites in research are outlined below:

"In a first step, relevant sectors have to be defined. Politics, public administration, business, pressure groups, media, and academia belong to the sectors that are mostly considered as being of primary importance. The next step involves the decision on the most important institutions/organizations within these sectors. They have to be determined according to sector-specific criteria (e.g. political decision-making authority, organizational membership, capital turnover). The third step involves the identification of top leadership positions within each of these organizations, and the present incumbents of these positions are eventually selected as constituting the elite," (Hoffman-Lange, 2006:4).

The respondents were selected because they met all of the following criteria chosen by the author: if they are directly involved in the KP, an elite in their industry, and spoke English (unless accompanied by an interpreter).

¹⁵ Probability samples such as simple random, systematic, stratified, cluster and multi-stage sampling were not incorporated because of the small sample size of available industry members (81) and NGOs (12) in the KP coalition. No participants were paid to be a part of this study.

4.6 Data Collection Stages

Location of Data Collection:	Date:	Participants	Technique(s)	Qualitative Sample Method:
Women in Mining Diamond Event, UK	March 31, 2015	Industry	Observation	Purposeful
UK	April 2016 – May 2016	INGO, State and Industry	Semi- Structured Interviews	Purposeful
Intersessional Meeting, Dubai	May 23-26, 2016	State	Observation, Semi- Structured Interview	Emergent/Opportunistic
Intersessional Meeting, Dubai	May 23-26, 2016	Industry	Observation, Semi- Structured Interviews	Emergent/Opportunistic
Intersessional Meeting, Dubai	May 23-26, 2016	Civil Society (DDI)	Observation	Purposeful
UK	July 2016 – October 2016	INGO, State and Industry	Semi- Structured Interviews	Purposeful

The qualitative research design involved four key strategies from 2015 - 2016:

 Table 9 - Data Collection Stages

 Source: Author's Research

During the Women in Mining Event observations were of elites in the diamond industry, so the sampling was purposeful. During the Intersessional meetings the researcher adopted an emergent or opportunistic sampling as she met industry and state representatives during the event. The Intersessional meeting was crucial in securing contacts with the key KP focal points in one setting, which otherwise would have been difficult to secure interviews. Because the Coalition had boycotted the meetings during 2016, only the DDI was present to observe and record. Otherwise, all following interviews were purposeful to capture a wide range of perspectives relating to the KP and KPCS. To insure richness in the data gathering purposive (small number) type of sampling was preferred. Only those able and willing to describe their opinions, listed on the KP website as participants or observer members of the KP were included in the sample. The data gathering stopped after the researcher exhausted all participant and observer contacts for the state actors and the civil society members. The accumulated data from diamond industry interviewees was deemed sufficient in line with recommended sample size in the elite literature. The purposive samples are researcher biased, however; there is clear criteria set out to include only those directly involved with the current KP or initial KP meetings.

4.7 Participants Involved

In total data was collected from 65 individuals for this thesis (14 Coalition, 31 State Actors and 20 Industry). There were approximately 22 hours of participant observation and 25 hours of interviews. Data was collected from elite actors of the KP including Chairman, Directors, Executive Directors, or Campaign Directors. In the event the researcher was unable to attain first hand data, a rhetorical analysis was completed on speeches, reports, letters or other direct quotes found in the news or media made by the individuals working at the top of the organization. To preserve anonymity and to safeguard confidentiality pseudonyms for all stakeholders were designated throughout the research reporting.

Coalition

The Coalition chapter reveals direct quotes gathered from interview transcripts and document analysis from elite individuals. The total sample size for the KP Coalition comprises eleven non-profits from around the world and one international supporting civil society group. Direct quotes by all Coalition members were rhetorically analyzed except one NGO in Guinea who provided no direct discourse on the KP as shown in the following Table: {the (T) indicates interviews were recorded and transcribed}:

	Organization	Country	Title	Data Gathering Technique
1	Partnership Africa Canada (PAC)	Canada	Executive Director	Skype Interview (T)
2	Groupe de Recherche et de Plaidoyer sur Les Industries Extractives (GRPIE)	Côte d'Ivoire	Executive Director	Document Analysis
3	Centre du Commerce International pour le Développement (CECIDE)	Guinea	N/A	Not Available
4	Green Advocates	Liberia	Principle Founder	Document Analysis
5	Network Movement for Justice and Development (NMJD)	Sierra Leone	Director	Document Analysis
6	Réseau de Lutte contre la Faim (RELUFA)	Cameroon	Coordinator	Document Analysis
7	Centre National d'Appui au Développement et à la Participation Populaire (CENADEP)	Democratic Republic of Congo	Director	Email Correspondence
8	Groupe d'Appui aux Exploitants des Ressources Naturelles (GAERN)	Democratic Republic of Congo	Executive Secretary	Email Correspondence
9	Zimbabwe Environmental Lawyers Association (ZELA)	Zimbabwe	Executive Director	Document Analysis
10	Centre for Natural Resource Governance (CNRG)	Zimbabwe	Executive Director	Email Correspondence
11	International Peace Information Service/Bonn International Centre for Conversion (BICC)	Belgium	Executive Director	Document Analysis

Table 10 - Data Collected From the KP Coalition

In addition, data was collected from the key INGOs who were involved in the initial 'conflict' diamond campaigns:

	Organization	Country	Title	Data Gathering Technique
12	Partnership Africa Canada	Canada	Chairman	Skype Interview (T), Document Analysis
13	Diamond Development Initiative (DDI)	Canada	Executive Board Member	Skype Interview (T)
14	DDI	Canada	Executive Director	Observation (T)
15	Global Witness	UK	Campaign Leader	Personal Interview (T)

A total of four interviews were conducted with the Coalition members equaling 255 minutes of recorded data.

State Actors

Data was collected from 31 state participants from 26 different countries. The state chapter reveals direct quotes gathered from observation and interview transcripts along with document analysis from elite individuals as shown in the following Table:

Γ	State Participant	Title	Authority Responsible for Implementation of the KPCS	Data Gathering Technique
1	Angola	Ex KP Chair	Ministry of Geology and Mines	Document Analysis
2	Bangladesh	Director	Export Promotion Bureau	Email Correspondence
3	Brazil	KP Focal Point	Mining and Mineral Processing	Email Correspondence
4	Canada	Senior Policy Advisor	Minerals and Metals Sector	Personal Interview/ Email Correspondence
5	Central African Republic	KP Focal Point	Ministry of Mines	Personal Interview
6	Cöte d'Ivoire	KP Focal Point	Ministry of Mines and Energy	Document Analysis
7	EU-Brussels	External Relations	Unit Service for Foreign Policy Instruments European Commission	Personal Phone Interview (T)
8	EU-Brussles	KP Legal Officer (Foreign Policy Regulatory Instruments)	Unit for Service for Foreign Policy Instruments European Commission	Personal Phone Interview (T)
9	EU-Italy	KP Contact	Unit for Service for Foreign Policy Instruments European Commission	Personal Interview
10	EU-Portugal	KP Contact	Unit for Service for Foreign Policy Instruments European Commission	Personal Interview
11	EU-UK	KP Originator	Foreign Office	Personal Interview (T)

12	EU-UK	Multilateral Policy Director	Unit for Service for Foreign Policy Instruments European Commission	Document Analysis
13	India	Development Commissioner	The Gem and Jewellery Export Promotion Council	Personal Interview
14	India	Assistant Director	The Gem and Jewellery Export Promotion Council	Personal Interview
15	Israel	KP Administrator	Diamond Controller	Email Correspondence
16	Lebanon	KP Focal Point	Ministry of Economy & Trade	Personal Interview/Email Correspondence
17	Lebanon	Senior Legal Trade Specialist	Ministry of Economy & Trade	Personal Interview
18	Mauritius	Director	Trade Division Ministry of Industry, Commerce & Consumer Protection	Email Correspondence
19	Norway	KP Focal Point	The Norwegian Goldsmiths' Association	Personal Interview/Email Correspondence
20	Republic of Congo	Import and Export Authority	Ministry of Mines	Personal Interview
21	Sierra Leone	Director of Precious Minerals Trading	Government Gold and Diamond Office	Personal Interview
22	South Africa	Chief Executive Officer	South African Diamond and Precious Metals Regulator	Personal Interview/Email Correspondence
23	Swaziland	KP Focal Point	Acting Commissioner of Mines, Geological Surveys, Minerals and Departments	Personal Interview
24	Switzerland	Director of Customs	State Secretariat for Economic Affairs	Personal Interview
25	Togo	Geochemist and Mineralogist Geologist, North District Director of Mines and Geology	Ministry of Mines and Geology	Personal Interview
26	Ukraine	Deputy Director, Head of Diamond Examination Department	State Gemological Centre of Ukraine	Email Correspondence
27	United Arab Emirates	KP Chair, Executive Chairman of the Dubai Multi Commodities Centre	Dubai Metals and Commodities Centre (DMCC)	Observation, Document Analysis

28	United Arab Emirates	Director DMCC	DMCC	Personal Interview
29	USA	Head Bureau of Economic and Business Affairs	Importing Authority – Office of Threat Finance Countermeasures, US Department of State	Phone Interview (T)
30	Venezuela	Military Personnel National to the Degree of Brigadier General	Not Specified	Personal Interview
31	Zimbabwe	KP Contact	Not Specified	Personal Interview/Email Correspondence

Table 12 - Data Collected From KP State Participants

A total of 22 interviews were conducted with the KP state participants equaling 551 minutes.

Industry

Data was collected from 20 elite diamond industry members including De Beers Group (London), De Beers Group (Botswana), De Beers Trading (London), independent multinational open pit mining company, government-owned mining company, diamond bourse, the largest diamond mining company on the London Stock Exchange, diamond industry financier, leading diamond manufacturer, the World Diamond Council, foremost diamond industry experts, and diamond industry media members. The industry chapter reveals direct quotes gathered from the following diamond industry organizations:

Γ	Organization	Title	Data Gathering Technique
1	Diamond Corp/PC	Chairman	Personal Interview
2	Consensus – Finance	Director	Personal Interview
3	London Diamond Bourse	Director/FairTrade Gems	Personal Interview
4	De Beers (London)	Director	Personal Interview (T)
5	De Beers (London)	Director/Head of Government and Industry Relations	Observation/Personal Interview (T)
6	Petra Diamonds	Corporate Communications Manager	Observation/Email Correspondence
7	De Beers (Botswana)	Head of Corporate Affairs	Personal Interview

8	World Diamond Council	Executive Director	Phone Interview
9	Asscher Diamonds	President	Personal Interview,
9	Assenter Diamonus	Fleshdent	Document Analysis
10	World Diamond Bourses	President	Phone Interview,
10	Federation	Tresident	Document Analysis
11	Tacy Ltd.	Managing Director	Personal Interview,
11	Tacy Ltu.		Document Analysis
12	De Beers (London)	Former CEO	Observation (T)
13	Alrosa	Former CEO	Observation (T)
14	Rapaport	Principle	Document Analysis
15	WDC	President and CEO	Document Analysis
16	WDC	President 2016	Observation (T)
17	WDC	Chairman	Document Analysis
	Jewellers Vigilance		
18	Committee General	CEO	Document Analysis
	Council		
19	The Week in Mining	President	Email
19	Media	riesidelli	Correspondence
20	Dubai News	Contributing Editor	Personal Interview

Table 13 - Data Collected From Diamond Industry

Nine interviews were conducted with KP industry amounting to 675 minutes.

4.8 Data Gathering Techniques

The data collected in this thesis were the written and oral discourse made by the KP participants and observers. Exact quotes were prioritized in order to analyze and present the rhetorical appeals. Three qualitative data gathering techniques were utilized to answer the specific research questions including observations, semi-structured interviews and archived discourse.

Technique 1 - Observation: Gaining Access to the Respondents

The observation method took place in two separate venues. The first was a diamond industry event in London on March 31, 2015 and the second was at the KP Intersessional meeting in Dubai on May 23-26, 2016. Observations were advocated to explore the nature of the specific social phenomenon (the diamond industry) through the interpretation and functions during "participant observation," (Atkinson & Hammersley, 1994:248). The observations provided

the opportunity for the researcher to record the spoken rhetoric of all the KP working groups and committees.

Access into the field, especially the diamond industry, is difficult because of its particularly private, cautious, suspicious, secretive and elusive nature. Various creative tactics permitted access to the diverse interview respondents. During the first few months of 2015, the researcher looked for diamond and mining industry related groups online. To gain access to the diamond industry event, the researcher became a member of the Women in Mining non-profit group. In March, the student signed up, for free, to the Women in Mining (WIM) membership. Created in 2006, the WIM (UK) is a, "non-profit organization dedicated to promoting and progressing the development of women in the mining and minerals sector," (womeninmining.org.uk). On March 31st, the researcher attended the event called 'The Global Diamond Industry: Where to Next?' in The event included a panel discussion with 5 industry members London. including large diamond traders, the largest diamond mining company listed on the London Stock Exchange, a small start-up diamond company, a mining analyst and the industries leading pricing and exchange network. Following the discussion, there was a Q&A and drinks networking opportunity. The researcher met with all the panel members and other industry members who attended the event and gathered names and contact information for further interviews. Lastly, the researcher also drew upon own her own contacts from working in the diamond industry.

To gain access to the KP Intersessional I emailed the Chair of the KP directly and requested a personal invite. The diamond industry event was an open-access group while the KP meeting was a closed-access group (not open to the public). In both events the researcher took a non-participant observation role.

There are various reasons for using observation in the diamond industry event. Firstly, it allowed for many rhetoricians from different areas in the industry a platform to speak. Secondly, it provided an opportunity to for the researcher to meet new industry members to potentially interview in a professional but friendly atmosphere and it was suitable with all resource considerations. Thirdly, it led to data directly linked to the research questions. Furthermore, it provided a complimentary set of data with which to triangulate the interview evidence. Through observation it was made possible to "identify the skills and practices ordinary people use to produce social action," (Silverman, 2010:19). Observing at the KP meeting was the only venue where all the NGOs, states and industry were together in the same room with the aims of discussing the KP. As an outcome, it was an opportunity to capture in-depth, rich data over four days. Lastly, it also permitted the researcher access to meet with all the State actors in one location, which otherwise proved to be difficult to interview in person because of time and money constraints.

I recognized various issues as a result of this method. I received a personal invite from the Chair of the KP to attend the 'Intersessional' meeting in Angola in 2015. Due to severe security warnings, it was agreed with the primary supervisor that I should refrain from travelling to West Africa. Second, the researcher was aware that the presence as a spectator in the field might affect the behavior of those being observed.

Technique 2 - Semi-Structured Interviews

There are different types of interviews including structured, semi-structured, nondirective, focused and informal conversations (Gray, 2009b:170). An in-depth interview method recognizes the need for the interaction between the researcher and participants characterized in the constructivism paradigm (Longhurst, 2010:103). The interviews were conducted during 2015 to 2016.

The advantages of focused, semi-structured interviews, in the opinion of the researcher, outweighed the limitations of the method. Semi-structured, personal interviews were also chosen because the format allowed for an open and adaptable structure. Other strengths include: (1) the potential to build positive rapport between the interviewer and the interviewee; (2) in order to discover the emotions or *ethos* of the respondents, interviews are regarded as a practical way of getting data otherwise not observable; (3) the respondents were able to talk about the KP and the KPCS in detail and depth ensuring high validity of findings;

(4) the complex questions and issues surrounding the KP and the KPCS can be discussed and verified using probing techniques to uncover information that had either not occurred to the interviewer or of which the interviewer had no previous knowledge, and; (5) detailed notes can be taken to record the interviews and audiotaping is an option where appropriate. Lastly, a guide approach ensured the same general areas of the KP and KPCS were collected from each interviewee.

The Interview Guide

The interview guide and questions are now explained further. Participants were asked open-ended questions about the KP and the KPCS. See APPENDIX 11.15. The interview guide was carefully created using opening grand tour questions (Spradley, 1979; Leech, 2002), clarifying questions (Laforest, 2009) and ordering questions as recommended by McCammon (no date). Furthermore, I started with earlier events and moved on to more recent events, beginning with simpler to more complex topics, grouping questions on each topic (KPCS, CSR, the diamond industry) and addressing least-sensitive to most sensitive questions. The interview guide also consists of all five probes described by McCammon (ibid).¹⁶

Interview Preparation

In order to show professionalism, prompt rapport and to prove capable researching skills, the interviewer completed in-depth background reviews on the interviewee's education and previous work experience. Where available, I thoroughly read journal articles, published books and PhD theses in order to better understand the interviewee's background, experience and general understanding of the KP. Lastly, I researched the specific issues associated with interviewing women (Coterill, 1992; Oakley, 1981; Reinharz & Chase, 2002; Ribbens, 1989).

¹⁶ Including (a) detail-oriented probes (When did that happen? Who else was involved? Where were you during that time?) (b) elaboration probes (Could you tell me more about that? Why exactly do you feel that way?) (c) clarification probes (You said the KPCS is a

"success"/"failure." What do you mean by "success"/"failure"?) (d) silent probe, (e) uh-hu probes which encourage a participant to continue by making affirmative but neutral comments ("uh-huh and 'Yes, I see.' And lastly, (f) echo probes, which is the repetition of the last thing the participant said and asking them to continue.

Data Audio Recording

A total of 44 interviews lasting on average 30 minutes each were recorded by written notes. Of these, 14 were fully recorded on audio recorder on a mobile phone. The recorded interviews were transcribed within a week after the interviews. I examined the data on the interview worksheet directly after the interviews. In the case of recorded interviews, the researcher investigated the data immediately after they were transcribed.

Chronicling Written Data

The researcher took notes and exact quotes from each respondent in the interview worksheet. If appropriate, the researcher asked if the respondent would be supportive of the interview being recorded. However, due to the secretive and overly cautious nature of most members in the diamond industry, some interviews were not audio recorded. During the interviews, the researcher wrote down the answers in a black pen. The interviewer also periodically summarized the notes and asked for feedback and verification. During the research process I compiled memos containing any thoughts, ideas, assumptions or hypothesis because, "Writing memos should be considered an integral part of the research process," (Kuckartz, 2014:52). After the meeting, the interviewer went straightaway to a quiet location within a 5-minute walk of the interview setting. For 1-2hours after the interview, the researcher reviewed the notes and wrote down all the overall impressions and further recollections in the worksheet in a blue pen. This way, the researcher was able to clarify what was initially said and what the immediate impressions were while also highlighting any further questions.

Considerations to the limitations of interviews include achieving access to the number of appropriate respondents. This was minimized due to the researcher's previous work in the diamond industry along with the creative use of attending women's only diamond-related events and using the 'snow-ball' method. Another issue, specific to qualitative research methods such as interviews, is that the researcher has to avoid bias in the analysis. Saunders et al. (2009:252) recommend some key measures to overcome bias in qualitative interviews including insuring all information supplied to the interviewee, demonstrating

attentive listening skills and approaching the recording of information carefully. Thirdly, it is recognized that it is unclear how far the respondent's answers to the research questions actually reflected their own experience (Silverman, 2010:21). However, the research doesn't evaluate the 'truth' of the experiences, but how the respondents talk or be persuasive about what they think are their own experiences, whether true or not. Other limitations of the interviewing method were considered including the skill of the interviewer, not easily repeatable for other interviewers, validity and if done poorly the interview method can be time consuming and expensive.

Technique 3 – Secondary Data Sources

This research draws upon personal notes in the fieldwork including personal first impressions field notes from interviews, transcribed interviews and observations at events and meetings of NGOs, state and diamond industry actors involved with the KP (Strati, 2000:191). In addition, secondary raw data was collected from official documents provided by stakeholders, website material, newsletters, reports, reports on organizational structures, company operating manuals, press releases, market research reports, UN speeches, presentation reports, government action plans, power point presentations, teleconference report, list reports, KP annual reports, KP mid-term reports, magazine articles, conference presentations, publications from the KP industry associations and NGOs, media coverage of 'conflict' diamonds and documents form the World Bank and OECD.

4.9 Data Management

"It is important to conserve, information: nothing should be discarded," (Strati, 2000:189).

4.9.1 Generalizing Empirical Data Strategies

I followed three strategies to ensure the external standards of quality. (1) Peer debriefing supervisors in Management and International Relations, rhetoric specialists at international conferences and rhetoric specific workshops for postgraduate researchers were consulted. (2) Combining of different research methods (observation and interviews) and the triangulation of the data from interview transcripts, field notes from the interviews and field notes from observations. (3) Verifying the results with the respondents themselves (when appropriate) in order to gain qualified feedback and communicative validation regarding the research results.

4.9.2 Transcribing the Data

According to Silverman (2010:201) "there is no 'best' method for transcribing interviews." *Simple* (not complex) transcriptions were made of the entire audio recording. Dresing, Pehl and Schmieder (2015) list the 12 underlying transcription rules, 4 additional rules and 8 tips for consistent notation for recorded conversations in social research projects. There were no attempts to represent accented talk, other noises in the room including other voices, and the lengths of pauses were not timed exactly. A total of 14 audio recording were made in full. Of these, all 14 were fully transcribed. The shortest transcript was only 3 pages long. The longest ran to 25 pages. The researcher started analyzing the data collected while still collecting additional data because, "it is beneficial to start analyzing the content before all the data has been collected," (Kuckartz, 2014:51).

4.9.3 Storage of Data

After the raw data was edited, formatted and made anonymous it was saved as a DOC/x file on two different home computing systems to ensure they were backed up sufficiently.

4.10 Data Analysis Approach

"The aim of reading through our data is to prepare the ground for analysis," (Dey, 1993:87).

4.10.1 *Outline*

This research aims to understand the organizational rhetoric gathered directly from researcher-initiated texts such as interview messages and conversations among members of the KP. Rhetorical analysis is deemed the most appropriate way of analyzing the data as the research questions specifically seek to understand the rhetorical strategies wielded by the different stakeholders of the KP. The selected method of text analysis is appropriate as it adheres to the goal to gain a general understanding of the given data on the basis of the research questions (Kuckartz, 2014:5).

4.10.2 *Coding Process*

The structure of the analysis occurred after repeated readings of the data. The particular topics became apparent and were assigned *ethos*, *logos* or *pathos* codes. The data analysis was organized according to the emerging themes outlined in the rhetoric worksheet.

In part one, the rhetorical analysis, the codes are pre-set (deductive). In part two of the textual analysis, the critical reading and the themes of power were inductively produced. In each case, the raw data was reviewed after collection or transcribing. The same data also went through a line-by-line evaluative review in order to record the *ethos*, *logos* and *pathos*. The evaluative reading was completed twice. Following, the critical reading was conducted to each of the field notes and transcribed data.

Consistency in the coding was achieved by using the worksheet for identifying rhetorical strategies in organizational discourse as structured in the Table 5 (ethos), Table 6 (logos) and Table 7 (pathos).

Template Analysis

A template analysis is the process of organizing and analyzing textual data according to themes considered important to the evaluation (King, 2004) and is different than a thematic analysis because it has, "pre-defined codes/a priori codes based on the theoretical position of the research," (Waring & Wainwright, 2008:86). The text can consist of data collected from transcripts of interviews, observed discussions, focus groups or soundtrack from video diaries (King, 2016). In order to answer the first research question, a rhetorical data analysis approach followed the process described by Hoffman and Ford (2010). A rhetorical analysis can fit within the *template* analysis approach. In order to answer the

second research question the data was analyzed using a thematic process. To address the third question, another thematic analysis was done to determine why stakeholders use the KP. The three approaches to the corpus data are explained in sequential order of the research questions.

The template analysis is beneficial for the research aims as it: (a) supports an analysis and means to compare all of the different participant perspectives; (b) provides insight into the meaning of how participants are communicating with each other and what they are saying; (c) can help uncover opinions, attitudes, feelings, perceptions and assumptions; (d) make inferences about what is influencing participants' communications and behavior and the impact of their communication and behavior; (e) reduces large amounts of unstructured text to what is relevant and manageable (Sheffield University, 2014). One problem of, "applying any pre-existing theory to the interpretation of a rhetorical transaction is that the critic is disposed to find exactly what he or she expected to find," (Black, 1980:333).

Reading Techniques

Whether to work directly on paper copies or on the computer depends mainly on personal preference and style (Kuckartz, 2014:51). The researcher worked directly on the paper copies and never on the computer screen. The author highlighted the text with three colors of highlighter (one for *ethos*, *logos*, *pathos*) during the first stage of analyzing for organizational rhetoric. Then exact quotations, notes and other observations including emotions were written in the rhetorical workshop. Further comments were recorded in the research journal.

4.11 Researcher's Role in the Gathering and Interpretation of Data

Rhetoric is the art of persuasion. Analysis is defined as the "careful study of something to learn about its parts, what they do, and how they relate to each other," (Merriam-Webster Dictionary). This rhetorical analysis is the exploration of the artistic appeals (Classical pisteis – *ethos/logos/pathos*) within a rhetorical situation (observation and interview) and commenting how those elements work to create the argument. Burgess (1984:154) defines four possible identities a

researcher in an observation study can assume: (1) the complete participant who operates covertly, concealing any intention to observe the setting; (2) the participant-as-observer, who forms relationships and participated in activities but makes no secret of an intention to observe events; (3) the observer-as-participant, who maintains only superficial contacts with the people being studied (for example, by asking them occasional questions); and (4) the complete observer, who merely stands back and 'eavesdrops' on the proceedings. The researcher assumed a complete observer role during the diamond industry event and an observer-as-participant role at the KP Intersessional meeting. Because this study is not an audience reaction study, the appeals and their affect on the researcher are considered.

Every rhetorical analysis includes three major parts including the description of the rhetorical situation, identification of rhetorical appeals (or parts of the speech 'canon') as well as an explanation of the rhetorical effects (Martin, 2014:100-101). As for the rhetorical situation, the researcher maintains five assumptions about the intended audience, nature of the interviewee, position of the interviewer, researcher relation to the audience, and interviewer bias.

Firstly, it is important to keep in mind the intended target audience of the message (Demirdöğen, 2010; Ceccarelli, 2013; Kjeldsen, 2016). For all the state actors the motivation was to *persuade* the audience, in this case the researcher (interviews) and the KP family (observation and document analysis). Similar to Andersen and Clevenger (1963), in this study *ethos* recognizes an individual can experience the, "image held of a communicator at a given time by a receiver – either one person or a group."

Secondly, the researcher also acknowledges the nature of the interviewee is, "not simply a personal account of himself or herself. The author is a complex individual who selectively reveals (or invents) aspects of character pertinent to the rhetorical work required at the moment," (Killingsworth, 2005:251-252). The researcher assumes *ethos* is a linguistic construction and not incarnate to the speaker or author of rhetoric. It is therefore possible for the speaker to construct a convincing *ethos* fitting to various rhetorical situations. Nonetheless, the source

of credibility derives from the speaker's character, which according to Aristotle, "may be almost called the most effective means of persuasion he possesses," (1356a14).

Thirdly, while the role of the speaker can be altered the *position of the audience* is also important to recognize. Aristotle understands *ethos* whereby the speaker alters the perception of their own personal characteristics depending on the audience, while Isocrates, Cicero and Quintilian emphasize effective persuasion via *ethos* is about "being a good person," (Yoos, 1979). Following Baumlin and Baumlin (1984:99) *ethos* is in the end a, "projection of authority and trustworthiness onto the speaker, a projection that is triggered or elicited by the speaker but is otherwise supplied by the audience."

Fourthly, the *interviewer had no previous relationships* with any of the state contacts in this research study. Because the researcher did not know any of the state actors prior to interviewing the *situated ethos* (the good reputation of the interviewee in the community formed over time) is not addressed. For Aristotle, this kind of persuasion shouldn't derive from who the person is exactly; rather, it "should be achieved by what the speaker says, not by what people think of his character before he begins to speak," (translated by Roberts, 2010:7). Because the rhētors utilized these types of invented *ethos* they did not have to borrow credibility (use of someone else with already established *ethos*).

Lastly, according to Cheney et al. (2004:81) the credibility (*ethos*) of the rhetor in organizational rhetoric can be problematic because the source of the rhetoric may be *biased* to the situation. In the context of the interviews and the consequent email correspondence, the interviewer does not see these biases made by the interviewees as problematic whereby all messages are rhetoric (Hoffman & Ford, 2010:xiii) and all rhetoric is strategic in some way (ibid:56).

4.11.1 *Rhetorical Analysis of Organizational Discourse*

The textual analysis techniques began with an organizational rhetorical analysis followed by a critical reading of the raw data as outlined by Hoffman and Ford

(2010). The process for analyzing organizational rhetoric is shown in the Illustration 8 below:



Illustration 10 - The Process for Analyzing Organizational Rhetoric Source: Adopted from Hoffman and Ford (2010:xvii).

According to Hoffman and Ford (2010) there is a process for analysing the rhetoric in organizations called a 'rhetorical analysis.' The process involves a basic description to identify the rhetorical strategies and to describe the rhetorical situation. The second step considers the rhetorical strategies. The third action is to complete the readings and to synthesize the strategies and situations in order to draw conclusions about the effectiveness about the rhetoric. Next, an evaluation of strategies applied by NGOs, state and diamond industry members involved with the KP are given in their respective data chapters. The first step to a successful rhetorical analysis is to determine what the rhetor (author or speaker) is arguing (Longaker & Walker, 2010). The second step is to consider how the argument was crafted for the specific audience including the intention fallacy (what did the rhetor intend to do?) and affective fallacy (how did the choices of the author affect the argument? Optionally, a critical reading can be conducted to conceptualize the organization and power.

4.11.2 Justifications for Using Rhetorical Analysis Approach

There is no generally accepted way to read a text or define coding categories (Kuckartz, 2014:58). It is most suitable to explore the data with a rhetorical analysis method due to the specific research questions concerning the rhetoric within the KP. In line with template analysis, the rhetorical analysis can be

completed on different types of qualitative data including: "transcribed interviews, observation protocols, documents and more," (Kuckartz, 2014:129).

The process to analyze organizational rhetoric, as outlined by Hoffman and Ford (2010) best answers the research questions but also fits most appropriately with the personal preference of the researcher. Importantly, the qualitative methods, of both observation and in-depth interviews, adhere to the time restraints and financial ability of the researcher. There are four justifications to use the process as created by Hoffman and Ford (2010): (1) it is the first-of-its-kind textbook on rhetoric theories and methods for organizations; (2) provides the only step-by-step method for analyzing and critiquing organizational rhetoric (3) outlines a critical reading process; (4) proper for all types of organizational messages including oral and visual. As a result, the process is the best method to analyze organizational rhetoric and considerations of power, which best and most directly answers the specific research questions.

To be clear, the organizational rhetorical process as outlined can be applied usefully to these types of data and texts (Hoffman & Ford, 2010:xv). Cheney (1983), Cheney et al. (2004), Sillince (2006), Hartelius and Browning (2008) and Sherperd and Challenger (2013) have done rhetorical analysis research in Management. Other authors such as Cooper and Schindler (2006) discuss the rhetorical analysis of data precisely in Management and business studies. They also focus on Aristotle's three principles of persuasive communication (*ethos*, *logos*, *pathos*) and devote a chapter to the presenting and findings of oral presentations.

4.12 Research Rigor

4.12.1 *Subjectivity*

The researcher accounts for the how the work was done, and subjectivity of the research in line with five ways advised by Holliday (2002:23): (1) Provide a clear written explanation that establishes the entire process of the methodology; (2) Respond to the social setting by preparing for each interview by completing background research on each participant including their city of birth, education,

previous work experience, associations, published journal articles or books; (3) Explain the learning required to adapt to different cultures encountered in the research interviewing process; (4) Continually monitor personal ideology during the entire written process, and; (5) Lastly, I reviewed every research experience as a clean slate, in order to reduce biased interviewing.

4.12.2 *Trustworthiness*

Considerations of "trustworthiness" are important in qualitative research (Shenton, 2004). Guba and Lincoln (1982) identified four characteristics of research "trustworthiness" in qualitative research: credibility, transferability, dependability and confirmability. From a social constructivist perspective, internal validation is the process of evaluating, "the 'trustworthiness' of reported observations, interpretations, and generalizations," (Mishler, 1990:419). The three points to increase "trustworthiness" (Morse et al., 2002) were incorporated during the research. First, "it is essential that the investigator remain open, use sensitivity, creativity and insight, and be willing to relinquish any ideas that are poorly supported regardless of the excitement and potential that they first appear to provide," (Morse et al., 2002:18). Secondly, the sampling strategy is appropriate to the research question. Thirdly, sufficient amount of data was collected to account for all the aspects of the phenomenon.

4.12.3 *Credibility*

Further research recommendations were followed to promote confidence (Shenton, 2004):

Recommendation	Evidence
Adopt a well established research method:	The researcher adopts (and then expands) the two empirical research methods on the KP by Bieri (2010) and Meyer (2010).
Ensure familiarity with the culture of participating organisations before the first data collection dialogues take place/background, qualifications and experience of the investigator:	Achieved through prior work and formal study in the diamond industry.
Triangulation:	Use of different methods as outlined.
Tactics to help ensure honesty of	Each person was given the opportunity to refuse

informants:	to participate, encouraged to be open about sharing their messages, participants had the right to withdraw with out explanation.
Use of iterative questioning:	Use of probes to elicit detailed data (see interview guide).
Use of "on the spot" checks:	When appropriate participants were asked if they could offer help or insight for particular patterns observed by the researcher.
Thick description of the phenomenon under scrutiny:	Recorded (where appropriate) in-depth notes.
Frequent debriefing sessions between researcher and supervisors:	Meetings provided discussion, advice, testing and developing research while also addressing biases and preferences.
Peer scrutiny of the research project by colleagues, academics and peers:	Questions and observation of the research in oral and written form occurred twice a year.
Examination of previous research findings:	An assessment of the results with those of past studies and relate findings to an existing body of knowledge.

Illustration 11 - Provisions to Promote Confidence and Credibility Source: Shenton (2004).

4.12.4 *Transferability*

The researcher reported all the processes, changes and necessary information to reproduce the methodology. The boundaries at the outset include: (a) the number of organizations taking part in the study and where they are located; (b) the requirements of the type of people who contributed to the data; (c) the number of participants; (d) the data collection methods employed: (e) the number of the data collection sessions, and; (f) the time period of data collection were detailed for transferability of the study (Shenton, 2004). Still, the exact reproduction of this thesis is not possible as the identities of the respondents and their companies are kept confidential. The focused interview is impossible to repeat exactly, as the questions are not strictly pre-determined and because the respondent is encouraged to talk freely and openly about the topic in detail. Depending on the relationship the interviewee has with the interviewer, the respondent may answer in varying ways, which cannot be predicted or controlled by the researcher. Due to this factor, the exact replication of responses is unlikely in this qualitative method.

4.12.5 *Validity*

Internal validity is, "only relevant in studies that try to establish a causal relationship. It's not relevant in most observational or descriptive studies," (Trochim, 2006). In the interview setting, the researcher cannot have a 100% certainty of knowing if the respondent is lying or have imperfect recall of the events in the past. Whenever possible, respondents were asked to clarify their ideas and or to restate their comments.

4.12.6 *Overall Limitations*

I was continuously aware of my preconceptions of the diamond industry and how it might enter the research. In combating this bias, I tried adopting an 'impartial sympathetic observer' approach (Dewey, 1932) in order to *make the familiar strange* (Holliday, 2002:13).

4.12.7 *Ethics*

To reiterate, the important ethical considerations upheld in this research are identified. No vulnerable groups were asked to contribute to this study. The presence of the researcher did not, "exacerbate inequalities, disempowerment and cultural imperialism in to the world of research participants," (Holliday, 2002:15). Every participant was clearly informed of the aim, purpose and procedures of the research. Voluntary involvement ensured no respondent was forced to participate in the research at any time. Also during the interview, I also made sure to ask if respondents were comfortable continuing with the interview, especially after the expected time limit was near. I prevented all physical or psychological harm to the participants. All information gathered during the study was anonymous and safeguarded to guarantee anonymity and confidentiality. In summary, the ethical principles were adhered to and no one was emotionally or physically harmed before, during or after this research (Booth, Colomb & Williams, 2008:83).

In particular, ethical consideration of all the interviewees during the entire process of the interviews met with the participation map of research ethics (Webster, Lewis & Brown, 2014:83).¹⁷ At the beginning of each interview the respondent was told the research is independent from any organization or individual. Objectives were clarified. They were also told why there were selected and approached. The participants involved were reminded of their capacity to give consent and exercise free power of choice, "without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion," (Israel & Hay, 2006:28) and will have sufficient knowledge of the elements of the subject matter involved including the nature, duration and purpose of the planned interview. Furthermore, it was made clear that for any reason the respondent could terminate the interview. During the interview, the interviewee was able to exercise the right not to answer any question they felt uncomfortable with and that they could feel at ease without intimidation of judgement. Cohen and Crabtree (2006) recommend having a note-taker present during the interview if tape-recording an interview is out of the question; however, due to the nature of the industry this would not have been acceptable for most diamond industry respondents. After the interview, the respondents were given their right to privacy and their anonymity was respected with the storage, access and reporting of their contributions. See APPENDIX 11.16 for ethical approval from the School of Management.

4.12.8 Chronology of the Research Methods

The research sequence followed: identify broad area, select topic, decide approach, formulate plan, collect information, analyze data then present findings (Gill & Johnson, 2002:4). The chronology of the research can be seen in APPENDIX 11.19.

¹⁷ The map of research ethics by Webster, Lewis and Brown (2014) proved to be clear, cohesive and concise, hence the reason for their inclusion.

5 Kimberley Process Civil Society Coalition Rhetoric

"It makes sense that the biggest campaigns, particularly the biggest international campaigns, could only be waged effectively by coalitions. After all, there are few, if any, individual organisations that have the resources, range of approaches and reach that are required to operate solo at this level," (Cox, 2011:40).

5.1 Introduction & Outline

The data in this section pertain to the research questions: (a) What rhetorical appeals, (ethos, logos and pathos), do the civil society coalition incorporate in their discourse about the KP and certification scheme? (b) What does this suggest about the Coalition and the KP as a whole? The layout of this chapter is as follows. First a summary of key contributions in listed. Following is a relevant literature review. There are four data analysis sections including the rhetoric during the initial KP campaigning, the broader Coalition boycott rhetoric at the Intersessional and Plenary meetings in 2015 and the recent rhetoric at the Intersessional in Dubai, 2016. Afterwards, a discussion section ties together the findings and links them back to the KP are rhetoric chapter. A brief conclusion sums up this data chapter.

5.2 Key Contributions

The key findings relating to the KP civil societies include:

- (a) INGOs use strong negative *pathos* to harness public attention in the late 1990s and early 2000.
- (b) Together, as a Coalition, the INGOs and NGOs maintain strong *logos* appeals to 'name and shame' the state actors who were non-compliant to KP minimum standards from 2003 onwards based on their in-depth knowledge of the diamond industry.
- (c) In the boycott rhetoric or 'agitation rhetoric,' the Coalition advances *ethos* as experts for 'epistemic authority' in order to remain credible and to exert pressure for reform.

- (d) The use of *pathos* towards negative emotions is always constructed on human rights values, except for the 'rogue' NGO who uses positive *pathos* when justifying the end of his boycott to the UAE Chair.
- (e) Ultimately, the Coalition is unable to persuade the KP for reforms or harness support from the industry, media or general public.
- (f) The rhetoric shows the roles of the Coalition within the KP, the state of relationships between the internal and external stakeholders of the KP and the relevance they now fight to maintain.

5.3 Relevant Literature Review

This chapter addresses human rights INGOs and NGOs (Ahmed & Murdie, 2015). To date, there have been few theoretical or empirical studies directly addressing the recognized INGOs/NGOs and civil society organizations involved as observers of the KP or Coalitions generally (Fogarty, 2011). The Coalition boycotted the KP in November 2015. Surprisingly, the dissent of the Coalition has only been publically acknowledged in a few media and industry specific outlets (Graff, 2016). The theorization of the non-violent protest is lacking in the academic literature too. Further problems within the coalition occurred when the Director of the Democratic Republic of Congo NGO independently ended the boycott of the Coalition prior to the November Plenary meeting in Dubai at the end of 2016.

This chapter aims to build from and contribute to the specific literature on the KP including the civil society observers. Most significantly, this chapter builds on the empirical research provided by Bieri (2008, 2009, 2010, 2010a, 2011) and Bieri and Boli (2011). Bieri also draws on the 'conflict' diamonds literature and borrows from sociology theories of social movements literature including McCarthy and Zald (1977), Snow and Benford (1988) and Tarrow (2001). Bieri's (2008) first (and only) empirical study on the KP civil society remains a useful introductory study on the initial meetings of the KP with two key areas of findings. Firstly, Bieri describes the life-cycle of the regulatory regime including the initial campaign, early negotiations of the KP and formal adoption of the certification scheme. Secondly, she presented the *roles* the NGOs played in

placing 'conflict' diamonds on the global agenda, how they acted as 'watchdogs' for greater transparency and effective implementation of the KPCS. According to Bieri (ibid) the NGOs offered their expertise to ensure the KP realized 'legitimacy.' The roles as agenda setters, watchdogs, norm creators and experts are not independent efforts, but are intertwined (Bieri, 2010). These echo the roles of civil society argued earlier by (Pasha, 2004:1): "As participants in the design of strategies, as service providers through community organizations and national NGOs, and as watchdogs to ensure government fulfillment of commitment."

However, her conceptions of the civil society are partial and resultantly simplistic due to the lack of reference to the civil society coalition created in 2007. Moreover, the data is partial to Western-based NGOs since she interviewed predominantly from PAC^1 while overlooking civil society groups in Africa. In the same way as Cooley and James (2002), she limits the potential problems for and tribulations within the Coalition. Furthermore, her life-cycle model of the KP now requires reevaluating. In order to show the amendments to NGO literature on the KP the researcher considers the rhetoric made by all the civil society organizations in the Coalition.

Secondly, the emerging body of literature relating to transnational or "global" civil society coalitions (Anheiner & Themudo, 2002; Price, 2003) better understand the KP coalition including theoretical studies on influence (Brown & Fox, 2001), reasons for participation and limitations (Heiss & Johnson, 2016) and democratization (Goodhart, 2005; Jaeger, 2007; Mercer, 2002; Scholte, 2004). Suitably, considerations to civil societies influence on states (Murdie, 2014; Pallas & Uhlin, 2014) or directly involved with the UN and global governance (Alger, 2014,2003; Donini, 1995; Gordenker & Weiss, 1996; Kent, 2004; Willetts, 2000/nodate) and within UN conferences (Clark et al., 1998; Van Rooy, 1997).

¹ The INGOs involved with the KP are dominated by Western-based groups (Bloodgood, 2011). Although the INGO name suggests it is equal partners with Africa, the head office, accounting and the majority of the personnel are based in Ottawa, Canada. While all the thirteen members of the team and six of the eight Board of Directors live in Canada. Currently, one board director lives in Zimbabwe and one in Kenya. See PAC home website: <u>http://www.pacweb.org/en/</u>

5.4 Background - The Initial Discontent & "Votes of No Confidence:"

This section provides the *ethos*, *logos* and *pathos* made by the Coalition in a chronological order. First the rhetoric in the initial activism is analyzed. Following, the INGO and NGO boycott rhetoric during 2015-2016 is offered. This chapter also includes a discussion section.

The deterioration of the tripartite system occurred when the leading member NGO pillar departed from the KP. Ian Smillie, author of the PAC report *The Heart of the Matter* (January 2000) and recognized architect of the KP withdrew his endorsement of the KP in June 2009. In a farewell letter to the KP members, Mr. Smillie defends the reasons for his final vote of "no confidence:"

I thought in 2003 that we had created something significant. In fact we did, but we have let it slip away from us. The KP has been confronted by many challenges in the past five years, and it has failed to deal quickly or effectively with most of them: smuggling and fraud in Brazil, and issues of even greater importance in Côte d'Ivoire/Ghana, Guyana, Venezuela, Zimbabwe and now Guinea and Lebanon. In each case the issue has had to become a media debacle before the KP would deal with it (if at all), and in the case of Venezuela, we have effectively condoned diamond smuggling – the very thing we were established to prevent, (Smillie, Director PAC, Even-Zohar, 2009).

The Coalition has been unable to persuade the KP to reform the major issues that have plagued the tripartite organization since its inception. The Director briefly appeals to *ethos* by reminding he was apart of the initial process creation, which establishes credibility. The *logos* message, however, denounces the non-compliant state actors and attempts to create a "we" against "them" or a "heroes" vs. "villains" argument (Ruebottom, 2013). The KP acted with the "rogue" states only after a media storm. Although it is likely there was some pressure by the media on Venezuela and Zimbabwe, the researcher is unconvinced the media

spent any efforts on showcasing the diamond-related affairs in Côte d'Ivoire, Ghana, Guyana, Guinea or Lebanon.

On June 23, 2011 the Regional Programme Director of Network Movement for Justice and Development (NMJD) in Sierra Leone provides yet another reason why she placed a vote of no confidence of the KP. In a press release, Aminata Kelly-Lamin extends an emotional response:

We represent communities that have suffered from diamond-fuelled violence, and communities that hope to benefit from diamond wealth. We can no longer go back to these people, look them in the eye and tell them that the scheme is working to protect their interests, when it is not, (Kelly-Lamin, Programme Director NMJD, PAC, 2011).

This assertion places the importance of accountability of the NGO to the small artisanal miners, their families and the communities tied to rough diamonds in Sierra Leone. Whilst she includes a mixture of connotative words including to the negative ('suffered,' 'diamond fuelled violence') and positive ('hope,' 'benefit,' 'diamond wealth') she appeals for the audience to reflect on the *people* disadvantaged by diamond resources (Zulu & Wilson, 2009). (Notice, she provides a rare declaration for the face-face accountability for the people the KP is supposed to advance).

Following, another Coalition member provides similar contentions. Green Advocates (Liberia) expressed a "vote of no confidence in the Kimberley Process," (Krawitz, 2011). The Principle Founder argued the KP gave up on Zimbabwe, "KP member governments and the diamond industry seem ready to turn their back on the interests of Zimbabwe's citizens, the public good and the principles on which the Kimberley Process was founded," (Global Witness, 2011 November 2). He also promoted the necessity for the KP to change: "sends a signal that there's a need for the Kimberley Process to seriously consider reforming itself," (ibid).

Global Witness, authors of *A Rough Trade* (December 1998), wrote to the KP Chair to announce its withdrawal as an official observer on December 2, 2011.² Chairman Gooch, a Founding Director of Global Witness, explained the reasons for his departure:

The scheme has failed three tests: it failed to deal with the trade in conflict diamonds from Côte d'Ivoire, was unwilling to take serious action in the face of blatant breaches of the rules over a number of years by Venezuela and has proved unwilling to stop diamonds fuelling corruption and violence in Zimbabwe. It has become an accomplice to diamond laundering – whereby dirty diamonds are mixed in with clean gems, (Gooch, Chairman, Global Witness, 2011 December 2).

Chairman Gooch's logos appeals condemn the three governments with blatant disregard to the KP minimum requirements and gross human rights abuses. In addition to naming and shaming, he contends the KP is ineffective at confronting the 'rogue' states in an adequate manner. Next, he contends the KP is unwilling to reform and to effectively address the clear links between diamond, violence and tyranny, which have serious consequences to the diamond industry. In an unguarded statement, Mr. Gooch even proposes the KP is sanctioning the illicit diamonds. The Chairman simplifies the notion of diamond laundering, presupposing it only comprises incidents where diamond are "mixed." However, his comments about "mixed origin" parcels do hold some weight. Of the 690 shipments exported out of Dubai in September 2014, 510 or 75% were of "mixed origin," (Amnesty International, 2015:57). A day after the announcement Global Witness builds on this point by condemning the KP in a briefing document contending the KPCS "has turned an international conflict prevention mechanism into a cynical corporate accreditation scheme," (Global Witness, 2011 December 3). The *pathos* appeals are negative in nature as seen in the emotional narrative, vivid words, 'blatant breaches,' 'unwilling,' 'diamonds fuelling corruption,'

² Global Witness leaves the KP (Els, 2011;Kelly, 2011;Leggett, 2011).

'violence,' 'diamond laundering,' and 'dirty diamonds.' Plainly, the tone is also negative.

Marie Müller, the KP contact for the only Coalition member from Europe Bonn International Center for Conversion (BICC) performed a speech on behalf of the Coalition on November 27, 2012. In her address, she makes an additional appeal:

This includes working with industry groups like the Responsibility Jewellery Council to create a chain of custody from mine site to market. We have also reached out to the OECD to begin designing and implementing a due diligence guidance for diamonds similar to what they have already done for gold and 3Ts.

We are not the only ones to seek further comfort from initiatives other than the KP. We welcome with interest the recent launch of the Diamond Source Warranty Protocol by Jewelers of America and the Diamond Manufacturers and Importers of America...These initiatives may all be in their infancy, but they point to a reality that cannot be denied: the longer the KP drags on its feet on reforms the more it will be overtaken by other players, (Müller, KP Contact BICC, 2012).

The initial discourse made by the Coalition use rhetoric to strongly condemns the transgressions of the KP. They urge for immediate changes to the structures and expectations of all members involved with the trade of diamonds. There is great hope for the continuance of the certification scheme but the Coalition remains reluctant to support the status quo. Later rhetorical appeals addressing the wrongdoings of state actors are shown in the next section on Coalition rhetoric.

5.5 Broader Coalition Boycott – Intersessional, Angola (2015)

The Coalition boycotted the Intersessional meeting in Kinshasa, DRC, because the KP approved the trade of rough diamonds to be traded under the auspices of KP certificates from the Marange diamond fields in Zimbabwe. Essentially, prior to the 2016 boycott, one of the most contentious issues for the Coalition was the human rights related issues in the Zimbabwe diamond mines. The crisis in Zimbabwe, the NGOs argued was the "return of the blood diamond" which they said undermined the international efforts to eradicate 'conflict' diamonds (Global Witness, 2010). The first notions against the KP's failings with Zimbabwe occurred on December 12, 2008 when Global Witness called for the KP to suspend the Zimbabwe and to abide by KP minimum standards. Following in March 2009, PAC echoed Global Witness's plea to suspend Zimbabwe (PAC, 2009:15). The succeeding briefing on Marange points to, "perhaps the most difficult case the KP handled since its formation in 2003," (Maguwu, 2016:104).

In published journal articles and online news sources, founding Director Mr. Farai Maguwu of the Centre for Natural Resource Governance (CNRG) in Zimbabwe called on President Mugabe to observe the KPCS minimum standards (2016, September 3). The main argument he addresses, in both the primary and secondary data, relates to the \$13 billion in lost revenue from diamonds since 2009 (Marawanyika, 2016). He signifies the enormity of the problem with smuggling and illicit rough diamonds in a letter he sent to President Robert Mugabe (also emailed to the researcher):

Your Excellency, in early March, you made a stunning revelation: the diamond mining companies in Marange had robbed Zimbabwe of over \$13 billion. You revealed that out of a possible \$15 billion in revenues, Zimbabwe had only realized a paltry \$2 billion. 'Lots of smuggling and swindling has taken place and the companies that have been mining, I want to say robbed us of our wealth,' you said, (Maguwu, Director CNRG, 2016 Letter to Robert Mugabe).

Exploitation through tax evasion, undervaluation of minerals, trade mispricing and state assisted illegal mining equate to the ongoing resource curse and "what keeps all of us fighting against neo-colonialism still today," (ibid). The comments linking the 'resource curse' and neo-colonialism expose the longstanding history of DeBeers in South Africa.

Remarkably, where there is disquiet by the Coalition of Zimbabwe, there are links made to UAE. Whereas other Coalition members have voiced concerns about

UAE because of the Dubai Chair, Maguwu focuses on the conflicts of interests. Robert Mugabe appointed Professor Francis Pedzana Gudyanga as the Permanent Secretary in the Ministry of Mines and Mining Development. Soon after he was appointed on the Board of the Dubai Diamond Exchange, the subsidiary of the trading platform called the Dubai Multi Commodities Centre (DMCC). Additionally, the Chairman of Mbada Diamonds,³ Dr. Robert Mhlanga is also on the Board of Directors. Maguwu reveals these conflicts of interests as a, "threat to our national interests and security," (ibid).

As seen on The Zimbabwean news source, Maguwu (2016a) builds his credibility by indicating a clear understanding of the issue:

The KPCS connived with Zimbabwe's ruling elites and diamond mining firms to undermine state institutions in Zimbabwe by sanitizing illegal mining and exportation of Zimbabwe's diamonds. In 2013 the EU, which also chaired the KPCS Working Group on Monitoring, lifted sanctions on Zimbabwe Mining Development Corporation to facilitate the entry of Zimbabwe's diamonds into Europe despite the overwhelming evidence that Marange diamond revenues evaded central government control. Thus the KPCS is part of the problem in Marange and certainly not the solution, (Maguwu, Director CNRG, 2016a).

This passage is directed to the general public in Zimbabwe and reflects the speaker's aim to inform and to persuade them about the atrocities of the EU, the Zimbabwe-based mining company and the Zimbabwean government. He delivers a surprising accusation: the KP "connived" with the elites otherwise not noted in the KP literature. He doesn't specify who specifically in the KP was working with the Zimbabwe's elite, however; in an earlier article of the Zimbabwean news, he clarifies the problematic elites as the, "Chinese, army generals and Central Intelligence Operatives (CIO)," (Tawona, 2015). He attempts to persuade the

³ Founded in 2009, Mbada Diamonds is jointly owned by the Government of Republic of Zimbabwe, the Zimbabwe Mining Development Corporation (ZMDC) and the New Reclamation Group (South Africa) through Grandwell Holdings (Mauritius).

audience to agree with his notion that the KP is problematic at best, and intentionally harmful at worst.

Maguwu appeals to *pathos* by defining relevant human rights alarms and gives examples he personally witnessed:

There is a re-emergence of police brutality against Marange villagers and artisanal miners. Police midnight raids in people's homes and beatings of citizens must be stopped. CNRG calls on government to exercise restrain when dealing with citizens who are driven into artisanal mining by joblessness and abject poverty. CNRG condemns in the strongest terms the abuse of citizens by the same government that deployed the army and police to guard mining corporations that looted diamonds worth over \$15 billion, (Maguwu, Director CNRG, 2016a).

The author's description of abuses to marginalized population by the ruling elite has a very persuasive emotional appeal. When referencing the human rights issues the author elicits anger from his readers. The quotation is an example of an NGO acting as a watchdog to ensure the government fulfills the commitment (Pasha, 2004:1) to human rights and the minimum KP requirements. The message is negative (*pathos*) in nature shown in the words 'brutality,' 'beatings,' 'joblessness,' 'abject poverty,' 'condemns' and 'abuse.'

In the recently published book on Zimbabwe's diamonds and the KP, Maguwu stresses the importance the KP placed on the issues in Marange and the consequences the Coalition encountered:

Most efforts within the KP were channeled towards lifting the ban on Marange diamonds. Talk of addressing the continuing problems of human rights abuses, human security concerns, lack of transparency in revenues and fiscal benefits and so forth, fell on deaf ears. Those who persisted in pursuing such themes were increasingly marginalized within KP discussions," (Maguwu, Director CNRG, 2016:105).

The Coalition attempts to shape their image through their rhetoric as an organization of good moral character, altruistic and autonomous. Arguments appealing to community or values reflecting social and collective interests were coded "*ethos*," (Symon, 2005). Respectively, being identified as humanitarians is particularly important to NGOs (Schneiker, 2015). In the book, he specifically says they were unable to persuade the KP to act after they raised the alarms; but 'fell on deaf ears.' According the Director of CNRG, they were persecuted for their efforts towards the well being of people in the diamond industry and ensuring some of the economic benefits reach the workers and the communities within diamondiferous areas.

The decisions on Zimbabwe at the Plenary meeting in Washington, DC compelled the Coalition to voice their outrage. Mr. Shamiso Mtisi (2016) the Directing Coordinator for the Zimbabwe Environmental Lawyers (ZELA) identified five major disagreements. Initially, the KP stated its appreciation for the efforts of the Zimbabwean authorities, the KP Monitoring Team and KP civil society Coalition representatives in Zimbabwe to resolve the objections of KPCS non-compliance in Marange. Correspondingly, the KP resolved to lift the KP special measures adopted in 2011, which prohibited the export of diamonds from Marange. Secondly, the NGOS were skeptical of Zimbabwe's reiterated willingness to ensure the KP civil society Coalition representatives in Zimbabwe would have continued access to Marange. Thirdly, the Coalition were not supportive of the KP's encouragement to Zimbabwe to maintain the "best practices" developed Practices include facilitating engagement among government, during 2012. industry and civil society with respect to the development of diamond-related policy and legislation, exchange of information on the internal control system and measures to address the situation of artisanal mining in order to combat smuggling and address security incidents at mine level. Lastly, the acceptance of Zimbabwe into the Working Groups (Working Group on Monitoring, Participation Committee, Ad Hoc Committee on KP Review, Working Group of Diamond Experts and Committee on Rules and Procedures) was also seen as farcical.

Building on the initial developments of the KP civil society, the next section explores the rhetoric specific to the Coalition's boycott announced in 2015.

5.6 Broader Coalition Boycott – Plenary, Angola (2015)

An aim of this examination is to account for the first time the Coalition boycott rhetoric. The researcher was able to attain two different speeches and one letter written by the Coalition as a whole. The texts are addressed to the KP family as the intended audience dating from 2015-2016 during the boycott phase. The leading rhētors representing their civil society group, confer authority on the rhetor (Green, 2004) by emphasizing the persuasiveness of the individual's expertise, knowledge, moral and ethical character (Aho, 1985; Conrad & Malphurs, 2008).

Jaff Napolean Bamenjo, the Director Coordinator form Réseau de Lutte contre la Faim (RELUFA) from Cameroon gave the opening remarks at the KP Plenary in Luanda, Angola on November 16, 2015. The spokesperson for the Coalition spoke to the KP organization including the Vice President of Angola and the Minister of Mines and Geology. He began his speech by establishing the credibility of the civil society:

Often when civil society speaks at meetings like this, it is to remind participants of important issues before us, and lay out a vision of how to satisfactorily address them. Over the years it is more often than not, civil society that raises flags about problems in the diamond industry or among Participant countries, (Bamenjo, Director RELUFA, 2015).

The Director brings up a few points indicating the roles the Coalition have played in the international development of the KP (Werker & Faisal, 2008). The elaboration on the common raising of the alarm suggests the NGOs are consistently needed. He touches on the Coalition's aim to actively address the important issues and for the KP stakeholders to "do the right thing," (Pallas, Gethings & Harris, 2015).

The rhetor uses another noticeable *ethos* strategy when referencing their influential studies and publications:

Certainly that was the case in the beginning when Partnership Africa Canada (PAC), with the support of the Network Movement for Justice and Democracy (NMJD) in Sierra Leone, released the Heart of the Matter in 1998, one of three seminal reports that spurred governments and the diamond industry to act on the barbarity of conflict language, (Bamenjo, Director RELUFA, 2015).

Through the use of the key publications helps the audience see the speaker as part of a credible and knowledgeable group who were the trailblazers in the conflict resolution. It is uncertain why he refrains from mentioning the other two reports, including the *Fowler Report* (2000) and *A Rough Trade* by Global Witness in 1998. While the previous quote demonstrate the strategy of *ethos* of knowledge from experience, in added example, *ethos* appeals are made to ascertain moral and ethical likeability:

But civil society has never just been the KP's watchdog. Our members routinely strive to improve working and legal conditions for artisanal miners, or find ways for governments and communities to improve traceability of production, to demonstrate better compliance with KP minimum requirements, and, ultimately, reap higher diamond revenues, (Bamenjo, Director RELUFA, 2015).

Together, the speaker appeals to the inclination to succeed, which is another way to develop appeals to <u>good character</u> (*ethos*). While these findings verify the NGOs as 'watchdogs' Bieri (2015,2011,2010,2009,2008,2006; Bieri & Boli, 2011) they also contest that it's not the only role they play. The data suggests the aforementioned researchers have simplified their involvement in the KP, as they do not recognize the legal aspects or areas capitalizing of diamond revenue.

Additionally, it complements the research adding NGOS provide services (Pasha, 2004:1) and participate in the design of ongoing strategies (ibid).

The message includes their motivations towards human rights, accountability, transparency and following the rules. Notice how the shift has quickly gone from human rights issues to diamond revenues. This is indicative of the rhetoric trends since human rights violations linked to civil wars is not as prevalent as when the KP was first implemented. So now, the Coalition shifts attention to a new issue: rough diamond evaluations linked to 'illicit' diamonds. Nevertheless, the economic contribution is an important issue and cannot be ignored in the KP debate.

To add to the understanding of roles, the Founding Director of PAC provides an *ethos* example <u>showing goodwill</u>. This illustrates how he (and PAC) helped financially fund *state governments* who could not afford to attend KP review visits and review missions:

So, a government like Sierra Leone or Liberia or Guinea that could learn from being on review visits, review teams, because they don't have the money, they don't go. They rarely go. Before I left Partnership Africa Canada, we've got a little bit of money so that we could actually pay for some government people to go on reviews—and we did pay for a Sierra Leone to be on one Team and I think a Liberian on another. I forget how many of those we did. It was a bit odd to have an NGO sponsoring a government to do that kind of thing, but it seemed important. That has fallen by the wayside, so that doesn't happen anymore. (Founding Director, PAC, Interview with Researcher, 2016).

Funding of civil society is a controversial issue within the KP family. This data is particularly interesting because it has not been documented elsewhere in the KP literature. Few accounts discuss the roles of NGOs as state funders in the globalized economy. He further adds to the *ethos* appeal by disclosing PAC financially supported *other African NGOs*:

If you got the interest and the cash, you go. Same thing with Kimberly Process meetings—most governments are able to find the money because it's pretty important to get there. But again with NGOs, it depends who's got money. I think Partnership Africa Canada subsidizes some of the African NGOs that go. (Ian Smillie, Founding Director, PAC, Interview with Researcher, 2016).

In addition to enabling state actors, PAC admits they were responsible for ensuring other NGOs were able to attend the KP meetings. These appeals foster ethical likability and fair mindedness. He acts beyond self-interest. In turn, these make the researcher respect him.

The speaker then announces the boycott and its implications:

The nomination of UAE as vice-chair is a red line for civil society... The unanimous decision of our members is to boycott UAE's chairmanship. Next year, we will not be participating in any KP events that are organized or hosted under the auspices of a UAE Chair. This will include Intersessional and Plenary meetings, (Bamenjo, Director RELUFA, 2015).

The boycott declaration is inline with the literature on 'agitation rhetoric.' The situation fits with two definitions in the only book on boycott rhetoric called *The Rhetoric of Agitation and Control*. In the first account, "Agitation is persistent, long-term advocacy for social change, where resistance to the change is also persistent and long-term," (Bowers et al., 2010:3). Secondly, the Coalition uses, "Agitation is a style of persuasion characterized by a highly emotional argument based on the citation of grievances and alleged violation of moral principles," (ibid). The agitation rhetoric, emphasized with the 'red line,' solidifies the agitating group's grievances and plays to facilitate, "the conflict between agitators (who are portrayed as the personification of good) and members of the

establishment (who are portrayed as the personification of evil)," (Bowers et al., 2010:29). Similarly, the data parallels another study on protest rhetoric including Selby (2001). In his study Selby advanced boycott rhetoric saying groups paint themselves as 'unanimous,' and engage in *united action* in order to signal an "overwhelming conviction that they would succeed," (ibid). This can be seen in the Coalition rhetoric with their boycott declarations.

Moreover, the narrative plays a role in which they *gain coherence* in their demands and effects (ibid). Rhetorician Richard Greg explored how protestors manifest a *unique identity* in which to shield from rhetorical attacks. In the same way, the Coalition differentiates themselves from opponents as the moral and ethical legitimizers of the KP in an effort to maintain their sense of self-worth (Gregg, 1971). Although boycott rhetoric is recognized as a means for achieving social cooperation (Hauser, 1986) it has not secured congruity between the Coalition members or with the other KP family.

Mr. Bamenjo (RELUFA) gives four reasons why the Coalition made the decision to boycott the UAE KP Chair:

Judging by UAE's favoured status as the go to place for illicit gold and diamonds, it would appear Dubai is not only a tax-free haven, but an ethics free haven as well. From Bangui to Kinshasa to Marange, the UAE's policy of not checking values on imported parcels, or applying added vigilance on diamonds emanating from problematic areas, has had grave implications on the integrity of the entire diamond chain, (Bamenjo, Director RELUFA, 2015).

In the first accusation, the speaker brings illicit diamonds and gold to the forefront. It gives prominence on UAE's apparent lack of ethics directly related to tax-free trading zones. Diamond trading centers located in free trade zones (FTZ) are more susceptible to transfer pricing, "by the way of over or under invoicing with affiliate diamond companies located in FTZ, it is possible to illegitimately shift profits from diamond companies in high tax rate countries to FTZs and thus avoid taxes," (FATF, 2013:61). FATF (2008) and APG (2012)

report on this type of 'trade based money laundering,' (TBML). TBML most frequently occurs through the under or over valuation of diamonds (FATF, 2013). It is now considered the most effective way to loot Africa's mineral resources including subverting and whitewashing several billion dollars worth of rough diamonds from the continent alone (Sharife & Grobler, 2014).

The statement also alludes to issues with internal controls. The Director of the UAE Kimberley Process told Amnesty International researcher the Kimberley Process office in Dubai checks only one in every hundred parcels against weights and stated amounts on invoices (Amnesty International, 2015:52). According to the EY (2015-2016:335) *Worldwide Transfer Pricing Reference Guide*, the UAE currently has no local transfer pricing regulations and the penalties are listed as "not applicable."

In another account RELUFA critiques the UAE further:

We know that despite multiple requests, the UAE has refused to cooperate with other KP participants and enforcement agencies in taking legal action against individuals and industry members who have been accused of breaking the law, and KP minimum requirements, (Bamenjo, Director RELUFA, Camer.be. 2016).

This quote drives at issues with prosecution. Under the UAE, there have been no arrests of Kimberley Process law or customs law for smuggling rough diamonds violations (Amnesty International, 2015:56). Remarkably, an INGO designates the tax manipulation efforts as human rights violations, "Companies that engage in transfer pricing for the purposes of tax abuse and profiteering are breaching international human rights standards," (Amnesty International, 2015:63).

Following, the speech presses on the issues relating to 'transfer pricing.' Transfer pricing is a major contention and key reason for their yearlong boycott against the UAE Chair:

We have also raised concerns about the obscene theft of African diamond revenues by UAE companies who engage in transfer pricing. We have asked for an explanation as to why African diamonds are reexported from Dubai at 40 percent higher values than they were imported at - a simple question for which UAE officials have been incapable of answering, (Bamenjo, Director RELUFA, 2015).

The major *logos* message made by the Coalition against UAE is embroiled in transfer pricing.⁴ Again, the rhetor discloses another example of how the Coalition have not been successful in their persuasion to get even a response from the UAE. Mr. Farai Maguwu Founding Director of Centre for Natural Resource Governance (CNRG) explains how transfer pricing works:

The UAE has unfairly benefited from Africa's diamonds by purchasing diamonds at a bargain price and re-evaluating the same before re-exporting them to other jurisdiction. In the end Africa is getting peanuts for the sale of the rough diamonds. KP statistics from 2013, for example, show that the average per carat value of diamonds entering the UAE was \$74.40, yet the average re-export value was \$107.05 per carat – 43.8% increase, (Maguwu, Director CNRG, 2016, blog data).

This is another good example of *logos*. The Director provides factual data including figures to evoke a cognitive, rational response from the audience. The statistical testimony are convincing logical appeals, which otherwise are rare in the KP discourse.

⁴ The aim of transfer pricing, or the 'tax gap,' is to shift profits to low tax jurisdictions and avoid taxes in countries where corporations have substantial trading operations. This works in two ways when it comes to diamonds: 1) Undervaluation: Assume \$100,000 worth of rough diamonds are imported from an associated party overseas. The importer shifts \$50,000 of the value to an offshore account, and re-exports the diamonds to a legitimate diamond manufacturing state for \$50,000. Such figures would only be justifiable if the U.S. was a significant diamond manufacturer, which it is not: 2) 'overvaluation' process of low-quality/low-price industrial diamonds is imported, representing the price paid to the source. Once inside a tax-free trade zone, these diamonds are re-valued to match the market price, and re-exported for \$150,000, making the importer/exporter \$50,000 profit. Source: TP Analytics (n.c.), What is Transfer Pricing, www.tpanalytics.com/learning-resources/what-istransfer-pricing/ (Accessed: 2017, March 4).

In a final allegation, the Mr. Bamenjo exposed deeply personal attacks made by states and the major trading center in Dubai against the "third force:"

We have also repeatedly expressed concern at the antagonistic approach UAE has taken with civil society in recent years. During a KP reform meeting in Dubai in 2013, for example, an executive member of their team publicly called for the KP to "divorce" itself from civil society. At diamond conferences in Angola and Zimbabwe in 2012 and 2013, our members faced gratuitous and slanderous attacks, all condoned by the highest levels in the Dubai Multi-Commodities Centre (DMCC), (Bamenjo, Director RELUFA, 2015).

In his attempt to evoke negative *pathos*, the speaker uses emotional narratives and examples to bring out negative reactions, primarily empathy generating (for the Coalition). Conversely, he openly charges an elite from Dubai government to wanting "divorce" the Coalition. Thus, showing for the civil societies of the KP the importance of conformity, or keeping the family together. The researcher was not able to substantiate the unwarranted verbal assaults.

To the end of the boycott announcement, the speaker makes these conclusions:

We are now at a crossroads. The Coalition, like the WDC, has been an equal partner to governments since the inception of the KP. We are not beggars, willing to settle for scraps, or whitewash someone's dirty linen. Any Participant who does not value and promote the tripartite foundation upon which the KP is built does not deserve to lead the KP, (Bamenjo, Director RELUFA, 2015).

Incorporating the image of a crossroads builds a clear image to the uncertain future of the KP tripartite organization. It means a lot to the Coalition to be seen as an equal, as comparable to the diamond industry. The word 'partner' alludes to a compatible and productive group. However, the following statements conjure a negative emotional response (*pathos*). Equating the civil societies as 'beggars' insinuates the KP sees them as scroungers, poor, or perhaps with little value. The

researcher found no direct comments made by any of the Coalition indicating members required financial support. When referring to the laundry, the speaker likens the whitewash to wiping clear all the KP's problems and controversies (including the UAE). He offers an unreserved appeal for the KP to appreciate the unique characteristics the Coalition brings to the team. The speaker uses these vivid descriptions to persuade the audience to agree with their rational to not support the KP Chair.

5.7 Coalition Maintains Boycott Stance and Calls for Greater Governance in the Global Diamond Industry – Intersessional, Dubai (2016)

On June 7, 2016 Alan Martin, Director of Research of Partnership Africa Canada (PAC), on behalf of the Coalition wrote a letter addressed to the KP. The rhetoric to the internal audience was a joint statement calling for greater governance in the global diamond industry. Afterwards, it was a message declaring their continued support of the boycott.

The coordinator for the Coalition begins the letter by proclaiming the Coalition is not appreciated by the state actors, the UAE in particular:

Collectively, we are deeply concerned by recent remarks by the 2016 Kimberley Process (KP) Chair directed at the KP Civil Society Coalition. Not only do these remarks indicate a disregard and lack of respect for the critical role that civil society has played and continues to play in the KP but they put at stake a crucial pillar of the KP's tripartite structure. Any attempt to marginalize or silence civil society either individually or collectively risks the foundation on which the KP is built, (Martin, Director PAC, 2016).

The first word creates a sense of 'togetherness' towards a common goal (Moufahim, Reedy & Humphreys, 2015; Selby, 2001). It bolsters 'identification' of the group as a united front with the constant use of pronouns "we." The emphasis on commonality and togetherness suggests the civil society is a cohesive coordinated community (Cheney, 1983; Higgins & Walker, 2012).

The personal reflections mirror an earlier statement made by Michel Yoboué,⁵ the Executive Director for Groupe de Recherche et de Plaidoyer sur les Industries Extractives (GRPIE). In a press release issued by PAC in November 2015, the Coalition's representative from Côte d'Ivoire discloses his sufferings about the UAE, after the KP voted in the UAE as the 2016 Chair:

Our Coalition has a long history of collaborating with governments and industry towards our common goal of a clean, conflict-free, traceable supply chain. This is the first time we have faced a KP chair that does not respect the tripartite structure of the Kimberley Process. Today, the other members of the Kimberley Process have sent the message that the input of civil society is no longer valued in this system, (Yoboué, Executive Director GRPIE, PAC, 2015, November 17).

In the first instance, the speaker appeals to *ethos* by highlighting the coalition's longstanding history within the process while at the same time reiterating the mutual aspirations creating a sense of positive 'togetherness.' He refers to the Coalition's background and past accomplishments to form *ethos* in expertise alongside credibility. As for the second claim, the researcher was unable to locate any other instances whereby any civil society coalition member had direct apprehensions about a KP chair. The Executive Director signposts his disappointment revealing the KP family underappreciates Coalition and disregards their oppositions. His value claims suggests he appeals to the audience for sympathetic *pathos*.

Going back to the PAC letter to the KP, in the following furthers the rhetor's practical wisdom⁶ (*ethos*):

We wish to remind the diamond industry, governments, and consumers of our serious concerns regarding the diamond sector and the work that still needs to be done to address these long- standing

⁵ The researcher was able to locate only one direct quote by Mr. Yoboué.

⁶ Practical wisdom (phronesis) according to Aristotle is to have information about a subject in order to impress the audience.

issues. These concerns are shared by the KP Civil Society Coalition as well as those of us working outside the scheme, including Amnesty International, Global Witness, and the Enough Project. We will together continue to work on these issues in multiple forums, and continue to welcome engagement with concerned stakeholders who share our interests in seeing meaningful progress on these issues, (Director PAC, 2016).

Again, the author accentuates the "we" and "our." This excerpt confirms the Coalition's aim to speak with 'one voice' towards all relevant internal and external audiences (Cheney et al., 2004:91). The Coalition letter directs its rhetorical efforts internally, to the KP family, in an attempt to persuade them to identify with their goals and to adopt their decisions (Bullis, 1993; Cheney, et al., 2004, Tompkins & Cheney, 1983). In addition, as seen in the broader coalition letter, he backs up the virtues of civil society by other INGOs exemplifying "others approve of us," (Wæraas & Ihlen, 2009). The language accentuates progressive notions towards accomplishing their goals despite the support of the KP. Overall, the *ethos* appeals give a sense of shared 'identity,'(Burke, 1969).

Succeeding statements qualify the rhetor with ethos statements as 'experts:'

It is now close to 20 years since civil society organizations first brought to light serious concerns about the role of diamonds in fueling brutal conflicts across Central and West Africa. This effort led to a multilateral, multi-stakeholder negotiation over the course of several years that led to the establishment of the KP. Civil society played an essential role throughout these initial negotiations and has remained an integral part of the system since its launch in 2003, often providing invaluable information-gathering, monitoring, expertise, and analysis that the KP relies on for credible decision-making, (Director PAC, 2016).

Mr. Martin reminds the KP about the significance the civil societies played before, in the KP meetings and in the on going workings of the certification

scheme. This strategy to *ethos* helps the reader see the author as reliable, trustworthy, competent and credible. Actually, the speaker points to the forms of *ethos* specifically, 'providing invaluable information-gathering, monitoring, expertise, and analysis that the KP relies on for credible decision-making.'

The last statement of the letter is declares civil society's commitment: "across a number of initiatives our commitment to seeing real progress in bringing an end to the association between diamonds, conflict and human rights abuse remains united and unfazed," (Martin, PAC, 2016). The rhetoric he uses helps to build commitment of the other Coalition members towards the boycott goals (Jarzabkowski & Sillince, 2007). The verbal claim "we improve the world" serves primarily to demonstrate *ethos* to knowledge, expertise and good ethical character in the human rights context and mirrors the environmental activism discourse (Wæraas & Ihlen, 2009).

In summary of the letter, the discourse by the Coalition is dominated by appeals to *ethos* (credibility) as seen in the Coalition's last letter (Martin, PAC, 2016). Cheney (1983b) incorporates the three types of identification employed in formal organization communication. The common ground technique is shown where the rhetor associates himself with others in an overt manner. As an organization the Coalition share the same values and have the same goals while offering a sense of stable interrelationships. In this case, the belonging is to be apart of the KP "family." Secondly, PAC features identification through 'antithesis' by acting in unity against a common "enemy." Cleary, the rhetoric by the civil society groups are targeted at Dubai Chair. Candid remarks about the diamond industry were absent from the letter written by the Head of PAC. Thirdly, the Coalition letter entails the *assumed* or *transcendent* "we." The uses of the assumed "we" and the corresponding "they" seems taken for granted.

The four rhetorical strategies in organizations identified by Riaz et al. (2016) are also shown in the rhetoric articulated by PAC on behalf of the Coalition. Firstly, as seen in their coalition letter, the internally-directed statements provide rational guarantees concerning their boycott. Secondly, they express normative responsibilities in their projection of care for others, mainly those affected by human rights abuses in the diamond supply chain. Thirdly, the externally-directed rhetorical strategy can be clearly exemplified in the critiquing judgments of blame towards Dubai, Zimbabwe and Venezuela. The last rhetorical strategy (externally-directed) are presented in claims of "distorted facts," not being in the "inner circle" and being treated "unfairly."

5.8 Controversy in the Coalition, Dubai Plenary

On October 13, 2016 the KP Chair personally invited by letter each member of the Coalition to attend the Plenary meetings. During the Plenary, the Chair arranged discussions about remediation efforts and the opportunities towards the establishment of a "common fund" for the Coalition. The following representatives from NGOs outside of the Coalition attended the Plenary meeting as "guests of the KP Chair:⁷" Placide Ngombe, President of the Organisation Centrafricaine pour le Développement Durable, CAR, Regina Toguera, President of Mines Arts et Ressources Centrafricaines (MARCA), Ruth Laoubaï, Head of Programmes and Projects at the Association des Femmes Centrafricaines pour le Développement Durable (AFCADD) and Dr. Oladiran Bello, Executive Director of Good Governance Africa.

To add, another major controversy unfolded at the Plenary in Dubai. The Director Charge in Progamme Mr. Albert Kabuya Muyeba of the National Support Centre for Development and Popular Participation, known under its French acronym CENADEP, from the Democratic Republic of Congo (DRC) became the first member of the Coalition to end its boycott of the UAE's Chairmanship of the KP. He responded by letter to the KP Chair on October 20, 2016 explaining the reasons for his unprecedented support:

Given the progress made in the implementation of issues raised by the Civil Society Coalition, and having obtained the opinion of the Congolese Government on the participation of Civil Society in the Kimberley Process, CENADEP accepts the invitation of the KP Chair at the Plenary in November 2016 and believes the best way to lend

⁷ Final Plenary Communique Dubai 2016

credibility to the KP process is by re-enlisting within the KP family to address different challenges inside, and not outside, (Muyeba, Director CENADEP, Kane, 2016a).

In the attempt to substantiate his own legitimacy, he implies validity by stressing the support of the government of the DRC. This suggests a complimentary relationship between the NGO and the state government. The researcher was unable to verify if the Congolese had in fact endorsed CENADEP, however; this is a comparable apprehension in the NGO literature relating to the "blurring" or "bleeding" boundaries between civil societies with state actors and industry (Brass, 2012; Roberts, 2010). Consistently, the statement draws attention to the importance of being a part of the "family." The assumption is more can be done as a group than alone.

In a later direct quote, Mr Muyeba identifies the three themes adequately addressed by the KP - rough diamond evaluations, synthetic diamonds and internal controls:

CENADEP welcomes the progress of discussions around diamond valuation and the efforts made by the KP Chair to particularly address the issue of synthetic diamonds and that of the recess of the internal control systems in member countries. CENADEP remains convinced about the complexity of the evaluation issue and congratulate the KP Chair for putting it on the table in order to enable stakeholders to provide concrete proposals for moving forward. This is an initiative that we must support, (Muyeba, Director CENADEP, Kane, 2016).

Mr. Muyeba is satisfied with the headway made by the Chair particularly in relation to sponsoring forums and deeper discussions about rough diamond valuations.⁸ Rough diamond evaluation is at the heart of 'transfer pricing' and the

⁸ Mr. Bin Sulayem, the UAE KP Chair organized a series of three one-day 'Special Forums' on rough diamond valuation in Antwerp, Belgium at the end of September 2016. (Kimberley Process Website News: <u>https://www.kimberleyprocess.com/en/news</u>)

decisive issue for the Coalition's boycott. Ironically, the Director plays indirect homage to OECD who now has a fundamental role in the clarification and recommendations as to how the diamond industry tackles the mispricing strategies linked to illicit diamonds and money laundering. Effectively, he promotes the intergovernmental group who has taken over the role of legitimizing the KP and certification scheme with their new research and regulations. Oddly, he presupposes synthetic diamonds and internal control systems as areas imperative Whilst important to the diamond industry, particularly to to the Coalition. international businesses, the civil society members generally do not remark about them because they do not have clear links to human rights violations. He underscores the problems often voiced by the Coalition including diamond valuation, synthetics and internal control systems. However, he keeps the focus on the advancements made by the KP Chair on the evaluation issues. The core issues at the heart of many of the Coalition's protests are about UAE and Zimbabwe. In other words, he praises the KP Chair for placing the evaluation discussions on the Intersessional agenda. Interestingly, there is no mention of 'conflict' diamonds or human rights abuses.

The overall tone of the rhetoric is positive noted in the words 'welcome' and 'congratulate.' This is in contrast to the other civil society's remarks who show more critical perspectives on state actors. Nevertheless, he signifies, perhaps to the other Coalition members, that he will not change his mind and remains convinced on the issues.

Curiously, Mr. Muyeba was not even supported by the other Directors in CENADEP. In October, after the Plenary, the Executive Director of CENADEP, Danny Singoma issued a clarification on the incident in which he was "stunned to discover," (Graff, 2016):

While some progress has been made under the United Arab Emirates' chairmanship, CENADEP still stands with the Civil Society Coalition and supports the boycott launched in November 2015. If one of our CENADEP officers has indeed responded to a letter sent by the chairman of the Kimberley Process and confirmed that they would

attend the plenary session in Dubai, they have done so on personal terms. Their response does not commit our organization in any way, (Singoma, Director CENADEP, Kane, 2016).

It is apparent there has been a breakdown of communication within the leadership of NGO in DRC. This points to serious trepidations about the manner of operating and inner workings of the organization. The lack of cohesion between the Director in Charge and the Executive Director bodes poorly for future harmony between the interrelationships within CENADEP and the rest of the civil societies in the Coalition. These developments, unpronounced to the rest of the Coalition until after the Plenary, were hardly noticed in the Western news or industry-based outlets. According to the DMCC website⁹ Mr. Muyeba was served a 15 daylong suspension from CENEDEP as a result of his attendance to the KP Plenary.

As a result of CENADAP's actions, the DMCC promoted "civil society coalition supports UAE initiatives and progress," (DMCC, 2016). The article also included a direct quote from Dr Ola Bello, Executive Director of Good Governance Africa (GGA), who attended the KP Plenary too. He congratulated the CENADEP and the other NGOS for attending the last KP meeting in 2016:

We are very pleased to see that in reflection of Africa's tradition, the KP Chair and some members of the Civil Society have decided to reconcile their differences and bring forward a positive agenda for change of the KP, (Bello, Executive Director, GGA, DMCC, 2016).

He presupposes the values of the African nation are aligned with the relationship between the Chair and the NGOs. In particular, the action of reconciliation is praised. These points coincide with the very same efforts of the GGA, so it is no surprise he has made these reflections. The assertions however are misleading since most of the civil society members are not the recognized KP coalition observers. For those who are not closely involved with the KP, would think the

⁹ See: <u>https://www.dmcc.ae/content-page?KP-Chair-Holds-Meetings-with-Civil-Society-</u> Organisations-at-KP-Plenary-2016&articleid=a055F000000uP8CWQA0

tripartite is congruent, when clearly it is not. Overall the appeals create positive *pathos* to gladness: 'the KP is all and well again.'

5.9 Rhetorical Appeals and Organizational Roles

This chapter suggests rhetoric shapes the Coalition's roles within the KP. It compliments the findings by Bieri (2008-2015), which categorized three roles the NGOs held during the initial KP meetings: experts, watchdogs and legitimizers. The next sections propose (and defend) that expertise is characterized and constructed by *ethos*, the watchdogs are the same as *logos* and the legitimizers is the same as *pathos*. The rhetoric shapes the KP rhetor's identity. In addition, the rhetoric denotes the Coalition also have roles as *agitators*, *communicators*, *normalizers*, *financiers* and *enablers*, *realists* and *democratizers*.

5.9.1 Identity (Autopoiesis)

The data show how independent human rights civil society organizations use rhetorical framing and strategies to construct a collective identity as a broader civil society coalition (Moufahim, Reedy & Humphreys, 2015). The rhetoric of identification (Cheney, 1983) influences how individuals identify with the Coalition in four ways. Firstly, through their rhetoric the Coalition portrays themselves as a group with good moral character inline with the understanding that NGOs are inherently "good," (Young, 1994:47). The rhetoric encourages the KP family to be better people and to be more ethical (Longaker & Walker, 2011:4). Secondly, the data shows the civil societies as altruistic and in some cases self-sacrificing, (i.e. Farai Maguwu, CNRG). Thirdly, the discourse signposts the Coalition's ability to be self-determining in whom they invite into the group and how they organize themselves. Additionally, the data confirms the civil societies are able to express their own identities and prioritize their individual communiqué while at the same time contributing to the Coalition's discourse as a whole. In relation to the shaping of identities, the ethos, logos and pathos constructs the different roles they play in the KP.

As seen in the following section, the rhetoric bares the multiple organization roles the Coalition maintain (Sillince & Brown, 2009). In her research, Bieri maintains

the NGOs hold three main roles: experts, watchdogs and legitimizers. This research correlates with her findings but with the following amendments. The author proposes the 'expertise' is the same as *ethos*, 'watchdog' is the same as *logos* and 'legitimizers' is the same as *pathos*.

5.9.2 *Ethos and the Performance of Expertise*

The Coalition established themselves as reliable, competent, credible and trustworthy with invented internal *ethos*¹⁰ (Hartelius & Browning, 2008; Longaker & Walker, 2011; Zachry, 2009). Accordingly, expertise is a socially constructed phenomenon (Collins, 2013). In order to create a favorable impression of the Coalition, the NGOs incorporate strong appeals to *ethos*¹¹ in their texts.¹² The three ways to demonstrate *ethos* according to Aristotle are: (a) displaying sagacity – ones knowledge of the issues, wisdom, expertise, insight into the ways of the world; (b) establishing moral character – moral excellence, justice, self control, common sense and (c) demonstrating goodwill – having concern for others wellbeing, needs or survival.

Sagacity as Expertise

The expertise *ethos* is extensively a part of the boycott/agitative rhetoric (McEdwards, 2009). This study uncovers how the top actors in the Coalition, in the oratory sense,¹³ rhetorically strengthen their dominant positions with higher epistemic authority in the field of conflict and illicit diamonds impacting human rights norms. "Epistemic authority refers to the perceived expertise and trustworthiness of an actor," (Riaz, Buchannan & Ruebottom, 2016:1534). Early accounts of the importance of the NGOs and expertise have been recognized by

¹⁰ According to Aristotle there are two types of ethos: situated (external) and invented (internal). Situated relies on the speaker or writer's position in society often associated with their titles or known reputation. This is in contrast to the invented form whereby the rhetor creates the ethos in a text and, if applicable, performance.

a text and, if applicable, performance. ¹¹ In addition to expertise, other examples of ethos persuasive techniques include: "similitude, ingratiation, deference, self-criticism, inclination to succeed, consistency," (Higgins & Walker, 2012:198).

¹² The researcher identifies only the appeals in the text, and does not consider the credibility bolstered by an appeal to dynamism-particularly energy and charisma (Higgins & Walker, 2012).

¹³ In the oratory sense, the ethos of a speaker is mostly concerned about the words in language and not as heavily on body language (Baumlin, 2001). The researcher in this context does not address the rhetoric viewed in the body language.

elite industry (Bone, 2004,2012). Primacy is given to the use of *ethos* appeals, which produces a sense of 'epistemic authority' based on having a longstanding involvement, knowledge and expertise of the 'conflict' diamonds issue as well as the KP and certification scheme.

But they also show *ethos* towards establishing moral character (moral excellence and justice). A further appeal to ethos comes in the form of exposing the speaker's moral and ethically likable character. References indicating going above and beyond self-interests are made to persuade the audience to believe they are reliable, trustworthy, competent and credible. The ethos appeals made by the Coalition encourage judgments regarding 'character' and 'rightness,' (Hoffman & Ford, 2010). It is therefore in the interest of the INGOs and NGOs to be characterized by their heroism (Nelson, 2000), especially to the public and development groups because they depend on them for their financial and technical support. The ethos appeals made by the "third forces" can in the same way as Riaz, Buchanan and Ruebottom (2016:1535) "suggest that the self-ascribing of high epistemic authority is a fundamental reason for the problematic self-seeking culture of this industry." Even though the Coalition appear to be in pursuit of purposes beyond themselves (Stroup & Wong, 2013). Hence, the literature on coalitions are viewed as more altruistic, and assumed more cooperative and less hierarchal (Watkins, Swidler & Hannan, 2012). However, in the case of the KP Coalition the rhetoric reveals they are not fully self-sacrificing. As well, the rhetorical discourse, especially since 2011, has not been entirely congruent. Thus, the rhetoric signals there is an evident hierarchy with PAC as the coordinator for instance.

Thirdly, the Coalition demonstrates goodwill (seeking the well-being, needs or survival of others). The civil societies encourage their audience to respect their assessments by showing they are morally and ethically likeable by underscoring their sympathies to the struggles of small artisanal miners, their families and local communities. At the center of the KP Coalition rhetoric is the desire for third pillar observers to demonstrate their worth or relevance and validity (Watson, 1995).

Elite Actors and Epistemic Authority

The elites in the Coalition strategically construct themselves as experts (Allen & Caillouet, 1994; Lefsrud & Meyer, 2012). The findings are similar to the Riaz, Buchannan and Ruebottom (2016:1533) study, which showed, "elite actors performed defensive institutional work following a field-wide crisis by rhetorically strengthening their own *epistemic authority*," (italics in original). Since it was shown the Coalition were unsuccessful in many respects, this thesis argues against previous claims that, "actors with higher epistemic authority would have higher state and greater influence in organizational fields," (ibid).

Civil society have contended their expertise could be utilized to enhance the KP in, "training customs officials, monitoring compliance, observing fair and objective decision-making processes, and scrutinizing the industry's performance under the System of Warranties," (Winetroub, 2013:1437). In achieving this appeal, the rhetor creates a web of self-importance (Green, Li & Nohria, 2009). These findings suggest the INGOs and NGOs tends to employ *ethos* to draw attention to its strengths such as the ability to do investigative research and detailed publications, monitoring, and working with people at the mining level. While it seems they neglect information concerning unfavorable implications of its boycott activities including the disruption to the KP.

5.9.3 Watchdogs as Logos

Examples of *logos* persuasive techniques include argumentation, logic, warrants, justification, claims, data, evidence, examples (Higgins & Walker, 2012). Specifically, rhetorical appeals to *logos* include statements and claims indicating rational calculation of means and ends or notions to effective or efficient actions (Green, 2004).

The Coalition's earlier texts affirm one logic: civil society want state actors to address the current human rights violations related to the 'conflict' diamonds issue. In their later texts the Coalition focus their arguments on the Dubai Chair and Zimbabwe. As a result, the INGOs and NGOs want the participant states to change or widen reforms as stated earlier. Following the 'watchdogs' of the KP engage in the rhetoric of institutional change (Brown, Ainsworth & Grant, 2012). However, addressing these reforms is difficult because elite actors hold dominant positions (Riaz, Buchanan & Ruebottom, 2016).

The rhetorical appeals confirm while the Coalition are on boycott, they are only watchdogs externally, as opposed to internally *and* externally. Since the Coalition have not been members of any Monitoring teams they have not been on review visits, and thus reporting on any state violations to KP minimum requirements. On the other hand, they continue to voice their worries externally as entailed in the independent industry-based reports, news, media and other printed publications.

5.9.4 Pathos and the Performance of Moral Legitimizers

The Coalition aims to persuade potential supporters they bring moral legitimacy to the KP and certification scheme because their cause addresses human rights issues linked to 'conflict' diamonds. Later, they also try to tie human rights issues to 'illicit' diamonds. In addition to raising awareness towards the public, they create narratives to the KP organization including state actors, the diamond and jewellery industries, other civil society groups. The use of rhetorical framing and strategies to construct these common goals incorporate negative emotions in all accounts. Remarkably, the only NGO who adopts positive emotional appeals is the rogue NGO, CENADEP who ended the Coalition's boycott unpronounced to the Coalition or even to the other Directors of CENADEP.

To summarize, the implications of global civil societies on the global scale are numerous (Anheier & Themudo, 2002). This is seen as the KP group of NGOs face many challenges, some of which can be summarized as continued participation, having multiple roles (can lead to an image of 'sell-outs'), capacity to handle global and local tensions, ensuring sustainable funding, lack of resource capacity, competition amongst regions, ability to grow, poor management systems, successfully identifying impact and effective engagement with the private sector (World Bank Report, 2014:5-7). Upon reflection, the Coalition could be unsustainable (Unerman & O'Dwyer, 2010). With these tribulations at hand, it could lend to the notion the KP NGOs are a sideshow of international politics, if considered at all (Clark et al., 1998). The Coalition's efforts may not be necessarily constructive: if you're not apart of the solution, you're part of the problem. It is too early to tell if the boycott rhetoric will cause further damage while Australia is Chair, however; they are setting an uneasy start for the Chair in 2017.

5.10 Revisiting the KP's Life Model

As a form of collective action, nonprofit, nongovernmental organizations, such as the Coalition, are under theorized (Johnson & Prakash, 2007). As previously stated, the existing study on the NGOs in the KP by Bieri (2006-2015) collected primary data from PAC, Global Witness and one NGO that was involved in the Fatal Transactions campaign group. She completed the first 'Dynamic Life Course Model' on the KP. The model has yet to be revisited. The data collected from 2015 through to 2017 indicates the model should be altered to include the boycott as shown in Illustration following:

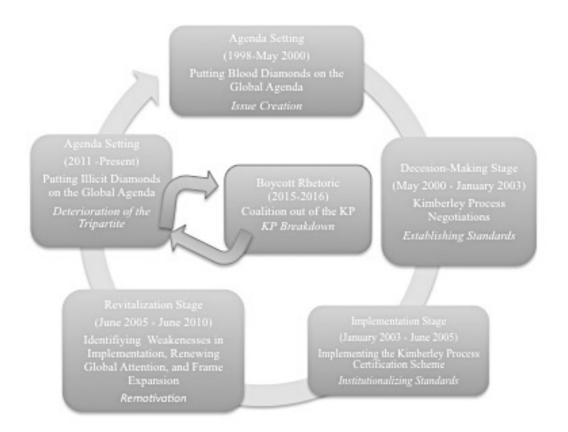


Illustration 12 - Updated Dynamic Life Course Model, Adapted From Bieri (2010/9)

The Coalition attempts to coordinate social action (Hauser, 1986:2) through their communication that is built with rhetorical appeals. From 2011 onwards the Coalition continue to name and shame state actors in violation of the human rights norms and turn their focus on placing 'illicit' diamonds on the global agenda. This period bodes the beginning of the deterioration of the tripartite system. Moving on to 2015-2016 signifies the breakdown of the three pillars of the KP. It is uncertain if the coinciding phases will lead to another 'revitalization stage' or 'agenda setting' or if the KP will continue to collapse further.

The boycott of Coalition, and uncertain commitment to the KP into 2017 signals the need to alter the KP's position in the international relations-based 'governance triangle,'(Abbott & Snidal, 2009) proposed amendments are indicated in the next Illustration:

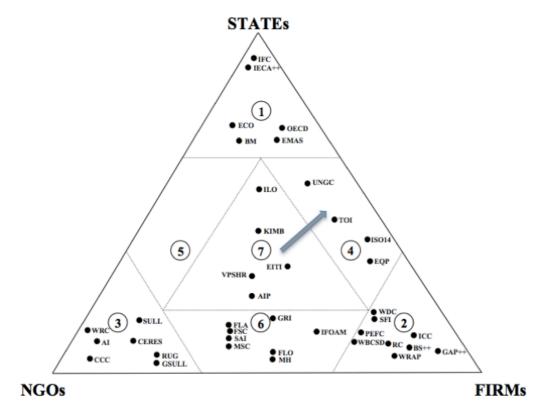


Illustration 13 - The Revised Governance Triangle, Adapted From Abbott and Snidal (2009)

5.11 Conclusion

Under the auspices of the KP the international community responded to the 'conflict' diamonds with a certification system designed to distinguish the legitimate or 'clean' rough diamonds from the illegitimate trade. The aim of the chapter was to elucidate Aristotle's key rhetorical elements of *ethos*, *logos*, and *pathos* made by the 11 KP civil society coalition organizations and their main international human-rights NGO supporters. As a result, the data within this chapter depicts the different voices within the Coalition in order to fill the noticeable gap on the KP and NGO literature. It is important to understand the rhetoric of the Coalition in order for it be more successful and for great social benefit (Duty, 2015; Everyday Democracy, no date).

Thus far, the thesis has argued primacy is given to *ethos* appeals or 'epistemic authority' within the boycott rhetoric in order to verify their unique knowledge,

expertise, credibility and moral likeability. The INGOs and NGOs use consistent *logos*, or arguments to shed light on problematic state participants. The Coalition aims to get states such as, Zimbabwe and Dubai to change their divisive positions and institutional procedures concerning conflict and illicit diamonds. This fosters the Coalition as "heroes" and the shamed countries as "villains," (Ruebottom, 2013). Whilst the focus of attention was originally on human rights violations related to civil wars, the Coalition has shifted to arguments embedded in 'illicit diamonds.' The use of *ethos* and *pathos* by the civil societies separates the Coalition and its individual members as the protagonists of the KP.

The findings highlight the importance of rhetorical appeals in shaping civil society roles and identities and gives insight on relationships not only with the NGOs within the coalition but with the states and leading industry bodies. Positive and negative aspects of the rhetoric have been made inline with other studies on NGOs (Pasha & Blaney, 1998). They maintain their roles as experts, watchdogs and legitimizers and also assume responsibilities as communicators, agitators, democratizers, normalizers, financiers and realists. Not only are the relationships amongst the Coalition members ailing (Schneiker, 2017) the relationships with the states and industry aren't strong either. The effectiveness of their persuasion is questionable, yet numerous other new critiques were identified for the KP literature. In short, their relevance is waning.

These rhetorical strategies together {seem to} work towards insuring normalization of international human rights activism while contesting the regulatory standards of the KP and certificate scheme. As can be seen in the oral and written discourse, the KP civil society coalition seeks to persuade international actors inline with these norms. The rhetoric sets and preserves these deeply assumed values and beliefs embedded in these human rights. In order for the Coalition to effectively meet these aims they attempt to build credibility and trustworthiness by developing appeals to *ethos* (character) and *pathos* (emotions).

The *ethos*, *logos* and *pathos* driven communications work to counter opposing positions that may be put forward by state actors. They continually aim to persuade the KP family, media, advocacy groups, other civil society organizations

and the general public that they are a strong, unified alliance against 'conflict' diamonds and related human rights abuses. While in the case of the KP, leaders in the civil society groups do not underestimate their own credibility (Conger, 1998), but it seems the rest of the KP do. An important objective of the next chapter explores the Classical rhetoric appeals of discourse by the state participants of the KP.

6 Kimberley Process Participant States Rhetoric

International regimes are akin to language – we may think of them as part of "the language of state action," (Ruggie, 1983:196).

6.1 Introduction & Outline

The rhetorical tradition is gaining ground among researchers who study people linked to politics and political actions (Garsten, 2011; Kaminstein, 1996). The 54 participants, representing 81 countries, of the Kimberley Process (KP) regime¹⁴ remain largely understudied in the Management and International Relations disciplines. Described as the, "international governance of the "many," (Kahler, 1992:681) or more widely recognized by Keohane (1990:731) as, "the practice of coordinating national policies in groups of three or more states, through ad hoc arrangements or by means of institutions." This chapter adheres to the calls for interpretivist epistemological strains and for communicative-based studies on international regimes (Adler & Haas, 1992; Kratochwill & Ruggie, 1986).

The data in this section pertain to the research questions: (a) *What rhetorical appeals, (ethos, logos and pathos), do the state participants of the KP incorporate in their discourse about the KP and certification scheme?* (b) *What does this suggest about the participants and the KP as a whole?*

The primary aim is to explore the rhetoric of the KP Chair and for the first time expand the KP literature as to the roles and functions of the leader during his oneyear tenure. Secondly, this chapter provides a unique story to illustrate state actors are not homogenous, or recognized as one cohesive group, as depicted in the KP scholarship. Instead, recognized, stable and uncontroversial states use the same appeals while other states who are have been notably shamed for civil unrest or controversial practices also have their own rhetorical strategies. Correspondingly, the rhetoric reveals the arrangements of state organizations, which together orchestrate the KP, are more complicated than originally described. To a lesser degree, a final objective is to expose some of the reasons state actors remain committed to the KP and KPCS.

¹⁴ The KP is an international regime: "norms, rules, and procedures agreed to in order to regulate an issue-area," (Haas, 1980:358).

6.2 Key Contributions

- (a) Overall, the rhetoric of the KP state actors is positive in nature.
- (b) The KP Chair located in Dubai uses rhetoric to set the agenda including *logos* appeals to respond to the KP crisis (Coalition boycott), acknowledge events and initiatives, promote new individuals and groups to the table and declare successes during the year. Themes include agenda setting through response to Coalition, setting timely forums, proposing new initiatives at strengthening the KP mandate, bringing new people to the discussions, securing the remittance of 'outlier' states and touting public awareness for tourism in UAE. He incorporates *pathos* appeals based in human rights and wellbeing. The main negative *pathos* appeals noted in the state actor's rhetoric is made by the KP Chair in response to the leader of the Coalition boycott. Together the appeals build the *ethos*, specifically the competences, of the Chair without him having to do so directly in his communications. Fundamentally, his rhetoric reveals him as a charismatic and transformative leader and an effective communicator.
- (c) All participant states are required by the Core KP Document to submit an annual report to the Chair. The reports are available on the Kimberley Process website under "documents.¹⁵" Essentially a template the reports include: number of issued KP certificates for export and import, the institutional framework (address and contact details of Focal Point), importing and exporting authority, legal framework (i.e. Customs Acts, other trade rules, Income tax acts, Foreign Exchange Managements Act, Prevention on Money Laundering act), Import and Export Regime (procedures to follow for outgoing and incoming shipments), system of internal controls, statistics (production data, quarterly results), information about working with other stakeholders and dates of review visits. The reports may include tables of production and or graphs of import/exports in certificates and in carat weights. These reports give clear examples of extended *logos* appeals in order to persuade the audience they are abiding by all of the scheme's requirements.
- (d) 'Established,' peaceful states incorporate 'matter-of-fact' *logos* appeals that lend to following the rules and regulations as set out by the KP or the UN. Members of the EU states incorporate *logos* to establish the roles of the organizations and individual jobs in relation to the KP and KPCS. At the same time, the states who have not had controversies with the KP do not attempt to evoke emotions, positive or negative, in their audiences.

¹⁵ Many documents including the Annual Reports can be found at: https://www.kimberleyprocess.com/en/documents

The rhetorical strategies in this case aim to convince the audience they are fully compliant.

- (e) Controversial 'outlier' states, those who have been targeted by the KP and Civil Societies, consistently adopt appeals to emotions by incorporating messages about human-rights related concerns, appeasing civil society, being apart of a group, access to independent research, small scale miners, considerations for the complexity of the KP, children and developmental diamonds for state actors. It is believed this strategy is used to persuade the audience that they are (a) authentic in their considerations for human rights and related KP requirements and or (b) as a result, should be readmitted into the KP. In both cases the overarching human rights theme is a fundamental motivation for state participants continuing their support of the KP.
- (f) The researcher was unable to identify clear examples of *ethos* appeals specifically endorsing expertise or unique knowledge by any state actor.

6.3 Relevant Literature Review

Few attempts have delved into the understanding of the individual states participants of the KP. International regimes analysis sees little attention of interrelated regime members (Gehring, 1992:60-61). This chapter extends the literature on regime formation (Young, 1991,1989) and current international regimes (Haas, 1989; Haggard & Simmons, 1987; Young, 1986).

This chapter aims to contribute to the KP literature in three ways. Firstly, to add insight on the Chairmanship of the KP. Direct examination of KP Chairs is mostly uncharted. Arguably, Chairs in international, multilateral organizations have received limited systematic scholarly attention in any field¹⁶ (Hurd, 1999; Nugent, 1995; Pollack, 1997; Tallberg, 2010; Thomson, 2008; Wurzel, 1996). Related to this scholarship; rhetoric also provides new insights to agenda setting (McKelvey, 1976). From a rhetorical standpoint, this chapter follows in the footsteps of other institutionalist researchers who have completed empirical investigations of rhetoric and have focused on *logos* appeals, and the

¹⁶ Reasons for the absence of studies on charismatic leaders could be due to the elusive nature and mystical connotation of elites, few conceptual frameworks and potential challenges in obtaining access (Conger & Kanungo, 1987; Williams, 2012:8).

argumentation repertoires and structures that make them persuasive (Green et al., 2009; Heracleous & Barrett, 2001). A final aim is to supplement the KP literature more generally with updated assessments of the KP and KPCS.

To add to the KP literature, the data sections are separated into four distinct parts. The first illustrates the KP Chair appeals. The second identifies the *logos* of 'established' states. The third explores the 'controversial' state's *pathos*. The fourth provides a discussion of themes arising from the first three data parts and concludes with unique strengths and new criticisms of the KP and certification scheme.

6.4 The Rhetorical Appeals of the State Participants

6.4.1 The KP Chair - The Agenda Setter

While political rhetoric of elites tends to focus on presidential communication (Beasley, 2004) few studies cogitate the Chairs of a state-run certificate scheme. This section presents direct quotes made by the 2016 KP Chair demonstrating his key *logos* arguments and examples of *pathos* appeals.

Background on the UAE & KP Chair

The UAE became the first Arab state to implement the KPCS in 2003, even though they did not attending any of the initial KP meetings. They assumed the certification scheme with the adaption of its Federal Law Union Law no.13 regarding Supervision of Import/Export and Transit of Rough Diamonds. Located in the prestigious Almas Towers, the Dubai Multi Commodities Centre (DMCC) houses the KP office and authenticates the rough diamond trade under the UAE Ministry of Economy. When it first adopted the KP in 2003 the diamond trade in Dubai was \$5million, in 2014 it was more than \$35 billion (Rapaport, 2015 December 22).

The growing shift of rough diamond exports from African countries to Dubai (through the DMCC) is significant for the diamond industry because: (a) the location of Dubai is more convenient geographically for African shipments and is

easier for them to export to up and growing markets in manufacturing (India) and consuming (China); (b) Tax Free Zones (TFZ) attract many corporations to switch from London, Israel and New York; (this is very troubling for them!) However, Switzerland keeps low taxes and remains very busy, and; (c) the lax rules and regulations are also a draw for scrupulous dealers (Director of the Customs Office in Switzerland, Interview: May 24, 2016).

The UAE KP Chair, Ahmed Sultan Bin Sulayem, a highly respected businessman¹⁷ in the UAE, has worked as Executive Chairman of the DMCC since 2001. The UAE Ministry of Economy appointed Ahmed Bin Sulayem as Chair of the KP at the end of December 2015 (IDEX, 2015). He accepted the honor of chairing the KP in Angola (Plenary 2015) because:

It [the KP] is deeply rooted in our belief as an Arab and Muslim nation, that it is our primary duty to help those in need, and make the world a better place...I pledged to fulfil our mandate, to the utmost of our ability, and to focus on those areas that would have the greatest impact on the growth and development of the diamond industry, its millions of workers, and extending the KP to new countries, (Bin Sulayem, Opening Speech Intersessional, 2016).

The segment of the speech adheres to strong appeals to *pathos* as seen in the sentiments aimed at empathy building for people worldwide. The statement connects the mission of Arab and Muslim nations as inherently the same as the fundamental goals of the KP. Respectively, the rhetoric equates the noble qualities of the national identity to the international regime (Stuckey, 2005). The speaker also reminds the audience how significant the diamond sector is, underling its importance for existing and future states.

¹⁷ In January 2014, the UAE Minister of Economy presented Mr. Bin Sulayem an award for outstanding contribution to Islamic finance (prnewswire, 2014) for increasing the economic benefits from diamonds, precious metals, pearls, gold and other commodities like tea into Dubai.

Response to the Coalition Boycott

Following the Coalition boycott directed at the KP Chair, as described chronologically in the previous chapter, Ahmed Sultan Bin Sulayem provokes an unguarded public response after five months of unsuccessful mediation:¹⁸

I am profoundly disappointed that Mr Martin, self-appointed leader of the CSC and on behalf of 11 other African NGOs, has withdrawn prematurely from mediation, despite the UAE's agreement to WDC's terms, and our continued commitment to seeking a solution through mediation. Keen to make headlines, Mr. Martin took the opportunity to address the media on why he abandoned mediation proceedings. He made several allegations to justify his termination, all of which I as KP Chair strongly refute and reject, (Bin Sulayem, Intersessional Speech, 2016).

The KP Chair is resolved in establishing his cooperative stance within the mediation process, with the Coalition and the WDC. He points out that the Mr. Martin, the lead spokesman of PAC and acting coordinator of the Coalition, is The condemnation caused the audience to question his 'self-appointed.' democratic authority and legitimacy and to whether he adequately speaks for the Coalition. Following, the speaker alludes to the main reason Mr. Martin withdrew prematurely was to garner attention. Certainly, the message is clear: he completely disregards Mr. Martin's communications and actions. Correspondingly, the KP Chair evokes negative emotions (pathos) in his response towards Mr Martin.

In another retort about the KP Civil Society boycott, Ahmed Sultan Bin Sulayem continued to provide public statements reaffirming an emotional narrative:

¹⁸ During the Angola Plenary, WDC offered to mediate and broker an agreement between the KP Chair Office and Civil Society. It took three months for WDC to initiate mediation in which the KP Chair fully engaged in, and committed to the proposed mediation. Additionally, they were in regular communication from February 24th when the mediation process began. The UAE agreed to all the conditions imposed by the WDC mediation team. The KP Chair was set to move forward with a face-to-face meeting that was to take place on June 3 under WDC's lead (Bin Sulayem, Intersessional Speech, 2016).

Our door remains open to any civil society and the industry organization alike that are in a position to contribute fairly and transparently to discussions on the Kimberley Process and to work together on a continually improved future for the diamond sector. We remain committed to engaging with Civil Society, one of the three founding pillars of the Kimberley Process, (Bin Sulayem, 2015, November 19).

The language is positive as indicated in the "open door" policy. Further appeals to *pathos* are shown by the words 'contribute,' 'fairly,' and 'transparently.' The speaker instils admiration from the readers by stressing collaboration and dedication towards bettering the industry. Together, the expression of good intentions while evoking affirmative emotions also builds the *ethos* of the speaker as someone who appears credible, kind and trustworthy.

In contrast, the KP Chair uses further negative-based *pathos* in order to persuade the KP audience that the Coalition boycott (specifically Mr. Martin) is unhelpful and unacceptable:

At a time so critical for the KP, it is hard to imagine what is more important – one man's personal agenda or the Kimberley Process with its 81 members and tens of millions of people that are directly and indirectly linked to the diamond industry. Many have questioned Mr. Martin's ability to carry on with his work for the KP while pursuing a boycott. Mr. Martin has claimed that he is fully operational and on top of his KP duties despite his absence here today, and also despite his anticipated absence in the November plenary, (Bin Sulayem, Intersessional Speech, 2016).

Without question, 2016 was a year of turmoil for the KP family and the speaker doesn't refrain from reminding the audience of the quarrelling between the Coalition and Dubai. While the KP family has been accustomed to the Civil Society's vocal complaints about Dubai, the audience has yet to witness direct refutes by the Dubai-based Chair. In the same way the Coalition created an 'us'

verses 'them' in their dialogue, Ahmed Sultan Bin Sulayem targets Mr. Martin (PAC Coordinator for the Coalition) against the rest of the KP states *and* all those involved in the entire diamond supply chain. For the first time, a KP Chair publically names and shames a leader of the civil society but also personally attacks not only his ability but also his long-term disengagement with the KP. Together the language tries to evoke negative emotions (*pathos*) specifically towards Mr. Martin but also to the unconstructive Coalition boycott. The oppositions provide an example whereby, "equivocal (if not hostile) attitude of many states towards NGOs, particularly those NGOs involved with challenging human rights violations by states," (Otto, 1996:121). The Director of Dubai Newspaper interviewed (also at the Intersessional speech) agreed the strongest and most notably angered rhetoric made by the KP Chair was in response to the Coalition (Staples, 2016 May 24).

After showing the rhetoric in the responses the Chair made to the Coalition, the next section will explore the rhetoric in various efforts of *coordinating social action*.

Sets Important Fora with Crucial Diamond Industry Players

(A) Rough Diamond Valuation Forum

Ahmed Sultan Bin Sulayem organized the first, one-day Rough Diamond Valuation Forum held on May 23, a day before the KP Intersessional in Dubai. He invited the Organization for Economic Co-operation and Development (OECD) to the initiative, which also brought together industry experts,¹⁹ state actors and the media to discuss ways to conform rough diamond valuation. The Special Forum addressed the underlining difficulties associated with under and over valuation of rough diamonds and effects to the beneficiation to African

¹⁹ Invites to the Special Forum included large mining corporations such as DeBeers and AlRosa, leading mining experts such as Des Kilalea (RBC Capital Markets); Varda Shine, (former CEO of DTC-DeBeers); Sergey Vybornov (former CEO of AlRosa); Levy Rapoo (CEO, South African Diamonds and Precious Metals Regulator); Kennedy Hamutenya (Diamond Commissioner, Windhoek, Namibia) and Jacob Thamage (Coordinator, Diamond Hub, Ministry of Minerals, Energy and Water Resources, Gaborone, Botswana); and senior advisors from KP Working Groups such as Mark van Bockstael (Minging.com, 2016).

states.²⁰ Prior to the evaluation forum, the KP Chair explains the significance of the event and the inclusion of the OECD:

We are delighted to announce that the OECD will collaborate on rough diamond valuation in the context of the Kimberley Process. The OECD is an institution with un-paralleled global experience related to valuation common approaches and corporate supply chain due diligence. If we can come to a set of best practice principles on valuation, which could contribute to better living conditions of the many people that make living from diamonds around the globe, we accomplished something significant. On-going OECD work on natural resource taxation and the valuation of mineral products to help producing countries get the most from their natural resources is critical in achieving this, (Bin Sulayem, 2016 May).

The statement shows how the Ahmed Sultan Bin Sulayem was in the position to invite new organizations to the KP agenda. The language by the KP Chair is widely positive and aims to align the KP with the OECD. He brings attention to the credibility and trustworthiness (*ethos*) of the OECD with their 'un-paralleled global experience' for all KP members. He aligns the efforts of creating rough diamond valuation processes towards the human-rights ends that are often associated with the aims of the civil society groups. This suggests, as far as the KP Chair is concerned, the OECD could easily substitute the third pillar of the KP if they are able to solve problems of economic prosperity for state actors *and* advocating for the workers and community to 'get the most from their natural resources.' The focus on these priorities shows the KP aims to persuade the audience by evoking their emotions to support people who have been exploited, (*pathos*).

The issue of evaluation has been a point of contention between the KP members, most notably by the Coalition (Global Witness, 2007). Of particular worth, the

²⁰ Both the Washington Declaration from 2012 and the Moscow Declaration from 2005 were initial attempts to tackle valuation of rough diamonds, where policy goals and recommendations were outlined but never acted upon (Bin Sulayem, Intersessional Speech, 2016).

undervaluation or overvaluation undermines the accuracy of the information on KP certificates and the KP rough diamond statistics data which is supplied by participants in accordance to the KP working document and available on the KP rough diamonds statistics website.²¹ Whilst the exact details of *how* the process would differ to accommodate the new evaluation requirements, the Plenary noted the method for those countries seeking greater confidence that their rough diamonds would include: building on comprehensive training and technical assistance for government officials, standardised preparation and sorting protocols for rough diamonds in preparation for valuation; drawing on contemporary transacted prices for comparable rough diamonds as much as possible (KP Final Communiqué, 2016). In the case of organizing the Evaluation Forum, his rhetoric captures one, "process of summoning people to join in a movement for change and in leading in such a movement," (Tucker, 1968:737).

(B) KP Observers Forum

Moreover, the KP Chair organised the first KP Observers Forum, a 'KP Chair Special Forum,' as an information session on synthetic diamonds and the issue of undisclosed synthetic diamonds in the margins of the KP meetings. The Forum brought together the key Observers and countries to discuss common goals, and joint efforts to promote continued success and credibility of the certification scheme. In just one year the Chair was successful in not only arranging the necessary Intersessional and Plenary meetings, but also organizing these two forums.

Proposes Initiatives to Strengthen the KP Mandate

The proposal for fair and independent funding for African NGOs follows the KP Chair's recent invitation to all members of the Coalition to attend the upcoming Plenary in Dubai, UAE. During his Chairmanship, Ahmed Sultan Bin Sulayem advised a number of initiatives and notable proposals aimed at strengthening the KP mandate including the adoption of a new funding pool for the Coalition and

²¹ The Kimberley Process Rough Diamond Statistics web site provides a reference point for rough diamond data collected under the KPCS: <u>https://kimberleyprocessstatistics.org</u>

the creation of a permanent KP Secretariat. Both innovative proposals were approved and adopted by the Plenary as shown in point 5 of the 2016 Final Communiqué.

Common Coalition Fund

In the first instance, Ahmed Sultan Bin Sulayem announced his creation of a common fund of US\$ 105,000. He pledged US\$25,000 towards the establishment of the Fund and called on the rest of the industry to contribute another US\$55,000. In the following pronouncement the KP Chair rationalizes the Common Fund:

Participants and industry groups are sovereign states and major commercial enterprises. In contrast, civil society has the weakest resources. It is common for well-endowed industry groups to send up to 25 participants to Intersessional and Plenary meetings, as well as Review Missions and Review Visits, while we rarely see more than two or three NGO representatives at such gatherings. For civil society, substantial effort is needed to reach out to donors in the hope of financial support, which, when it comes, is inadequate. Moreover, support is filtered, conditioned, channeled [sp] and coordinated in such a way as to challenge the independence of the NGOs, both from the donors, and from each other. The KP is ill-served by its dependence upon an NGO base which lacks resources, sustainability and whose survival is dependent upon others, (Bin Sulayem, 2017, April 10).

The adoption of a new funding pool for the Coalition reinforces the Chair's dedication to strengthening the third pillar. Still, he wastes no time distinguishing them as the most underhanded group in the KP. This is an example of a *logos* appeal, rationalizing the differences in economic, human and financial resources. What makes this statement even more interesting is the inhibited comments denouncing the autonomy of the NGOs because they are fundamentally dependent on their donors. Conspicuously, any foreign aid is considered to create

enslavements (Lumsdaine, 1993). The significance is clear: a predisposed and overly reliant civil society lacks the effectiveness to help the rest of the KP. In particular, the last sentence illustrates *pathos* whereby the floundering civil society could destroy the longevity of the KP and certification scheme. The proposal for an independent fund also prompts the issue of transparency. As a result, full transparency of the Civil Society funding is required for the well functioning of the 'three pillars' nature of the KP. What he's not saying is just as important here. Funding of civil society has become an important issue within the KP community. There are misgivings the state actors – mainly in North America and Europe – are endangering NGO autonomy by making them dependent on official funding sources (Kane, 2016 November 12).

Secondly, the Chair garners approval for the permanent KP Secretariat. As reported in the National Business news, Ahmed Sultan Bin Sulayem advised the KP needs a:

Permanent secretariat under the wings of the UN to take over work that is currently done by volunteers on an ad hoc basis. This body should be headed by an African expert in the diamond industry but funded by the rock diamond-importing countries of Europe, Asia, the Middle East, as well as the United States. It is my strong conviction that the world needs to do better for Africa, (Kane, 2016 October 17).

The Chair brings the UN back into the discussions surrounding the KP, (logical *logos*). As noted in the discourse by the other pillars of the tripartite system, very few people feature the UN in their dialogues. Intriguingly, he recommends the permanent office should be overseen by an 'African expert.' Although he doesn't specify which state should host the initiative, it is likely he would be supportive of the secretariat stationed in the UAE. It is suggested the Secretariat would support the continuity and efficiency of the KP, and this could make a continued, positive association with Dubai. Following, the proposal hopes such a Secretariat could help facilitate the KP's progress in advancing its goals and objectives: serve as a sustained presence maintaining contacts in countries of concern; support the KP Chair in interactions with government officials and others stakeholders; assist the

KP with suspended Participants and resuming participation in the KP (KP Final Communiqué, 2016). Again, the use of *pathos* is shown in the last line where the speaker draws on connections to wanting to help the people in the diamond industry in Africa. The Plenary welcomed the proposal received from the KP Chair aimed at strengthening the structure of the KP through the establishment of the KP Secretariat (Rapaport, 2016 November 17).

In addition to the organizing the Special Forums, creating the civil society common fund and finalizing a permanent secretariat, the Chair also enacted his Africa Initiative on the KP agenda in 2016.

The "Africa Initiative"

During his time as KP Chair, Ahmed Sultan Bin Sulayem conducted meetings in producing and consumer countries including in Africa, Asia, Europe, North America and the Middle East. During the UN General Assembly 69th plenary meeting he delivered a speech on the draft resolution "The Role of Diamonds in Fueling Conflict:"

Representing the governments, the industry and the civil society that are involved in the diamond trade, I was able to visit more than 20 countries – both existing and prospective Kimberley Process members. Our belief is that everything we do in the Kimberley Process must support and direct work that is largely in the developing world. During my chairmanship, I have been proud to represent the officials who regulate the diamond trade in the producing countries, (PRWeb, 2017, February 5).

As part of his "Africa Initiative," the Chair visited CAR, Angola, South Africa, Burkina Faso and continues to visit other African nations including DRC. This quote sets him apart from all the previous Chairs who refrained from visiting the diamond producing states. The noticeable use of *pathos* is evident in "everything we do in the Kimberly Process must support and direct work that is largely in the developing country," (ibid). This statement conjures up strong notions towards uplifting the disadvantaged and growing the less fortunate with the proceeds from the diamond industry. Correspondingly, it shows the KP Chair's commitment to the Africa initiative is a commitment and willingness to keep a hands-on presence in diamond producing nations to help facilitate KP compliance, fulfillment of KP mandates and to give Africa a voice as indicative in the last sentence.

To expand on this selected direct quote, he was also the first KP Chair to ever visit the President of Ghana, H.E. John Dramani Maham (PRNewswire, 2016 Ahmed Sultan Bin Sulayem informed the President he'd September 14). witnessed the building of new schools in Ghana's second largest city, Kumasi, in the Ashanti region and had visited several United Arab Emirates' humanitarian projects, including the opening of essential water supplying wells and bore-holes and Red Crescent funded community mosques, (ibid). From this example, it could be presumed the KP Chair takes the liberty to speak with leaders of African countries in an attempt to clarify his concerns for the diamond-related communities but also to garner support for rough diamond trade and other resource commodities in which the state actors could sell through the DMCC in Dubai. If this is the case, then the KP provides a platform for the KP Chair to address critical issues relating to the rough diamond trade, demonstrate human rights-based problems in order to show credibility, reiterate humanitarian efforts to establish good-will while at the same time cementing current and future commodities trade.

Related to the coordinating these social activities, the KP Chair influenced new individuals and organizations into the KP fold.

Invites New People and Organizations to Key KP Meetings (Participation and Commitment)

To add to the function of coordinating original social action, the KP Chair also advances participation and commitment to the KP by bringing in new members to the KP family such as the OECD. Furthermore, he also integrated new NGOs to the agenda: We have made significant progress this year within several areas of the Kimberley Process but we need to work together - not in silos. As KP Chair, I am delighted that members of Civil Society will attend the Plenary in Dubai so that we can collaboratively bring all the work, which has been done over the last nine months to a good end. Our proposal to fund the participation of additional members of the CSC at the KP Plenary stands, (Bin Sulayem, DMCC, 2016, October 22)

Here the KP incorporates *pathos* to evoke feelings of hope, aspiration and loyalty (Higgins & Walker, 2012). Firstly, the announcement reminds the audience of the advancements made under the Chair's tenure. An emphasis is made for further cohesion amongst the KP groups and he later acknowledges the KP relies on the equal interaction of its Participants and Observers. The positive tone for unity continues with the words 'delighted' and 'collaboratively.' Surreptitiously, the message insinuates *all* of civil society coalition supports the UAE initiatives and progress while also giving the impression that the actual members of the Coalition attended the Plenary, when clearly all but one did.²²

As discussed in the Coalition chapter, CENADEP was the only official Coalition member to attend the Plenary in Dubai. The announcement that any members of the civil society would attend the final KP meeting elucidates the Chair's ability to solve problems, manage different groups, encourage harmony and unity back to the tripartite regime. With this in mind, it is worth noting the extensive efforts the 2016 KP Chair made to bring outlying states including Venezuela and CAR back into the KP family.

²² In fact, the representatives of Civil Society who attended the Plenary meeting in Dubai as special guests of the KP Chair but not specifically stated included: Placide Ngombe, President of the Organisation Centrafricaine pour le Développement Durable (CAR); Regina Toguera, President of 'Mines Arts et Ressources Centrafricaines' (MARCA); a member of the KP Follow-Up Committee in Berberati; Ruth Laoubaï, Head of Programmes and Projects at the Association des Femmes Centrafricaines pour le Développement Durable (AFCADD); Dr. Oladiran Bello, Executive Director of Good Governance Africa.

Getting Outlying Countries Back Into the KP (participation and commitment)

Crucially, the KP Chair was able to secure the participation and commitment of the Venezuela and CAR back into the certification scheme. In 2016, the KP Chair stressed the importance on getting Venezuela reengaged into the KP:

In February, I travelled to Venezuela to meet the leaders of that country. Venezuela is rich in mineral resources - it has the largest oil reserves in the world, for example, and big deposits of diamonds, gold and other precious minerals. But it faces serious economic pressures, partly as a result of the recent fall in oil prices. We here in the UAE can certainly empathise with that. Its predicament has been worsened by the fact that since 2008 - when it left the KP - it has been unable to export any of its significant stock of diamonds. Clearly, a resumption of diamond sales would be in the best interests of the Venezuelan economy, and its people, (Ben Sulayem, 2016 Intersessional Speech).

The recognition of Venezuela's dilemma provides another example of *logos* and *pathos*. Highlighting the contributory effects the resources have for the state presses a means to an ends *logos* appeal. Curiously, he concentrates on the 'big' deposits all of which the DMCC would be inclined to acquire and trade. He recognizes the seriousness of the Venezuela's economic situation and then includes *ethos* appeals towards sympathy, since the UAE has 'suffered the same problems.' The Chair expounds the need for the recommencement of diamond exports for the people of Venezuela (*pathos*). Combined, the acknowledgement hints at the UAE as the main destination of all these sales.

For the past four years KP chairs have tried to get Venezuela re-admitted to KP, without success. It appears the Chair felt there needed a new, more direct and personal approach:

On my visit there, I was impressed by the sincerity of the Venezuelan government to put right the things that were wrong in the diamond industry. As a result, a process has begun and I am optimistic we will see the country re-admitted to full KP membership during my term as KP chair. So I am especially pleased to welcome the Venezuelan delegation who have travelled to be with us here today, (Bin Sulayem, 2016, Intersessional Speech).

Extended pleasantries directed at the government of Venezuela from anyone in the KP are rare. Such *pathos* encourages the audience, in this case the KP family present, to hope and aspiration (Higgins & Walker, 2012). Embedded in the speech are encouragements for participation back into the KP and a commitment to the certification scheme.

The Chair used similar language in the assertions surrounding the re-admittance of the CAR. In order to get CAR reinstated into the KP, the Chair brokered a deal by turning the state into four recognized trading zones (The Diamond Loupe, 2016a). Just in and of themselves, restoring both Venezuela and CAR are extraordinary accomplishments for a single Chair. The media support the, "KP is great at stopping countries that are not compliant or have some kind of conflict, but when it comes to bringing it back it could take a year, two years, three years, and during this time it could cause problems," (Staples, 2016 November). According to Ahmed Sultan Bin Sulayem, "The advantage that the UAE has over other KP chairs is that we have the trust of the African countries. They do trust us. They don't feel we're trying to set them up in any way," (ibid). In addition to creating cohesion amongst participants, the KP also acts as an advertising platform.

Creating Awareness For Tourism in the UAE

The Chair incorporates *pathos* by addressing the responsibility to those who are disadvantaged or potentially exploited in both the opening and closing speeches it. The larger message, and the more persuasive attempt, shows the Chair spending more time on encouraging the audience to be a tourist in the UAE. One example is in the opening speech:

For those of you who have not been here before, I encourage you to use your free time to explore our beautiful, welcoming, multi-cultural nation. But don't just trust what you read on a search engine. The best way to explore, I always find, is to use Google Maps to seek out some of the truly spectacular landmarks, from the Grand Mosque in Abu Dhabi, to the Burj Khalifa, here in Dubai. Or why not the International Humanitarian City, a centre for humanitarian aid which hosts nine United Nations agencies and more than 40 international NGOs engaged in delivering foreign aid, (Bin Sulayem, 2016, Intersessional Speech).

The KP Chair tries to establish a *pathos* connection with the entire KP family by clarifying the significant KP goals. The remarks fit with Boyd and Waymer (2011:474) who indicates external organizational rhetoric, "pursue unearthing the ways complex organizations, performing as modern rhētors engage in discourse, can work to make society a good place to live." Moreover, the closing remarks replicate matching rhetorical appeals to encourage tourism and commerce in the state:

Those who may be staying longer, we hope you will enjoy the beauty and splendour of our country – not just within the walls of the Atlantis. For many that come here, the Burj Khalifa is one of the most obvious destinations. But there is so much more. I urge you to seek your way out to Jumeirah Lake Towers – not far from Dubai Marina – where you will find our office, the Almas Tower. This is one the tallest buildings in the Middle East – even the world - and home to the world's leading diamond companies. I like to think of it as the world's only vertical diamond district. What's more interesting about Almas Tower and the surrounding district, is that the upcoming Star Trek movie and anticipated summer blockbuster was filmed there. In fact a large number of scenes were filmed right in our very own Dubai Diamond Exchange. You can view the trailer for Star Trek Beyond online or on the big screen in the lobby as you leave this room. Paramount Pictures, who produced the film, came to us because they were looking for a futuristic looking, modern environment. And I think that you will agree, that if you explore Dubai further, despite a rich history, local culture and traditions, it is definitely a city built for the future and the citizens of the world, (Bin Sulayem, 2016, Intersessional Speech).

The speeches made by the KP Chair show many features of *pathos* appeals (Schutz, 1958). In this case, the speaker incorporates Shutz's 'human needs,' which are reflected in him as opposed to the human needs of the audience. Initially, the speaker gives the audience *reassurance or worth* of the KP and consequently his value as the current head. Although the rhetoric isn't a creative outlet for the speaker himself, it appears the description of the UAE provides a *creative outlet* for promoting the state in a unique sales platform! The list of the Dubai's impressive attractions along with the conviction in the presenter's voice demonstrated a grand impression of pride. The researcher suggests this display would instill *ego gratification* and a *sense of power*.

From these two speeches, the audience may have been persuaded by the declaration to the social responsibility to those less fortunate (*pathos*) but by placing emphasis on encouraging people towards commercial ends may have decreased the author's credibility (*ethos*). In this case, the identified strategy appearing in the rhetoric doesn't seem to match the specific situation or *exigency*. As a result, the *kairos*, or the appropriateness to time, place and circumstances is in doubt. In political theory, researchers ask: "how do we know that we are not being manipulated by those who seek to persuade us?" (Martin, 2014). The researcher wonders, if the emphasis of the KP Chair speech centered on the promotion of investment and tourism in Dubai, whether there is some "rhetrickery," (Booth, 2004:128) going on.

The discourse of the KP Chair, as the representative for the UAE in Dubai is branded by *logos* appeals revealing his successes and *pathos* appeals strategies built upon strong commitments to people hard-done-by the diamond industry. Together the strategies illuminate how the KP Chair directs and maintains the KP agenda in 2016. Following, states exemplifying predominately *logos* appeals are explored.

6.4.2 Established States Logos: Laws and Regulations

Countries such as Canada, Switzerland, the EU, US, UK and Norway are considered 'established' because they have remained peaceful and democratic resulting in no damnations from civil society observers during any point since 2003. See APPENDIX 11.13 All of these participants incorporated *logos* appeals free from associated *ethos* or *pathos*. Statements adopt appeals stressing rules and regulations and for efficient and effective action (Green, 2004; Özen, 2014:119). To illustrate this strategy, the direct quotes are provided by the established states in the order of the diamond supply chain, beginning with Canada who is the only state in this group who actively mines diamonds. Following, Switzerland, a trading zone, will then be followed by importing states.

The Canadian KP Focal point and Senior Policy Advisor in the Minerals and Metals Sector was interviewed and later provided email correspondence for this research. In both accounts the messages were the same. They centered on strictly logical arguments. The following excerpt denotes the legislation and regulations required earlier on in the KP history:

In order for Canada to meet its obligations as a Participant in the Kimberley Process Certification Scheme, new legislation and regulations needed to be created. On October 12, 2002, Bill C-14. The Export and Import of Rough Diamonds Act, was passed into law. This Act and its associated regulations came into force on January 1, 2003, under the authority of the Minister of Natural Resources. These provide for the regulation of the export from and the import into Canada, of rough diamonds. The Canada Border Services Agency administers the provisions of the EIRDA according to Memorandum D19-6-4, (KP Focal Point, Canada, email correspondence June 17, 2016).

Logos appeals express expected launch date, bills, acts and extended memorandums had to be put into place. The preparation work was enacted with due diligence because, "Diamonds are somewhat a special commodity for Canada. There are no export taxes and no import duties on rough diamonds and the federal government has no ownership interest in any of the diamond mines in Canada," (ibid). The many intricacies needed by just one state to establish the preliminary groundwork for the KP and certification scheme is often overlooked in the KP literature, even in the international law articles like Cullen (2013) and Holmes (2007). Considering the Canadians are one of the 'high-involvement' countries - they are heavily engaged in the oversight of KP committees, meetings and review visits - the Canadian contact did not elaborate on his *ethos*, or the credibility and longstanding knowledge of the KP.

Similarly, Switzerland's Director of Customs in the Office in the State Secretariat for Economic Affairs graciously gave the researcher many details about the KP and certification. Switzerland²³ represents an important free-trade zone along with Dubai, Hong Kong, Singapore and Germany (Diamondax, 2015). While at the 'Special Forum for Evaluation,' he discussed how the issue related to the KP and certification in his office:

The issue of valuation is beyond the expertise of customs officers: they are not trained gemologist or rough/polished graders. When parcels come through the office there is no way to clarify the exact value of the rough diamonds. However, it is argued that the role of the KP is not to decide evaluations or value amounts onto diamonds, but to make sure that diamonds are not sourced from conflict zones and are not mixed into the legitimate trade, (Director Customs, Switzerland, Interview with Researcher).

Therefore, the extra efforts and considerations towards evaluations (as seen during the Diamond Forum on evaluation, prices and procedures) is outside the remit of

²³ Switzerland is categorized as an established state despite the allegations by the UN in 2000 (prior to the KP) that conflict diamonds were actively traded from war-torn Angola and Sierra Leone (Swissinfo.ch, 2002).

the KP – although, keeping statistics on the number of carat wt. exports on certificates and the total number of certificates issued by each state is important to prove traceability and transparency. From his testimony, "Logos appeals are associated with the rational calculation of means and ends," (Brown, Ainsworth & Grant, 2012).

On the topic of the certification scheme, the Director of Customs wanted to make the following points clear:

I can see shipments in and out of the office which may be from "questionable sources" but it doesn't matter – if they have a KP certificate I have to send them through. It [KP certificate] acts as a seal of approval, when perhaps they [rough diamonds] are not totally legitimate or conflict free. There have been shipments that have gone through the same office on the same day or week multiple times, in each case, the country of origin can change. As customs officers, our job is to decipher and substantiate liars and thieves, (Director Customs, Switzerland, Interview with Researcher).

Custom officer's perspectives are missed in the literature on the KP. In his words, he suggests the certificates in and of themselves could be a part of the problem, and not apart of the solution. Here, the piece of paper acts as an undisputable affirmation to allow import and exports, facilitating the movement of rough diamonds regardless of their legitimacy. Few accounts highlight the unusual path of some rough diamond parcels in a trading office or indicate the degree to which the country of origin can change multiple times in just one day! Unfortunately, the system is set up in a way to restrict the means of changing the officers' roles and responsibilities or to addressing the certification scheme in general. I had the impression from the interviewee that he really didn't want to modify either the functions of customs officers, the KP or the certification scheme because there were historically, clear and set rules and regulations to follow. He was inhibited in sharing the obscurities of diamond trade in his office, but argued largely it was an important system to follow because, "there are no other options," (ibid).

One KP authority in the EU stated they support the KP since: "We must, because we are in the EU," (KP Delegation, Italy interview with researcher). The KP Legal Officer (Foreign Policy Regulatory Instruments) in the Unit Service for Foreign Policy Instruments for the European Commission (EC) had the same sentiments to logical appeals:

Since the beginning, the European Community has played an active role in the KP, seeing it as a conflict prevention instrument, which can promote peace and international security. Thus, the KP is complementary to the EC's development cooperation, which promotes sustainable economic and social development and tackles conflicts, corruption and bad governance. Moreover, the EC boasts, in Antwerp and London, two of the world's largest trading centres. The vast majority of the world's rough diamonds are handled in the EC and it is a major market for the finished product of polished diamonds. KP rules are implemented across the EC by EC Regulation 2368/2002 which sets out controls on the import and export of diamonds and the issuance of the Kimberley Certificates, (EC Chairmanship of the Kimberley Process, 2007).

In the beginning, the Chair features the significant role of the EU in the KP (EU, 2015,2015a) and is a rare and brief appeal to credibility, (*ethos*). Still today, the EU is an extremely important participant in the KP as they include major trading state (Belgium) and importing state (United Kingdom). At the time of writing this thesis the EU was the head of the Working Group of Monitoring, often considered the central group. Nonetheless, the KP continues to work towards the same goals as the EU: "promotes sustainable economic and social development and tackles conflicts, corruption and bad governance." These findings are consistent with previous research on state commitment to multilateral initiatives to potentially conflict causing natural resources in order, "to meet standards of appropriate behavior," (Dimitrov, 2005:18).

Following are the *logos* appeals to rules and regulations. The KPCS has no legislative power. In the EU Commission, including Belgium, the common set of

rules (Regulation No 2368/2002) applies for KP certificates. The import and export of rough diamonds must be verified through one of the seven Union authorities (EU, 2015).²⁴ The conditions for importing rough diamonds throughout all the 28 member states of the EU include: (a) rough diamonds must be sent from a KP participant, (b) accompanied by a valid KP certificate identifying the characteristics in the parcel, and (c) diamond must be contained in a sealed, tamper resistant container (AWDC, 2017).

More recently, the Legal Officer for the Foreign Policy Regulatory Instruments (FPI) within the EU explained the FPI and the general organization setup: "We are a commissioned service placed under the higher representative in our capacity of the Vice President of the commission. We are the nexus for trade policy and conflict prevention," (EU Legal Officer, Interview with Researcher). The FPI's role is crucial to the workings of the KPCS. Firstly, the European Commission is represented by the FPI in the KP. Secondly, the FPI is advised by the EU KP the Commission coordinates Committee. Thirdly, and monitors the implementation of KP rules within the EU. Fourthly, the FPI holds the Chair of the KP Working Group on Monitoring (WGM), overseeing compliance with KPCS requirements. Lastly, the FPI also contributes more generally to policy making on other conflict natural resources (EU, 2015a).

The KP Delegation External Relations Officer for the EU verified the tasks of the team:

We work in a team. There are about 5 of us that work at least parttime on the KP. In the EU team, we have the Chair of the Working Group of Monitoring and others who support representing the EU on different working groups or with civil societies. There are also member who reach out to industry. We are also in regular contact with the EU states on issues relating to the KP implementation and discussions on how the EU should conduct itself in the wider KP.

²⁴ Export and Import authorities for the EU include: Antwerp (Belgium), London (UK), Idar-Oberstein (Germany), Lisbon (Portugal), Prague (Czech Republic), Bucharest (Romania) and Sofia (Bulgaria).

Everyday we have conversations about the KP, (External Relations Officer for the EU KP Delegation, Interview with Researcher).

The rhetoric expands the knowledge on the functions of the EU KP delegation. Admittedly, these are but a few pieces of evidence from one of the 28 EU countries. The researcher was only able to collect data from the UK, Brussels, France, Italy and Portugal of the EU countries, so the statement may not represent the views of all the countries branded under the EU. Additional feedback would be required to establish if these answers are characteristic of the other EU countries.

Similar rhetorical appeals were prevalent in the interview with the KP Contact, US State Department – Head of Bureau of Economic and Business Affairs. The emphasis on rules and policies, logical appeals are evident:

There are two sides to the KP: there is the international body with our US representative to the KP and overarching US policies and then there's the way the US implements the KPCS is through the Clean Diamond Trade Act. Customs and Border Protection (CBP), the importing authority for the Clean Diamond Trade Act, those are the issues that they see more frequently, i.e. fraudulent certificates or scenarios where someone is trying to ship diamonds in but they are really not diamonds, or there were never actually diamonds, (US State Department, Interview with Researcher).

The interdependence on the KP and the Clean Diamond Trade Act has few mentions in the literature (Fluet, 2005; Grant & Taylor, 2004). Conversely, the emphasis on policies and implementation on rough diamonds mechanisms remain in focus for the US. The Act was passed as another effective measure to stop the trade in 'conflict' diamonds by the House of Representatives (vote 408-6) on November 28, 2001 (Taylor & Mokhawa, 2003). This quote indicates why the US Department defines the KP as a, "multilateral diplomacy and conflict prevention," (Saamio, 2008). Yet, safety parameters and problematic shipments of rough diamonds are still prevalent into the US (GAO, 2002).

On January 30, 2017, one of the diamond industry's leading publications Tacy Ltd. published a report entitled: *DIB 885: America's Phantom KP Authority*. The author details a peculiarity of the US participant (unbeknownst to the KP literature):

The United States Kimberley Process Authority Institute – the official name of the entity we know as the United States KP Authority (USKPA), doesn't "really exist." The corporation, incorporated in Delaware in 2003, no longer exists as a legal entity in good standing. Some 12 years ago, the Secretary of State of Delaware voided the corporation, (Even-Zohar, 2017).

The unreported discrepancy means the US is either really dysfunctional or neglectful. In any case, the US KP contact for the State Department didn't mention the USKPA. Later in the interview, the US Focal Point underscored the KP will naturally progress over time, however; maintained there is, "no need for a new certificate scheme and no need for a new body," (ibid). These statements clearly defend keeping the same structure of the international, tripartite regime and refraining from the creation of a new certification process. The US comments try to persuade the researcher into believing the KP should preserve the 'status quo' as the world's only conflict diamond resolution organization.

In a final example of the *logos* appeals made by the United States representative leads to a rational explanation as to why the number one diamond importing state advocates the continued support of the KP and certification scheme:

Our interest to be involved is because we are a participant country – if you're not a member of the KP you can't trade in rough diamonds. The US is the largest consuming market for diamonds and without our voice there we wouldn't be acting on behalf of the US consumer. It really makes sense for us to have a voice there, (US KP Focal Point, Interview with Researcher). Here there is evidence as to the reasons why the US continues to be apart of the KP (Abbott & Snidal, 1998). The first *logos* appeal justifies the involvement is out of necessity for economic trade. The KP is defended as instrumental to the legitimate trade of rough diamonds. The second *logos* appeal makes a rational connection between being responsible for the end consumer, which is the largest in the world and acting as their responsible overseer. The US is unique in that they address the importance of the many end consumers in the state.

The discourse of the 'established' state is characterized by the *logos* appeals strategies typically surrounding the rules and regulations of the KP and KPCS. In addition, the *logos* appeals includes rational examinations of the roles and responsibilities of not only the state organizations but the key and elite individuals who work for them. States representing fundamentally positive *pathos* appeals are explored next.

6.4.3 Outlier States Pathos: Caring for Those in the Diamond Supply Chain

This section of the State actors chapter will illustrate how countries, as either earlier conflict-diamond related states in the late 1990s and recent problematic states, incorporate appeals of *pathos* in their oral and written discourse about the KP and certification scheme. The researcher met with the KP representative from Sierra Leone, Director of Precious Minerals and Trading for the Government Gold and Diamond Office, at the Intersessional in Dubai. His rhetoric acknowledged the role the KP plays in protecting the small-scale miners and also addresses the difficulties of the communities in actively mined riverbeds. The appeals to the audience for compassion, empathy and deeper consideration were the major themes of rhetoric also made by the elite KP individuals representing Zimbabwe, Venezuela, Brazil and CAR. The *pathos* appeals are most directly deployed to persuade the audience the reasons why they are committed to the KP or why they should be allowed back into the "family."

*Zimbabwe*²⁵ - *Positive Pathos Appeals – For Civil Society and Membership in the Group*

As detailed in the context chapter, Zimbabwe has been a point of major contention in the KP. One of the Key Focal Points in the Zimbabwe delegation described the rationale for participating in the KP and engaging with the certification scheme:

Thus to keep the membership following the protracted struggle, to be admitted into the grouping Zimbabwe, (diamonds have under scrutiny for a long time) so participating at such events will also put us into good perspective regarding other issues that might be brought to the fore by other members, especially the civil society. Being home to huge deposits of rough diamonds, it allows us an opportunity to trade freely within the diamond regime. Diamond miners usually benefit immensely from the KP considering the works and proposals made by the working groups while governments will benefit through taxation, (KP Focal Point, Zimbabwe Email Correspondence).

The admission to the significance of being a member of the KP 'family' was unexpected reply made by Zimbabwe. He appealed to the researcher's sympathy by saying Zimbabwe delegation want to 'belong' to the KP family. This response sounds very familiar to Schutz's (1958) second appeal towards *inclusion* and alludes to Gaubatz (1996) maintaining alliances as a reason for multilateralism commitment. The emotional narrative matched the interview data whereby the speaker underlined the urgency to be "liked" by the Coalition in order to motivate the listener into believing the Zimbabwe government is decent and accommodating to civil society. Indeed, only Zimbabwe suggested being a part

²⁵ As an important representative of the KP delegation, it was imperative to speak with the state as they are the central country at the rift between the civil society and the rest of the KP participants and observers for issues relating to current 'conflict diamonds' and human rights abuses. Surprisingly, the Zimbabwe delegate was exceptionally keen to help with the research aims. He was also embarking on a PhD in Zimbabwe and advocated for "teamwork" in the attempts to further understand the KP. The interviewee went out of his way to ensure the issues and motivations of his country in the organization were understood. The contact for the Zimbabwe was interviewed on two different occasions and later emailed the researcher with confirmed responses to the various research questions. of the KP would ensure a positive image or public relations proof for civil society. These findings are broadly in line with Dimitrov (2005:15) findings whereby governments continue to engage in international deliberations, "Perhaps governments engage multilaterally because NGOs exert pressure on them." While he spent the majority of time explaining the two reasons why Zimbabwe currently commits to the KP (to appease civil society and to maintain membership as part of a "family") he also uses another *pathos* appeal. Seen in the last sentence, the rhetor appeals for sympathy and further consideration for the people effected by the Marange mines but also doesn't fail to mention the commodity benefits the government too!

Venezuela – Positive Pathos Appeals, Human Rights and Independent Research

Venezuela, a KP participant since 2003, ceased issuing KP certificates and stopped communications with the KP during 2005. Later, Venezuela announced their 'self-suspension' from the KPCS in November 2008, saying it would halt all diamond production and trade for at least two years while reorganizing its diamond sector.

In 2016, under the guidance of the UAE Chair (Kane, 2016 February 13) Venezuela was still under voluntary suspension and was reintegrated back into the KP at the Plenary in Dubai.²⁶ For the first time, interview data was gathered from the elite delegate overseeing the KP in Venezuela. The key representative is the Chief of Police and Military of the National Guard. To clarify, the interview was conducted in person with a translator as the interviewee only speaks Spanish.²⁷ The interview took place in the great room of the hotel at the end of the last day of the Intersessional. The five other Venezuelan KP officials, who were middle-aged men in black suits, circled the Chief and the researcher throughout the interview. This could have been to ensure his protection. The data supporting the

²⁶ See notes 36 & 37 in the 2016 KP Final Communiqué:

<u>https://www.kimberleyprocess.com/en/system/files/documents/final_communique_uae_duba</u> i_2016_final_2.0.pdf

 $^{2^{\}overline{7}}$ I addressed the translator (male) with all my questions, and it was clear that he had to speak directly to the General, despite there being four other delegates present but later found out that the "Chief" is not the KP Focal!

Chief's *pathos* is in short-note format in the author's hand-written notes taken during the interview. Exact sentences are therefore short; longer chunks of data are not available because it was not appropriate to audio-record.

The interview boosted vivid language, emotional language and numerous sensory details which garnered emotional reactions (Ramage & Bean, 1998:81-82). Two major *pathos* themes can be deciphered in the Chief's rhetoric: (i) positive appeals for sympathy, aspiration, hope and loyalty (Higgins & Walker, 2012) mirrored in human rights related concerns and (ii) positive appeals for attaining independent research so they could 'prove' their respectability in the diamond industry.

In the first instance, the Chief responded to the researcher's question: "how does it feel to be at the KP Intersessional?" His vivid language follows, "we are extremely motivated, desperate to get back into the KP," due to the severe economic crisis currently in the region. He continued with a steely determination, "It's important to get our exports out of diamonds especially now. Understanding of the issues of oil prices." Importantly so, the Ministry for Oil and Mining estimates there are about three billion carats of diamonds in the Orinoco's Mining Arch, Bolivar state, whose extraction and marketing could contribute to the diversification of the economy and generate new sources of foreign exchange other than from the oil activity (Abril, 2016). The language was made more persuasive as the Chief clenched his fist and raised his hands and passionately avowed, "The time has come!" Clearly, the state of Venezuela is motivated to return to the KP for primarily economic reasons, specifically on enabling the free trade of rough exports. Nevertheless, he also spent some time reminiscing about the small-artisanal miners, their families and communities. He clarified, "we, as a nation, have done whatever it took to get back into good standings with the KP." The *pathos* reasons became apparent, "we have many, many people who depend on the rough diamond trade, paneiros." He looked down briefly appearing sad and then declared with a grin, "in addition to the KP Chair, we welcome the KP family to come visit us."

These comments lead to the second theme of *pathos*. Here the interviewee asked the questions. First, he inquired about St Andrews and the University. Then he

queried about the golf and joked about his wish to play in the "home of golf one day." Afterwards, he probed about my research about the KP and certification scheme. This followed with a request: "will you come and do some research reports for me, on the KP in Venezuela?" Later comments recalled the government's dissatisfaction with the civil society's so called "independent research" and for the need to have someone from an objective background, unaffiliated with the KP to produce reports to confirm the proactive and ongoing efforts to abide by the internal controls and other KPCS requirements.

Overall, the interviewer was more than impressed with the Chief, even though there was no mention of how the, "army took control of borders, highways and airports, soldiers have been stationed at all gas stations...and army commanders have taken responsibility for policing small-scale mining activities throughout the state," (PAC, 2006).

Brazil – Positive Appeals for Small-Scale Miners, Consideration of KP Complexity

In May 2005, PAC made the first damnations of Brazil's diamond sector. They highlighted the massacre of 29 diamond miners in a remote areal of rainforest. PAC later 2006 report revealed massive fraud in its diamond industry, resulting in half the year without exports and the restructuring of the internal control systems required by the KP core document. In short, the KPCS imposed control and, in response, there have emerged various crimes such as; smuggling; illegal production; invasion of indigenous lands and environmental reserves; disrespect to environmental legislation; robberies; deaths and other crimes (Gomes dos Santos, 2015).

In a rare account the Senior Advisor, Secretariat of Geology, Mining and Mineral Transformation, Ministry of Mines and Energy commented on the KP and KPCS:

The main goal that guided the Brazilian government to become KP participant was to agree to the proposed objectives when its implementation in Interlaken, Switzerland, as well as taking in

account that the KP could be an excellent tool to minimize the informality problems in the Brazilian rough diamond small – scale miners (garimpeiros), and not to be characterized as conniving to blood wars involving the countries whose trade of rough diamonds are of fundamental importance for their economies as well. Although Brazil is a small producer of secondary rough diamonds, it is expected that in the future will be a major primary diamond producer extracted from kimberlitic rocks, (KP Contact, Brazil, Email Correspondence).

Even the largest mining exporter out of South America recognizes the small-scale miners as the main reason why they adhere to the KP. Vivid language is show in the words 'conniving to blood wars.' Notice how the author incorporates positive connotations to rough diamonds as contributory to the entire nation. To a lesser extent, the rhetor strives to instill aspirational or hope for continued success in the diamond trade. The *pathos*-laden strategy is enforced with further appeals to the beneficiation of *garimpeiros*:

Brazil has made a great effort in order to minimize the problems described above by promoting and supporting the creation of smallscale mining cooperatives so that they can mining within the formality of principles proposed by KP, as well as by Brazilian law enacted by its Code of Mines, (KP Contact, Brazil, Email Correspondence).

The quote blends the use of *logos* to following rules as noted with the Code of Mines and to the hardships of the small-scale miners. In a final example, the Brazilian contact indicated in his email that it has been extremely difficult to make all the efforts to minimize the problem areas because there are so many independent institutions and organizations involved with the KP and oversight of the certification scheme:

We would like to stress that the Brazilian KP acts with the cooperation of other Ministries, as you can see in the Institutional Framework below:

INSTITUTIONS	ORGANIZATIONS	ATTRIBUTIONS	
MINISTRY OF MINES AND ENERGY (MME)	Secretariat of Geology, Mining and Mineral Processing (SGM)	 General coordination Focal Point 	
	National Department of Mineral Production (DNPM)	 Issue and control of Certificates Information of statistical data (production, import and export) 	
MINISTRY OF DEVELOPMENT INDUSTRY AND FOREIGN TRADE (MDIC)	Department of External Trade (DECEX)	 Information Consumptions statistical data 	
MINISTRY OF FINANCE (MF)	Secretariat of Federal Revenue (SRF)*	Issue of Certificates* Customs control	
MINISTRY OF EXTERNAL RELATIONS (MRE)	Division of Market Access (DACESS)	 Facilitator Reception and distribution of documentation Interchange among the Embassies and Ministries 	

(*) SRF can issue a new certificate when a legal content of a remittance is opened due to some suspicion not proven.

Source: Senior Advisor, Secretariat of Geology, Mining and Mineral Transformation Ministry of Mines and Energy, email correspondence.

The rhetoric places emphasis on how complex the KP operations are in Brazil. The sender of the email seeks reflection, understanding and sympathy as to why the Senior Advisor has difficulty in coordinating and upholding all the institutions and organizations required for the successful KP and certification. It follows that there has been, "total disorganization of activity is evident with the collapse of the activity upon failing to meet the KPCS regulations," (Gommes dos Santos, 2015) in Brazil. In a similar vein, CAR also makes *pathos* appeals rooted in human rights concerns.

Central African Republic (CAR) – Positive Pathos For Small-Scale Miners

CAR was the KP's first real test in stemming 'conflict' diamonds (PAC, 2003, March). CAR continues to be a nation under intense scrutiny by KP members (Rapaport, 2016, December 5). According to the KP website the CAR was temporarily suspended from the trade under the KP on May 23, 2013. PAC (no date) ranks CAR a 'high risk' rating because CAR remains a key actor linked to 'conflict' diamonds that cross through its porous borders. At the time of writing, the state faces ongoing civil conflict and unrest. Even still, the KP Focal Point

made clear, "We have done whatever it takes to get back into the KP," (similar to Venezuela statement) and support the KP because, "All miners are artisanal, there are no mines [deep, open pit] in CAR. It's about ensuring their livelihoods," (ibid). He expressed a deep desire for the state to be readmitted into the "KP family" because the diamond industry is essential for thousands of people in the artisanal mining sectors.

Israel - Positive Pathos Appeals – Human Rights & Children

While the previous countries represent mining and exporting states, a major trading state also provides positive *pathos* to human rights in the diamond industry. The KP Focal Point Israel provided a brief statement by email:

As far as I'm concerned, we should discuss more of "Human rights", "Children's' rights", means for developing the Education in these areas & promoting the wealth of the overall population who serve this field of Diamonds. Although in recent years the subject of Blood Diamonds is almost entirely removed, we still believe we should care more for the common wealth of Local workers, native Children & adults, in these areas, (KP Focal Point Israel, Email Correspondence, 2016).

For the first time, a state actor asserts the need for discussions on human rights *and* children's rights. In a compelling plea, the author attempts to evoke emotions to hope and aspiration by associating the developmental possibilities of rough diamonds. The use of "blood" diamonds in the KP discourse has diminished. Positive, emotive language (*pathos*) is extended with 'we still believe we should care more.' The message is enforced with "we" specifically to presuppose all the members of the KP team in Israel are in agreement to these sentiments.

6.5 Discussion - What Does the Rhetoric Show?

In response to the second research question, the rhetoric elucidates the orientation of the state actors and the KP as a whole. This discussion first reviews what the rhetoric shows in regards to the Chair and then to the other state actors noted in the data, (compare/contrast). Following, new comments on effectiveness and critiques are specified.

Three themes relating to the Chair are offered. Firstly, the rhetoric shapes the perception of the Chair's identity and resultantly the KP as a whole. Secondly, the roles and responsibilities of the Chair including setting and maintaining the KP agenda for the year are noted. The complicated functions the KP Chair in Dubai, or any other Chair, are not noted in the literature on the topic. Thirdly, the rhetoric points to the Chair as a charismatic and transformative leader capable of making change. As a result, he was able to create alliances and garner support from state actors, industry, other NGOs and the UN. This section correlates with the current literature on leaders of international regimes focus on roles, responsibilities and characteristics (Cox, 1969). Consequentially, the rhetoric portrays how the Chair was successful throughout the year and seems to advocate he is running the KP in the best interests of the entire KP family (Green, Babb & Alpaslan, 2008).

6.5.1 Chairmanship (Of 2016 KP Chair)

Identity

The rhetoric shapes, or constitutes, individual identity of the KP Chair, (Fine, 1996; Hartelius & Browning, 2008). The KP Chair incorporates *logos* and *pathos* appeals without direct *ethos* to credibility or expertise. Strikingly, the *logos* and *pathos* establishes and builds the *ethos* of the KP Chair even without him straightforwardly integrating *ethos* into his communications. This approach is in stark contrast with the Coalition rhetoric (as examined in the previous chapter) who focus on clear statements verifying their expertise and credibility and are unsuccessful in attaining support from KP stakeholders. His entreaties to *pathos* linked to human rights norms, "appeal to ideas that are commonly viewed as good or right in society," (Hoffman & Ford, 2010:31). Since the Chair merges *pathos* appeals – embedded in human rights and wellbeing – holds he has high moral character (Holt, 2006). His rhetoric serves to not only enhance the image of the KP organization but also his own identity while at the same time minimizing the

potential impact of criticism (Bostdorff & Vibbert, 1994). As the international leader of the KP during 2016, the KP Chair had to speak to a truly global audience where communication is not always shared because of different cultures and yet he was still able to provide the diverse group a unifying perspective and identity (Den Hartog & Verburg, 1997). Despite the rhetorical situation (Bitzer, 1999) the rhetoric made by the Chair is consistent from prior to 2015 appointment until after his Chairmanship. The regularity of logical and emotional appeals do not contradict his self-identity with the identity of the KP organization (Whittle, et al., 2008). As a result of studying the appeals the KP Chair makes, new dimensions of organizational leadership of the KP can be discovered (Hartelius & Browning, 2008).

Roles and Responsibilities

Rhetoric captures the habits and mysteries of some of the KP Chair functions during the year Chairmanship (Holt, 2006:1662). The rhetoric indicates the vast array of Chairmanship roles²⁸ in addition to the few, commonly understood responsibilities as planners of the Intersessional and Plenary meetings recognized in the KP literature. His functions and competencies are related to various communication goals listed by Fairhurst and Sarr (1996):

- (a) Task goals (the African initiative);
- (b) Relationship goals (bringing the NGOs back into the discussions, including OECD);
- (c) Identity goals (the KP is sustainable and decent, based in the ongoing efforts for human rights);
- (d) Global goals (securing legitimate rough diamond trade world-wide);
- (e) Short term goals (creating the 'Common Fund' and permanent secretariat, bringing and 'end' to the Coalition boycott with the attendance of CENADEP to the 2016 Plenary);

²⁸ Kaufmann (1996:7, 27-29) points out Chairs in international diplomacy have both procedural and substantial roles. Substantial roles include holding conferences, like the Intersessional and Plenary.

(f) Emergent goals (sorting of Evaluation and Observer's Forums).

These same examples show how the Chair was able to facilitate practical action (Astley & Zammuto, 1992). Linking back to international regimes, the Chair demonstrates how, "norms, rules, and procedures agreed to in order to regulate an issue-area," (Haas, 1980) are conducted *and* communicated. The successes during 2016, especially the new forums and initiatives approved by the UN, set the Chair apart as a, "policy entrepreneur," (Blavoukos & Bourantonis, 2010). This is important, because it suggests the Chair, as the key representative of the regime was able to enforce, "independent influence on state behavior," (Haggard & Simmons, 1987) as seen in the readmission of Venezuela and CAR safe zones in 2016.

Considering the direct quotes made by the Chair, it appears he employs rhetoric as a strategic tool to facilitate change (Whittle et al., 2008). It cannot be substantiated if these were done intentionally or not. Nevertheless, the Chair leads the KP through a perplexing time during the Coalition boycott and readmitting states back into the certificate scheme. In addition to the other evolutions such as the Special forums and other initiatives, the appeals encourage and announce change (Grint & Case, 1998).

Creating Alliances/Support

The rhetorical appeals explicate how the KP Chair manages achievements of the KP family (Sillince & Suddaby, 2008) as, "rhetoric is the core form of communication that coordinates social action." His rhetoric displays his ability to get, "people to perform various acts of organizing by showing concern, urgency and other emotional priorities," (Whittle et al., 2008).

The reproduction of organizational order (Hartelius & Browning, 2008) is illustrated in the inclusion of new groups including the OECD and the other African-based NGOs. The Chair attempts to evolve the social construction of the KP by involving these new actors with his appeals (Heracleus & Barrett, 2001). These actions drive at the Chair's aims to preserve organizational coherence, through the rhetoric (Astley & Zammuto, 1992).

Even though the Chair did not receive support from the Coalition (as noted in previous chapter) the many examples of support from within and outside the KP family inadvertently creates credibility (*ethos*) for the KP Chair. As a result of his efforts, including his communication about them, the Chair appears to have promising relationships with top officials, other member states and the wider international system (Cox, 1969). A KP representative from the EU provides well defined, overall support for the Chair:

"The European Union and its Member States which acts as a single Participant in the Kimberley Process Certification Scheme (KPCS) would like in the a first place to congratulate the United Arab Emirates for its Chairmanship of the Kimberley Process, and to welcome the results achieved towards strengthening the Kimberley Process and to confront the challenges of the future," (PRWeb, 2017, February 5).

Another example of state support made explicit in the statement made by Ahmed Sultan Bin Sulayem in his last month as the KP Chair while in Turkey visiting the Istanbul Chamber of Jewelry:

I would like to thank Turkey for all its support during the UAE KP chairmanship and for constantly championing the underlying principles of the KP. Looking ahead, we strongly believe that the country's experience can add significant value in the future development of KP initiatives such as the common NGO Fund and the Permanent UN Secretariat, which will drive greater fair value across the diamond supply chain, (Bin Sulayem, December 13, 2016).

Further support for the KP Chair's initiatives where granted by Japan (GemKonnect, 2016) and South Korea (KP, 2016). An example of industry support was found in a news statement by the WDC (communications department) praised the KP Chair for his efforts:

WDC welcomes the initiative of the KP Chair to implement the special forums mechanism on the margins of the KP meetings. These new events allow KP members and Observers to come together to discuss issues that are not directly related to the KPCS, but are still of significant importance to the entire diamond pipeline, (WDC, 2016).

The world's leading diamond industry members support the KP Chair. It is assumed their backing for the Chair is also extended to the DMCC and the UAE. Conclusively, the United Nations General Assembly (UNGA) adopted all of the Chair's recommendations at the beginning of February 2017 (PRweb, 2017, February 5). Together, the rhetoric exemplifies the leader, DMCC and Dubai as members of the KP and diamond community.

Charismatic and Transformative Leadership

The rhetoric socially constructs how the charismatic Chair was extremely effective in his position (Awamleh & Gardner, 1999) and communication (Barge, 1994). Charisma is a factor behind great leadership, (Conger, 1989) and is important because it greatly affects the organizational effectiveness (Bass, 1988) and commitment (Oberg, 1972). Signposting a charismatic leader, the Chair, "radiates a buoyant confidence in the rightness and goodness of the aims, and in his own special calling and capacity to provide the requisite leadership," (Tucker, 1968:749). Moreover, his rhetoric exemplifies characteristic of a charismatic leader as shown in Table 14.

Component	Charismatic Leader	KP Chair 2016
Relation to Status Quo	Strives to change the status quo on	Forum on evaluations, 'Common Fund,' and the permanent Secretariat.
Likability	A likable and honorable hero worthy of identification	Support seen from other states, industry groups, outside civil societies and the UN.
Behavior	Unconventional/count er normative	"African Initiative"
Articulation	Clear indication of goals and solutions	As above
Power base	Personal power	Based on respect

Table 14 - Components of a Charismatic LeaderSource: Adopted from Conger and Kanungo (1987).

In the case of the Chair, the author argues his logical *logos* appeals signify rational authority, his *pathos* appeals rooted in emotional narratives and empathy generating narratives signals traditional authority which together establish a charismatic authority of *ethos* (Tompkins, 1987:79-80). The author proposes a contribution to the body of literature on the rhetoric of charismatic leaders, (Shamir, 1995,1994; Shamir, Arthur & House, 1994; Shamir, House & Arthur, 1993) and argues the *ethos*, *logos* and *pathos* are aspects in addition to just content, composition, style and delivery of a charismatic leader.

Message		Person		Appeals
Content	Composition/Structure	Communication Style	Delivery	Ethos, Logos, Pathos
What the speech is about	How the message is framed through the use of metaphors or other rhetorical devices, alliteration, rhythm, lists.	The way in which one communicates, i.e. Friendly, dominate.	The actual delivery of the speech including non- verbal aspects such as facial expressions, eye contact, gestures, tone of voice.	How the speaker appeals to the audience through expertise, logic or emotions.
Conger, (1989) Shamir et al., (1994)	Atkinson, (1984) Conger, (1989) Willner, (1984) Fairhust and Sarr, (1996).	Norton, (1983) Luthans and Larsen, (1986) Holladay and Coombs, (1993, 1994).	Friedman et al., (1980).	This work.

Table 15 – Types of Research on Leaders and LanguageAdapted from Den Hartog and Verburg (1997).

"Although powerful rhetoric is often associated with charismatic leadership, little explanation is available of why leader rhetoric is related to charisma," (Den Hartog & Vergurg, 1997:355). Charismatic rhetoric of leaders is portrayed through their use of *ethos*, *logos* and *pathos*.

In addition to the contributing to the KP, chairmanship and rhetoric literature with the analysis of the KP Chair, the next section will add to the KP literature by illustrating the differences between state actors including their rhetorical strategies.

6.5.2 Different Factions, KP States

Academics, despite diverse disciplines, all refer to the KP state participants as one, undifferentiated group within the KP family. The literature shares this 'silo' viewpoint of the participants without rigorous efforts to explore the states further. State actors have distinctive rhetorical pleas shown in the rhetoric about the KP and certification scheme which can be categorized as 'agenda setting and managing,' 'keeping the status quo,' and 'conformers.'

Western Vs. Non Western States

The rhetoric also seems to suggest there are differing emphasis on rhetorical appeals from Western and non-Western states. On the one hand, the Western states conform to predominately *logos* statements without claims to *ethos* or *logos*. This goes against the declaration whereby attitudes of the Western states are often characterized by prevarication and opportunism for change in international organizations (Otto, 1996). It appears then, Western nations back the KP because it provides transparency in security policies (Florini, 1996). Unfortunately, *logos* appeals are invariably dull (Porter, 2014). Nonetheless, the *logos*-based communications alludes to established states wanting to continuity and stable order (Haggard & Simmons, 1987). The *logos* appeals are consistent with what John Ruggie (1975) calls "embedded liberalism," whereby state actors want to maintain rules, because they set norms, which result in stability. He argues steadiness in regulatory systems makes it more likely for increased social stability and economic prosperity.

On the other hand, the non-Westernized states offer many direct quotes laden with *pathos* appeals for hope and recognition for people disadvantaged by the small-scale diamond-mining sector. Elites in government and business have, "recently adopted stakeholder-friendly rhetoric in their publication pronouncements on globalization related issues," (Stiglitz, 2002). The data is consistent with the elite *ethos* theory by Higley and Lengyel (2000:7) whereby rhetoric of state elites are made to show "unity-in-diversity" as seen in the discussion of diamond community members. On the one hand, the responses are consistent with the main area the state is involved in the diamond supply chain. Unlike the predominate KP discourse which focuses on protecting the exploited, the leading developed countries (United States, Canada and European block) did not mention or elude to the exploited small scale miners or people in the manufacturing the KP aims to address. The difference in appeals suggests the Westernized countries who emphasize rules, regulations, conformity and international laws in their

discourse reinforces maintaining the status quo. Established states strongly associate the KPCS as an instrument or as a tool. While some countries like the EU and the US see it as a preventative tool towards the conflict others link it as means towards 'developmental' or 'opportunity' diamonds.

How They Are Similar

All the state actors, despite their rhetorical strategies, aim in part to add legitimacy and continuance, of the KP to stem 'conflict' diamonds (Franck, 1988). The state actors lack conversations about the KP and less about the certification scheme. Both groups of states seem to support theories on elite ethos (which is not dissimilar than how ethos is conceptualized in leadership): "rights, responsibilities, ethics, fairness, justice, transparency, accountability, precedent, compassion, efficiency, community, environmental protection, safety, a code of conduct and reasonable expectations," (The Centre for Leadership, 2016). Every state actor is required by the KP core document to submit an annual report, which parallels solely logical appeals. Together all the KP state actors aim to look 'credible,' (Landman, 2005). Subsequently, the pathos appeals connect the actions of the KP state representatives to the growing cultural norms (Brown, Ainsworth & Grant, 2012) and international norms (Goertz & Diehl, 1992) particularly to the cultural norms of responsibility in supply chains (Amaeshi, Osuji & Nnodim, 2008; Seuring & Müller, 2008) and specifically in the diamond supply chain (Cross, 2011). Notwithstanding, the states also try to maximize their economic wealth and relative power (Florini, 1996).

All the speakers incorporate the human needs of the diamond miners and their communities. The *pathos* was not about the physiological, safety or security needs of the speaker or the audience. The findings of *pathos* linked to the human rights or humanitarian issues are consistent with previous theoretical research studies that reveal commitment is linked to humanitarian intervention (Finnemore, 1996) or human rights practices (Risse, Ropp & Sikkink, 1999) as stated by Dimitrov (2005). Significantly, the interviewees who included the small scale or artisanal miners in their responses were the only rhētors in the KP who incurred *pathos* appeals. Markedly, the key states directly linked with ongoing damnation

are some of the countries that address and recognize the very people the KP was set up to protect. Despite their keenness to discuss the KP and how important the small scale miners and their communities are to the state's economic sector, there was a sense of disappointment: the KP was not addressing the issues of artisanal or small-scale mining enough.

The persuasive communication emphasizes positive and negative aspects (Sillince & Suddaby, 2008), is discussed in the next section.

Highly Effective and Lesser Effective Elements

There are few rigorous evaluations of international organizations (Moravcsik, 1999). The rhetorical analysis allows for new commendations for the KP scholarship. Firstly, the KP benefited from an effective Chair (Blavoukos, Bourantonis & Tsakonas, 2006). All the initiatives the KP Chair offered were passed. (Difficult to do in a consensus environment!) Additionally, he was able to make alliances (Haas, 1964:119) engendering a spirit of diversity and inclusion as seen with OECD and new civil society groups. He also set himself apart as a charismatic leader. Interestingly, the rhetoric constructs the identity of the KP Chair and the KP as an organization as a whole (Symon & Clegg, 2005; Symon, 2008). The KP and certification scheme can also be regarded as innovative, adaptable and solutions-orientated.

The KP Chair was able to maintain the established order of the KP and certification scheme, created upon the recognized beliefs, values and interests of all the members of the KP community (Friedrich, 1961; Shils, 1965). Notwithstanding, the KP is significant as an international regime (Haas, 1989; Young, 1986) because it acts as a platform for the many states with differing vested interests throughout the diamond supply chain to address what is important to them. Underlines the fact many state actors have a commitment (and passion) to address the people in the diamond industry of whom they should be helping. In regards to the rough diamonds, the actor discourse is positive, forward facing and opportunity seeking. Notable by its absence is the rhetoric directly stating "conflict" or "blood" diamonds; in parallel with the market estimation of less than

1% in trade, (source). Prompting the comparison of the states working towards a better future, while the civil society continue to be handcuffed to the past. The chapter also suggest there is consistent and ongoing cooperation in the international regime (Moravcsik, 1999; Tallberg, 2010). Overall it illuminates the KP regime effectiveness (Underdal, 2002) and strength²⁹ (Haggard & Simmons, 1987).

The structure of the Chair system is questioned, as it is, "believed to enhance the leverage of the powerful over the weak," (Keohane, 1990:731). It is questioned whether the KP Chair uses rhetoric to quietly assert control over the other observers including the Coalition and newly engaged African-based NGOs in the same way that supervisors use rhetoric to control employees (Barley & Kunda, 1992; David & Strang, 2006; Oakes, Townley & Cooper, 1998). The specific rhetoric appeals about the NGO common fund by the Chair could insinuate the rhetoric is used implicitly to dominate (Green et al., 2008) the Coalition. However, the make up of the consensus system in place minimizes the opportunities of the overextend use of leverage or domination over the weaker family members. The Chairmanship configuration is also problematic because, "the rotation system tend to give the chair stronger agenda-setting powers than the election system because it generates a logrolling dynamics whereby state representatives take turns in exploiting the office for national purposes," (Tallberg, 2010). This is mentioned only because the researcher believes the Chair was able to use the KP to travel to important commodity-exporting countries seen in the "African Initiative" under the guises of the KP in order to secure not only rough diamond trades but other commodities as well. A skeptic could attest rhetoric's function is a powerful tool and a means of manipulation (Hartelius & Browning, 2008). Another challenge realizes the different national regulating bodies overseeing the KP and KPCS can be too complicated and complex, (i.e. Brazil) making it difficult to maintain efficiently. Additionally, no olive branches are being extended to the boycotting Coalition, which questions

²⁹ In international regime theory 'strength' is "measured by the degree of compliance with regime injunctions, particularly in instances where short-term or "myopic" self-interests collide with regime rules," (Haggard & Simmons, 1987).

their relevance. In a final note, the rhetoric ultimately doesn't guarantee that all rough diamonds are 'conflict free.'

6.6 Conclusion

This chapter extends the knowledge of the state actors within the KP literature and expands the readings of Classical and contemporary rhetorical tradition (Bizzell & Herzberg, 1990) specifically in the rhetoric of the human sciences (Nelson, Megill & McCloskey, 1987; Simmons, 1989). The method of rhetorical analysis of the KP state actors, comprising of the Aristotle's three persuasive appeals (*ethos, logos* and *pathos*) provides yet another example of how the boundaries of rhetoric to any persuasive situation can be expanded (Bonet, 2014; Gaonkar, 1993).

The chapter provides evidence of the rhetorical appeals of a KP Chair. As noted, the rhetoric also distinguishes the KP Chair from the rest of the state actors who sets and controls the KP agenda and consequently are the gatekeepers to what discussions are allowed or dismissed in addition to who is allowed to be apart of the KP 'family.' In part, these findings ad to exploratory studies on charismatic leaders (Shamir, 1995,1994). The Chair's rhetoric secures backing from not only other state actors, industry, other NGOs but the UN too. The persuasive appeals constructs ways the Chair directs the international regime, its participants and its observers in a similar way that the rhetoric shows the ways managers direct their corporations and employees (Barley & Kunda, 1992:363).

The use of *ethos* was not widely seen in the rhetoric made by state actors within the KP. *Logos* appeals are made by the 'established' states to persuade and reassure the other KP members they are following with rules. 'Controversial' states are different in they try to persuade the KP, mostly other states, that they should be a part of the KP family through emotional appeals often referencing on the small artisanal miners and their communities.

State actors in the KP are not homogeneous as often assumed by academics on the subject. The rhetoric seems to differentiate the states into those who maintain the status quo and those who focus on re-admittance into the KP family. Ultimately,

Western State embarking on *logos* appeals while the non-Western states rely heavily on *pathos* appeals imbedded in human rights related issues.

7 Kimberley Process Industry Observers Rhetoric

The social responsibility of business encompasses the economic, legal, ethical, and discretionary expectations that society has of organizations at a given point of time, (Archie Carroll, 1979:500).

7.1 Introduction & Outline

Consumer confidence in diamonds as luxury goods was strewn into question after the revelations of 'resource wars' or civil wars in Africa were being fuelled by rough diamonds (Le Billon, 2004,2008; Olsson, 2003,2006,2007). Whilst it is well acknowledged civil societies highlighted the problems of 'conflict' diamonds it is also recognized the diamond industry, particularly De Beers, had an equally important role in establishing the Kimberley Process (KP) and certification scheme (Bone, 2004,2012; Haufler, 2004,2008,2009,2010; Kantz, 2006,2007). Initially the diamond industry tried to ignore the campaign against 'conflict diamonds,' (Haulfer, 2009a:92), however; fearing a consumer backlash akin to the boycott on the fur trade (BBC, 2000), De Beers and other diamond industry organizations met with states and civil society groups in negotiations known as the KP.¹ The multinational diamond organizations responded to the external forces about the social issue of 'conflict' diamonds (Greening & Gray, 1994; Gupta et al., 2010) and were, "compelled by specific stakeholder groups (the media, customers, investors, local and federal authorities, activists) to incorporate non-economic criteria into their purchasing practices," (Maignan, Hillebrand & McAlister, 2002:641).

Current, significant in scope, unique and understudied, the KP continues to be worthy of deeper exploration. Economic globalization and the quest to ensure human rights in the diamond industry is a topical issue (Cottier, Pauwelyn & Burgi, 2005). The world's diamond trade is estimated to be worth \$13 billion a year and directly or indirectly employs 10 million people,

¹ Demand for diamond jewelery was not affected by the negative publicity surrounding 'blood' diamonds campaign (Campbell, 2004:209).

(www.diamondfacts.org).² Today, this "international club," (Haufler, 2009a) is worthy of further study as an, "example of global governance that perhaps provides the best hope for maintaining a watchful eye on the global diamond industry," (Grant & Taylor, 2004:399). The KP is also important as the diamond industry extends corporate social responsibility (CSR) through a global business ethics (Donaldson & Dunfee, 1999). Furthermore, the KP proves to be an encouraging case study for research (Mitchell & Thomas, 1998; Yin, 2009) with three under researched groups: experts, the World Diamond Council (WDC) and De Beers.

As a guide, the chapter is structured as follows. First, a summarized list of key contributions is made. Second, a relevant literature review relating to the KP and the diamond industry are outlined. Following, the data analysis is separated into three parts: Firstly, the experts demonstrate their know-how either by economical discussions (logos) or angered disregard for the scheme and process (pathos). In both cases they unearth information about the KP not discoursed before, causing the audience to see the rhetor as competent and knowledgeable. Secondly, the WDC consistently use literal, rational, rules and regulations, defining and supporting established SoW and processes, instrumental and economic narratives. These strategies evoke a rational response. Thirdly, De Beers Executives uphold positive pathos - vivid descriptions, emotionally loaded language, emotional examples and anecdotes/testimonials, narratives about emotional experiences with emotional tones. The effects include feelings of sympathy, empathy, hope and aspiration. Afterwards, the discussion section identifies what the rhetoric shows about the industry organizations directly involved with the KP in order to address the central research questions. The chapter concludes with more evaluations of the KP to contribute to the literature.

² In anticipation of the negative publicity of the Blood Diamond movie with Leonardo Dicaprio, the World Diamond Council launched the website <u>www.diamondfacts.org</u>. The website favors advantageous perspectives of the diamond industry.

7.2 Key Contributions

The key rhetorical appeals from the findings provide new contributions to the KP literature:

- a) The rhetoric of the industry directly involved with the KP is widely positive.
- b) Industry experts who have established and edit major diamond industry trade publications are more negative in their appeals to the economic costs and effectiveness of the KP and certificate scheme.
- c) One expert points to the importance of the economic costs of the KP as an international regime (*logos*) and the other touts a total disregard for the KP and WDC in negative *pathos* appeals.
- d) The rhetoric made by experts is believed to garner attention from the industry members in order to direct interest to publications the experts have for sale online and in print.
- e) Some WDC (*logos*) emphasizes rules, regulations and procedures and instrumental arguments for economic beneficiations.
- f) Some WDC members manifest *pathos* appeals specifically to the importance of inclusion and dialogue with all KP stakeholders.
- g) The rhetoric by WDC executives together build an identity of the organization as a whole indicating the industry follows the rules in order to instill confidence in the diamond trade throughout the supply chain. More crucially, it is believed the discourse reinstates the status quo of the KP and restores the focus on the 'conflict' diamond issue instead of the 'illicit' diamond afflictions.
- h) De Beers indicates industry as a moral actor or 'citizen' with responsibilities to the stakeholders downstream. Here, the central theme rests in ethics and corporate social responsibility. Every account supplied by De Beers is categorized as positive *pathos*.
- i) De Beers rhētors all offer positive *pathos* strategies, but about different subject matters ranging from, "saving the diamond dream," caring for the well-being of people in the supply-chain, inclusion of the KP family and opportunities for women in the KP and trade.
- j) The rhetoric discourse of De Beers leaders creates new understandings of the multinational company by distinguishing it as a dominant practices (Green & Yi, 2011), based on business ethics and CSR in downstream activities. The efforts differentiate De Beers' diamonds as ethically friendly and developmental and are supposed to recreate positive diamond branding and lead to increased sales.

- k) For the WDC representatives, it is difficult to distinguish if the rhetor communicates purely on behalf of the WDC, or for the major diamond industry organizations they head.
- 1) Coinciding with the point above, the rhetorical construction happens individually and collectively (Hartelius & Browning, 2008).
- m) In the cases of *logos* and positive *pathos*, the strategies work inadvertently to build the rhētors' credibility and trustworthiness (*ethos*). This is not necessarily the case for the negative *pathos*.
- n) The rhetoric implies some of the diamond firms communicate and adhere to stakeholder versus shareholder ideologies in management theory.
- o) *Logos* and *pathos* strategies shed light on the identity and roles the multinational diamond corporations have with society.
- p) The use of Classical rhetorical appeals stipulates more assessments to the KP literature.

7.3 Relevant Literature Review

This data chapter comprises three main sections including experts, the WDC and De Beers who are directly involved with the KP and attend the KP Intersessional and Plenary meetings. The chapter overlaps heavily with the existing literature on the KP and certification scheme, (see literature review chapter). Coinciding with the belief that collaborative engagements such as the KP are, "poorly understood phenomenon," (Googins & Rochlin, 2000) this chapter offers new insights on organizational communication, encompassing Aristotle's rhetorical appeals, to "multi-stakeholder networks," (Roloff, 2008,2008a) or "cross-sector partnerships," (Selsky & Parker, 2005) involving international businesses.³

Firstly, the KP literature withholds few empirical studies focusing on diamond industry experts, however; one recent study by Bruffaerts (2015) did interview civil society experts Ian Smillie, Allan Martin and Dr. Bieri.⁴ Secondly, the WDC within the KP is explored further. The rhetoric of the elite leaders adds to the literature on the industry body which otherwise only gets brief, descriptive notations (Fishman, 2005; Grant, 2012:159; Grant & Taylor, 2004; Hyland, 1998; Winetroub, 2013). For example, Hilson and Clifford (2010) briefly explain the

³ Previous academic endeavors on cross-sector partnerships have focused on either stages, formations, implementation activities or outcomes (Selsky & Parker, 2005).

⁴ As noted in the Coalition chapter, Dr. Franziska Bieri is widely considered the expert of the civil societies of the KP and their early role in the creation of the certification scheme.

actions of the WDC members as part of a review visit and pre-shipment inspection of rough diamonds out of Ghana. Thirdly, the rhetoric of De Beers is shown and ads to the literature on business ethics (Crane & Matten, 2010) and corporate social responsibility (CSR) (Frederick, 1978; Garriga & Melé, 2004; Utting, 2005) and rhetoric theory (Devin & Bartlett, 2011:20; Duska, 2014).

The researcher then corresponds with previous studies that use rhetorical theory in organization studies (Green, 2004; Heracleous & Barrett, 2001) and joins the conversation of 'CSR rhetoric' in amongst Driver (2006), Kallio (2007), Ihlen (2014) and Sethi (2014). For instance, Devin and Bartlett (2011) who bring together institutional pressures, legitimacy and rhetoric theories in order to understand organizations. While others such as Ihlen (2009) and Wæraas and Ihlen (2009) focus on one Aristotelian appeal (*ethos*) in environmental practices. Furthermore, this chapter follows studies connecting rhetorical strategies with elites in business (Marais, 2012).

7.4 The Rhetorical Appeals of the Diamond Industry

7.4.1 Two Leading Diamond Industry Experts: Logos and Appeals to Negative Pathos

The rhetoric of diamond industry experts includes one appeal to *logos* and one to negative *pathos*. Firstly, Chaim Even-Zohar has worked in the diamond industry since the early 1970s.⁵ During the Intersessional Meeting in Dubai, Mr. Even-Zohar made a presentation as the "industry expert." A central theme to his speech related to the costs of the KP, they are shown in US dollars (millions) in the next Table:

⁵ Beforehand, he was a diamond purchaser of rough diamonds in Sierra Leone, Liberia, CAR, UK and the US. He later served as the deputy director general of the Pituach Diamond Corp (owned by the Israeli government) before managing the diamond branch of the First International Bank of Israel. Today he is the founder and editor of the many diamond-industry publications including: Diamond Intelligence Briefs (est. 1984) and the IDEX Magazine (est. 1985).

Cost in					
Millions			Туре		
(USD\$)			rype		
Entity	Description	Transaction	Admin	Notional	Total
Industry	KP Documentation Effort	1.63			1.63
	Additional Inventory Holding Charges	16.44			16.44
	Coerced Mispricing & Payoff	30.00			30.00
	Profits on KPC by Private Entities	0.03			0.03
	KP Reporting Effort		0.41		0.41
	Jurisdiction Shopping		25.00		25.00
	Cost of Reputational Threats		30.00		30.00
	WDC Cost – Operations		1.00		1.00
	WDC Cost – Meetings		0.24		0.24
	Confiscated Goods Re- Entering Pipeline			7.50	7.50
	Talking Point for LGD Manufacturers			60.00	60.00
Industry Total		48.09	56.65	67.50	172.24
Government	Rough Inspection Charges	3.25			3.25
	KP Certificate Issue	2.60			2.60
	KP Statistics & Reconciliation	0.27			0.27
	KP Office Administration		14.26		14.26
	KP Chair & Administration		1.00		1.00
	KP Meetings		3.24		3.24
	Peer Review Missions		0.52		0.52
	Civil Society Funding		3.00		3.00
Government Total		6.12	22.02		28.14
TOTAL		54.21	78.66	67.50	200.37

Table 16 - Compiled Logos Rhetoric by Observation of Industry ExpertSource: Adapted from Even-Zohar (2016) Observation.

This rhetoric is presented to illustrate how the key diamond industry experts prefer *logos* appeals in his primary presentation to the KP in 2016. No publication has identified any associated costs of the KP to industry or the governments involved. The annual cost of (including reputational costs) is 200

million US dollars. The direct costs are estimated at \$133 million USD. The overall cost over the course of the KP exercise is over 1.5 billion dollars USD. The scheme is global, so these huge costs are expected. <u>Industry Transaction costs</u>: The KP documentation includes exporting fees for issuing the certificates. For instance, in the UK the current charges range from:

£10 per certificate Value of Shipment between \$0-\$10,000; £15 per certificate Value of Shipment between \$10,0001-\$100,000; £25 per certificate Value of Shipment above \$100,001, (Govt. Diamond Office, UK)

Additional inventory holding charges are the costs occurred in storage such as warehousing (rent, labor, utilities, insurance costs, moving costs and any other costs needed to manage the rough). Coerced mispricing and payoff equates future prices of the rough diamonds across all the different states. More critically it sounds very much like 'corruption.' While corruption may represent a 'cost' in the statement of accounts for any firm, it is nonetheless criminal and therefore should not be claimed as a business expense in any context. Relatedly, 'jurisdiction shopping' sounds like regulatory avoidance or tax avoidance, in other words a 'cost' that exists in order to save money elsewhere in the business as a way to increase overall profits. In any case, determining these costs are problematic because they rely on current and future prices which are difficult to ascertain (in both rough and polishes) because fluctuations in supply, demand and personal preferences. Private entities of the KP are understood to include manufactures and brokers, but it is unclear who exactly these entities are and for what the costs involve. Industry Administration costs: KP reporting efforts equate to the costs and burdens associated with reporting as listed by the Global Reporting Initiative (2011-2014):

Time for senior management and other staff to discuss report contents Developing and implementing data gathering systems Time for gathering and inputting data Implementing new processes, including staff training, on data collection Time for checking information Preparing the report itself, involving internal resources (time, capacity building, etc.), and potentially external resources (consultancy, writing/editing, layout, printing, etc.) External verification and auditing, if applicable It is believed jurisdiction shopping are the legal costs encountered by doing business transnationally. According to Even-Zohar the cost of reputational threats include dealing with confiscated diamonds and "talking point" for LGD or "lab grown diamonds" manufacturers. It seems strange the KP has anything to do with LGDs because they are not under the auspice of 'conflict' diamonds. Arguably, LGD represent 100% conflict-free diamonds. Also to note, the largest company "talk" to in this sectors is a company called Element Six. They are the world's leading supplier of synthetic diamond for cutting, grinding, drilling, mining, polishing, for optics, semi-conductors and sensors, (www.e6.com). E6 is a subsidiary of De Beers! WDC operation costs include all the administrative costs at the New York office (613-580 Fifth Avenue) including training and technical costs relating to the WDC and KP websites. Expenditures for KP meetings and other board meetings but are expected to fluctuate depending on the locations of KP Chair each year.

The government costs are substantially less than the industry costs each year. Transactional costs include rough inspection charges, certificate allocation and reporting completed in applicable customs offices. The costs for the Chair, administration and other office dues are not fixed and change due to the rotating Chair locations. Intersessional and Plenary meeting expenditures account for use of conference space, catering, translators, security and technical considerations. Peer review missions are conducted by the Working Group on Monitoring and check the KP offices in each state participant including 'internal controls,' evaluate the technical provisions of the scheme, ad-hoc procedures for dealing with implementation and compiling annual reports, (KP Working Group on Monitoring). Although funding of civil society is expected to cost \$3million US dollars, it is unclear exactly which INGOs or NGOs are funded and how the money is appropriated. Nevertheless, the findings contribute to the understandings of support to non-profit organizations (Yankee, 1996).

These costs represent the on going costs. The setting-up costs of the KP are still unsubstantiated. The yearly costs categories appear to be inline with other certification scheme costs seen in organic certification schemes (OCS) (Santacoloma, 2007:43). Unlike the OCS, it is unclear how much industry or government pays towards the marketing of the KP, if any. Whilst the costs associated with the certification are void from the literature, the direct and indirect costs are easily accessible for the other certification schemes such as the Forest Stewardship Council Certification (FSC, 1996).

There could be three reasons for the lack of conversation about the costs of the KP and vellum of opacity around the subject. Firstly, the states and industry may not want to showcase who is paying more and contributing less. On the one hand this could cause unease because the countries that pay more may be argued to bias the activities or views. On the other hand, the family may not want to point fingers at those who cannot afford expenditures, or the 'hanger-ons.' Secondly, the participants and observing industry may not want to be seen as being boastful on how much they spend or they may not want to be seen as complainers. Most likely, the KP family avert the topic so there are no opportunities to discuss if spending the money (and efforts) could be substituted on other interfaces like video-conferencing or put to better use on other means to stop what remains of the 'conflict' diamonds issue.

Secondly, Chairman Martin Rapaport (of the Rapaport Group) has been heavily involved with the KP and KPCS since its inception. Established in 1976 the Rapaport Group is the principal diamond international network of companies providing information services (research, analysis and news) and extensive sales platforms.⁶ He disavowed the KP and withdrew from the WCD in early 2010. On many occasions he upholds arguments against the KP and KPCS. In the first example, he protests against the KP at the Intersessional meetings in Tel Aviv:

The Kimberley Process (KP) is aiding and abetting severe human rights violations as it certifies, legalizes and legitimizes blood diamonds. Corrupt governments have turned the KP on its head. Instead of eliminating human rights violations, the KP is legitimizing

⁶ Rapaport subsidiaries include: Rapaport Magazine (leading print magazine for the diamond industry), RapNet (the world's largest online diamond trading network), Rapaport Laboratory Services, Rapaport Trading and Auction Services (specializing in recycled diamonds and jewelry), Diamonds.net (News) and Rapnet.com (sales).

them. The diamond trade and consumers cannot trust the Kimberley Process, its system of warranties or those that promote the Kimberley Process as an assurance of the legitimate source of diamonds. We must face the fact that the Kimberley Process is a politicized, government-controlled initiative that is incapable of eliminating human rights violations in the diamond sector. It's time for the World Diamond Council (WDC) and responsible NGOs to withdraw from the KP, (Rapaport, 2010).

The once strong proponent of the KP is now an outspoken critic. His claims evoke negative emotions (*pathos*) towards shock and potential outrage. In two attempts, he accuses the both governments and the diamond trade is complicit in endorsing gross human rights abuses, instead of stopping them. Correspondingly, the excerpt possesses emotionally loaded language seen in 'blood diamonds,' which otherwise are not expressed by other diamond industry rhētors in this chapter. In addition to persuading the end-consumer to be skeptical of the KP and KPCS he also urges the WDC and NGOs to quit the scheme. Overall, his distrusts of the regime rest in all the members not being able to properly ensure the legitimate trade of diamonds. Mr. Rapaport has more recently called the KP and the WDC a "sham," (Rapaport, 2010a) and more recently, "bullshit," (Kuriyan, 2017). One of the reasons, it is guessed, for the years of vibrant descriptions (*pathos*) against the KP may have something to do with Mr. Rapaport wanting the industry to adopt his "new" diamond certification system to guarantee valid diamonds (Rapaport, 2013-2015; Rapaport, 2013).

The first section of the industry data analysis explores the rhetorical appeals made by two of the highest regarded diamond-industry experts. As illustrated, one emphasizes *logos* appeals towards economic considerations while the other goes on to disparage the abilities of the people and the processes. For experts they don't give exact statements telling the audience about their expertise or their publications because their *ethos* is already taken for granted by most KP stakeholders. The next section establishes Executives of the WDC also use *logos* and *pathos* pisteis.

7.4.2 World Diamond Council – A Preference to Logos

The WDC represents the diamond industry from extraction downstream to retailers. Yet, their voices, along with any other theoretical understanding, of this atypical industry body are largely ignored in both the KP and other literatures. The aim of this section is to reveal *what* and *how* the elites in the WDC discuss the issues relating to the KP and certification scheme. To account for the WDC rhetoric, the *logos* appeals were noted about topics regarding legislation, warranties, processes, needs and economic and transparent benefits. Following, a few WDC also urge for issues relating to engagement through inclusion and dialogue in *pathos* strategies.

Mark H.G. Van Bockstael the Chairman of the WDC and the Director of International Affairs for the Diamond High Council (HRD) sets the theme for the rhetorical appeals made by many executives in the WDC: "Can we stop conflict diamonds today? The answer is a clear no. We cannot. The reason we are working with the Kimberley process is to have the legislation in place to do so," (Smith & Aslanian, 2017). Aptly, the legislation-related issues make a central rhetorical theme. Endorsed by the KP, the WDC created a self-regulating principles under the System of Warranties (SoW) required by all rough and polished diamond traders world-wide. The Executive Director of the WDC reiterated the importance of the SoW during interview with the researcher in 2016. In particular, she stressed the regulations for all diamond-related invoicing must include the following statement:

"The diamonds herein invoiced have been purchased from legitimate sources not involved in funding conflict and in compliance with United Nations resolutions. The seller hereby guarantees that these diamonds are conflict free based on personal knowledge and/or written guarantees provided by the supplier of these diamonds."

She pointed out the warranty statement requires all diamond suppliers and diamond jewellery manufacturers are required to assure their customers their diamonds herein invoiced originated within the KP system. The Executive Director continued to keep the focus on the role of the WDC to oversee the SoW. As part of the interview she directed the researcher to go to the WDC website and review with her the SoW.⁷ Together, the rules and regulations were stringently examined:

- To trade only with companies that include warranty declarations on their invoices;
- To not buy diamonds from suspect sources or unknown suppliers, or which originate in countries that have not implemented the Kimberley Process Certification Scheme;
- To not buy diamonds from any sources that, after a legally binding due process system, have been found to have violated government regulations restricting the trade in conflict diamonds;
- To not buy diamonds in or from any region that is subject to an advisory by a governmental authority indicating that conflict diamonds are emanating from or available for sale in such region, unless diamonds have been exported from such region in compliance with the Kimberley Process Certification Scheme;
- To not knowingly buy or sell or assist others to buy or sell conflict diamonds, (WDC, no date).
- To ensure that all company employees who buy or sell diamonds within the diamond trade are well informed regarding trade resolutions and government regulations restricting the trade in conflict diamonds, (WDC, SoW).

Almost all of the conversation centered on the rules and regulations the WDC abides by. The interviewee spoke no-nonsense, matter-of-fact rhetoric (*logos*). There were no deviations from this narrative. The interviewee made not mention of the human rights related issues in practice. Nor did she discuss any other people in the KP family. Similarly, the end-consumers were not noted. Then again, the rhetor did not mention the disputes issue: since the SOW was created in 2002, not a single buyer or seller of rough diamonds, polished diamonds or any jewellery containing diamonds has ever been expulsed from the WDC for failure to abide by the aforementioned principles. The Executive of the WDC stays clear of the main fault of the SoW. The sovereign, self-governing and self-regulating

⁷ *The researcher did find the document, available:*

http://www.worlddiamondcouncil.org/downloads/System%20of%20Warranties%20WDC%202014 Center%20Logo%2011.2015.pdf

industry body has never found fault in any of its members. One reason for this may be they don't want to punish paying members, which may deter existing or potential members from paying their fees. Or, a second reason may be the WDC does not have an impartial people and valid structures in place to completed and follow through on the SoW audits. Nonetheless, any transgressions of the diamond industry and the SoW continue as reiterated in an interview of a Director of PAC with the researcher. This lack of 'naming and shaming' of "sanction-busters" was also noted by Le Billion (2001).

Whereas the Executive Director focused on *logos* inline with the SoW, Andrey Polyakov the 2016 President of the WDC (Vice President of the diamond producer Alrosa), adhered to *logos* appeals to election processes. He addressed the KP family in his opening speech at the Plenary in Dubai:

We want to express our gratitude to the entire KP family for their trust and appreciation of the work already done by WDC as the chair of the WGDE. We were very honored by the re-election of WDC's Mark van Bockstael as Chairman of the group, for the next period. We encourage all KP members to use the same constructive approach, and find a consensus in the framework of the ongoing process of electing the Chairs and Vice-chairs of the KP working bodies, (Polyakov, 2016 Plenary Speech).

Mr. Polyakov offers sincere and honest accounts highlighting the value of the WDC. At first glance, the passage suggests an effort to evoke *ethos* as he underscores the 'trust' and 'appreciation' they have long withheld. There is a consolatory tone, evident in 'encourage,' 'constructive approach,' and 'consensus.' Similarly, notions to accountability lead to the building of credibility (*ethos*). However, the emphasis is on following the set rules and procedures of the election process (*logos*). The statement is compelling because the rhetor reproduces self-appreciation in the leadership of the WDC, but also reinforces the approval of the framework used to vote and maintain elites in their positions.

Another example of a logical appeal is made about the instrumentality of the KP. On July 15, 2012 at World Diamond Council Annual Meeting in St. Petersburg, the WDC President and CEO, Eli Izhakoff, (President of the World Federation of Diamond Bourses) issued three theoretical 'needs' required for the KP survival:

We will have to find the correct balance for fulfilling three critical needs: (1) the need of the citizens in the affected country to benefit from the revenues generated by their diamond deposits; (2) the need of jewelry consumers to feel that the products they buy are not tainted by human suffering; and (3) the need of the diamond industry to go about its business in an economic fashion. If any one of the needs are not met, the system will fail, (Izhakoff, 2012 AGM speech).

The requirements are distinguished by economic beneficiation to the communities in mining states, consumer confidence and diamond industry profitability. The KP must ensure the credibility and functionality of all the stakeholders so the KP does not diminish as the only cross-border, international certification system. With these high expectations, the statement reminds us how fragile or dependent the KP is on the achieved benefits to its stakeholders. Although, he later argues the tensions between the three groups is not only beneficial but also necessary to live by ethical standards:

But as we demonstrated over the past decade it can be done, as long as we maintain that coalition of government, industry and civil society. Indeed, it is the built-in tension that exists between the three parties which provides the energy required to find the correct balance for fulfilling those three critical needs, (Izhakoff, 2012 AGM speech).

Mr. Izhakoff reasons the perceived challenge of the tripartite system is actually constructive. Remarkably, the KP lacked the third pillar (civil society) during 2016, and under the Dubai Chair the KP proved to be exemplary for all 'three needs.' Nonetheless, the effect on the audience provokes a cognitive, rational response, (*logos*). The quotation suggests the industry rhetor does not see the efforts shaped by business ethics are not in any way an imposition, constraint or

obstacle (Solomon, 1992) as "it can be done." Claims towards the data and figures of state's economic growth were coded *logos*. To give a specific example of the first 'need' (as told by Mr. Izhakoff) *logos* – figures/data/statistics – is demonstrated:

I begin my address today with some positive news, and that is that Africa's economies are growing at rate that is faster than almost any other region in the world. Moreover, four of the five African countries that showed the greatest annual growth in GDP between 2007 and 2011 are home to diamond-rich economies. I am talking about Angola, whose economy grew by an average rate of 5 percent per annum during this period; Namibia, which saw yearly growth of 6.1 percent; South Africa, whose economy grew on average by 8.3 percent per annum; and Botswana, which saw an average rise of 8.8 percent in GDP each year from 2007 to 2011, (Izhakoff, 2012 Annual Meeting).

Statistics and data are used to confirm how the diamond industry positively impacts diamond-producing countries in Africa. The factual data and real life examples give convincing practical proofs, of which makes it difficult for the audience to dispute. Again, the *logos* appeals showcase how the KP and the WDC are instrumental in the to economic advancements to Africa's main diamond exporting states. Yet, the speaker does not divulge any information as to whether (or not) the common citizen in those countries actually benefited from the diamond industry. As for the other two 'needs' the researcher was unable to locate direct quotes from any WDC representative. This is interesting because the WDC does not illuminate the latest economic profits of any of the diamond industry members. It is unclear why this is the case.

In another *logos* appeal to the beneficiation of the KP, Cecilia Gardner⁸ – CEO Jewelers Vigilance Committee General Council, World Diamond Council – urges

⁸ Cecilia Gardner recently stepped down after 18 years as president and CEO of the Jewelers Vigilance Committee, a not-for-profit trade association dedicated to compliance with laws pertaining to the jewelry industry. She also served as general counsel to the WDC, an

the audience to recognize all the positive ramifications of the KP and KPCS. When asked, "how much good do she thinks the KP has done?" Her response showcased the KP, responsible sourcing for jewelry and women in the industry:

The Kimberley Process was watching. I don't think you could argue that it didn't [help to end conflict diamonds] ... it did have an effect and continues to have an important impact on the industry as a whole. It regularizes the trade. It is a form of monitoring of the trade. People know that someone is watching. And that isn't bad. That's a good thing. The development of minimum standards that are required to trade diamonds caused a lot of these countries to make their supply chains more transparent and more regularized. That, with the added layers of anti-money-laundering provisions, has made the diamond trade one of the most regularized trades in the world. I am a believer in the Kimberley Process. I do not want to see it end. What I'd love to see is it improve....(The Diamond Loupe 2017, April 9).

The former CEO personifies the KP as an all-observing force. She rationalizes the victories of the KP, prioritizing the successful end of 'conflict' diamonds. Even though today the occurrence of rough diamonds fuelling civil was remains low, she argues the KP is still necessary. Through the certificate scheme, the KP acts as a market mechanism that normalizes and oversees trade resulting in a clearer supply chain. With the supplementary anti-laundering regulations, the diamond industry recognizes the highest level of scrutiny. She attempts to persuade the audience for reforms, not the termination of the KP.

7.4.3 World Diamond Council – Pathos

The *logos* examples aside, other WDC elites exhibited *pathos* in their passages. Edward Asscher, the President of the WDC and of the Royal Asscher Diamond Company, expressed in a speech at the Intersessional Meeting in Shanghai.

international association whose purpose is to end the trade in conflict diamonds; she was general counsel and director of the United States Kimberley Process Authority Institute; and served on the President's Council and Executive Committee of CIBJO, a confederation of international jewelry trade associations.

To a great degree, it is due in part to the success of the Kimberley Process that a debate has been generated in our industry as to how we can further improve the lives of all of our stakeholders, and most importantly those living in areas where the rough materials are located and processed, (Asscher, President WDC, GemKonnect, 2014).

Prominence is attributed to the act of dialogue and connectedness (debate) of all the KP family. He exemplifies this need for dialectic action in order to benefit 'all of our stakeholders' which implies his hopes for managing the organization with integrity (Paine, 1994). *Pathos* strategies can be seen in evoking empathy or sympathy for those negatively affected by the diamond trade. He gives parallel sentiments to inclusion and dialogue. In his opening speech at a Diamond Conference in Dubai he verified, "the largest majority of diamond companies are totally compliant and transparent," (Asscher, 2015) because of the KP and certificate scheme. On November 18th, 2015 he underscored the importance of upholding communication with the civil society:

We need to engage with the NGOs and embrace their scrutiny if their criticism of the system is justified...We all have blind spots, but we should never turn a blind eye to their findings. Where they are justified in their criticism, we should adjust. Where they are wrong, we should tell them, without any doubt, professionally and openly, (Rapaport, 2015, Nov. 18).

In the first instance, following the rules confirms accountability (*logos*), which influences credibility (*ethos*). Later comments suggest the leading member of the WDC sides with the CSC on the issue of the boycott. Nevertheless, he continues with a consolatory tone respecting the give-and-take required by the different groups. Notably, the speaker expounds the necessity for inclusion and conversation.

In the aforementioned cases, the rhetor interviewed entailed only *logos* appeals. In contrast, the exact quotes found in the documents used both *logos* and *pathos*. This may be the case because of the rhetorical situation. The interviewee may have been keeping to the practical script in order to persuade the external audience (the researcher) that the she and the WDC are credible (*ethos*). In comparison, the written rhetoric could endorse *logos* and *pathos* in order to try to persuade participants and observers of the KP to reach out to one another. To sum up, both narratives the strategies lend to building rhetor credibility and character (*ethos*).

The WDC use *logos* and *pathos*, either alone or together, to persuade stakeholders of the KP. Conversely, several of the Executives of De Beers reveals memorable *pathos* appeals to evoke positive emotions.

7.4.4 DeBeers: Corporate Social Responsibility (CSR) & Positive Pathos

De Beers Directors expressed *pathos* appeals, for positive emotions, regarding "saving the diamond dream," downstream CSR initiatives, inclusion of the family and opportunities the KP and trade offer for women. This last section is organized chronologically in order they were interviewed and observed. On April 30, 2015 I travelled to 17 Charterhouse Street in London. The De Beers headquarters (since the 1930s) stands like a fortress on an otherwise unmemorable busy downtown street. My interviews with the two Directors occurred after the unexpected move of some operations including sorting to Gaborone, Botswana.⁹ After receiving my "guest pass" I waited nervously in the foyer for the Director I had met her previously at a Woman in Mining event. Contemporary art filled the low-lit room, perhaps the pieces "given" to De Beers by some of the Sightholders.¹⁰ After a few minutes, the Director of the De Beers Trading Company (DTC) arrived and escorted me to an office where the interviews took place. The large office was less luxurious than you might think, filled with two plain wooden desks and matching bookshelves. When asked about the her position she replied:

⁹ De Beers moved in order to cuts costs and to be closer to the source of their diamonds (Davies, 2016).

¹⁰ Sightholders (the group or selected buyers allowed to purchase from DTC at "sights" 10x a year) are encouraged to "donate" artwork to the extensive, contemporary collection held in Charterhouse Street. Effectively a payment for patronage. Sightholders are required to give to De Beers in order to keep in good standings.

We were having a Sunday lunch with our daughter and I decided to film her because we've seen the show where the presenter was asking the kids: "what do your parents do?" And the answers were hilarious! So, I said, "OK, lets do this." I put the camera on my iPhone, and said: "What does mommy do?" And she said, "Mommy protects the diamond dream!" (Director 8, 2015 Interview).

She later pulled out her phone and played the video. In a pink ballerina outfit her young daughter said exactly as her mom described. The rhetor invokes an emotional response to adoration and love, which impacts the perception of not only the rhetor but also De Beers as an organization. The rhetoric presupposed the further conceptions of the executive as ethically responsible in both her private and business roles. These factors contribute to an example whereby *pathos* is reinforced by visual rhetoric. To explain further, Ernest Blom, President of the World Federation of Diamond Bourses (WFDB), characterizes the "diamond dream" nicely:

We are, let us remember, an industry built on hope and optimism -- we create and sell precious jewels that symbolize many of the best human characteristics: love, commitment and long-term relationships. People buy diamonds as a way of saying, "I believe in you; I believe in us," (Blom, 2015).

A second instance of *pathos* appeals connects the KP and the Best Practice Principles (BPPs)¹¹:

So, you understand the BPPs are built on the Kimberley Process?...In the beginning, the reality of how tough the BPPs are – because you

¹¹ The BPP protocols require Sightholders to: (a) implement security procedures to prevent the theft and substitution of diamonds; (b) provide offsite contractors with tamper-evident packaging; and (c) keep evidence of full testing at a reputable laborator (De Beers, 2016:26). Remarkably, the systems and measures are put in place to "prevent undisclosed synthetic diamonds from entering the pipeline," (ibid) and not for 'conflict' diamonds! Notwithstanding, it is reasonable the rhetor discusses the significance of the BBPs considering 345,000 people are covered by the standards in 76 countries (De Beers, 2016:25). Peculiarly, from 2015 thru to 2016 there were no recorded numbers of major infringements, (ibid).

could be doing the right thing but not have the evidence. So, it's not just about doing the right thing, its about being able to prove it, (Director 8, 2015 Interview).

Conceived in 2003 and unveiled in 2005 the BPPs aims to prevent unacceptable business and social practice (De Beers, 2005). The BPPs differentiates the "business responsibilities" and "social responsibilities," as indicative in the following Table:

Business Responsibilities	Social Responsibilities	
Ethical Standards/Independent	Hmployment	
Trading		
Financial Offences	Health and Safety	
KP and SoW	Non-Discrimination and Disciplinary Procedures	
Product Security	Child Labor	
Disclosure	Forced Labor	
Melee* Assurance Protocol	Human Rights	

Table 17 - The Responsibilities of the De Beers Group

Source: BBPs The Assurance Programme (2017) *melee are small diamonds less than 0.05ct

Notice how the KP and SoW are categorized as *business responsibilities*. The two recognized initiatives put in place to oversee 'conflict' diamonds defined as "rough diamonds that are used by rebel movements to finance wars against legitimate governments," (kimberleyprocess.com). The KP and SoW are not isolated as they are directly linked to 'finance offences,' and 'human rights,' 'child labor' and 'forced labor,' associated with civil wars funded by resources. The De Beers Group and its contractors and sub-contractors along with the Sightholders, accredited buyers, and their contractors and sub-contractors are required to follow the BPPs. According to the BPPs 2017 Assurance Programme,¹² failure to comply with the BPPs and the Assurance Programme will, "constitute a breach of a Sightholder's or Accredited Buyer's obligations under the Supply Agreement arrangements and will result in appropriate action being taken by De Beers pursuant to that documentation." It's uncertain what the ramifications are. The Director provides an interesting relationship between the

<u>beers/corporate/documents/BuildingForever/The%20Assurance%20Programme%20Diamond%2</u> <u>0Contractor%20Workbook%202017.pdf</u> (Accessed: 2017, May 22).

¹² Best Practice Principles: The Assurance Programme Diamond Contractor Workbook 2017 Available: <u>http://www.debeersgroup.com/content/dam/de-</u>

regime and the Trading Company's code of conduct. Doing the "right thing" is valued by the speaker in the same way being transparent and accountable. The speaker alludes to the previous as not as valued, unless there's actual evidence of it. Later, the Director of the De Beers Central Holding Group came into the office and after warm greetings began the interview. Upon asking him about his understanding of the KP, he replied:

This is what I've found, going out in to the early days, with the Kimberley Process. It's showing a human face to the peers. And that people like myself working for the face – you've seen the logo. This is the human face of it. I don't want to go home and have battles with my sons about why I'm working for this company. I don't want to fail what I call the "Pop" [Dad] test because I work for a company that does bad things. I want to be able to go and win the "Pop" test by saying and being able to prove what a fantastic company I work for and the great things it does. And, I want my sons to be proud of me for working for these things, (Director 9, 2015 Interview with Researcher).

To the rhetor, the KP is about proving to the consumer (primarily) that people care about the wellbeing of the diamond industry and the diverse people associated with it. The 'human face' drives at the KP is not just a process or a piece of paper. It's about proving there are people who really care. It's about being able to go out and live amongst his peers with pride. Moreover, it's about looking family in the eye and expressing respectability as an individual and for the company. The Director is eliciting both respect and admiration.

Soon after, the KPCS and the BPPs was argued to safeguard the entire diamond supply chain. He stood up and walked over to the bookcase, saying on the way, "What I've seen...orphanages, hospitals, schools," (ibid). Looking through the many binders he pulled one out of the case and placed it on the table. Sitting down next to me he opened it up. The photos were carefully organized, six to a side. He carefully reminisced on the stories from each page:

"This for example, is a primary school which is built from the foundations by our clients in India. All these collections – a 3-week tour I did of India."

"Look, this home jewelry school. In particular, you know, the challenges facing women in the employment. This is specifically for women."

"And, look at these primary schools...and nuns, with the focus on educating girls, in particular."

"This here is a farming cooperative for local people and local communities."

"Again, look at this. This is not something built by the government...and they provide books and they provide meals for people as well."

The Director gave emotional narratives through the primary schools, workplacements for women, religious schools for girls, farming initiatives and social care-spaces established by the industry under the auspices of the BPPs. The rhetor gives indication of being accountable to the less advantaged (Garvey & Newell, 2004; Jenkings, 2005). Some moments he spoke with a smile, like when he described the girls in the school, full of life and optimism. In others, his chin dipped and his voice waned, such as when he stopped at a photo featuring a plain, greyish-white building.

In the Kush Desert there was this clinic. One was for TB and treating TB, and the other one was for the rehabilitation center for opium addicts. And this again my bring tears to my eyes with I talk about...We went into this place, these grown men who should've known better, but they're recovering opium addicts. And they were so grateful for this facility that when I came in, they went on their knees to touch my feet to say thank you. And you know, it was just really, really heartbreaking, (Director 8, 2015 Interview).

He slowly closed the photo album. There were tears in his eyes. These vibrant descriptions generated empathy and support. Each story touched upon a different service delivered by industry, which otherwise would be supplied by the government. These were made possible, as he carefully alluded to, because De Beers had in place the 'mine to finger' ethical guarantees put in place by the KPCS and the BPPs. Agreeing with van Wyk, Cronjé and van Wyk (2009:15), "De Beers must therefore be complimented for takings such a leading role in terms of reporting on a wide variety of CSR issues." The remarks elucidate the idea that personal values of a leader underwrite the CSR of an organization (Hemingway, 2005). One diamond industry discussed primary education, health care and employment training. On the contrary, the rhetors do not incorporate other mining-related developmental issues such as health and safety, security, slave labor, migrant/settlement patterns, environmental management, poverty eradication, job creation, gender equality, HIV/AIDS, women-related violence or child workers. In the same way he promises, "Diamonds evoke emotions," (Bone, 2012) and so does he.

At the end of the interview, he went to his desk and checked his computer. Above him on the wall was a large poster. Upon closer observation was a diagram linking hundreds of names and faces indicating the connections of terrorist cells worldwide. The director noticed my prying and laughed, "I know some people high up in intelligence agencies. Now, let me take you for lunch at our canteen." Then we left.

On May 23, 2016 Varda Shine was the first presenter to speak at the Diamond Forum in Dubai. Specific to the KP, she maintains the status is crucial to creating change:

And when we actually look at it, which we strive towards and that the industry needs altogether, we will see by the Kimberley Process. It essentially created a mechanism that allows governments, NGOs, to trade with merchant companies, to actually stick together and think about the future of the industry. This will benefit, many other stakeholders too! (Shine, 2016 Observation)

The orator sought to initiate a positive tone in an effort to putting the audience in the right frame of mind (Nichols, 1987). She pronounced some attributes of the KP: it is a market mechanism that sanctions commerce, it aims for cohesion of all its members, and it is compelled to problem solving and helps other people affected by the diamond trade. *Pathos* appeals in this example are positive and bode for defensibility of the KP. The speaker recognized the need to distance the industry from human rights violations and addressing consumers' expectations for CSR (Kwast, 2010).

In a final example of De Beers pathos, the Director, De Beers Global Sightholder Sales (Botswana)¹³ was interviewed. Unlike other interviews, this particular interview occurred casually, with a cheese platter, in a tearoom at the Hotel Palm, Dubai. Although the rhetorical situation was not appropriate for recording, this data is presented from the interviewer's notes. I asked her for a few initial comments on the KP. Her narrative was surprising. At first, she made a comparison of the KP now compared to 2003. Steadfastly, she said, "Gone are the days of the male-centric KP, as it was during its inception. It is now the time for you and me!" This led to the dominant theme of the conversation: the KP offers further opportunities for *women* in the diamond industry. Next, she reminded me how difficult it is to maintain a career in substantial diamond-related firms, but especially in mining. Challenges with balancing work and family can be tiresome; it can put strains on relationships too. The KP continues to fight for the causes important to women, such as women and children working conditions in the cutting and polishing centers. The KP benefits when more people continue to accent the social issues, and not just the economical ones. Putting the assumption that women are more socially conscientious aside, her argument about the KP must continue its efforts with refining the definition of 'conflict' diamonds to include *all* human-rights violations was evident. She was certain this would be the case in the future as some of the "hard-line architects of the KP are moving on." Her mobile began to buzz urging her of her next meeting. Before she left,

¹³ Debswana is a 50-50 joint venture with the government of Botswana and is considered one of the most successful public-private partnerships in the world (Yeomans, 2016a). De Beers has four companies in Botswana – De Beers Holdings, Debswana, Diamond Trading Company Botswana and De Beers Global Sightholder Sales (De Beers, no date).

she gave me metaphor of advice, "For a women to succeed in the diamond industry, including in the KP, she must be like a butterfly. Be able to flutter from flower to flower sweetly. Making the connections and getting the information as she goes. But, she must sting like a bee, if she is treated unjustly." And then she flew away.

The discourse, brief as it was, made by the Director of Botswana is a good example of *pathos*. She incorporated personal narratives aimed at bringing out emotions of hope (for the future of the diamond industry), joy (feelings of empowerment as a women in the field) and trust (strong admiration for the speaker).

The interviewed members of De Beers incorporated pathos in order to persuade the researcher they are ethical and responsible and reflecting the subsidiaries and the diamond product are 'legitimate.' De Beers Group uses similar pathos in the written discourse as portrayed in the yearly Reports to Society. With regard to the KP, De Beers situates it in the "Transparency" section (De Beers, 2016: 26). The section confirms the reason why they remain committed to the KP, to: "Ensuring our supply chain is free from conflict diamonds is critical to maintaining confidence in the industry," (ibid). It might be concluded the rhetorical proofs by De Beers acts as a function to adjusting ideas of business ethics and CSR to different stakeholders in the diamond supply chain and the public to these ideas (Bryant, 1953). Either way, the data indicates one of the best corporations in the diamond industry can be moral (Andrews, 1973) and corporate self-regulations can be effective in developing countries (Graham & Woods, 2006). The pathos, it seems, is a way to "preserve the ethical responsibility in networks," (Daboub & Calton, 2002). In their efforts to govern diamonds throughout the supply chain, the rhetoric indicates De Beers not only contribute and collaborate towards the 'conflict' diamonds issue, but they also internalize the sentiments within their ongoing processes (Husted, 2003) and within themselves personally. In conclusion, De Beers continues to command market behavior and control market structures through the communication, particularly to CSR and stakeholder engagement (Harris & Cai, 2002).

7.5 Discussion – What Does the Rhetoric Show?

In relation to the second research question, the following discussion is organized as follows. First, the rhetoric alludes to postmodern ethics and current Management theories of CSR.¹⁴ Subsequently, the roles of the diamond businesses, such as De Beers, in society (corporate citizenship) are considered. As a result, the next section attests the CSR rhetorical strategies are not 'empty rhetoric.' In summary, additional assessments are contributed to the KP literature.

The industry expert (No.3) stated the greatest trend in gemstone industry is the move toward business ethics and CSR, (email correspondence). Yet, the areas of CSR, stakeholder engagement and sustainability in inter-organizational collaborations like the KP require ongoing exploration (Murray, Haynes & Hudson, 2010). In response, this chapter provides direct quotes articulating the appeals from an individual level (as Directors), differing organizational levels but also sheds insight about the formulation of ethical considerations at the KP institutional level (Wood, 1991). Together, they lead to a discourse that incorporates many of the domains debated in the academic CSR circles. In the first instance, the rhetoric shows how the KP industry observers account for their roles and responsibilities of their organizations. Corporations have four types of responsibilities:(1) the economic responsibility to be profitable; (2) the legal responsibility to abide by the laws of society; (3) the ethical responsibility to do what is right, just and fair; and (4) the philanthropic responsibility to contribute to various kinds of social, educational, recreational, or cultural purposes (Carroll, 1979 in Matten & Crane, 2005). Similar aspects economic, stakeholders, social and volunteerism were discerned in 37 CSR definitions (Dahlsrud, 2008) and in the three-domain framework for CSR (Schwartz & Carroll, 2003). The industry findings are compared with four types of responsibilities of corporations in the Table following:

¹⁴ Dunne (2007) reminds us there is no clarity to the concept of CSR.

		CSR Principles		
	Economic	Legal	Ethical	Philanthropic Discretionary
Carroll (1979,1991,1998) Four Responsibilities of Firms	Produce goods, services, provide jobs, and create wealth for shareholders. Costs vs. benefits.	Obey laws and regulations.	Follow fundamental ethical principles: honesty, fairness,	Act as a good citizen in all matters beyond law and ethical rules. Return a portion of revenues to the community.
Friedman (1970); Donaldson and Preston (1995) vs. Freeman (1984); Freeman and Phillips (2002); (1992); Jensen, 2002; Jones (1980, 1995); Mansell, 2013	Shareholder Theory			Stakeholder Theory
Rotter, Airike and Mark-Herbert (2013)		Supply Chain Monitoring		
Jeffcott and Yanz (2000); Kolk and van Tulder, (2002); Richter, (2001); Sethi and Emelianova (2011)		Ethical Codes of Conduct		
Waddell, 2000; Matten, Crane and Chapple, (2003); Palacios, (2004); Matten and Crane (2005); Thompson, (2005); Valor, 2005); Edward and Willmott, (2008).			Corporate Citizen	ship
KP Industry Observer	Industry Experts	World Diamond Council	De Beers Directors	
Dominant Rhetorical Appeal	Ethos	Logos/ Pathos	Pathos	

 Table 18 - CSR Principles Shown Within the KP Industry Observers

 Source: Author's Research

Two *economic* issues were raised in the industry rhetoric. One diamond industry expert (Even-Zohar) touched upon the costs of the KP to both industry and government while a WDC CEO (Izhakoff) listed the economic effects made to state actors as a result of the KP. As for *legal* responsibilities, the WDC indorse

an internally-directed rhetorical strategy, by their matter-of-fact referrals to rules and regulations which afford rational guarantees (Riaz et al., 2016). As noticed in the rhetoric about the SoW, an emphasis is on supply chain monitoring (Rotter, Airike & Mark-Herbert, 2013) through industry-led ethical codes of conduct. Moreover, De Beers makes no declarations to following the law as integral to their corporate responsibilities as seen in Table 3. Intriguingly, few direct quotes foretell industry partake (or not) in any activities out of fear of litigations (Silverstein, 1987). Considering this, few discourses bring extra attention to the fact the KPCS is an international agreement and not technically an international law but a non-binding "soft law" instrument (Desierto, 2010) or it restricts trade members of the World Trade Organization laws or violates certain articles of the GATT treaty (Woody, 2007).

There appears to be a relationship between the amount of positive *pathos* and corporate citizenship and CSR in the diamond industry. Besides, CSR is about more than just following the law (McWilliams & Siegel, 2001). CSR is understood as the, "firm's consideration of, and response to, issues beyond the narrow economic, technical, and legal requirements of the firm," (Davis, 1973:312). In the same way, De Beers communicators use an internally-directed *ethical* rhetorical strategy, "expressing normative responsibilities i.e. "trustworthiness" projected care for others," (ibid). This study provides examples of new managers' perceived obligations (Quazi, 2003) including to one's family and to women in the diamond industry. CSR instances are most clearly articulated by the Director of the De Beers Central Holding Group. In fact, "These firms all indicate intentions to continue and even expand their work in this field," (Parket & Eilbirt, 1975:5). Bearing in mind, no indicative rhetorical appeals were found addressing the environment and presupposes no theoretical contributions from this study to the literature interconnected to CSR on the "triple bottom line,"¹⁵ (Bond, 2014; Norman & MacDonald, 2004; Orlitzky & Erakovic, 2012). Still, "triple bottom line philosophy requires integrative dialogues between stakeholders that seem to be in opposition," (Orlitzky & Erakovic, 2012:214).

¹⁵ According to van Wyk et al. (2009) sustainable development dimensions are also: economical, environmental and social.

7.5.1 Stakeholders over Shareholders

The rhetoric shows the industry observers argue heavily for their global 'stakeholders,' (Carroll, 2004) and related philanthropic activities inline with Shaw and Post (1993) and Tracey, Phillips and Haugh (2005). The verbal rhetoric supporting the stakeholders by De Beers mirrors the written rhetoric as seen in the yearly *Report to Society*, (2014, 2015, 2016). Specifically, De Beers exhibit few direct quotes discussing their shareholders.¹⁶ As for shareholder theory, this chapter drives at the lack of rhetoric to the economic 'contractarian' view of the firm (Friedman, 1970) and reasons diamond companies are not just a 'nexus of contracts,' (Jensen & Meckling, 1976).

There could be five reasons for this. Firstly, the diamond corporations are heavily dependent on the perceptions of their end-consumers (Andrews, 2006; Bergenstock & Maskulka, 2001). In the 2016 edition, the importance of public trust is stressed, "Trust is the foundation of consumers' confidence in diamonds," (De Beers, 2016:25). Aspirations to address customers is explained by Varda Shine, DTC Managing Director and late Executive Vice President, speech in January, 2008:

We also want to be better known for other qualities, such as being an icon of ethical standards that reflect well on all associated with us. We want to ensure the consumers have absolute confidence in the cutting and polishing segment of the diamond pipeline. And we want to be acknowledged as an unparalleled expert in rough diamonds, with world renowned intellectual property, (Shine, 2008).

Although it is difficult to prove causality, the CSR of the diamond industry seems to be primarily catered to consumers and hints at this is the most impactful external force on the dynamics of the diamond trade and the KP (Gupta et al., 2010). Secondly, the rhetoric suggests some of the motives expressed for participating in the multi-stakeholder initiative because diverse sets of

¹⁶ De Beers has two shareholders – Anglo American (85%) and the Government of the Republic of Botswana (15%). Available: <u>http://www.debeersgroup.com/en/our-story/group-structure.html</u>.

stakeholders are needed to *achieve solutions* throughout the supply chain (Airike, Rotter & Mark-Herbert, 2016). Thirdly, this may be partially because in the contemporary, post-modern context, leaders must be judged by their moral disposition in addition to their professional competence (O'Brien, 2009). Fourthly, the rhetoric shapes the perception and understanding of the diamond product itself. Associating diamond and diamond jewellery to 'developmental' commodities differentiates De Beers diamonds from other sourced rough. Resultantly, the rhetoric highlights the 'verifiable' ethical diamond product (Crane, 2001).

Lastly, the data exposes rhetorical strategies made by multinational companies in order to attain legitimacy (Claasen & Roloff, 2012; Suddaby & Greenwood, 2005; Vaara & Tienari, 2008). The Executives of De Beers Group and subsidiaries seem to announce *pathos* appeals to support logics strewn in ethical foundations in order to legitimize their practices and structures in their operations (Green, Babb & Alpaslan, 2008). Thus, the rhētors control the rhetoric that shapes the institutional logics and bolsters their legitimacy as the dominant stakeholder group, (ibid). Consequently, these persuasive efforts defend the legitimacy of the individual rhētors, the three different industry observers, the KP as a whole, the certification process and procedures and particularly rough and polished diamonds. Further links can be made to institutional pressures, legitimacy and rhetorical devices framework conceptualized by Devin and Bartlett (2011):

Institutional Pressure	Legitimacy	Rhetorical Device	Classical Rhetoric Appeal (This Research)
Competitive	To be clarified	To be determined	Logos (direct)
Regulative	Pragmatic	Logos or Pathos	Logos (direct)
Professional	Professional	To be determined	Logos/Pathos Builds Ethos (inadvertently)
Public	Moral	Ethos	Pathos (direct)

Table 19 - Linking Institutional Pressures, Legitimacy and Rhetorical Devices
Source: Adapted from Devin and Bartlett (2011).

The diamond industry expert (Even-Zohar) argued competitive pressures including financial, profitability, cost-efficiency with *logos*. Regulative-based rhetoric are most notably expressed by WDC through *logos*. There were no exact

quotes stating professional ability, instead the *logos* and *pathos* worked to establish the professional credibility (*ethos*). More pressures are made with *pathos* appeals, not *ethos*. Examples are characterized in the CSR rhetoric by De Beers. Additionally, Castelló and Lozano (2011) compiled a framework tabulating CSR rhetoric strategies. They also associate 'legitimacy' with rhetorical devices including *ethos*, *logos* and *pathos*. The researcher compared and contrasted their research to the data in this chapter as seen in the following Table:

Characteristics	Institutional CSR	This Research	Strategic CSR	This Research	Dialectic CSR	This Research
Rhetorical Strategy	Ethos	Logos (formal) Pathos (informal)	Logos	Logos/ Pathos	Pathos	Pathos
Main Concepts	Social Laws rules		Performance	Moral obligation, license to operate, sustainability, reputation	Inclusion, Dialog	Inclusion and Dialog
Management Theories	Stakeholder Theory	Legal Responsibilities of the Firm	Corporate Social Performance	Stakeholder Theory	Corporate Citizenship	Corporate Citizenship
Role of Legitimacy	Cognitive Cognitive Pragmatic		Pragmatic	Moral	Moral	
Message to Stakeholders	We are "good" and responsible, belong to the CSR community.	We respect, follow and advocate for the rules, warranties and processes.	We are accountable, we manage well.	We care about our stakeholders, we are ethical, we have an ethical product.	We want to engage you in a dialog.	We want inclusion, dialogue, debate

 Table 20 - CSR Rhetorical Strategies

Source: Adopted from Castelló and Lozano (2011).

Institutional CSR considers the formal and informal international context (Brammer, Jackson & Matten, 2012). Formal (law, regulation, rules and industry self-regulations) are expressed by *logos* and the informal (norms, values and ethics) tend to incorporate *pathos*. Strategic CSR is justified by a moral obligation, license to operate, sustainability and reputation, (Porter and Kramer, 2007). The author concurs with the characteristics of dialectic CSR as proposed by Castelló and Lozano (2011). The corporate citizenship is now discussed further.

7.5.2 Corporate Citizenship: The Identity and Role of a Diamond Business in Society

The rhetoric of KP observers goes, "beyond the stalemate of economic versus ethics," (Driver, 2006:337). The CSR discourse contributes to the organizational identity and their roles as corporate citizens (Crane & Matten, 2008; Thompson, 2005) and their roles in society (Preston, 1975; Hanlon, 2008). After examining the rhetorical strategies, the different emphasis on *ethos*, *logos* and *pathos* signals the various roles of the industry organizations as KP observers. To elaborate, the rhetorical appeals lends to the different identities and subsequent roles of the experts, WDC and the overarching De Beers group (Solomon, 1992). Together, they share rhetoric incorporating dimensions of Aristotelian virtue ethics: role identity, community, excellence, integrity and good judgment, (ibid). The rhetorical strategies may give some indication to the ulterior intentions of the organizations (Schutz, 1953).

7.5.3 Role of Experts

Firstly, the industry experts feature *ethos* in order to convey their knowledge (Alvesson, 1993) in order to persuade the international community they are legitimate. The rhetoric seems to serve the immediate purpose to uphold their roles as information contributors and critics of the KP. The rhetoric aims to alarm the audience. Ultimately they want the KP stakeholders to purchase their industry-based publications.

7.5.4 *Role of WDC*

Secondly, the representatives of the WDC use *logos*-laden strategies to persuade the KP family and the public that they are legitimate in obeying the rules and regulations in order to demonstrate the transparency and accountability of the diverse diamond industry members. They want to uphold their role as not only an observer of the KP, but as an observer of the rules and regulations overseeing the entire supply chain. The WDC stresses the need and willingness to have a dialogue with all stakeholders.

7.5.5 Role of De Beers

The rhetoric sets the industry apart from the NGOs (who focus on the problems with the KP and KPCS) and the state actors (who focus on economic and small scale miners) by setting the narratives as to what "should" be done by the diamond industry leaders including social, education, recreational and cultural interventions. Indicates the new political roles De Beers plays in the globalized world (Scherer & Palazzo, 2011). These efforts witness the role of De Beers in society is corporate citizenship (Carroll, 1999) and signifies De Beers as, "interwoven rather than being distinctive entities," (Wood, 1991) within the diamond manufacturing communities. It appears De Beers has not been disadvantaged to their competitors in their approach to addressing issues relating to human rights in which Waddell (2003) has contended. Finally, the rhetoric advocates De Beers as not only a company that does 'good' but their products do 'good' too.¹ As a result, their rhetoric shifts the narrative towards the inspiration of diamonds. Upon further investigation, this discourse is reinforced by the Diamond Empowerment Fund, co-funded by De Beers and others industry leaders in 2007, to support transformational initiatives relating to CSR efforts, (www.diamondempowerment.org). It is believed the emphasis on CSR efforts targeted to 'millennials,' who are spending less on diamond engagement and other diamond-based jewellery (Sanderson, 2017; Saner, 2017).

¹ The positive impacts of diamonds expressed by interviewees of De Beers are similar to the 'Diamonds Do Good' project, which is sponsored by the Diamond Empowerment Fund, (www.diamondsdogood.com).

Empty Rhetoric?

Elites, diamond industry bodies and the leading multi-national (De Beers) use different rhetorical appeals when discussing their corporate citizenship and corporate responsibilities. The rhetorical appeals aim to persuade the audience that the diamond industry, individually and collectively, are doing their upmost to protect all those potentially affected by the trade. While the experts question its costs and efficiency, the WDC stress the importance of regulation and De Beers who strongly support the initiatives to help people in each sector, together they all present various facets towards a responsible supply chain. Ultimately the rhetoric aims to influence the end-consumers that diamonds are safe and reputable luxury products.

As seen in the *pathos*-appeals it appears multinational diamond companies have genuine CSR-related intentions (Dockery, 2008; Saha & Darnton, 2005) and do support CSR activities for altruistic ends (Lantos, 2002). The strong *pathos*-leaden rhetoric contrasts with scholars who oppose the current notions that corporations can't be decent (Bakan, 2004), always put profit over people, (Chomsky, 1999), or that there is an end to corporate social responsibility in the global setting (Fleming & Jones, 2013).

The compelling narratives by Directors of De Beers about CSR related issues don't seem to be "greenwashing" as Hamann and Kapelus (2004) have advocated. Collectively, the CSR rhetoric made by the De Beers group goes against the arguments that the CSR efforts are 'false promises,' (Frynas, 2005) or by Kantz (2007:1) who upholds, "resource extraction companies contribute to tension but not development."

This industry data chapter contributes to the ongoing debate in the *Journal of Business Ethics* as to whether CSR is "empty rhetoric," a public relations stunt, 'greenwashing' or used by leaders as a way to control or manipulate other stakeholders (Driver, 2006; Kallio, 2007; Sethi, 2014). After examining the industry rhetoric, there are no indications to suggest the elites are attempting to be deceptive (Plato, 1987) or 'misdirecting' to its audience (Markel, 2005). The data

fail to supports rhetoric is a form of control and manipulation (Barley & Kunda, 1992; David & Strang, 2006; Oakes, Townley & Cooper, 1998). There is scarce indication which, "Illustrates how CSR can become "empty rhetoric" where superficial changes merely serve to reproduce existing inequalities and entrench power relations," (Arikan et al., 2015:471). The link shows CSR may not be a simple PR invention (Frankental, 2001) and the KP does not, "amount to little more than a public relations stunt for the diamond industry," (Desierto, 2010). To review, the new insights concerning how diamond industry elites use Classical rhetorical appeals provide new arguments against the critical accounts of CSR such as those made by Banerjee (2010,2008), Blowfield and Murray (2008), Frynas (2005), Hanlon and Fleming (2007) and Levitt (1958). To conclude, by looking at the rhetoric of KP observers gives new perspectives on CSR (Fox, 2006). Ultimately, it is through the rhetoric people are persuaded if CSR efforts are greenwashing or just bluff (Carr, 1998).

7.6 Discussion of Rhetoric and Virtue Ethics in a Business Context

Virtue ethics has attracted the attention of business scholars (Dobson, 2004) as well as within the organizational context (Beadle, 2006). This makes sense since, "Corporations are real communities...and therefore the perfect place to start understanding the nature of the virtues," (Solomon,1992:325). In the *Nicomachean Ethics*, Aristotle elicits the virtue ethics (Barnes, 1976; Broadie, 1991; Taylor, 1991). Virtues are the "external standards to which we aspire," (Moore, 2005:245) and account for the criterion for right action (Svensson, 2010). Aristotle claimed that by doing virtuous actions, we can become virtuous people (Jimenez, 2016).

Virtue ethics concentrates on the character traits of the agent, a utilitarian focuses on the outcomes and deontologists pay priority to the act itself. Many have criticized the study of virtue ethics as a schizophrenic theory (Stocker, 1976; Moore, 1993) that is incomplete, inadequate (Armstrong, 2006) and misappropriated (Buckle, 2002). Others like Moore (2002) argue virtue ethics is a pipedream not worth pursuing. While Merrit (2000) say virtue ethics theory is to narrow to specific social settings this study addresses another concern that virtue ethics fails to consider globalized organizations like the KP (Velasquez, 2000). In any case, business needs to recognize Aristotle's conceptions of virtue ethics (Boatright, 1995).

Notwithstanding, the problem remains: the focus within business studies is on the actions of the agents and not on their communication (Stark, 1993). There has yet to be a consideration of Aristotle's means of persuasion (ethos/logos/pathos) alongside the virtue ethics of character, deontological focus on the obligation to act or the deontological focus on consequences. The rhetorical analysis of the KP accounts for an empirical study that incorporates virtue ethics and business ethics (Bright, Winn & Kanov, 2014). This 'tripartite ethics paradigm,' (Whetstone, 2001) can be paralleled to Aristotle's appeals found in this research as shown in the table below:

Business Ethics Perspective	Virtue Ethics	Utilitarian	Deontologist
Focus on:	Character traits of Agent	Outcomes from actions	The Act Itself
Aristotle's Appeals Predominately Seen:	Ethos	Logos	Pathos
KP Agent Rhetor Group:	Civil Society	State Actors	Industry

Table 21 Ethical Perspectives and the KP Agent's Rhetorical AppealsSource: Adaption to Whetstone (2001)

This provides an example how ethical values enter management decision-making "through the gate of stakeholder analysis," (Goodpaster, 1990:55). Referring to Table 21, the focus of virtue ethics in business is on the capabilities, in the techne of persuasion, of the agents or rhetors (Bertland, 2009). While the role of character traits are considered in business ethics (Hartman, 1998) the rhetorical traits in business ethics are not. As a result, the data herein gives new

consideration to *what* and *how* to study in 'ethical manager' research (Green, 1994; Homer, 1994; Keeley, 1995; Rost, 1995). Mixing a rhetorical analysis with virtue ethics bypasses the established critiques about business ethics like the foreclosing of philosophy, society, 'the ethical,' the meaning of 'ethics,' politics and the goal of ethics (Jones, Parker & Ten Bos, 2005) because it mainly concentrates on *how* they persuade.

Linking back to rhetoric as a craft (as noted on pages 60-63), business is also equated as a practice of 'craftmanship' (Moore, 2005). The rhetoric provided in this study shows:

The ideal of craftsmanship is to create that which has quality or excellence; personal satisfaction, pride in accomplishment, and a sense of dignity. In an "excellent" company it is this ideal that permeates the firm, and management should provide the moral example of such an ideals; a business management craftsperson attempts to create a quality organization, and quality products and services are the result of such an organization (Klein, 1998:55).

7.7 Conclusion

This chapter gives new considerations for ethical-based studies in Management (Maclagan, 1998). Furthermore, this study argues that business ethicists need to understand agent's rhetoric in order to better understand ethics in business practice (Koehn, 1995). The elites of the diamond industry exhibit differing types of rhetorical strategies. Experts lean towards *logos* and negative *pathos* in their skepticisms of the KP and certification scheme. Meanwhile the WDC relies on logic without mention of appeals laden in credibility or emotion. Lastly, De Beers key decision makers all express varying instances of positive *pathos* in an effort to "save the diamond dream." Combined the ethos, logos and pathos of elites in the KP prioritise the good life or the "well being of all in a community," (McBeath & Webb, 2002:1015.) The rhetorical appeals shed light on the questions that business ethics is supposed to ask, what should business leaders do and what is considered right or wrong in the business context (Hartman, 2008). Next, a discussion will consider the themes arising from all three data chapter.

8 Overall Discussion

8.1 Introduction and Outline

The overall discussion chapter brings together the three data chapters and follows the recommended framework in conducting a rhetorical analysis of organizations by Hoffman and Ford (2010:17):

- 1) Determine if the rhetoric was effective;
- 2) Understand and judge what is revealed by an organization's presentation of itself, including what values the organization claims to uphold;
- 3) Understand and judge the role and power of organizations in society;
- 4) Improve understanding of theory about organizational rhetoric.

The first section was completed using an *evaluative reading* in order to compare and contrast the *ethos*, *logos* and *pathos* appeals of KP actors. It is followed by addressing point 2 above. The second section builds from the first and adds a *critical reading*, which discusses the links from the Classical rhetoric and theories of power. Hoffman and Ford's last point is addressed in the conclusion chapter. By doing this, both research questions are answered accordingly.

The layout of the first section is as follows. First, the author discusses the dominant *ethos*, *logos* and *pathos* strategies in the KP. Second, the rhetoric provides new insights and contributes to the KP and organizational rhetoric literature. Following, the themes found in the rhetorical analysis are explained including rhetorical discourses, principal claims, motivations and purposes, identity and roles, key characteristics and relationships and belongingness. Additionally, the aspects such as the rhētors perceptions about assessments, change and constraints are detailed. In the fourth part, the consequential contributions of this thesis are made. A conclusion summarizes this compare and contrast segment before the next discussion section on power is proposed.

8.2 Responses to the First Research Question

A) What Classical rhetorical appeals (ethos, logos, and pathos) do the civil society, state actors and the diamond industry incorporate in their discourse about the KP and certification scheme?

Exploration into Aristotle's appeals makes sense of the KP as a whole, groups within the KP, individuals, and the diamond industry in general. The rhetorical statements are, "tool used by actors to construct and share meanings that help us navigate and make sense of a problematic, ambiguous, and contingent world," (Green & Li, 2011:1664). Specifying the *ethos, logos* and *pathos* contributes new insights for both the KP and organizational rhetoric literature. Combined, the data supports how international organizations use rhetoric to conceptualize the rhētor's ideological practices (Hartelius & Browning, 2008) by creating, "rhetorical repertoires from distinctive combinations of devices," (Halliday et al., 2009:9). Also, the rhetoric exposes the segmentation and divisions amongst the KP, which is generally believed to be one cohesive and sound whole. Evidently, the KP is engaged in, "multiple rhetorical efforts simultaneously," (Cheney et al., 2004:83). As can be seen in the Table 21, rhetorical strategies used by the KP sample are not uniform (Suddaby & Greenwood, 2005).

KP Observer/ Participant	Organization	<i>Ethos</i> (Credibility/ Expertise) {invented}	Logos (Logical)	Pathos (Emotions) Positive + Negative -
Coalition	INGO	~		-
	Rebel NGO			+
State Actors	KP Chair 2016			+
	Accepted			
	Outliers			+
Industry	Experts			-
	World Diamond Council			
	De Beers Group			+

 Table 22 - Dominant Ethos, Logos and Pathos Strategies of the KP

 Source: Author's Research

8.2.1 One International Tripartite Organizations Use Different Rhetorical Strategies

The KP actors have not been empirically contrasted in terms of their uses of rhetoric. The rhetorical analysis indicates the KP is able to tailor and integrate multiple messages to a wide range of audiences. The KP rhētors simultaneously manage their messages towards the KP family (internal audience) and to stakeholders of the diamond supply chain (external audience). These tensions are called "univocality" and "multivocality," (Cheney et al., 2004). The KP actors allocate a large part of their time to communicating and persuading their internal and external audiences. The rhetoric demonstrates how an international organization communicates as individuals, and on behalf of the group.

Public and private organizations in the KP adopt different Classical appeals of persuasion. Liu, Horsley and Levenshus (2010) assert organizations use different prominent appeal strategies and involve different types of narratives. This research offers new dimensions to the literature about organization discussions.²

Together the comparison agrees with Russel et al. (2008) rhetorical analysis whereby (a) rhetoric highlights the struggle of ideas; (b) rhetoric confronts uncertainty in policy-making, even at an international level. The study demonstrates the organizations in the KP do not share the same rhetorical strategies, and therefore are not mimetic, as Hegstrom (2009) claims.

Ethos

The Coalition is the only KP group who notably and consistently appeal to *ethos*. KP civil society members and the diamond industry experts in the sample were the two groups who appeal to negative emotional appeals (*ethos*). Their *ethos* associates with fairness and justice, as Green, Babb and Alpaslan (2008) also found in their study of elites. NGOs operating internationally constitute a channel of elite influence rather than democratic reform (Goodhart, 2005). It is through

² Differences in discussions about budgets, political influence, communication frequency, public pressure, interaction with other organizations, media coverage frequency, media coverage evaluation.

the use of ethos the Coalition creates legitimacy for transnational certification schemes as also argued by Overdevest (2010). While civil societies (both INGOs and NGOs) are keen to highlight their expertise of the KP and KPCS and the diamond industry, they also withhold extensive appeals to negative emotions (pathos). Initially, the Coalition rhetoric was extremely successful at raising awareness and prompting international response. Yet, as can be seen in the building up to and aftermath of their boycott, their rhetorical strategies do not always succeed (Martin, 2014). The Coalition uses a rhetorical strategy comprised of recycled *pre-existing* messages (Cheney et al., 2004) either aligning themselves against industry or states. This contrasts with Green, Babb and Alpaslan (2008) study who claim *pathos* causes an "us" versus "them" narrative. The *ethos* does the same. In almost all instances, their discourse was distinguished by addressing the faults of the KP and KPCS with emotionally loaded language. Nonetheless, the rhetoric demonstrates the communication of INGOs who can still occupy an explicit position even in a state-centric organization (Keck & Sikkink, 1998:19-25).

In the context of the KP, the sole use of negative-based *ethos* is not effective in persuading the audiences. *Ethos* appeals towards end-customers use guilt (von Koskull & Fougère, 2011). The diamond industry experts, who the KP family and outside audiences, would associate with inherent *ethos* as specialists in the field, do not seem to garner both the support or the sympathy from the KP or diamond industry. The analysis goes against the claim that, "Being perceived as an expert is then more crucial than being one," (Alvesson, 1993:1004).

These findings are also broadly in harmony with three of the four prominent *ethos* features found in Waddell's (1990) study on science and policy including compassion, reasonableness and trustworthiness. The data, however, did not disclose any incidents of "disinterestedness," (Erkama & Vaara, 2010). They are interested in attracting the most impactful publicity to an issue in order to raise awareness, support and financing. Another explanation could be those who exhibit strong *ethos* may be doing it out of "habit," (Kraut, 2012:538). One explanation of the use of *ethos* is the growth of civil societies in the 20th and 21st

century (Skjelsbaek, 1971) is based on the assumption INGOs and NGOs behave like firms as they follow their own interests (Prakash & Gugerty, 2010).

Logos

State actors sought to persuade the audience with appeals to logic. One rationalization for this could be that actors in the private sector of organizations may prefer to use more *logos* rhetoric in their persuasion efforts, while public sector workers lean towards ethos rhetoric (Eryilmaz & Eryilmaz, 2015). This rhetorical analysis suggest the KP Chair, through his rhetoric, exhibited charismatic leadership and adds to the studies who presuppose charismatic leadership use rhetorical tropes, "rhythm, repetition, balance and alliteration," (Gardner & Avolio, 1998:33). Accepted states and the WDC share similar appeals to rules and regulations. With a longstanding reputation of encouraging compliance to the KP, De Beers uses the KP as a way to maintain a virtual monopoly on the domestic diamond production (Munier, 2016a). There could be a few reasons for this. Firstly, the peer review process may explain the popularity of logos rhetoric amongst managers (Eryilmaz & Eryilmaz, 2015). Secondly, industry does not like change. Melville-Geary, Creative Director of Melville Fine Jewelry in Hong Kong says, "The diamond industry is inherently archaic. People don't want to change. There are special-interest groups that don't want it to change because it suits them to have it the way it is," (Soo-Jin, 2016). Like the rhetorical study by Iivonen and Moisander (2015), the rhetoric indicates the WDC aims to preserve the status quo (logos). Similarly, in relation to the aforementioned study, De Beers focuses on moral legitimacy (pathos) as being, "truly concerned about and committed to solving a social issue it is implicated in,"(ibid) and restores responsibility to relationships with stakeholders.

Pathos

Only the esteemed leaders in the Coalition and the recognized diamond industry experts purport negative *pathos* appeals when communicating about the KP and KPCS. When discussing issues of risk, it is particularly important to seek influence through *pathos* (Bakir, 2007:28). One may account this to the need for

these rhētors to try to attract the most attention for the cause and to their own organization, publications and services. Essential financing and revenue streams may be at the heart of their ethos strategy. Another explanation could be the pathos strategies are used to a) shape and frame current rhetorical situations, while also b) anticipating future rhetorical situations (Cheney et al., 2004:87). In particular, the diamond industry wants to protect the constructive image of diamonds and the supply chain with positive *pathos*. Through the implementation and continued support of the KP and KPCS, the diamond industry acts proactively and is equipped for any future civil conflicts that may involve rough diamonds. In any case, the rhetoric aims to persuade the public that the diamond industry is part of the solution and is capable of resolving an urgent situation, ('conflict' diamonds) just like Nike's response to their connection with sweatshops, (Stabile, 2000), the tobacco industry (Mejia et al., 2014; Pallazo & Richter, 2005) or Chrysler's reply to their poor performance in the 1980's (Seeger, 1986). The industry has been able to successfully build their credibility, without antagonizing the public or contributing to the public's perception of the diamond industry's arrogance, unlike Exxon rhetoric after the oil spill in 1989 (Tyler, 1992).

However, the author judges the positive *pathos* as more persuasive than negative in the rhetorical situations in which the rhetoric took place. Positive *pathos* alongside logical reasoning (*logos*) can together build credibility of the rhetor (*ethos*). The appeals addressing the livelihoods of people in the supply chain grabbed the researcher's attention and 'excited the imagination,' (King & Kugler, 2000). I refute the view that emotional appeals are unable to sustain an audience's attention (Green, 2004). In the case of De Beers, this study contributes a new component in the understanding of corporate citizenship: positive *pathos* appeals are present in the conception of political corporate responsibility (Scherer & Palazzo, 2007; Scherer et al., 2016). The *pathos*, by De Beers, elicited impactful emotions but it is undetermined if it would produce sustainable social action (Green, 2004).

8.2.2 Effectiveness of Rhētors in the KP

Some rhētors were more successful (KP Chair) in gaining support than others (Coalition).³ The rhetoric adds to the understanding of the effectiveness of the accountability and transparency of natural resource initiatives (Acosta, 2013).

The Coalition rhetoric appears ineffectual. One point made by this thesis is: expert (*ethos*) and negative *pathos* appeals strategies in tripartite organizations may not be the best way to influence multiple audiences. The Coalition's boycott rhetoric failed to influence the KP chair, other states, the diamond industry or the media and public. One reason for this may be the current, "growing divide between experts and society," (Pisani-Ferry, 2016). Experts are deemed to fracture society: over proud, insolated and unconcerned about ordinary people, seek agendas unaligned with citizens, "often blatantly wrong," incompetent, biased towards big business and the financial industry, naïve, selective in their analysis to fit their schemas, and divide the debates into 'narrow, specialized discussions,' (ibid). Despite the room for improvement in their rhetoric the Coalition remains, "the best imperfect representatives of common interests," (Abbott & Snidal, 2010:7).

From the researcher's standpoint, the KP Chair and the elites in De Beers were the most persuasive, or effective rhētors. The evidence suggests the most effective communicators in the KP use positive *pathos*. The KP Chair and some diamonds industry (not experts) adapt their communications in order to present a favorable KP and KPCS picture (Hyland, 1998).

Through rhetoric the KP Chair is able to deal with internal conflicts (similar to Molina & Spicer, 2004). The rhetoric fosters collaboration amongst the tripartite group (Palenchar, 2011) and shows how the KP Chair (and the KP as a political organization) uses rhetoric to mobilize support (Moufahim, Reedy & Humphreys, 2015). Because of his rhetoric the KP and certification scheme appear highly functional (Heath, 2006).

³ It is assumed that these rhētors have not been trained in the techne or skills of rhetoric (Heath, 1980).

The KP, and other international standard organizations, need not only to be competent in independence, representativeness, expertise and occupational capacity (Abbott & Snidal, 2009) they also need to be effective in their rhetoric communications. Intriguingly, persuasive rhētors are suspected as having the most money and resources (Heath, Toth & Waymer, 2009:14) in relation to other rhētors in the KP. Despite this, it appears they do not restrict, unfairly, or inappropriately slant the public discussion to being only among other powerful rhētors, (ibid).

8.3 Responses to Second Research Question

B) What do these persuasive appeals suggest about the participants, observers and KP as a whole?

The next section reveals how the KP presents itself, including what values the organization claims to uphold. The study provides new insights to the KP literature and rhetoric theory.

Firstly, the organizational rhetoric indicates the interests of the KP rhetors (Boyd & Waymer, 2011). Secondly, the KP rhētors use persuasive appeals for different purposes and motivations (Herrick, 2016:11). The ethos, logos, pathos strategies gives some indication to what is important, or what matters, to the different groups in the KP (Hoffman & Ford, 2010:244). Thirdly, rhetoric builds and shapes identities and roles. In part, this thesis builds the literature on how political-based organizations build and manage their identities (Aronoff, 1998; Sveningsson & Alvesson, 2003) through persuasive rhetorical appeals. As a case study the KP presents an example how organizations construct their identities (Fine, 1996) and manage their multiple identities (Cheney, 1991). Fourthly, the rhetorical strategies underscore the characteristics of the elites in each group. Fifthly, rhetorical analyses can help researchers determine the nature of the relationships amongst members within a tripartite organization. Sixthly, the divisions amongst the KP participants and Coalition are evident in the KP rhetoric, similar to Fine's (1996) study. Seventhly, by investigating the ethos/logos/pathos aspects of the KP give insight on the rhetor's view on change

for the organization. Eighthly, the research also demonstrates the expressed and contradictory constraints of the KP and KPCS shape the rhetoric around it. Ninthly, the thesis adds to the social ideologies by the three groups in the KP. Lastly, rhetorical analysis can reveal the wider social practices and ideologies (Russell et al., 2008). These ten findings are proposed in the Table following:

	Rhetoric	c Shows Ideologies of the Rhēto	ars.
Rhetoric Shows		State Actors	Industry
Predominate Appeals: <i>Ethos</i> (explicit) <i>Pathos</i> (-)		Ethos (implicit) Logos Pathos (+)	Ethos (implicit) Logos Pathos (+)
Type of Contemporary Rhetorical Discourses:	Boycott Rhetoric	Charismatic Leadership Rhetoric	CSR Rhetoric
Predominate Claims to:	Fact	Policy	Value (moral/social)
Purpose/Motivations in the KP:	To Persuade KP to: keep awareness on human rights, transparency and efficiency of the KP and KPCS and diamond industry.	To Persuade KP to: Chair – to set and manage the agenda. Recognized states: to ensure the rules are being followed. Outlier states: they are worthy of being apart of the "family."	To Persuade KP to: "save the diamond dream," and to maintain positive associations with diamonds throughout the diamond supply chain for consumer confidence.
Identity Roles: Experts, Watchdogs and Legitimizers (Bieri) Charismatic leaders, rule followers and defenders of diamond communities.		Experts and criticizers, promoters of rules and regulations (WDC) and champions of CSR (De Beers)	
Key Characters (Millar and Heath, 2004:12)	Protectors	Hero (Chair)	Protectors
Relationships: a) Focus on b) With other KP Value of the states and industry.		 a) Chair – alliances with African countries (including Zimbabwe) and Venezuela. b) Antagonistic to Coalition c) Not specific to states or other industry 	a) Maintaining focus on the beneficial relationships with workers in the diamond supply chain.b) Appears to get along with all members.
Aspect:	Communicates Abo		
Change KP Needs to overall the mandate		As An Opportunity Changes can be made, but overall the mandate should stay the same.	As a Necessity Doesn't want any changes.
Demonstrates How Constraints of the KP Shape the Rhetoric Surrounding It: (in the KP)	Funding, support	Policy building (Chair), costs (recognized) and getting back into the KP 'family,' (outliers).	N/A
Social Ideologies are Manifested in the KP:	Human rights, integrity, transparency, ethics.	Economic, development, consideration for stakeholders i.e. Human rights, integrity, transparency, ethics	Human rights, integrity, transparency, ethics.

Table 23 - Rhetoric Shows the Ideologies of the KP Rhētors

Source: Author's research.

8.3.1 Predominant Appeals

A rhetorical analysis of the KP disclosed differences in the discourses by the leaders of the Coalition, states and industry. The Coalition's predominant appeals are claims to expertise (ethos) and evoking an emotional response in the audience (pathos). Persuasion by emotions included anger, fear or sadness. In comparison, the states and industry tend to use logical appeals (logos) and appeals to positive The findings of this study are inconsistent with Bonet and Saquet emotions. (2010). The public and private sectors do not prefer to use a combination of all three rhetoric appeals. The differences between the three KP groups are not negligible. *Ethos* emphasizes socially accepted norms and traditions and produces "moral legitimacy," (Green, 2004). Logos and pathos address individual interests, and they produce "pragmatic legitimacy," (Suchman, 1995). Logos appeals rationalize and formalize KP processes in order to attain the organizational goals, (Barley & Kunda, 1992). It can be concluded the KP appeals are examples where an organization builds commitment of the participants and observers who have multiple goals (Jarzabkowski & Sillince, 2007).

8.3.2 *Type of Contemporary Rhetorical Discourse*

Classical rhetorical appeals uncover contemporary rhetorical theories such as boycott rhetoric, charismatic and CSR rhetoric. These unique bodies of rhetoric appear to not overlap. Congruently, the overall claims are different too. The main claims are made by the leaders of the Coalition as to how the KP can develop, and who needs to be removed often based on their own research. States however make claims about setting, amending, completing (UAE) or following policies ('recognized' states). In contrast, industry claims are primarily about value in the forms of moral and social efforts in their supply chain. As a result this study adds to the rhetorical studies of protest discourse, such as Endres and Senda-Cook (2011); charismatic rhetoric of leaders such as Den Hartog and Verburg (1997), Shamir (1995), Tan and Wee (2002), rhetoric of 'outlaws' (as detailed in the state chapter), (Boyd & VanSlette, 2009), and CSR rhetoric such as Castelló and Lozano (2011), Blaga and Rodriguez, 2011, Ihlen (2014) and Wright (2007).

8.3.3 Purpose/Motivations in the KP

Considering the major appeals, narratives and predominant claims throughout all the discourse advances new insights into the leader's purposes and motivations. The purpose or key motivational drivers for the Coalition is to persuade the KP to keep the focus on human rights related issues in the diamond industry, to change some mandates (redefining of 'conflict' diamonds) and to disregard the 2016 UAE KP Chair because of 'illicit' diamonds issues. The industry's purpose (De Beers) looks to be more about portraying all the positive contributions of the diamond industry in order to maintain consumer confidence. While the Coalition and industry are both motivated to educate, inform and ultimately persuade the end consumers about the social impacts of diamonds they go about it differently in their rhetoric. In any case, the pursuit of unearthing Classical rhetoric reveals modern rhētors trying to work to make society a better place to live (Boyd & Waymer, 2011). Here the considerations to 'What is Good?' (in relation to the diamond industry) does draw upon Aristotle's appeals (Dunne, 2007).

Reflecting in the Classical pisteis gives some indications as to why state actors continue to support the KP and KPCS (Abbot & Snidal, 1998). It is through the rhetoric the key groups in the KP governance triangle, "pursue their own interests and values," (Abbott & Snidal, 2009:6). The KP Chair tries to persuade the KP to support the initiatives he has set throughout 2016, 'recognized' states ensure policies are adhered to and 'outliers' aim to persuade the family they are suitable for re-admittance to the regime. The rhetoric suggests democratizing states are more likely to join human rights regimes (Moravcsik, 2000; Cole, 2005; Landman, 2005; von Stein, 2010). The research does not encompass the rhetoric of the states aspiring to be in the KP or other states that do not intend to participate (Hollyer & Rosendorff, 2011).

The rhetoric confirms the KP is state-centric after all (Baumann & Stengel, 2014). It appears states are genuinely committed to the KP (Hafner-Burton, 2012). On the one hand, the rhetoric shows national governments communicate on the basis of their domestic interests (Movarcsik, 1991). On the other hand, the rhetoric supports

the argument that states ultimately participate in international regimes (human rights related) because it "is a strategic process in which key decision makers act deliberately to increase the influence, relevance, and legitimacy of their own institutions," (Hafner-Burton, 2012:274). State participation in international human rights regimes are also shown by interviewee's (Zimbabwe) appeals to appease pressure groups (civil society) or appease their domestic opponents (Conrad, 2004), to solve problems (UAE), to participate in and commit to international regimes of human rights are directly influenced by their domestic policies (USA), to send a costly signal to domestic or foreign audience (Dubai), seek to support the global spread of legal norms (recognized countries). Arguably, they also participate because they are afraid of being prosecuted too (Conrad, 2011).

8.3.4 Identities and Roles in the KP

This thesis argues the rhetoric shapes and establishes the dominant stakeholder groups in the KP (Green, Babb & Alpaslan, 2008) and discloses new insights on rhētors identities and roles in the KP as a whole. The rhētors of the KP attempt to construct their very image through rhetoric (Cheney et al., 2004:91). The study concurs with Cheney and Christensen (2001:233) explanation that, "the ongoing rhetorical struggle for organizations of most kinds is to establish a clearly distinctive identity and at the same time connect with more general concerns so as to be maximally persuasive and effective." Congruently, "rhetoric produces and assigns the meanings that construct their identities," (Green & Li, 2011:1690). The data indicate a noticeable difference in the roles and responsibilities between the rhētors within the KP in general (Moyes & Nash, 2011:9). On the one hand, the Coalition leaders (PAC) have shifting and competing rhetoric with the rest of the KP (as a whole organization). On the other hand, the diamond industry's rhetoric is more complimentary with the states' rhetoric. Thus, each rhetor mobilized rhetorical forces to "distinguish themselves from others and to create connections with individuals and organizations," (Meisenbach & McMillan, 2006:102).

Adding to organizational identity theories (Moufahim, Reedy & Humphreys, 2015), the rhetoric also builds the collective identity of the groups and KP family and

illustrates how the differing groups of the KP aim to speak with 'one voice' through coordinating all relevant 'contact points' between the organization (Cheney et al., 2004:91). Respectively, the rhetorical communications represent their own views and the views of many "organized interests," (Crable, 1990:120). Together, the data suggests there is a, "management of multiple identities," (Cheney, 1991:2) within the KP as a whole, but it is hard to distinguish where the organizations and the individuals speaking for those organizations are separated (Cheney & McMillan, 1990). It is still unclear how to decipher for certain if, the "messages delivered on behalf of an organization should be attributed to the entire organization, not to the individual speakers themselves," (Boyd, 2001:281). Although individuals deliver the persuasive messages, its believed the messages remain institutional (Sproule, 1988). The KP rhētors communicate with rhetorical appeals often embedded in human rights issues or human security. This facilitates the distinct identity of the KP as the overseer of the diamond industry and as a result helps build credibility through transparency among its various audiences (Christensen, 2002). The author agrees, "Rhetoric is what sustains the rituals that characterize organizations and distinguish their identities," (Hartelius & Browning, 2008:12).

The rhetoric, especially *logos* and *pathos*, made by the state participants could possibly regenerate national identities (Stuckey, 2005). The researcher believes the UAE Chair was able to restore and reconstruct the identity of the UAE state and is capable, objective, progressive and fair. The 'outlier' states reconstructs their images as active and willing participants who have unrestrained determination to address the people in the diamond supply chain and those who could benefit from the economic distributions from rough diamond trade. Meanwhile 'recognized' states continue to emphasize how they are responsible and law-abiding importers and exporters.

Classical rhetoric shapes the roles of the observers and participants of the KP.¹ The Coalition maintains their roles as experts, watchdogs and legitimizers as first categorized by Bieri. Hence, the behaviors are construed, (Mitchell & Schmitz, 2014) as the observers continue to be "merchants of morality," (Bob, 2002). This study supports the claims that the INGOs and NGOs role is to contest (O'Brien et al., 2000), shame (Risse, Ropp, & Sikkink, 1999), civilize (Kaldor, 2000), democratize (Omelicheva, 2009), reframe (Joachim, 2003), reconstruct (Lipschutz, 1992) and transform (Cox, 1999). State actors uphold roles as a charismatic leader (in the case of the UAE) and keepers of the stable and integral certification system. As for the industry, their role can be conduced to the "saviors of the diamond dream."

8.3.5 Relationships

A rhetorical analysis is useful in getting clues to the affiliations within the KP. This study contributes to the KP body of knowledge and to rhetoric theory in regards to relationships. The KP literature tends to treat all the separate groups of the KP as one cohesive group and rarely identifies the interactions within their sector or as amongst each other. The rhetoric portrays how an international organization, with public and private actors, use rhetorical appeals to meet the demands and competing commitments of these publics, in the same way as Boyd and Stahley (2008) were able to demonstrate in their study about the rhetoric in sports National Collegiate Athletic Association. While authors such as Bieri identify the roles of the NGOs, there remains an opportunity to infer how the tripartite groups *appear* to relate to one another. By studying the *ethos/logos/pathos* within the KP discourse suggests some actors get along better than others. The next Table illustrates this:

¹ Cheney et al. (2004:91) and Castelló and Lozano (2011) stress Classical rhetoric help shape and make sense of an organization' role and role in society but new rhetoric theorists relate rhetoric, argumentation and roles of the communicator (and audiences) too (Bitzer, 1968;Booth, 1974; Burke, 1966,1969/1950;Perelman & Olbrechts-Tyteca, 1969).

	Rhetoric Shows Ideologies of the Rhetors						
	Coalition	State	Industry				
Coalition	Not entirely cohesive. INGOs generally supportive of each other. Little discourse about NGOs – NGOs (ambivalent).	Clashing with UAE, and other outliers.	Critical, mainly focused at De Beers.				
State		Maintain positive addresses of other countries. China-Taiwan hostile.	Amiable.				
Industry			Supportive, no sign of hostilities shown in the rhetoric.				

 Table 24 - Inter-Relationships/Cooperation Within the KP

 Source: Author's research

The Table provides new insight to the literature displaying the connections between rhetoric and cooperation. It builds to the contemporary notions of "inducing *cooperation*," as depicted by Burke (1950/1969:43). Recall, Burke theorised everyone uses language persuasively in order to induce, "cooperation in beings that by nature respond to symbols," (ibid). This study offers an example for the INGO and NGO 'belongingness' more generally (Pishchikova, 2006; Murdie, 2014a; Steffek, 2013), relationships with the Coalition and state actors (Casey et al., 2010; Johnson, 2016; Pallas & Urpelainen, 2012). By elucidating the rhetorical appeals the study ads to the relations of transnational states (Nye & Keohane, 1971). For industry, the rhetorical appeals of industry show how corporations use pathos in order to make clear their good relations (CSR) with and to their stakeholders (Bhattacharya, Korshun & Sen, 2009).

This study delivers new data for the KP literature: how the KP rhētors interpret various topoi and the rhetorical situation including change, constraints and entrenched values. Upon assessment, the Coalition try to persuade internal and external audiences for change, the states are more open of systematic modifications but are steadfast in keeping the mandates the same (i.e. definition of 'conflict' diamonds), and industry appears to want the KP, certification scheme and SoW to remain the same. The appeals set forward the perceived constraints of the rhetor's own group which in turn shape the rhetoric surrounding it. While the Civil Society vocalizes the overall support, including financial, the states question policy building (Chair), costs (recognized) and getting back into the KP 'family,' (outliers). In

comparison, the industry remains optimistic about the KP and KPCS and expressed no substantial pressures from the KP. Instead, De Beers expresses the most important constraint is not within the KP, but with the perceptions of the general public and diamond jewellery target markets around the world. As a consequence, the Coalition rhetoric is shaped into negative *ethos* boycott, the states into *logos* to rules and regulations and the industry (De Beers) giving CSR-based rhetoric. In all three cases, the *ethos*, *logos*, and *pathos* are used to change things (Conrad, 2011; Green, 2004; Grint & Case, 1998). Thus, the rhetoric helps understand the KP, as it resides in a turbulent environment, and continues to diffuse the 'conflict' diamonds issue, promote the continuance of the KP and KPCS, evolve the process, legislation and regulations causing change in the KP itself while involving the Coalition (of civil society) and mass media, just as Bridges (2004) discussed would be the case in rhetoric in issues campaigns.

8.3.6 Human Rights and Human Security Concerns

What KP rhētors fundamentally have in common is that their social ideologies are manifested in the KP. Even though civil society, states and industry use different rhetoric they achieve similar aims in human rights, transparency and ethics ideals. Rhetoric entails the values and sense of self that permeate an organization, provide praxis, and give purpose (Deforest & Spicer, 2004). This study offers an example of a case study of an organization that communicates values, grounded upon human rights issues (in ethos and pathos) in line with Aust (2004). Jointly, the rhetoric reveals cultural ideologies in human rights; ethics and transparency are imbedded and manifested in the KP discourse. Whilst the three groups use different and competing discourses, their underpinning logics in human rights do not contradict. This is dissimilar to Brown, Ainsworth and Grant (2012). Most importantly the rhetoric of all the KP actors serves the two primary functions of organizational rhetoric stipulated by Cheney et al. (2004:90): "it draws on existing cultural assumptions to support/condemn and or legitimize/de-legitimize particular policies...it reproduces and reinforces the cultural assumptions on which it is based."

The organizational rhetoric of the KP serves the two purposes stated by Heath (1990): (1) to improve the ethical practice by focusing on the external perceptions, and; (2) improve the organization's self-interested communication with the same external emphasis. Hence, the KP is a case study that provides evidence of "structures as a web of rhetorical arenas in which strangers encounter difference, learn of the other's interests, develop understanding of where there are common goals, and where they may develop the levels of trust necessary for them to function in a world of mutual dependency," (Hauser & Benoit-Barne, 2002:271). To summarise, the rhetorical appeals support the view that the individual values of the rhētors are the same as the overall KP organizational values.

8.4 Discussion – Classical Rhetoric and Links to Power

Introduction and Outline

In the second part of the discussion, the author draws conclusions about power. This is the last step in a rhetorical analysis of an organization, (Hoffman & Ford, 2012).² Power is a "theoretical term," (Lukes, 1979) assumed to be everywhere, continuous, observable, dispersed through networks of complex relations, can be repressive and productive, and only exists "when it is put into action," (Foucault, 1982). It follows; 'power' is not stable (Bachrach & Baratz, 1962). Notwithstanding, power still remains a contested issue (Dowding, 2006).

From its beginnings, the use of rhetoric has inherently involved issues of power (Conrad, 2011:1-2) designed to have an effect on an audience; to influence it to some end (Gill & Whedbee, 1997; Higgins & Walker, 2012; Raven, 1965). Studies on ideological power seeks to identify, "the means through which power influences, shapes or determines conceptions of necessities, possibilities and strategies of challenge in situations of conflict," (Gaventa, 1980:15). Not surprisingly, power underpins any definition of rhetoric (Brummett, 2000; Higgins & Walker, 2012; Panagopoulos, 1980). Notably, persuasion does not mean coercion, threats or torture (Cheney et al., 2004:79). Rhetorical studies in Management are interested with power as it relates to language (Hartelius & Browning, 2008). International relations conversations on power tend to revolve around the four sources of power: military, political, economic and ideological (Mann & Haugaard, 2011). This section addresses the calls for further research and critical aspects of rhetoric (Brown, Ainsworth & Grant, 2002; Green, 2004) and specifically addresses the power of elites in organizations (Reed, 2012).

One of the limitations of rhetoric theory in organizational studies is that they often do not embrace other theories (Symon, 2005) including articulations of power. Conversely, authors who do address power, in regards to rhetorical theories, have a one-dimensional understanding of power and fail to address the other levels of

² While a rhetorical analysis customarily looks into power, it is not considered a subset of discourse analysis (Cyphert, 2010).

power (Lukes & Ladawn, 2005). Often, researchers assume that persuasion is only about power control, domination or manipulation, and do not address the other aims of rhetoric including to inform, to express, to educate or to entertain (Hartelius & Browning, 2008; McGuigan et al., 2007:4). It is also assumed power embedded in the *ethos/logos/pathos* underpins the meanings of an institution (Suddaby & Greenwood, 2005).

Hoffman and Ford (2010:xvii) provide the process for analyzing organizational rhetoric. In the last phase, "critical rhetoricians seek to unearth uneven distribution of social power affects a social actor's ability to shape others towards their interest," (ibid). With regard to assessing rhetoric and power, Heath, Toth and Waymer (2009:14) confirm the following questions should be answered: (a) whose interests are being served? (b) whose agendas are being forwarded? (c) does the rhetoric and policies that result from the discourse make society better or merely privilege the most economically powerful voice? (d) Do the rhētors with "deep pockets" distort the dialogue? (e) Does the rhetoric discredit the voice of the powerful in the mind of the critic? The following outline explains how these questions are answered.

This section considers different theories of power in relation to the rhetoric (Lebow, 2005) in the data chapters. First, an analysis will introduce the dominant persuasive appeals by the KP elites with French and Raven (1959) five models/bases of power. Secondly, the data is related with the three faces of power according to Lukes (2005/1974). A summary will conclude this discussion chapter.

8.4.1 Rhetoric and French and Raven

French and Raven (1959) discerned five models or bases of power: reward, coercion, legitimate, expert and referent. The rhetorical appeals correspond with the bases as shown in the following Table:

	Rhetoric and the Bases of Power					
Base of Power/ Taxonomy	Ability to:	Nature:	KP Actor	Dominant Persuasive Appeal		
Coercion	Punish for non- compliance.	Impersonal and Personal Coercion	States	Logos/Pathos (+)		
Reward	Compensate for compliance.	Impersonal and Personal Coercion	States	Logos/Pathos (+)		
Legitimacy	Hold the formal ability to make demands based on position.	Formal Legitimacy (position power), of Reciprocity, Equity and Dependence (powerlessness)	States, Industry Coalition	Logos/Pathos (+)		
Expert	Hold superior knowledge and skills.	Positive and Negative Expert	Coalition (negative) Diamond Industry Experts (negative)	Ethos/Pathos(-) Ethos (-)		
Referent	Perceived attractiveness, worthiness, charisma, and respect.	Positive and Negative Referent	KP Chair De Beers	Logos/Pathos (+) Pathos (+)		

Table 25 – KP Rhetorical Appeals and Power: French and Raven (1959) Source: Author's Research

Ethos, logos and *pathos* contribute to characterizing French and Raven's (1959) sources of power. In the KP, the states can present coercive or reward power. Governments, the only actors with voting rights, characterize this. The KP Chair exemplified the greatest degree of legitimacy power in his rhetoric. This follows, since he holds the highest position of formal legitimacy as he was voted into the role. The powerlessness dependence position can be most closely associated to the Coalition who deployed *ethos* rhetoric to expertise. Hence, the Coalition and experts are best situated in the expert base of power. They are distinctly negative as seen in their appeals to negative emotions (*pathos*). Referent power is presented in the rhetoric of the KP Chair and De Beers. Particularly to positive *pathos* appeals to rhetoric and respectable.

The appeals to positive or negative emotions (*pathos*) shape the *nature* of the body of powers. French and Raven (1959) determine the nature of the bases (column 3), but they do not clarify how they derive the positive or negative aspects. Hinkin and Schriesheim (1989) for example, conducted an exploratory research in order to develop a distinct scale of the bases of power. This thesis suggests the *pathos* help shape the conception of the expert and referent power bases.

8.4.2 *Rhetoric and Lukes' Explanation of Power*

Power is reflected in how actors manage to influence another in a significant manner (Lorenzi, 2006). Steve Lukes (1974) there are three 'faces' or 'dimensions' of power: decision-making power, agenda-setting power and ideological power. The first face of power is the Classical "Pluralist," one-dimensional view of power based on the work of Dahl (1971,1957). Power is observable. It can be measured. And those who have *more* power are the powerful: "A has power over B to the extent that he can get B to do something B wouldn't otherwise do," (Dahl, 1957:202-203). Lukes acknowledges the first face of power, but determined the conception was too "narrow," (Lukes, 2015).

The second face of power incorporates a two-dimensional agenda. So, it recognizes a person has power if they can affect another, but a person *also* exercises power if they are able to influence and restrict the topics that are up for debate: "when A devotes his energies to creating or reinforcing social and political values and institutional practices that limit the scope of the political process to public consideration of only those issues which are comparatively innocuous to A," (Bachrachand & Baratz, 1962:948).

Lukes (2005/1974) advances the pluralist and two faces of power with his threedimensional 'radical' view. It is conceived as when, "A exercises power over B when A affects B in a manner contrary to B's interests," (Lukes, 2005:37). The radical view advocates people sometimes act willingly in ways that appear contrary to their most basic interests (Lukes, 2005:27). Therefore, the third dimension of power is often likened to people being dominated: "the thick sense where people actively believe the values which oppress them," (Dowding, 2006:137).

Crucially, the third form is most significant as it shapes the first and second forms of power (Lukes, 2005; Swartz, 2007). All three dimensions of power focus on decision-making, observable conflict, policy preferences and critiques of behavior (Lukes, 1993:45). The faces of power uncover the mapping of our social world by uncovering the varying distributions of power lead to social inequalities (Lukes, 2002). Fittingly, Lukes' combined dimensions of power have been correlated with the rhetoric of the Coalition, state actors and industry in the Table ahead:

						Luke's Power Fa	ace:
KP Observer/ Participant	Org.	<i>Ethos</i> (Credibility /Expertise)	Logos (Logical)	<i>Pathos</i> (Emotions) Positive + Negative -	1 A>B Pluralist	2 Agenda	3 Radical Hegemony
on	OÐNI	Y		-	Not Achieved	N/A	N/A
Coalition	Rebel NGO			+	Noticeable	N/A	N/A
ors	KP Chair 2016		Y	+	Achieved	Achieved	Potential?
State Actors	Accepted		Y		Achieved	Achieved	N/A
	Outliers			+	Achieved	Achieved	N/A
	Experts		Y	-	Negligible	Achieved	N/A
Industry	World Diamond Council		Y		Achieved	Achieved	Potential?
	De Beers Group			+	Achieved	Achieved	Potential?

KP Actor's Rhetorical Appeals and the Associations to Power

 Table 26 - KP Rhetorical Appeals and Power: Lukes (2005/1974)

 Source: Author's Research

According to the examination, pluralist first-face power has been achieved by most of the KP rhētors. Also, the rhetoric indicates which KP groups have been able to influence the KP agenda. The KP case study shows the importance, differences and tactics (pisteis) in the different power sources in downward, upward and lateral relationships (Yukl & Falbe, 1991,1990). Blending rhetoric and Lukes power further explains individual's responsibilities (Hayward, 2006). It also portrays the conflict that resulted between the Coalition and the 2016 KP Chair. Whereas the Coalition boycott rhetoric achieved very little attention or support, the KP Chair appears to have prevailed in his efforts during his tenure. Resultantly, the data suggests different agendas exist, but the KP Chair's rhetoric (and agenda) is more persuasive. As for the De Beers, the agenda is to keep human rights, transparency rhetoric within CSR and citizenship rhetoric. Thus, the issues of 'conflict' diamonds are averted as the focus is turned towards 'development' diamonds (states) and 'saving the diamond dream,' (industry).

Lukes' First Power

Power, in this regard, reflects the ability of one actor to cause another to do something that they otherwise would not, such as submit to monitoring or sanction (Lukes, 2005). Power is thus inherently "power over" another (Barnett & Duvall 2005:41).

Coalition & Lukes' 1st Power

The CSC was not successful in persuading the state actors to address the noncompliances of Zimbabwe, Venezuela and especially Dubai. The Coalition boycotted the KP throughout 2016 after years of appeals to the states without recognition or change in their behavior. Despite their efforts, the Coalition did not have the influence over the states indicating the lack of the first face/dimension of power. Here, credibility does not enhance perceptions of power (Nesler et al., 1993). "Achieve goals through attraction rather than coercion," (Nye, 2004:86). Moreover, as seen in this study, the Coalition can be easily substituted. This makes it tough for them to retain the first dimensions of power. Other organizations can secure equal or relative involvement based on the same basis of having expertise, specific information or technical advice specific to the industry. In order to maintain significance in the tripartite group, the CSC require more drastic measures and resources in order to successfully persuade others and to maintain relevance. In such circumstances, this may include having to use increased levels of *pathos* to keep the public's awareness. As a result, these findings add to the understanding of NGOs and power (Duval, Gendron & Roux-Dufort, 2015; Reith, 2010; Simbi & Graham, 2000).

State & Lukes' 1st Power

State actors, who are participants in the KP, are able to maintain autonomy and to directly influence their own interests because the governance structure is set up as a consensus voting. All voting state actors must agree for any amendments to the KP core document. In this case, the state actors share equal power and maintain the same potential to influence a change in conceptions or ideas (such as in the case for broadening the definition of 'conflict' diamonds) and procedures or behaviors (most notably in how to address states with gross human rights violations). However, the KP Chair only has a one-year term to advocate and implement change.

Industry & Lukes' 1st Power

The diamond industry experts have been unable to persuade the KP to acknowledge issues relating to costs of the certification scheme or to address adopting other certifications initiatives. The WDC has been successful in maintaining the structures and processes required to ensure all diamond industry members have consistently followed the expectations of the KP and SoW. The various De Beers communicators maintain they are able to get the people throughout the supply chain to prove transparent and responsible behaviors.

Lukes' Second Power (Agenda)

Power is entrenched with interests (Lukes, 2005a). This thesis proposes the KP rhetoric exhorts the primary interests to influence the KP agenda. It is apparent the rhetoric gives insight as to whether or not KP actors are able to influence the KP agenda through their rhetoric too. The researcher shows there are discrepancies to the KP groups being able to set and control the KP agenda as compiled in the next Table:

KP		Coalition	State	Industry
to the K	Set Agenda	No	Yes – Diamonds upstream Yes – Diamonds downstream	Experts – No WDC – Yes diamonds downstream De Beers – Yes diamonds downstream
Influences Agenda	Control Agenda	No	Yes – Diamonds upstream Yes – Diamonds downstream	Experts – No WDC, Yes diamonds downstream De Beers, Yes diamonds upstream/downstream

 Table 27 - Rhetoric and Influencing the KP Agenda

 Source: Author's Research

Coalition & Lukes' 2nd Power

The Coalition wanted to change the KP agenda by wanting to remove the 2016 Chair, exclude outlier states, and revise the definition of 'conflict' diamonds. They were unable to get these issues on the agenda. As a result they turned to usurp or sabotage the functioning of the KP through their boycott. It is unlikely they can set the agenda because they uphold only 'observer' status.

State & Lukes' 2nd Power

The three types of states (Chair, 'Established,' 'Outliers') are able to affect the KP agenda in different ways. Firstly, the KP Chair is the only state actor whose agenda was put forward (in 2016). It is argued, he was adept in his role due to his recognized legitimacy in setting the agenda.

The Chairmanship system is defined as, "an institution for reconciliation of interests where the chair assumed by one of the member states plays a role of agenda-setting," (Suzuki, 2014:1). Through his rhetoric the Chair "shaped the agenda," (Tallberg, 2003) to reveal his achievements³ through three forms: agenda-setting, agenda structuring and agenda-exclusion.

Agenda-setting involves introducing new issues to the agenda. Ahmed Sultan Bin Sulayem affected the policy agenda by introduction of new ideas and his capacity to structure ongoing debates, (Special Forums, Coalition Common Fund) (Tallberg, 2003). The KP Chair shapes agenda by *raising the awareness of problems previously neglected* (ibid). Secondly, he *develops concrete proposals for action in response to recognized problems*, (ibid). And thirdly, the KP Chair was able to *develop new institutional practices*, (ibid).

Agenda-structuring refers to emphasizing and or de-emphasizing priorities (Tallberg, 2003). The Chair reveals his regional priorities, (Dubai tourism), socioeconomic priorities, (increasing trade for state actors while also keeping human rights social issues) and constitutional priorities, (supporting the civil society, setting permanent secretariat). Considering the controversy of the Coalition boycott, the Chair de-emphasized their actions throughout the year.

Finally, agenda-exclusion refers to blocking issues from the policy agenda (Talberg, 2003). Issues not on the agenda included, changing the definition of 'conflict' diamonds, synthetic diamonds, money laundering, terrorist financing, regulators like the World Trade Organization (WTO), regulations including the General Agreement on Tariffs and Trade (GATT) or engagement with the UN.

The KP provided the Chair with the opportunity to address the aspirations of the KP while also satisfying the needs of domestic politics (Cox & McCubbins, 2005) expected with increased trade in rough diamonds and other commodities into the DMCC. Arguably, the Chair was successful in all his endeavors, including the issues on the agenda, because he has an abundance of economic and political resources available to him (Blavoukos & Bourantonis, 2010). As seen in the *logos*

³ It is recognized that the different outcomes could have been possible if the agenda was set up differently (Riker, 1986).

and *pathos* of Ahmed Sultan Bin Sulayem, his setting the agenda rhetoric advocate trait characteristics of a Chair who is charismatic and transformative in an organizational setting (Avolio & Bass, 1988,1995; Conger, 1989; Conger & Kanungo, 1987).

The 2016 Chair was able to both set and control the agenda for issues of diamonds upstream (mining, trading) and downstream (sorting, manufacturing, retail). The KP adheres to all three agenda setting parts: (1) "proposal power" to put things forward for consideration by other actors, (2) "enforcement power" ability to force compliance or veto proposals, (3) "implementation power" ability to execute the agenda, (Heiss and Johnson, 2016). By doing these, it confirms he has "outcome power" (ability to bring about outcomes) and "social power" (ability to deliberately to change incentive structures of another actor or actors), (Dowding, 1996:28). The Chair mobilizes the sets of "predominant values, beliefs, rituals and institutional procedures that operate systematically," (Lukes, 2005:21). He is also the gatekeeper to what's not allowed to be discussed and to who is not allowed to be a part of the "family," including recognized KP participants and observers but also international trade bodies like the OECD, other NGOs not apart of the Coalition, media and academics (like me). This possibly goes against scholars who have argued organization rhetoric and its rhetors have more power than individuals and individual rhetoric (Cheney 1991; Cheney & McMillan, 1990). But, it does seem to back Luke's second face of power as an "elitist" view of power (Bachrach & Baratz, 1962; Mills, 2000/1956).

Secondly, the 'Established' states want to keep the status quo of the agenda so they appear to want to set the agenda to conform to established rules and regulations (*logos*) while also controlling the agenda to maintain its current form. This differs from the 'Outlier' states who predominately use persuasive appeals to try to be approved *to be on the* KP agenda so they can be readmitted or confirmed apart of the family. States within a tripartite international organizations (transnational advocacy networks) involved in a global issue have diverse aims and ways of setting the agenda (Carpenter, 2014,2007).

Industry & Lukes' 2nd Power

The rhetorical analysis identified three different types of pisteis strategies. Correspondingly, the experts, WDC and De Beers also have varying abilities in influencing the KP agenda. In the first sense, the experts (with their negative *pathos*) are limited in their power to set or control the agenda. The WDC, however; focus on setting and controlling the issues related to the SoW and diamond industry agendas for diamonds downstream. Because De Beers has 50% partnerships with Botswana and Namibia along with their strong presence in South Africa and Canada they are able to have more power on upstream and downstream diamond agendas. The conclusions about Luke's second power lends support to how and in what ways elite agendas influence international human rights regimes, (Simmons, 2009; Mills, 2000/1956). This is significant because the second face of power, "is held by an elite few who are able to manipulate the policy process in a way that it may appear as a fair and legitimate part of democracy," (Wiegmann, 2014:8).

The KP actors use three methods of 2nd face of power (Lukes, 1974): avoidance, delay and bureaucracy. On the one hand the Coalition try to avoid and delay the KP meetings altogether in order to affect the agenda. On the other hand, KP state participants (as Chairs) are able to take advantage of this dimension of power to keep, for example, illicit diamonds, smuggling or money laundering from ever reaching the Intersessional or Plenary meetings. In doing so they are able to ensure there is no opportunity for change causing adverse affects on their reputation or economic situation. The rhetoric features the four structures of bureaucracy according to Max Webber (1978) as compared with the data chapters in the next Table:

Weber's Bureaucracy Structure	Coalition Chapter	State Chapter	Industry Chapter
1.System of written rules, standards and procedures.		Recognized states (logos)	WDC (logos)
2.Clearly specified		Chair	
hierarchy/authority.		(logos/pathos)	
3.Evaluation Systems	Coordinator PAC (ethos)		
4.Clearly specified system of task and role relationships.	All (ethos)	All (logos/pathos)	All (logos/pathos)

 Table 28 - KP Rhetorical Appeals and Weber's Bureaucracy

 Source: Author's Research

State actors portray a direct level of decision making through the policy-making, which requires other state actors to follow. During the Intercessional and Plenary meetings the process and scheme is open to scrutiny at various stages, i.e. Working Groups and Committees. Thus, people understand how and why decisions are made. Effectively, state decisions are made in the first face or open face of power.

To review, the KP rhetoric explicates: (a) The three groups in the KP have different KP agenda aims; (b) The Coalition and expert industry (who use predominately *ethos*/negative *pathos*) appear to be the main rhētors unable to set or control the KP agenda; (c) The author speculates thatto be able to influence the agenda, the Coalition may have to be apart of t he KP and suggests boycott rhetoric: "if you're not apart of the solution, you're part of the problem;" (d) Setting the agenda reinforces the status quo in *logos* appeals; (e) KP rhetorical appeals create and reinforce social, political and institutional values and practices (Barach & Baratz, 1962), and; (f) Therefore, Luke's second face of power is the most important in the policy processes of the KP (Wiegmann, 2014).

Lukes' Radical Power

This thesis could not substantiate rhetoric with domination, often associated with Lukes' radical view of power. Determining evidence of radical power is difficult to ascertain because "it is the most hidden from view," (<u>www.stevenlukes.net</u>). There are no definitive examples of 'radical' power in the KP as a result of studying the

discourse through a rhetorical lens. The insidious aspects, abuses of power (Grant & Keohane, 2005), domination (Conrad, 2011) or "unorthodox use of language," (Berlin, 2003:xvii) were not noted in the KP rhetorical appeals. However, there could be one deviant from this claim; the civil society appears to be colonized by the state and power elites by the KP Chair's new Coalition fund (Hauser, 1999:24). Otherwise, the rhetoric in the KP is not harmful or unproductive, as Deetz (1982) attests.

There are two possible reasons why this may be the case. First, the embedded structures of the KP provide barriers to prevent states being a self-serving force who use domination to keep power (Lukes, 2005/1974). On the one hand the structure of a one-year Chairmanship prevents abuses over power due to the time constraints. In the same way, the consensus voting system ensures that any exploitations of power are blocked. In addition, the KP's review system deters abuses of power. On the other hand, external forces could disrupt the third dimension of power manifesting in the KP. The engaged civil societies and media could possibly place enough pressure on the KP, primarily on key industry leaders, to discourage the use of radical power.

8.5 Final Discussion

All three faces help to shape the understanding of social forces, institutional practices and individual decisions in the KP.

Table 29 Combined Rhetoric and Power Theories{See Next Page}

KP Family Group	What do they want to achieve and portray in their messages?	Focus	Power French and Raven	Luke's Power	Consequence of Power	What Audience(s) are they Appealing to:	What are their persuasive appeals? How: Ethos/Logos/Pathos	Overall Effective?
NGOs/Civil Society Coalition Observers	 Relevant Still important Worth listening to Able/Capable Represent the ideal societal "good" Moral legitimacy 	Moral Ideological articulated set of ideals, purposes (aims and objectives) on Human Rights Issues	Informational/Expert Power – potential use of informational resources	Unable to Attain First face	Resistance {Boycott}	KP States, KP Industry, media, advocacy groups, other civil societies and end consumer.	Ethos - Expertise and Information/knowledge of the conflict diamond issue, and the KP/CS. Going beyond self-interest. Logos: Boycotting the KP 2016 due to the KP Chair in Dubai and ongoing human rights abuses within participating state actors. Pathos: Human rights, concern for the small/artisanal miners, Leans towards evoking negative emotions. Empathy generating.	No - because the state actors have not changed their behaviors in regards to the specific concerns and demands made by the KP CSC.
State Participants	 Capable (to adhering to the KP minimum requirements Validation of structures and norms of the regime Accountable, transparent 	Structural Dahl, R.A. Structure, procedures, acts, decisions, policies, officials and leaders	Coercive power - Application of negative influence. Ability to demote, punish states for not meeting performance expectationsdeter. states from making decisions that may negatively affect the KP.	First Face Second Face Setting the Agenda	Compliance {to,KP minimal requirements}	KP family	Ethos - Not detected. Logos - We adhere to the structures, acts, policies required by the KP. Self- interest. Pathos - Only seen in non- compliance states: Zimbabwe, Venezuela, Dubai, Lebanon. Positive emotions.	Yes
Diamond Industry	- Responsible, accountable, transparent	Personal Nature	Legitimate Power DeBeers position in the organization, diamond industry	First Second	Commitment {ta.the "diamond dream"}	KP family, to the diamond supply chain and to diamond consumers worldwide.	Ethos - Going beyond self- interest. Logos: Diamonds are for the good, "development diamonds." We are corporately socially responsible. Pathos: vibrant descriptions towards "saving the diamond dream." Leans towards evoking positive emotions.	Yes

In line with Falls (2011) visual rhetoric study of blood diamonds, this thesis argues it is through their persuasive appeals that NGOs, state and industry express different ideologies, but together in their own rhetoric advance parallel agendas with the use of the KP and KPCS. For instance, all the interests of the tripartite group are being served. The Coalition continue to use the KP as a platform to generate awareness about human rights and security issues in the diamond industry which helps them remain valid. The states support the KP to ensure the ongoing trade of rough diamonds for economic beneficiation of the government and communities. At the same time, the industry benefits with the certification scheme and SoW which allow for a self-governing system ensuring the viable, accountable, traceable diamonds through the entire supply chain which (may) restore consumer confidence. The rhetoric and policies resulting from the discourse make society better and privilege the most economically powerful voices (Heath, Toth & Waymer, 2009:14). The link is: the rhētors with "deep pockets" distort the dialogue to ensuring the entire diamond supply chain is viewed positively. Like Gaventa (1980a) study the consolidation of power through ideology occurs through four elements: 1) the KP share a common purpose, "we all want the same thing;" 2) all benefitted from the KP and KPCS to some extent; 3) the KP represented "progress" and was good; "civilized," better than before, and; 4) domination could be seen in the Chair over the Coalition. That aside, the Chair's rhetoric did not discredit him as the most powerful voice.

8.5.1 Conclusions

Rhetoric is the means by which people convince others about a point of view. This study suggests the *ethos*, *logos* and *pathos* builds and shapes a rhetor's ability to influence and thus constitutes their power. Together the rhetoric assists in forming order of the KP and certification scheme. The KP gives us an example of multifaceted communication that converge moral responsibility and political responsibility relevant to the study of power (Haward & Lukes, 2008). The rhetor's competencies are highlighted in each discourse, which determine participation and influence collaboration (Abbott & Snidal, 2009). The sources of power presented

by French and Raven (1959) can be deciphered by understanding the rhetorical appeals. Rhetorical appeals and Lukes power can give further understandings of international organizations (Barnett & Finnemore, 2004) like the KP. Power is the ability to persuade or to influence, to persuade is the ability to effectively use Classical rhetorical appeals. It has been found, "even though the beginnings of rhetoric focused on the narrow context of persuasive public speech, rhetoric today can serve more broadly to help us think about issues of identity and power," (Keith & Lundberg, 2008:9). In conclusion, rhetoric distributes 'power,' (Herrick, 2016:17) and everyone in the KP is 'constituted' by power (Lukes, 2006).

A rhetorical analysis, such as the one completed on the KP, shows how an approach into an organizational discourse does not have to be confined to only one perspective. The discussion identifies how the *ethos*, *logos* and *pathos* throughout the different tripartite group can illustrate the ways communication (a) constructs social and organizational meanings and identities, (interpretive approach); (b) is a 'tool' for facilitating relevant processes and outcomes in the certification scheme, leadership and change (instrumental/managerial approach), and; (c) espouses issues of power within different contexts and social structures, (critical approach).

8.6 Reflections on the Researcher's Role in the Gathering and Interpretation of Data

"In fact, theoretical discussions of the nature of audience in written discourse are relatively rare," (Park, 1982:247).

8.6.1 Introduction

This section provides reflections on my role as the only person to collect and analyse the data. It is important to consider the issues as the researcher who was both an observer (or outsider) and also as the researcher who collected and analysed rhetorical discourse as the intended target audience (or an insider).⁴ Etic and emic

⁴ Predominately, the aim of this research is not to substantiate all the audience responses to the rhetoric. Understanding the types of pisteis and the all the audience's responses (including the various members of each KP group) is far beyond the scope of this research and deemed

can be understood as the "outsider" or "insider" viewpoints respectively (Harris, 1990).⁵ (These correspond to *secondary* and *primary* audiences in rhetoric theory). I collected and analysed data as an outside observer (as the only academic guest) in the KP Intersessional meetings and during content analysis. I was also the intended audience of the rhetoric during the personal interviews and email correspondence. While both roles allow for a diverse set of data, due to their differing rhetorical situations, the etic and emic positions illustrate, "marked differences in the matters attended to and the ways they are presented," (Park, 1982:248). This final discussion section considers these rhetorical situations as "the context in which rhetorical discourse," speakers or writers create (Bitzer, 1968:382). Commonalities and differences between the etic and emic positions are acknowledged including why the discourse was needed, what the rhetors were trying to accomplish and their effectiveness and challenges.

8.6.2 Why is the Discourse Needed?

The various discourses were prompted by very different causes. Etic situations (observations) resulted from the required annual KP meetings compared with the emic (interviews), which were requested by the researcher. So, there was a greater urgency for the rhetors at the Intersessional than those in the interviews. Correspondingly, it would have required those who were studied more time and energy preparing and attending the rhetorical situation than the observer. As the

overambitious (Sekaran, 1983). However, this type of research is encouraged in the Further Research section.

⁵ The terms 'emic' and 'etic' were first termed by Pike in 1954. Whist mainly a term used in anthropology and psychology discourse (Headland, 1990) the terms are fraught with inconsistencies. Some authors relate the concepts as subject vrs. objective (Morey & Luthans, 2017), as working intensively within a single culture vrs. working comparatively across cultures (Berry, 2007; Brislin, 1976) or cultural specific or global (Herche et al., 1996). To compound the misunderstandings, Headland (1990) shows the convolution of emic/etic: Even still, authors do not share the same interpretation of the perspectives equating: "emic and etic with verbal versus nonverbal, or as specific versus universal, or as interview versus observation, or as subjective knowledge versus scientific knowledge, or as good versus bad, or as ideal behavior versus actual behavior, or as description versus theory, or as private versus public, or as ethnographic (i.e., idiosyncratically uncomparable) versus ethnological (comparable cross-culturally)." Although used together, emic and etic viewpoints builds robust data (Buckley et al., 2014:307), academic rigour (Doz, 2011) and trustworthiness (Sinkovics, Penz & Ghauri, 2008).

researcher, the preparation and energy was in reverse since I was an *inactive* observer at the KP meetings and *active* interviewer. However, in both roles, the rhetors showed *kairos* or the "right or opportune time to speak or write," (Covino & Jolliffe, 1995:11) in the hopes to meet their aims.

8.6.3 What is the Discourse Trying to Accomplish?

The rhetorical *exigence* (need or problem addressed) remains similar for both etic and emic situations. All rhetors established the definitions and characterisations of the KP/CS. Speeches and interviews identified the reasons for the KP and certification scheme and some of the effects. While the civil society emphasised the causes (especially PAC and Global Witness) the diamond industry stressed the positive consequences of the regime. Despite the researcher's role, most rhetors examined the importance and value of the KP/CS. The KP Chair's immediate objective of his initial speeches was to rebut accusations made by civil society, while a secondary objective was to clarify and promote his own initiatives. Lastly, almost all rhetors expressed views on policy and procedure. While state actors emphasized these areas in *logos*, the civil society spent more time considering what should be done to improve them with *ethos*.

8.6.4 Effectiveness

An emic role proved more impactful - for the researcher - than the etic role. As the sole target audience, the rhetors were able to easily ascertain (a) my demographics (sex, age, race, education); (b) my experiences within the diamond industry and context/background with the KP/CS; and (c) what will be done with the information provided. Knowing the audience is likely to increase the ability to accomplish the rhetorical aims (Kjeldsen, 2018). This suggests the ability of *techne* of the rhetor to be more persuasive in closer rhetor-audience situations. There are many vibrant examples, where as an insider to the study, the interviewee rhetor revealed great personal rhetorical engagement, which was not noticed in the same way as the etic rhetorical situations. The civil society leader who recalled his personal hardships in the early years of the 'conflict' diamonds saga, the De Beers Directors who wept

during the interview and shared their family photos and the military general who raised his fist in the air with determination are some examples of this. It has been shown the emic role supported stronger relations in the rhetorical situation (Bitzer, 1968). In comparison, it is much more difficult to know your audience with a "complex of persons" (Bitzer, 1968:386). A rhetor that aims to persuade a larger, more diverse audience faces the difficulties in appealing to everyone. Resultantly, the rhetoric may not be as persuasive to an outsider as it would be to the KP members because the messages would be directed to the KP family.

In retrospect, being the intended audience (emic) had other significances. It insured that I listened intently because I had a specific involvement in the situation (Park, 1982). Because I had spent considerable time with the rhetors, it was easier for me to contact the interviewee after the interview if I had any questions about the data. Furthermore, emic viewpoints help the researcher empathize with others (Garcia, 1992). This could impact the *pathos* areas of persuasion from the rhetor to the researcher as an insider. Herein, the emic approach is a useful way to understand the experiences of a particular group like those in the KP (Garcia, 1992).

8.6.5 Challenges

Both emic and etic circumstances illustrates similar challenges. Firstly, it is not entirely certain as to the exact aims or motivations of a rhetor. Furthermore, addressing if the rhetor is speaking in a professional matter or in some other capacity remains difficult to ascertain. Likewise, the rhetorical situations signal how rhetors play many roles. As a researcher, I am *also* a rhetor whose task is to ask good questions, discover relevant problems and be able to solve them (Consigny, 1974). Due to their differing rhetorical situations, the etic and emic positions illustrate, "marked differences in the matters attended to and the ways they are presented," (Park, 1982:248). Nevertheless, each stance has the potential to illuminate some of the affiliations and conflicts in the KP family, but they do not

necessarily tell the entire story because rhetorical analysis must also consider what is *not* being said. 6

8.6.6 Final Reflections

This research gives an example where emic and etic are not entirely in conflict within in a qualitative case study. These differing positions overlap and interlace with each other since many interviews took place before and after the KP Intersessional presentations. In both sets of data there are common factors of hope of a resolution, agreement and compromise. Each viewpoint is useful for exploring a particular cultural group (Harris, 1990). More importantly, these examples indicate the interviewees were prepared to expend immense rhetorical energy, which demonstrates the significance of the topic and perceived importance of the social science researcher.

⁶ "The divisive heat of a debate may be traced to a fundamental conflict of values," (Grant-Davie, 1997:274) amongst the KP participants.

9 Conclusions

9.1 Introduction & Outline

The KP is a non-state and public-private governance arrangement focused on setting and implementing standards for global production of rough diamonds. Much effort has been afforded to the understanding of the KP and certification scheme. However, previous contributions to the literature on the subject typically follow a similar format: preludes to 'conflict' diamonds, descriptive accounts of the KP and KPCS and assessments, which tend to lean to critiques of the system and process. This thesis takes another look at the KP by exploring the language used by the KP participants and observers. More specifically, the theoretical framework focused on Aristotle's Classical appeals to persuasion in line with the research questions:

A) What Classical rhetorical appeals (ethos, logos, pathos) do the civil society, state actors and the diamond industry incorporate in their discourse about the KP and certification scheme?

B) What do these persuasive appeals suggest about the participants, observers and KP as a whole?

Qualitative methods were used to answer the research questions. The data chapters were organized by the Coalition, states followed by the industry rhetoric.

The structure of this concluding chapter will first list the contributions made to the literatures on the KP and rhetorical theory. The many opportunities for further research conclude this thesis.

9.2 Major Contributions to the KP Literature

Coalition: As a result of these findings, the rhetoric (Classical pisteis) holds the INGOS and NGOS have kept the same roles as watchdogs, experts and legitimizers as first indicated by Alger (2014,2003), Bieri (2015,2011,2010,2009,2008,2006) and Bieri and Boli (2011). This research shows the rhetoric they employ has

changed over time. In the beginning, they stressed *pathos* but external environment has changed. Since civil wars have ceased, the Coalition altered their rhetoric to target 'illicit' diamonds issue. Thus, "Rhetoric is used more or less artfully to change things," (Green, 2004:662). Conversely, they were unsuccessful in persuading the states to change the definition of 'conflict' diamond or modifying the consensus-base to a majority vote system. In a last ditch effort, the Coalition implemented boycott or 'agitative rhetoric.' The boycott-related rhetoric is reinforced by *ethos* appeals to credibility through expertise. However, the focus on the high epistemic authority strains relationships and contributes to a dysfunctional system (Riaz, Buchannan & Ruebottom, 2016). Subsequently, the rhetoric elucidated the weak relationships the Coalition has not only amongst themselves, but also with the states, industry, media and the public. The boycott rhetoric has not contributed to bettering these relationships, but has been detrimental to them. The ethos, logos and pathos explain the decreasing relevance the Coalition now faces. In sum, the rhetoric unearths the challenges (Pishchikova, 2006) and effectiveness of the INGOs, NGOs and the Coalition as a whole (Mitchell & Sroup, 2016; Murdie & Kakietek, 2012).

State: The rhetorical analysis provides insight into what the KP state actors communicate but *how* they appeal to different audiences. Three distinct rhetorical strategies where identified in the state participant data. Firstly, the KP Chair incorporates *logos* and *pathos* ascertaining to both the successes in creating and maintaining the KP agenda during 2016. Secondly, the 'established' state actors, or those countries who have not been targeted with KP sanctioning, maintain few examples of attempting to evoke either positive or negative emotions (*pathos*) in the audiences of their communications and instead rely on *logos* appeals built with respect to rules and regulations. Conversely, the state actors who have caused debate amongst the KP members categorized as 'contentious,' exhibit strong notions of *pathos* appeals. Whilst there were no indications of direct *ethos* appeals, they do maintain *logos* arguments often justifying their continued involvement with KP family. Unlike the Coalition, these state participants incorporate positive

emotional appeals venerating the beneficiation of diamonds to small artisanal miners and their communities.

Industry: The *ethos*, *logos* and *pathos* appeals were explored in the direct quotes made by the diamond industry experts, the WDC, De Beers and other diamond trade leaders. Generally, researchers of the KP address the industry observers as one distinct group and assume they are the 'same.' Researchers mainly include reference to Executives from De Beers (Meyer, 2010) with less attention on other industry observers of the KP. The rhetoric allows for a reassessment of this group, not only by their titles, but by the way they *discuss* the KP and KPCS. In most cases, they are supportive of the KP and certification. Each group has different (but related) drives: the experts, to raise awareness and persuade people to buy publications, WDC, to ensure industry follows the self-regulated rules and regulations, and De Beers, to create positive brand awareness to the company, industry and product. The KP allows every group a platform to discuss these important features. Resultantly, the multilateral institution fosters CSR (Vives, 2004).

This thesis provides new insights to the KP literature and to rhetorical theory specifically to organizational rhetoric. It shows how the KP forms a space in which actors can deploy competing/complementary rhetoric in order to advance their own projects, and in doing so; offer new insight on how rhetoric is used by organizations and more generally, as a positive organizational tool. Therefore, the rhetoric discovers facts and shapes knowledge of the KP and KPCS (Herrick, 2016:18-19). The rhetoric of the KP provides a new case study exemplifying the ways an international organization affect the public spheres of communication and human activity (Sproule, 1989). Elites manage issues and influence public policy through the *ethos*, *logos*, and *pathos* in the communication (Crable & Vibbert, 1985). Thus, the KP rhetoric case study extends how *ethos*, *logos* and *pathos* are the "keys to successful management," (Murtagh, 2006:10). The study shows the multiple competing rhetoric, which dominates the KP and KPCS, can be incorporated in key discourse artifacts including interview scripts, speeches and meta-discourses. Key

leaders within the KP adopt different rhetorical strategies even though they share the same aims to preserving the integrity of the KP and the diamond supply chain through varying rhetorical appeals. The rhetorical analysis of the KP helps explain learning (knowledge), belonging (identity and interpersonal relationships), organizing (processes) and goals (Smith & Lewis, 2011). Correspondingly, persuasive communication is a defining element of organizations (Sillince & Suddaby, 2008). This scholarship sheds new light into the internal traits of the organization, the actors' interactions with each other and the overall environment that defines its operating constraints (Heiss & Johnson, 2016). Classical appeals help understand the KP and certification scheme as shown in TABLE 29. Rhetorical study showcases some of the 'good reasons' to conduct rhetoric theory (Wallace, 1963).

By looking for Aristotle's rhetorical appeals, one can discover the predominant appeals use by different actors in tripartite regimes, which can prescribe types of contemporary narratives and claims. They can also give some indications as to their motivations and main purposes in the KP and lends to deciphering their roles within the "family." A rhetorical analysis (Classical) is valuable in exposing relationships of people within the groups and with the rest of the KP. At the same time, by looking into the pisteis the rhetor's views on the KP and whether they want it to change can be deciphered. The difficult restraints and under-lining social ideologies can be teased out of the discourse with a rhetorical analysis framework. Combined, the rhetoric helps to explain the ways the KP attempts to achieve their specific political and economic goals while also building relationships with their stakeholders (Ihlen, in press). The following findings add to the 'rebirth' of rhetoric (Andrews, 2012).

9.2.1 *Rhētors are All Trying to Make Society a Better Place to Live*

Despite all its criticisms, the KP is an incredible example of an organizing global governance and trade of a commodity. This study offers one example how modern rhētors in a complex organization use rhetorical appeals in their discourse in order to make society a better place to live (Boyd & Waymer, 2011; Palenchar, 2011).

The rhetoric, in turn functions to build the diamond community (Herrick, 2016:20) and is acutely seen in the external organizational rhetoric (Ihlen, 2011). The rhetoric sustains the values, sense of self that permeates through the KP and provides a praxis and purpose for the organization (Deforest & Spicer, 2004). Aristotle's thoughts on rhetoric in politics mirror the KP participants: "Every state is a community of some kind, and every community is established with a view to some good; for mankind always act in order to obtain that which they think good," (Heath, 2009:29). At the same time, the diamond industry *has* embraced the statecreated laws, in contrast to Bernstein (1992) assertions. For the diamond industry, this study gives an example of rhetoric of modern organizations and institutions (Cheney et al., 2004:83).

9.2.2 *Rhetoric in the KP Promotes Social Action Around the World.*

The rhetorical analysis in this thesis gives an example of where rhetoric discourse maintains the status quo at the same time promotes social action and change (Sillince & Suddaby, 2008:6). While the Coalition have rallied for change throughout the campaigning and current KP, others like the 'recognized' states and the WDC validate on keeping to the current rules and regulations. The desire for guarding the current governance and mandate is possibly because the established states, such as the EU, US, Canada, Switzerland, and the WDC want to maintain the self-determining and self-regulating system. The KP allows both states and the diamond industry the free-reign to self-govern, without the complications of being accountable to other outside organizations. Consistent rhetoric for change and conserving the KP and KPCS appears to keep it in a 'suspended in self-spun webs of significance,' (Green, Li & Nohria, 2009).

9.2.3 Supply Chain Transparency

The exploration shows the ways people transmit social values, such as human rights issues, in different parts of the decision making chain in the KP (Deetz, 2003). All the rhētors recognize the diamond industry must be safeguarded from actions that could taint the image of the supply chain. The Coalition have continuously

addressed the human rights concerns at the mining level (*ethos*), the states for the importance of rules and procedure and mining companies (*logos* and *pathos*) and the industry shows transparency in the wholesaling and manufacturing with *pathos*-based rhetoric.

9.2.4 Normalising the Discourse that is Taken for Granted

The rhetoric shows *how* governments, corporate and others persuade publics that their actions are congruent with social norms (Boyd, 2000; Carabine, 2001), which are then taken for granted (Green & Li, 2011). The KP rhetoric reestablishes the need to adhere to human rights norms and recognize all rules should be followed to achieve these aims. Through rhetoric the KP members reinforce dominant institutional structures (KP) and practices (KPCS) to reproduce order and understanding (Green & Yi, 2011). For example, the transparency of the diamond supply chain through the KPCS and the SoW is now the norm for marketing to the consumers. This has been a shift in strategy, as Stephen Lussier, Executive Director, explains, "Twenty years ago, we probably marketed secrecy as a sort of mysterious benefit," (Yeomans, 2016).

A rhetorical analysis of the KP discourse delivers new information to the KP literature as to how particular things come to be portrayed as acceptable. In contrast, how other things are constructed as unacceptable (Vaara, Tienari & Laurila, 2006). As a stream of discourse the KP-based rhetoric, "constructs, spreads and sustains the assumptions," (Zbaracki, 1998:609) - the KP and certification scheme are still needed today.

9.2.5 Simultaneously Highlights Individual and Group Responsibilities

The boycott rhetoric signifies the Coalition's responsibilities to the external stakeholders of the KP including the communities affected by the diamond industry. The state rhetoric exemplifies their responsibilities to maintain ongoing economic security from the sale of rough diamonds to ensure social and infrastructure developments. And the industry rhetoric explicates how they are responsible to people throughout the diamond supply chain. Corporations (and

industries) exist by permission of society, and, therefore, must serve society in a responsible manner (Bowen, 2008; Goodpaster & Matthews, 1982; Verčič, Grunig & Grunig, 1996; Heath & Ryan, 1989; Manheim & Pratt, 1986).

The KP is responsible for the safekeeping of the diamond industry. By examining the communication of the three groups it is evident they not only reframe their own responsibilities, but of others' responsibilities in the KP and supply chain (Sillince & Mueller, 2007). In all accounts, the *ethos*, *logos*, and *pathos* strategies persuade the audience that the KP's groups are living up to social expectations (Day, 2014:213; Higgins & Walker, 2012; Matten & Crane, 2005).

9.2.6 Image Restoration

The rhetoric appears to reconstruct the image restoration strategy set out by the KP and diamond industry. As a result, this study enlarges the dimension of *pathos* appeals in the theory of image restoration/repair strategies (Benoit, 2000; Benoit & Drew, 1997). This examination of the KP highlights how corporations in our society may use rhetoric to sell their products, polish their reputations and to influence the economic and political environments in which they operate, (Conrad, 2011;x). The rhetoric aligns the stakeholder interests (Palenchar, 2011) in securing the image of the KP and diamond supply chain. Combined the rhetorical appeals supporting the KP and KPCS enhances the image of the diamond industry, deflects public criticism and grounds future arguments against human rights violations in the diamond supply chain, reminiscent of Bostdorff and Vibbert's (1994) article.

9.2.7 Product Differentiation

The KPCS provides rough diamonds to be categorized as 'conflict' free for exporting and importing countries while the SoW categorizes diamonds as 'conflict' free downstream. In both cases, the KP reinforces the focus on making diamonds into a similar form across global markets (Cheney & Christensen, 2001). Relevantly, the KP and certification scheme distances the diamond industry observers from the problem of 'conflict' diamonds. The rhetoric about the KP and certification scheme may then contribute towards the competitive advantage of branded 'ethical' diamonds (Sillince, 2006). Furthermore, the rhetoric fortifies the KPCS as a label, which activates a set of cognitions towards the appropriateness of both the KP and the diamond industry to consumers and other groups like the media (Ashforth & Humphrey, 1997). The KPCS presents an example whereby a labeling framework is able to interact with the individuals, groups and at the organizational level, (ibid). It follows, that the certification is a label rhetorically constructed as a way of sorting organizational members into groups by assigning identity, as seen in *ethos, logos, pathos* dominant strategies. Resultantly, the rhetoric instills 'legitimacy,' (Erkama & Vaara, 2010; Green, Babb & Alpaslan, 2008; Suddaby & Greenwood, 2005).

9.3 Critiques

The rhetorical analysis on the KP indicates the problems associated with having many audiences as seen in the Coalition chapter. Secondly, the rhetoric reinforces the problems it tries to solve. Thirdly, the rhetoric creates the illusion that the diamond industry is accessible. Fourthly, people who discuss the KP and KPCS overlook the interests of those the scheme are supposed to protect. In a final note, the rhetoric seems to capture a self-effacing industry.

The rhetoric illustrates the tribulations for international tripartite organizations ability to communicate to multiple audiences. It is also noted that bias and self-interest can distort communication (Edwards, 2011). Indeed, even though communication often produces the very problems it claims to solve, the pressure to seek distinctiveness through rhetorical means is more pronounced than ever (Cheney et al., 2004:91). The rhetoric also removes the spotlight from other issues (Hafner-Burton, 2012) such references to artisanal miners (Malamut, 2005; Olsson, 2006; Spiegel, 2015), child soldiers (Desierto, 2010; Hummel, 2007) and links to terrorism finance (Farah, 2004; Maggi, 2003).

The persuasive appeals paint a picture of an overly open and transparent industry, when in fact the diamond industry still remains secretive and illusive to all its practices. This exploration also suggests rhētors in the KP and the diamond

industry continue to convince themselves that its products are acceptable in the same way that the asbestos industry convinced itself their product was acceptable (Heath, 1990). While all three classified as positive attributes in human rights premises or human security interests, the adverse aspects point to the industry clinging to the idea of a "perfect self,"(ibid) and seeing no wrong in itself. To be fair, neither the Coalition nor the industry members acknowledge any 'wrongdoing' either. Notice how no KP rhētors admit or make apologies for any of the wrongdoings in the KP and KPCS or the diamond industry throughout the years since the inception of the 'conflict' diamonds issue. To add to the KP literature, there were no declarations: "we didn't do it," "it's not our fault," (Hearit, 1994) or "mistakes were made," (Hearit, 1995). In relation to Meyer (2010), the rhetoric does not explicate the respondent's strengths of the KP and KPCS: tripartite setup, monitoring, national implementation, and minimal bureaucracy of flexibility. Nor does the rhetoric indicate weaknesses (as highlighted by Meyer): insufficient enforcement, politicization, corruption, lack of resources, negative changes in industry, decentralized structure, abuse by "legitimate" governments, increasing bureaucratization and financial burden to developing countries. Likewise there are no references in the rhetoric seen in this study that concentrates on the threats to the future abilities of the KP and KPCS inactivity, lack of political will, obsolescence, unrealistic expectations, lack of financing, interstate war, nationalization and competing certification systems. Similar to the other empirical studies on the KP and KPCS, this research does not address the small artisanal miners to any great extent because it is mostly absent in the KP rhetoric studied. There were no rhetorical arguments to collaborate with any view to abolish the KP and KPCS altogether.

9.4 Recommendations for Further Research

Theorizing international organizations like the KP proves opportune, "the possible applications for rhetorical analysis are seemingly limitless," (Zachry, 2009:77). Further researchers on the KP and KPCS may want to consider additional samples (who), varying methods (how), different rhetoric theoretical frameworks and further examinations of rhetoric and power.

Sample Selection

The rhetoric of the UN, inline with the KP, could be explored further (Dany, 2013; Donini, 1995). Extra research of the other Coalition members not directly quoted in this study, (see Coalition chapter). In the same way, upcoming scholarship could also incorporate other INGOs and NGOs not in the Coalition, but interested in human rights concerns related to the commodity chains. See APPENDIX 11.17 and 11.18. This thesis included data from 26 different state participants. Follow-up research would benefit from rhetorical accounts from the other countries. Other leading diamond industry members to consider would include the major diamondmining corporations, manufactures and wholesalers not addressed in this thesis. Communication-based studies on the WDC members could prove fruitful. See APPENDIX 11.5 for the list of members. The direct links to the directors are available at: http://www.worlddiamondcouncil.com. Rhetorical studies have yet to be completed on jewellers and industry bodies in regards to the KP, certification schemes and 'conflict' diamonds. Additionally, it would be interesting to understand the rhetoric made by the leading diamond organizations whose primary aim is to ensure the diamond supply chain is 'responsible' like the Responsible Jewellery Council. Added communication and rhetoric studies about the KPCS could be conducted on how jewelers use rhetoric in their discourses.

The KP rests on the assumption that the international community regards the safeguarding of the diamond industry through the diamond supply chain as not desirable, but necessary. The industry believes the target market and end consumer want diamonds that are rare, beautiful and with an honorable pedigree (Kurlyan,

2017; Soo-Jin, 2016). "One function of organizational rhetoric is to try influence *topoi* or beliefs and general assumptions held by the public," (Cheney et al., 2004:89). To date, there are few examinations of how end users actually understand 'conflict' diamonds and the KP or KPCS. Supplementary qualitative researcher could build on the main consumer awareness in the US and the UK completed by Global Witness in 2004 report *Broken Vows*. In July 2003, Global Witness found that 26% of 2000 people surveyed knew about 'conflict' diamonds, (p.16). It would be interesting to test the basis for the KP and determine how many people are aware of 'conflict' diamonds and the diamond industry. An institution is considered legitimate if publics perceive it to be responsible and useful (Epstein, 1982) therefore further endeavors could investigate how the general public perceive the KP as legitimate, including the leaders, policies and the other diamond-related issues, (i.e. man-made diamonds as an alternative), (Coombs, 1992).

Research into multiple audience responses to the speakers' rhetoric is not the goal of this particular research, but may prove a fruitful further research opportunity. See Kiedsen (2016) and Edwards (2006). Marcus (2000) identified three strategies researchers take when studying the emotions of publics and people in politics: (a) focus on the personality of leaders and how they might shape emotions in the audience (considered the oldest view of emotion in political science); (b) the second approach studies the specific role of the audience and how they evaluate emotions they embrace, and; (c) identification of how emotions instill judgments and actions, such as voting.

There remain many opportunities to extend the 'linguistic turn' towards other international tripartite organizations in Zone 7 of the governance triangle (Abbott & Snidal, 2009).¹

¹A rhetorical analysis into the ethos, logos and pathos could be conducted on the Apparel Industry Partnership (AIP - Clinton Administration initiative convening firms, unions, NGOs, other industry stakeholders); Extractive Industries Transparency Initiative (EITI - UK disclosure scheme for payments by firms, host government expenditures); Labour Organization (ILO - representing governments, employers and workers); International Maritime Organization (IMO - states, industry

Methodology

This study incorporated a subjective ontology, interpretivist epistemology, and qualitative methodology with observation, interviews and gathering of physical artifacts techniques. Studies following this one could adopt a longitudinal study in order to determine rhetorical strategies over time (King & Kugler, 2000) or a comparative study with other global commodity network certification schemes such as forestry (Bartley, 2007; Gulbrandsen, 2005; Rametsteiner & Simula, 2003; Overdevest, 2010) or safe-tuna (Baird & Quastel, 2011). Quantitative studies, where there is an emphasis on counting the *ethos, logos* and *pathos*, like Özen (2014) Özen and Berkman (2007) would also contribute new concepts to both the KP and rhetoric literature. Mixed methods studies similar to Eryilmaz and Eryilmaz (2015) are also recommended.

Alternative Rhetorical Theories

Other forms of discourse analysis and/or other aspects of Classical 'Old' rhetoric, 'New' rhetoric frameworks and other rhetorical arenas could be used to understand organizations like the KP. In regards to studying the organizational communication of the KP, other (1) forms of organizational discourse analysis perspectives could be used such as conversation and dialogue, narrative and stories and tropes (Putnam & Fairhust, 2001), hermeneutic approaches (Phillips & Brown, 1993), discourse analysis (Phillips & Hardy, 2002). Likewise, a grounded theory approach could be adopted in the analysis of KP communication.

The researcher indorses new studies on the KP, which embrace (2) Classical "Old Rhetoric. This study focused only on Aristotle's three appeals of persuasion inline with the focal research questions. The KP has yet to be studied by any of Aristotle's other features of rhetoric such as *enthymemes* (Bitzer, 1959; Burnyeat, 1994; McAdon, 2003; Miller & Bee, 1972; Waddell, 1990; Walton, 2001) or *kairos* and *phronesis* (Hess, 2011).

and NGOs in the shipping industry or the Voluntary Principles on Security and Human Rights (VPSHR - private security forces).

Furthermore the KP discourse could be analyzed within "New" rhetoric frameworks. Three types of 'New' rhetoric investigations directly link to rhetoric as symbolism, identification and dramatism originally attributed by Kenneth Burke, (1950, 1951). The first category would offer an organizational-rhetoric theorist the option to identify symbols in political discourses and review the rhetoric as symbolic action in the KP (see: Kaufer & Carley, 1993; Pfeffer, 1981).

A second 'new' rhetoric study, based on an identification framework, could look at the rhetoric of the KP stakeholders to see how they identify with their organization(s). Cheney (1983, 1983a) would be a useful guide for theory and methods. Although the field of "Identification in organizations literature is diverse and large," (Ashforth, Harrison & Corely, 2008:325) there still remains a gap in the identification of international tripartite organizations. Identification studies on a case study (Aust, 2004) and different industries such as the airline (Ashcraft, 2005) or newspaper (Russo, 1998) could be helpful.

Further studies could look into the drama of organizational life in the KP (Mangham, 2005; Walker & Monin, 2001). There is great opportunity to implement a framework based on 'new' rhetoric such as Kenneth Burke's 'dramatism.' Organizational studies on rhetorical dramatism look into the rhetorical symbolic acts and relationships amongst the five elements of the 'pentad' originally set out in Burke (1945) "*act* (conscious and purposive, a naming of what took place, in word or deed), *scene, agent* (the person and/or kind of person who performed the act), *agency* (the means or instruments used to perform the act), and the actor's *purpose*, (which is partly conscious, and partly unconscious)," (Conrad & Malphurs, 2008:124 italics in original).

A fourth arena of rhetorical analysis on the KP could include other perspectives on discourse domains such as conversation (dialogue, narrative and stories) or tropes (Putnam & Fairhurst, 2001). There could possibly be scope to conduct visual or feminist rhetorical approaches to KP communication. A narrative analysis could explore the story telling and biographies of multiple rhētors in the KP in order to find descriptions of interrelated and interconnected events, actions and characters in

an organization (Czarniawska, 1997; Fisher, 1987; Polkinghorne, 1995; Warnick, 1987; Weick & Browning, 1986). For methodology see Boje (2001), Feldman, Sköldbert and Horner (2003) and Flory and Igleias (2010). Also refer to empirical studies on narratives in organizations (Boje, 1991, 1995; Patriotta, 2003) to find out how stories construct the KP (Hopkinson, 2003), assist in change (Boje, 1991a; Brown, Gabriel & Gherardi, 2009), create legitimacy (Golant & Sillince, 2007) or rhetorical strategies in stories (Barry, 1997).

The KP could be a case study for a topological analysis, which looks into how tropes produce meaning and shape organizational reality (Douglas, 1986; Gioia, 1986; Oswick, Putnam & Keenoy, 2004). Metaphors are the most notable trope in organizational studies (Cornelissen, 2005; Putnam, Phillips & Chapman, 1999; Lakoff & Johnson, 2003; Manning, 1979). A researcher could even follow the methods by Akin and Palmer (2000) who used a technique called 'project drawing' to get metaphors from people within organizations to find common themes, outcomes and future opportunities. Deeper consideration of metaphors in relation to power in the KP is also recommended (Deetz & Mumby, 1985). Other tropes such as allegory (Weik, 1996) and analogy (Etzion & Ferraro, 2010) in organizations could supplement rhetorical studies on the KP. Refer to Forsyth (2013) for more information on tropes. To a lesser degree rhetorical elements of myths (Campbell, 1972; Honko, 1984; Keiser, 1997) could supplement a narrativebased rhetorical analysis. The study of ambiguity, a subset of rhetoric theory, is also a growing field in organizational communication. This area could also be adopted in future rhetorical studies on the KP. See Eisenberg (1984) for a starting point.

There is potential for the use of visual rhetoric theory to advance the knowledge of the KP and to build from Falls (2011) study on six images relating to blood diamonds. Other visual rhetoric studies include Der Derain (2005), Emrich et al. (2001), Foss (2005), Hill and Helmers (2004), Hocks (2003), and Keith and Lundberg (2008). Perhaps there could be a refined look into the rhetoric of women

in the KP or other areas in the diamond industry (Campbell, 1973; Foss & Griffin, 1992).

Integrate Rhetoric Theory with Other Management Theories

The primary aim of this thesis was to elucidate what types of pisteis were used in the KP and how they shape the understanding of the people and the processes of the KP. While this thesis announces new connections between Classical rhetorical appeals and Lukes' power, there still remains an opportunity to focus on the rhetoric and the many conceptions of power in organizations of all kinds. Likewise, legitimacy theory and rhetorical perspectives holds room for exploration in the KP discourse. See Erkama and Vaara (2010) and Golant and Sillince (2007) for rhetorical perspectives and legitimacy strategies in organizations. Building from this study, the discursive process involved in legitimation could be conducted on the KP or other international tripartite organizations in order to determine, "whether government, corporate, or otherwise, gain or lose legitimacy based on the perceptions of their stakeholders," (Boyd, 2000:351). See Vaara, Tienari and Laurila (2006) for an example of a case study on a global scale.

9.5 Conclusion

A rhetorical analysis can be completed on an international tripartite organization to understand how elites persuade others about ethics (Cavanagh et al. 1981). Rhetorical analyses, based on Aristotle's Classical appeals, give new understanding to the individuals, observers and participants and the KP as a whole. The rhetoric also discloses new initiatives and process in the KP. KP rhētors create meanings and make sense of objects, situations and events in the KP and diamond industry with *ethos*, *logos* and *pathos* appeals. Resultantly, these add to the understanding of sense making in organizations (Weick, 1995).

The study fulfills its aim to introduce the readers to the KP, and the current and ongoing discussions within the KP. It also introduces the reader to the use of rhetoric as a way to influence a process and to persuade an audience to follow the rhetor's positions. The KP is shown to be a unique and vivid case study, where

different actors try to influence the KP agenda and give the general narrative a new spin. The study restores the importance of rhetoric, and Classical rhetoric, like Vickers (1988) to the Management discipline. The research supports rhetoric theory as not just 'mere rhetoric' and goes beyond a Platonic view comprised of only attacks of rhetoric. Therefore, it gives an example willing to look beyond the negative perspectives of rhetoric first presented by Plato. 'True' rhetoric helps develop leaders, and those leaders who discern the 'truth' can guide men toward good (Quimby, 1974).

Rhetoric is a useful framework and tool in understanding international tripartite organizations like the KP. Thus, the study challenges preset notions that the conception of rhetoric is not 'mere' inflammatory speech with no substance or benefits. For rhetoric theory, this is new and exciting (Natanson, 1955). Fittingly, rhetoric is educational (Black, 1958). Just as Aristotle (1954:282) concluded in his *Rhetoric*: "I have spoken; you have listened, you have the facts, you judge."

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Appendices

11.1 Major Events in the 'Conflict' Diamonds Campaign

Date	United Nations	Civil Society	Governments	Industry	Other Events
June 1998	UN Security Council embargoes Angolan diamonds except those accompanied by a government certificate				
December 1998		Global Witness (GW) publishes A Rough Trade: The Role of Companies and Governments in the Angolan Conflict.		De <u>Beers</u> stops the purchasing of "outside diamonds" restricts diamond purchases to joint ventures and from its own mines.	
January 1999		GW gives the UN Security Council an "unofficial" briefing on its Rough Trade report. This was reportedly the first SC briefing by any NGO on any subject.			
May 1999	UN Security Council				
October 1999	appoints Panel of Experts to study Angolan Sanctions busting under Ambassador Robert Fowler. Fatal Transaction coalition of 5 European NGOs is				
November 1999	European NGOs 1s formed.			Former President Nelson Mandela issues a statement via De Beers: "We would be concerned that an international campaign on these issues does not damage this vital industry. Rather than boycotts being instituted, it is preferable that through our own initiatives the industry takes a progressive stance on	

				human rights issues."	
January 2000		Partnership Africa Canada Publishes The Heart of the Matter: Sierra Leone, Diamonds and Human Security.			"Cry Freetown" emphasizing diamonds in Sierra <u>Leone is</u> shown widely on CNN and national networks.
March 2000	UN "Fowler Report" names and shames sitting heads of state for trafficking diamonds for arms in Angola.		USAID convenes industry meeting in Freetown to seek solutions to the 'conflict' diamonds issue.	Martin <u>Rapaport</u> publishes "Guilt Trip' saying something must be done against 'conflict' diamonds in his widely-read diamond trade magazine.	
April 2000	UN Security Council extends mandate of Angola Expert Panel.				
May 2000	Peace agreement in Sierra Leone collapses;	US Coalition of more than 100 NGOs and churches forms to fight 'conflict' diamonds.	South A frican government convenes a meeting in Kimberly with other civil society, other governments and industry to		Kidnapping of 500 UN peacekeepers by RUF rebels draws greater public and Security Council attention.
	finding major connections between diamonds and the on-going war; Angola Panel Reports; UN General Assembly mandates <u>KP to</u> develop and international certification system for rough diamonds and to report back within a year.				CBS 60 Minutes feature on 'conflict' diamonds.
January 2001			White House meeting on "Technologies for Identification and Certification" of diamonds.	WDC meets in London presents draft legislation for a proposed new US bill on 'conflict' diamonds alongside NGOs and other governments.	
February 2001		US NGOs demonstrate at <u>Tiffanys</u> on Valentines Day,	6 th KP meeting in Windhoek, Namibia.		
March 2001	UN Experts Panel on Liberia appointed.				Clean Diamond Bill introduced in US
					Congress by Tony Hall, Frank Wolf & Cynthia McKinney with NGO backing.
April 2001	Angola Panel Extended for three months; DRC Panel reveals widespread diamond smuggling; Panel extended.	Partnership Africa Canada (PAC) begins publishing newsletter: Other Facets.	7 th KP meeting in Brussels; first working document on possible agreement; general agreement on the need for export certificates.		"Conflict Diamond Bill" introduced to US Senate by Judd Gregg with industry backing.
May 2001	Security Council sanction go into effect in Liberia: travel ban, weapons embargo and embargo on all diamond exports.				US NGOs and industry at loggerheads over different bills.
June 2001		World Vision runs Martin Sheen promo for the Conflict Diamond Bill <u>a the</u> end of The West Wing.	Guinea introduces new certification system.	HRD assists in Guinea in development of new certification system.	International Peace Academy launches major research program on Economic Agendas in Civil Wars.
July 2001			8 th KP meeting in Moscow; general		NBC Dateline feature on 'conflict'

			agreement on need		diamonds.
August 2001		Fatal Transactions releases study of EU controls: Conflict Diamonds Crossing European Borders?	for data base.		Compromise on Hall/Gregg bill: "Clean Diamond Trade Act" proposed with NGO and industry backing.
September 2001		181 NGOS worldwide sign a petition urging greater speed and accountability in the Kimberley Process.	9 th KP meeting in London	WDC presents draft of "Chain of Warranties Proposal" (SOW)	<u>_</u>
October 2001	UN Angola Panel Report confirms continued and extensive theft of Angolan diamonds by UNITA; Angola Panel extended for six months.	PAC publishes Destroying Guinea: Diamonds, Charles Taylor and the Potential for Wider Human Catastrophe.	10 th KP meeting in Luanda, Angola; US problematic on certificates, internal controls	WDC accepts need for external monitoring of its proposed "Chain of Warranties.'	
November 2001	UN Liberia Expert Panel report confirms that embargoes are still being broken: UN	Blistering op ed article by US NGO Physicians for Human Rights on US position in	11 th KP meeting in <u>Gabarone</u> , Botswana. "Final" version of certification system agreed, with serious	US industry pushes USG on its position re KP and Clean Diamond Act.	Washington Post reveals al Qaeda connection in RUF diamond theft; Congressional
	DRC Panel reiterates the prominent role of diamonds in DRC conflict.	Washington Post.	gaps. US administration weakens Clean Diamond Trade Bill; Bill passes in the House of Representatives 406- 8.		sponsors of Clean Diamond Trade Act
December 2001	Kimberley proposals miss December 14 th agreed General Assembly agenda deadline and postponed until March 2002.	NGOs publicize reservations about the Kimberly documents; US NGOs publicize reservations about the Clean Diamond Trade Bill.	Clean Diamond Trade Bill stalls in US Senate; fails to meet deadline before Christmas.		
February 2002	UNGA endorses Kimberley proposals.			World Diamond Council meets in Milan to refine ideas about an industry chain of warranties.	
March 2002		NGOs vow to continue working for regular independent monitoring mechanism.	US Senate introduces new legislation to replace previous bill. KP meeting in Ottawa, Canada resolves most outstanding issues except for a regular <u>independent</u> <u>monitoring</u> mechanism. *System set for worldwide launch in November 2002.		

Source: Adapted Smillie, (2002).

Date	Location	Notes:
May 2000	Kimberley ~ South	
	Africa	
September 2000	Pretoria ~ South Africa	
October 2000	London ~ United	
0000001 2000	Kingdom	
February 2001	Windhoek ~ Namibia	Term 'Kimberley Process' officially used.
July 2001	Moscow ~ Russia	
April 2001	Brussels ~ Belgium	Earliest critiques of the KP voiced by civil societies.
September 2001	Twickenham ~United Kingdom	The foundation of an international certification scheme was agreed, subject to final endorsement. The draft of the key elements included the controls and procedures, information gathering, monitoring and oversight, (Koyame, 2005).
October 2001	Luanda ~ Angola	Southern African Development Community ("SADC") discussed the issue of conflict diamonds and confirmed their full support of the KP.
November 2001	Gaborone ~ Botswana	
March 2002	Ottawa ~ Canada	
November 2002	Interlaken ~ Switzerland	

11.2 Major Kimberley Process Meetings by Date and Location

Source: Kimberley Process Website.

11.3 Sample Kimberley Process Certificate

The certification requirements are outlined in the KP Core Document. In

summary, each certificate must:

(a) have the title "Kimberley Process Certificate;"

(b) state that "The rough diamonds in this shipment have been handled in accordance with the provisions of the Kimberley Process Certification Scheme for rough diamonds".;

(c) also state the following:

(i) the authority by which it was issued; (ii) the date on which it was issued; (iii) the date on which it expires; (iv) the number of parcels in the shipment;(v) the country of origin of every parcel in the shipment (every parcel in the shipment being of unmixed, that is, from the same, origin);

(d) specify the following for the rough diamonds in the shipment:

(i) their exporter; (ii) their importer; (iii) their carat weight or mass; (iv) their value in US\$; (v) their classification (or heading) under the Harmonized Commodity Description and Coding System;

(e) be issued in English or, if issued in another language, incorporate an English translation;

(f) have unique numbering with the alpha2 country code, according to ISO 31661; (g) be tamper resistant and forgery resistant, and be validated by the relevant exporting authority. The KP certificates are distinguished:

With spirograph-style graphics and lines for official signatures lend an air of authority to claims of cleanliness for each stone. The bureaucratic-looking paper 'proves' to those accustomed to using such artifacts that the diamonds are 'safe.' Even more significantly, the form and use of each certificates helps legitimize industry power, (Falls, 2011).



Participant CountryDate of Entry:Notes:Angola2003		Dete	
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Guinea2003Guyana2003India2003Indonesia2005	European Union	2003	Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden
Guinea2003Guyana2003India2003Indonesia2005	Ghana	2003	
Guyana2003India2003Indonesia2005			
India2003Indonesia2005			
Indonesia 2005			
	Israel	2003	

11.4 State Participants that Meet Minimum Requirements of the KPCS

	0000	
Japan	2003	
Kazakhstan	2012	
Laos	2003	
Lebanon	2003	Lebanon was dropped from the list on April 1, 2004. In 2005, following enactment of the legislation and two KP Review Missions to Lebanon, Lebanon was readmitted to the Kimberley Process.
Lesotho	2003	
Liberia	2007	In 2003, the Plenary issued an Administrative Decision on Liberia. The United Nations Security Council lifted sanctions on Liberia in 2007
Malaysia	2003	
Mali	2013	
Mauritius	2003	
Mexico	2008	
Namibia	2003	
New Zealand	2006	
Norway	2003	
Panama	2012	
Russian Federation	2003	
Sierra Leone	2003	
Singapore	2004	
South Africa	2003	
South Korea	2003	
Sri Lanka	2003	
Swaziland	2011	
Switzerland	2003	
Tanzania	2003	
Thailand	2003	
Togo	2003	
Turkey	2007	
Ukraine	2003	
United Arab Emirates	2003	
United States of America	2003	
Venezuela	2003	In November 2008, Venezuela announced that it would 'self- suspend' from the KPCS
Vietnam	2003	
Zimbabwe	2003	
Applicants who want to b	e participa	ants but have yet to meet the KPCS minimum

Applicants who want to be participants but have yet to meet the KPCS minimum requirements include: Burkina Faso, Republic of Chile, Republic of Kenya, Mauritania, Mozambique and the Republic of Zambia.

11.5 World Diamond Council Members

ABN AMRO International Diamond &		
Jewelry Group	Erik Jens	
ALROSA Group	Andrey Polyakov	
Antwerp World Diamond Centre (AWDC)	Stephane Fischler	
Asian Star Limited	Vipul Shah	
Bharat Diamond Bourse (BDB)	Anoop V. Mehta	
Brinks Global Services Limited	Aviad Sporer	
C. Krishniah Chetty	Vinod Hayagriv	
Chow Tai Fook	Kent Wong	
CIBJO The World Jewellery Confederation	Gaetano Cavalieri	
De Beers Group	Feriel Zerouki	
Diarough NV	Nishit (Bali) Parikh	
Dimexon Diamonds Ltd	Rajiv Mehta	
Dominion Diamond Corporation	James R. W. Pounds	
Dubai Diamond Exchange	Dilip Mehta	
Gem Diamonds	Juliet Kirk	
Gem & Jewellery Export Promotion Council - India (GJEPC)	Russell Mehta	
Grib Diamonds NV	Alexey Genkin	
Hari Krishna Exports Pvt. Ltd.	Ghanshyam Dholakia	
HVK International Pvt Ltd.	Sunny Sakaria	
All India Gems and Jewellery Trade Federation (GJF)	C. Vinod Hayagriv	
International Diamond Manufacturers Association (IDMA)	Maxim Shkadov	
Israel Diamond Exchange Ltd. (IsDE)	Yoram Dvash	
Interjewel	Hemal S. Choksi	
Israel Diamond Institute Group of Companies (IDI)	Shmuel Schnitzer	

K. Girdharlal International Ltd. ("KG")	Nitin N. Shah	
KGK Diamonds BVBA	Sandeep Kothari	
Lazare Kaplan International	Damian Gagnon	
Leo Schachter Diamonds	Elliot Tannenbaum	
Malca-Amit Group of Companies	Nigel Paxman	
Mohit Diamonds Pvt. Ltd.	Anoop V. Mehta	
Petra Diamonds	Craig Kraus	
Rio Tinto Diamonds NV	Bruno Sane	
Roberto Coin SpA	Roberto Coin	
Royal Asscher Diamond Company ltd.	Edward Asscher	
Rubel & Ménasché Diamantaires	Elodie Daguzan	
Sheetal Manufacturing Co. Pvt. Ltd.	Bharat Kakadia	
Signet Jewelers Limited	Mark Jenkins	
Tiffany & Co.	Andrew Hart	
Treliss Worldwide, Inc.	Nirav K Mehta	
US Jewelry Council	Ronnie VanderLinden	
Venus Jewel	Sevantibhai Shah	
World Federation of Diamond Bourses (WFDB)	Ernie Blom	
Honorary Members	Eli Izhakoff - Honorary Life President Rory More O'Ferrall - Honorary Life Member	

Source: http://www.worlddiamondcouncil.com

11.6 De Beers Historical Overview Summary

1892: By 1892 De Beers consolidates its control over all the mines of Kimberley.

1893 the London Diamond Buying Syndicate was formed to market all the diamonds of the main South African producers, and after the First World War it made further agreements with South West African interests.

1890's: After securing the Charter for the British South Africa Company, Rhodes secured all diamond rights in Bechuanaland (Botswana); Southern and Northern Rhodesia, and eventually a controlling interest in Premier Mine near Pretoria for De Beers.

1920's: First diamonds are discovered on the South African coast, leading to a southward spread in mining operations.

1925: Diamond Control Act was passed enabling the Government of the Union to control the mining and disposal of stones in the absence of an approved producers agreement

1927: The government in Pretoria passed the Precious Stones Act, and prohibited prospecting in the area.

1929: De Beers, which now had a controlling interest over most production in South Africa, floated the Diamond Corporation Limited to replace the now dysfunctional syndicate. An Act of the Union Parliament established Kimberley as the only place of export of diamonds in the country; sales of uncut stones were allowed at three centres only - Kimberley, London and Amsterdam – at uniform prices.

1960's: The first diamonds are recovered from the sea, initiating both small scale diver assisted mining in the nearshore zone and large scale dredging operations in the offshore zone off the coast of South Africa.

1970's: International diamond market slumps resulting in a temporary cessation in offshore dredging operations, but onshore and small-scale diver assisted mining continues in the nearshore zone.

1990's: As richer onshore deposits become exhausted, offshore mining operations recommence, initiating an increasing shift in emphasis from onshore to offshore operations.

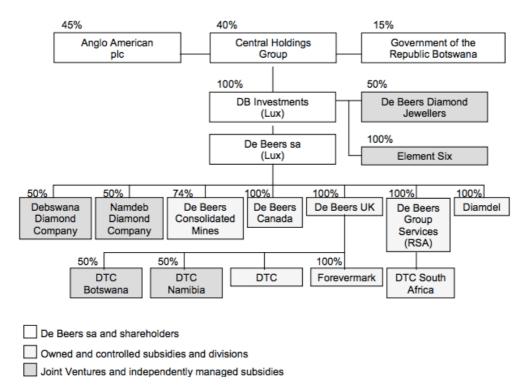
2000: Involvement and adoption of the KP and certification scheme.

2008: Launched the high-end Forevermark Brand in, watermark laser engraved to assure buyers diamonds are ethical from mine to shop.

2016: Along with the top seven producers in the world have formed the Diamond Producers' Association (DPA) unveiled a marketing campaign under the slogan "real is rare" to address the problems with millennials not buying diamonds, (Yeomans, 2016b).

Source: Adapted from van Wyk, Cronjé and van Wyk (2009:7).

11.7 De Beers Ownership Structure



Source: Claasen and Roloff (2012).

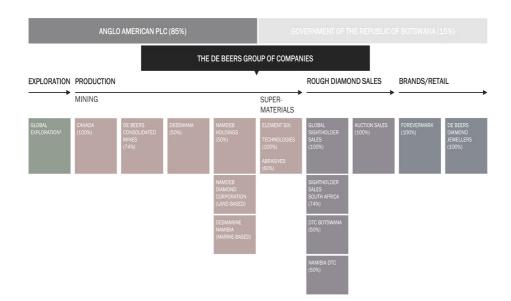


Illustration 15 - De Beers Organizational Structure Source: De Beers (2017)

11.8 KP Core Document - KPCS Rules and Regulations in Full

SECTION III

Undertakings in respect of the international trade in rough diamonds

Each Participant should:

(a) with regard to shipments of rough diamonds exported to a Participant, require that each such shipment is accompanied by a duly validated Certificate;

(b) with regard to shipments of rough diamonds imported from a Participant:

• require a duly validated Certificate;

• ensure that confirmation of receipt is sent expeditiously to the relevant

Exporting Authority. The confirmation should as a minimum refer to the Certificate number, the number of parcels, the carat weight and the details of the importer and exporter;

• require that the original of the Certificate be readily accessible for a period of no less than three years;

(c) ensure that no shipment of rough diamonds is imported from or exported to a non-Participant;

(d) recognise that Participants through whose territory shipments transit are not required to meet the requirement of paragraphs (a) and (b) above, and of Section II (a) provided that the designated authorities of the Participant through whose territory a shipment passes, ensure that the shipment leaves its territory in an identical state as it entered its territory (i.e. unopened and not tampered with).

Undertakings by Participants

Each Participant should:

SECTION IV Internal Controls

- 1. (a) establish a system of internal controls designed to eliminate the presence of conflict diamonds from shipments of rough diamonds imported into and exported from its territory;
- 2. (b) designate an Importing and an Exporting Authority(ies);
- 3. (c) ensure that rough diamonds are imported and exported in tamper resistant containers;
- 4. (d) as required, amend or enact appropriate laws or regulations to implement and enforce the Certification Scheme and to maintain dissuasive and proportional penalties for transgressions;
- 5. (e) collect and maintain relevant official production, import and export data, and collate and exchange such data in accordance with the provisions of Section V.
- 6. (f) when establishing a system of internal controls, take into account, where appropriate, the further options and recommendations for internal controls as elaborated in Annex II.

Principles of Industry Self-Regulation

Participants understand that a voluntary system of industry self-regulation, as referred to in the Preamble of this Document, will provide for a system of warranties underpinned through verification by independent auditors of individual companies and supported by internal penalties set by industry, which will help to facilitate the full traceability of rough diamond transactions by government authorities.

Participants should:

Section V Co-operation and Transparency

- (a) provide to each other through the Chair information identifying their designated authorities or bodies responsible for implementing the provisions of this Certification Scheme. Each Participant should provide to other Participants through the Chair information, preferably in electronic format, on its relevant laws, regulations, rules, procedures and practices, and update that information as required. This should include a synopsis in English of the essential content of this information;
- 2. (b) compile and make available to all other Participants through the Chair statistical data in line with the principles set out in Annex III;
- 3. (c) exchange on a regular basis experiences and other relevant information, including on self-assessment, in order to arrive at the best practice in given circumstances;
- 4. (d) consider favourably requests from other Participants for assistance to improve the functioning of the Certification Scheme within their territories;
- 5. (e) inform another Participant through the Chair if it considers that the laws, regulations, rules, procedures or practices of that other Participant do not ensure the absence of conflict diamonds in the exports of that other Participant;
- 6. (f) cooperate with other Participants to attempt to resolve problems which may arise from unintentional circumstances and which could lead to non-fulfilment of the minimum requirements for the issuance or acceptance of the Certificates, and inform all other Participants of the essence of the problems encountered and of solutions found;
- 7. (g) encourage, through their relevant authorities, closer co-operation between law enforcement agencies and between customs agencies of Participants.

MEETINGS

Section VI Administrative Matters

- 1. Participants and Observers are to meet in Plenary annually, and on other occasions as Participants may deem necessary, in order to discuss the effectiveness of the Certification Scheme.
- 2. Participants should adopt Rules of Procedure for such meetings at the first Plenary meeting.
- 3. Meetings are to be held in the state where the Chair is located, unless a Participant or an international organisation offers to host a meeting and this offer has been accepted. The host state should facilitate entry formalities for those attending such meetings.

- 4. At the end of each Plenary meeting, a Chair would be elected to preside over all Plenary meetings, ad hoc working groups and other subsidiary bodies, which might be formed until the conclusion of the next annual Plenary meeting.
- 5. Participants are to reach decisions by consensus. In the event that consensus proves to be impossible, the Chair is to conduct consultations.

ADMINISTRATIVE SUPPORT

- 6. For the effective administration of the Certification Scheme, administrative support will be necessary. The modalities and functions of that support should be discussed at the first Plenary meeting, following endorsement by the UN General Assembly.
- 7. Administrative support could include the following functions:

(a) to serve as a channel of communication, information sharing and consultation between the Participants with regard to matters provided for in this Document;

(b) to maintain and make available for the use of all Participants a collection of those laws, regulations, rules, procedures, practices and statistics notified pursuant to Section V;

(c) to prepare documents and provide administrative support for Plenary and working group meetings;

(d) to undertake such additional responsibilities as the Plenary meetings, or any working group delegated by Plenary meetings, may instruct.

PARTICIPATION

- 8. Participation in the Certification Scheme is open on a global, nondiscriminatory basis to all Applicants willing and able to fulfill the requirements of that Scheme.
- Any applicant wishing to participate in the Certification Scheme should signify its interest by notifying the Chair through diplomatic channels. This notification should include the information set forth in paragraph (a) of Section V and be circulated to all Participants within one month.
- 10. Participants intend to invite representatives of civil society, the diamond industry, non-participating governments and international organizations to participate in Plenary meetings as Observers.

PARTICIPANT MEASURES

- 11. Participants are to prepare, and make available to other Participants, in advance of annual Plenary meetings of the Kimberley Process, information as stipulated in paragraph (a) of Section V outlining how the requirements of the Certification Scheme are being implemented within their respective jurisdictions.
- 12. The agenda of annual Plenary meetings is to include an item where information as stipulated in paragraph (a) of Section V is reviewed and Participants can provide further details of their respective systems at the request of the Plenary.
- 13. Where further clarification is needed, Participants at Plenary meetings, upon recommendation by the Chair, can identify and decide on additional verification measures to be undertaken. Such measures are to be implemented in accordance with applicable national and international law. These could include, but need not be limited to measures such as;
 - 1. requesting additional information and clarification from Participants;
 - 2. review missions by other Participants or their representatives where there are credible indications of significant non-compliance with the Certification Scheme.
- 14. Review missions are to be conducted in an analytical, expert and impartial manner with the consent of the Participant concerned. The size, composition, terms of reference and time-frame of these missions should be based on the circumstances and be established by the Chair with the consent of the Participant concerned and in consultation with all Participants.
- 15. A report on the results of compliance verification measures is to be forwarded to the Chair and to the Participant concerned within three weeks of completion of the mission. Any comments from that Participant as well as the report, are to be posted on the restricted access section of an official Certification Scheme website no later than three weeks after the submission of the report to the Participant concerned. Participants and Observers should make every effort to observe strict confidentiality regarding the issue and the discussions relating to any compliance matter.

COMPLIANCE AND DISPUTE PREVENTION

16. In the event that an issue regarding compliance by a Participant or any other issue regarding the implementation of the Certification Scheme arises, any concerned Participant may so inform the Chair, who is to inform all Participants without delay about the said concern and enter into dialogue on how to address it. Participants and Observers should make every effort to observe strict confidentiality regarding the issue and the discussions relating to any compliance matter.

MODIFICATIONS

- 17. This document may be modified by consensus of the Participants.
- 18. Modifications may be proposed by any Participant. Such proposals should be sent in writing to the Chair, at least ninety days before the next Plenary meeting, unless otherwise agreed.
- 19. The Chair is to circulate any proposed modification expeditiously to all Participants and Observers and place it on the agenda of the next annual Plenary meeting.

REVIEW MECHANISM

20. Participants intend that the Certification Scheme should be subject to periodic review, to allow Participants to conduct a thorough analysis of all elements contained in the scheme. The review should also include consideration of the continuing requirement for such a scheme, in view of the perception of the Participants, and of international organisations, in particular the United Nations, of the continued threat posed at that time by conflict diamonds. The first such review should take place no later than three years after the effective starting date of the Certification Scheme. The review meeting should normally coincide with the annual Plenary meeting, unless otherwise agreed.

THE START OF THE IMPLEMENTATION OF THE SCHEME

21. The Certification Scheme should be established at the Ministerial Meeting on the Kimberley Process Certification Scheme for Rough Diamonds in Interlaken on 5 November 2002.

22. ANNEX I

Certificates A. Minimum requirements for Certificates

A Certificate is to meet the following minimum requirements:

- Each Certificate should bear the title "Kimberley Process Certificate" and the following statement: "The rough diamonds in this shipment have been handled in accordance with the provisions of the Kimberley Process Certification Scheme for rough diamonds"
- Country of origin for shipment of parcels of unmixed (i.e. from the same) origin

- Certificates may be issued in any language, provided that an English translation is incorporated
- Unique numbering with the Alpha 2 country code, according to ISO3166-1
- Tamper and forgery resistant
- Date of issuance
- Date of expiry
- Issuing authority
- Identification of exporter and importer
- Carat weight/mass
- Value in US\$
- Number of parcels in shipment
- Relevant Harmonised Commodity Description and Coding System
- Validation of Certificate by the Exporting Authority

B. Optional Certificate Elements

A Certificate may include the following optional features:

- Characteristics of a Certificate (for example as to form, additional data or security elements)
- Quality characteristics of the rough diamonds in the shipment
- A recommended import confirmation part should have the following elements:

Country of destination

Identification of importer

Carat/weight and value in US\$

Relevant Harmonised Commodity Description and Coding System Date of receipt by Importing Authority

Authentication by Importing Authority

C. Optional Procedures

Rough diamonds may be shipped in transparent security bags. The unique Certificate number may be replicated on the container.

Annex II Recommendations as provided for in Section IV, paragraph (f)

General Recommendations

- 1. Participants may appoint an official coordinator(s) to deal with the implementation of the Certification Scheme.
- 2. Participants may consider the utility of complementing and/or enhancing the collection and publication of the statistics identified in Annex III based on the contents of Kimberley Process Certificates.
- 3. Participants are encouraged to maintain the information and data required by Section V on a computerised database.
- 4. Participants are encouraged to transmit and receive electronic messages in order to support the Certification Scheme.
- 5. Participants that produce diamonds and that have rebel groups suspected of mining diamonds within their territories are encouraged to identify the areas of rebel diamond mining activity and provide this information to all other Participants. This information should be updated on a regular basis.
- 6. Participants are encouraged to make known the names of individuals or companies convicted of activities relevant to the purposes of the Certification Scheme to all other Participants through the Chair.
- 7. Participants are encouraged to ensure that all cash purchases of rough diamonds are routed through official banking channels, supported by verifiable documentation.
- 8. Participants that produce diamonds should analyse their diamond production under the following headings:
 - Characteristics of diamonds produced
 - Actual production

Recommendations for Control over Diamond Mines

- 9. Participants are encouraged to ensure that all diamond mines are licensed and to allow only those mines so licensed to mine diamonds.
- 10. Participants are encouraged to ensure that prospecting and mining companies maintain effective security standards to ensure that conflict diamonds do not contaminate legitimate production.

Recommendations for Participants with Small-scale Diamond Mining

- 11. All artisanal and informal diamond miners should be licensed and only those persons so licensed should be allowed to mine diamonds.
- 12. Licensing records should contain the following minimum information: name, address, nationality and/or residence status and the area of authorised diamond mining activity.

Recommendations for Rough Diamond Buyers, Sellers and Exporters

- 13. All diamond buyers, sellers, exporters, agents and courier companies involved in carrying rough diamonds should be registered and licensed by each Participant's relevant authorities.
- 14. Licensing records should contain the following minimum information: name, address and nationality and/or residence status.
- 15. All rough diamond buyers, sellers and exporters should be required by law to keep for a period of five years daily buying, selling or exporting records listing the names of buying or selling clients, their license number and the amount and value of diamonds sold, exported or purchased.
- 16. The information in paragraph 14 above should be entered into a computerised database, to facilitate the presentation of detailed information relating to the activities of individual rough diamond buyers and sellers.

Recommendations for Export Processes

- 17. A exporter should submit a rough diamond shipment to the relevant Exporting Authority.
- 18. The Exporting Authority is encouraged, prior to validating a Certificate, to require an exporter to provide a declaration that the rough diamonds being exported are not conflict diamonds.
- 19. Rough diamonds should be sealed in a tamper proof container together with the Certificate or a duly authenticated copy. The Exporting Authority should then transmit a detailed e-mail message to the relevant Importing Authority containing information on the carat weight, value, country of origin or provenance, importer and the serial number of the Certificate.
- 20. The Exporting Authority should record all details of rough diamond shipments on a computerised database.

Recommendations for Import Processes

21. The Importing Authority should receive an e-mail message either before or upon arrival of a rough diamond shipment. The message should contain details such as the carat weight, value, country of origin or provenance, exporter and the serial number of the Certificate.

- 22. The Importing Authority should inspect the shipment of rough diamonds to verify that the seals and the container have not been tampered with and that the export was performed in accordance with the Certification Scheme.
- 23. The Importing Authority should open and inspect the contents of the shipment to verify the details declared on the Certificate.

- 24. Where applicable and when requested, the Importing Authority should send the return slip or import confirmation coupon to the relevant Exporting Authority.
- 25. The Importing Authority should record all details of rough diamond shipments on a computerised database.

Recommendations on Shipments to and from Free Trade Zones

26. Shipments of rough diamonds to and from free trade zones should be processed by the designated authorities.

Annex III Statistics

Recognising that reliable and comparable data on the production and the international trade in rough diamonds are an essential tool for the effective implementation of the Certification Scheme, and particularly for identifying any irregularities or anomalies which could indicate that conflict diamonds are entering the legitimate trade, Participants strongly support the following principles, taking into account the need to protect commercially sensitive information:

(a) to keep and publish within two months of the reference period and in a standardised format, quarterly aggregate statistics on rough diamond exports and imports, as well as the numbers of certificates validated for export, and of imported shipments accompanied by Certificates;

(b) to keep and publish statistics on exports and imports, by origin and provenance wherever possible; by carat weight and value; and under the relevant Harmonised Commodity Description and Coding System (HS) classifications 7102.10; 7102.21; 7102.31;

(c) to keep and publish on a semi-annual basis and within two months of the reference period statistics on rough diamond production by carat weight and by value. In the event that a Participant is unable to publish these statistics it should notify the Chair immediately;

(d) to collect and publish these statistics by relying in the first instance on existing national processes and methodologies;

(e) to make these statistics available to an intergovernmental body or to another appropriate mechanism identified by the Participants for (1) compilation and publication on a quarterly basis in respect of exports and imports, and (2) on a semi- annual basis in respect of production. These statistics are to be made

available for analysis by interested parties and by the Participants, individually or collectively, according to such terms of reference as may be established by the Participants;

(f) to consider statistical information pertaining to the international trade in and production of rough diamonds at annual Plenary meetings, with a view to addressing related issues, and to supporting effective implementation of the Certification Scheme.

Year	Chair Country	Notes:
2003	South Africa	
2004	Canada	
2005	The Russian Federation	
2006	Botswana	
2007	European Union	
2008	India	
2009	Namibia	
2010	Israel	
2011	Democratic Republic of Congo	
2012	The United States of America	Ambassador Gillian Milovanovic is the first woman to Chair the KP.
2013	South Africa	
2014	China	
2015	Angola	
2016	United Arab Emirates	
2017	Australia	
2018	EU	

11.9 KP Chairmanship

Table 30 - Illustration 16 - KP Chairmanship

11.10 KP Working Groups and Committees

The committees and working groups are detailed below:

Working	Description	State
Groups	-	Actors
Artisanal and Alluvial	Addresses the challenges of alluvial diamond producers, promotes exchange of best practices. Aims to regulate the production of alluvial diamond and ensure their traceability from mines to exporters.	16
Diamond Experts	Technical arm of the KP. Identifies and solves technical and practical problems arising from the implementation of the certification. Performs the following: "Proposes changes to the Harmonized System Codes for rough diamonds to the World Customs Organization; classifies diamond powder, harmonizes valuation methodologies; and organizes the international transfer of diamond samples from exploration projects," (Sethi and Emelianova, 2011:218).	19
Monitoring	Is in charge of helping members implement the KPCS. Headed by the EU. Oversees the peer- review mechanism, co-coordinating review visits in member states, and examines the participants' annual reports. Is assisted by Israel. Has a diverse membership base including Global Witness and PAC. Uses a checklist prepared by PAC during review visits to determine compliance.	15
Rules and Procedures	a) Draws up and reviews the rules and procedures.	12
Statistics	a) Ensures timely reporting and analysis of statistical data on the production and trade of rough diamonds. By doing this, it can identify anomalies and ensure the effective implementation of the scheme.	13
Committees		
Participation and Chairmanship	a) Assists the Chair to the KP in admitting new participants, reviewing their eligibility for admission and monitoring of the KPCS.	11
Selection	a) Is in charge of reviewing applicants for the Vice- Chair.	10
KPCS Review	Overall review of the scheme.	7

Table 31 - KP Working Groups and Committees

11.11 The Global Governance Triangle

The governance triangle positions all the transnational regimes according to the roles the actors play in the operation of the organization. The roles are separated into zones on the triangle. Zone 1 is groups primarily lead and heavily influenced by state actors. Similarly, regulatory groups in Zone 2 are distinguished by firm involvements and Zone 3 by NGO participation. Zone 4 actors are the groups that mixed state and firms. Organizations are placed within the zone as to the involvement the firm or state plays. Most of the groups in Zone 6 are slightly leaning to the NGOs as they have more involvement than the firms in the scheme. There are no examples of an RSS group that comprise just NGOs and the government. Zone 7 is the area of the triangle that represents schemes that incorporate all three actors. The KP is placed in this zone. The major schemes are listed below:

	-
	IECA The Employment of Children Act (India) 1938
Zone 1	OECD OECD Guidelines for Multinational Enterprises 1976
	ECO German Blue Angel eco-label 1978
	BM WHO Code of Marketing for Breast-milk Substitutes 1981
	EMAS UK Eco-Management and Audit Scheme 1992
	IFC World Bank International Finance Corp. Safeguard Policies 1998
	GAP individual labor rights scheme of Gap, Inc. 1992
	BS The Body Shop's "Trade Not Aid" initiative 1991
	ICC Int'l Chamber of Commerce Charter for Sustainable Development
	1991
	RC Responsible Care, chemical industry environmental scheme 1987
7 0	WDC World Diamond Council warranty system for conflict diamonds
Zone 2	2004
	WRAP Worldwide Responsible Apparel Production, industry labor code
	2000
	SFI Sustainable Forestry Initiative 1994
	PEFC Programme for the Endorsement of Forest Certification 1999
	WBCSD World Business Council for Sustainable Development 1992
	SULL Sullivan Principles 1977
	AI Amnesty International Human Rights Guidelines for Companies
	1997
	CCC Clean Clothes Campaign Code of Labor Practices for apparel 1998
Zone 3	CERES CERES Principles on environmental practices and reporting
	1989
	RUG Rugmark labelling scheme to control child labor in carpets 1994
	GSULL Global Sullivan Principles on economic and social justice 1999
	WRC Worker Rights Consortium 2000
	WICE WORKER NIghts Consolition 2000

	ISO14 International Organization for Standardization 14001
Zone 4	environmental management standard 1996 UNGC United Nations Global Compact 2000 TOI Tour Operators Initiative 2000 EQP Equator Principles 2003
Zone 5	No existing examples.
Zone 6	 IFOAM International Federation of Organic Agriculture Movements 1972 FLA Fair Labor Association; apparel industry scheme 1999 FLO Fair-trade Labelling Organization "fair trade" umbrella scheme 1997 FSC Forest Stewardship Council certification, labelling scheme 1993 GRI Global Reporting Initiative; standards for social, environmental reports 1997 SAI Social Accountability Int'l standard for supplier labor practices 1997 MH Max Havelaar Fair Trade certification, labelling for coffee 1988 MSC Marine Stewardship Council 1997
Zone 7	 AIP Apparel Industry Partnership; Clinton Administration initiative convening firms, unions, NGOs, other industry stakeholders 1996-7 EITI Extractive Industries Transparency Initiative; UK disclosure scheme for payments by firms, host government expenditures 2002-03 ILO International Labor Org. Declaration on Multinational Enterprises 1977 KIMB Kimberley Process on conflict diamond trade 2003 VPSHR Voluntary Principles on Security and Human Rights (private security forces) 2000

 Table 32 - Governance Triangle Zones

Source: Adapted from Abbott and Snidal (2009)

It is a useful tool to differentiate and compare the regulatory bodies as they a positioned in seven zones depicted in the Illustration following:

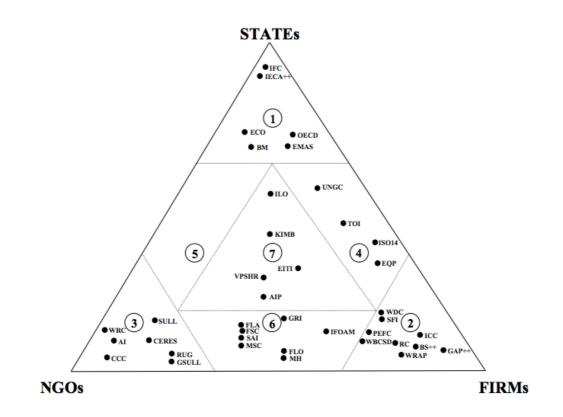
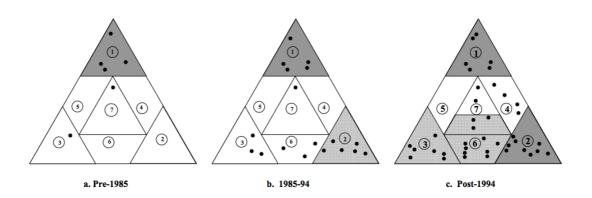


Illustration 17 - The Governance Triangle Source: Abbott and Snidal (2009).

11.12 Evolution of the Governance Triangle



Source: Abbott and Snidal (2009)

11.13 Partnership Africa Canada (PAC) – Critical Reports

11.13.1 *Critical of the KP*

PAC (2010:November) Diamonds Without Borders: An Assessment of the Challenges of Implementing and Enforcing the KP Certification Scheme.

PAC (2010: June a) Paddles for Kimberley: An Agenda for Reform.

PAC (2006:November a) Killing Kimberley? Conflict Diamonds and Paper Tigers.

PAC (2005:June) Implementing Kimberley Process – 5 Years On – How Effective is the Kimberley Process and What More Needs to Be Done?

PAC (2005:May) The Failure of Good Intentions.

PAC (2004:October) The Key to Kimberley: Internal Diamond Controls – Seven Case Studies.

PAC (2002: September) The Kimberly Process: The Case for Proper Monitoring.PAC and Global Witness (2008: November) Loupe Holes: Illicit Diamonds in the Kimberley Process.

PAC (2002:December) No Problems Here: Success, Complacency and Suspicion in the Diamond Industry.

11.13.2 *Critical of States*

Zimbabwe

PAC (2012:November) Reap What You Sow: Greed and Corruption in Zimbabwe's Marange Diamond Fields.

PAC (2010:June) Diamonds and Clubs: The Militarized Control of Diamonds and Power in Zimbabwe.

PAC (2009:March) Zimbabwe Diamonds and the Wrong Side of History.

Various (Africa)

PAC and Global Witness (2004:October) Rich Man, Poor Man – Development Diamonds and Poverty Diamonds: The Potential for Change in the Artisanal Alluvial Diamond Fields of Africa.

PAC (2003:May) West Africa: Rocks in a Hard Place, the Political Economy of Diamonds and Regional Destabilization.

PAC (2007:July) Land Grabbing and Land Reform: Diamonds, Rubber and Forests in the New Liberia.

PAC (2004:June) Diamonds Without Maps: Liberia, the UN, Sanctions and the Kimberley Process.

PAC (2003:January) Diamonds in the Central African Republic: Trading, Valuing and Laundering.

PAC (2002: June) Hard Currency: The Criminalized Diamond Economy of the Democratic Republic of Congo and its Neighbours.

PAC (2002:March) Diamonds: Forever or for Good? The Economic Impact of Diamonds in Southern Africa.

PAC (2001:October) Destabilizing Guinea: Diamonds, Charles Taylor and the Potential for Wider Humanitarian Catastrophe.

PAC (2002:November) War and Peace in Sierra Leone: Diamonds, Corruption and the Lebanese Connection.

PAC (2000:January) The Heart of the Matter – Sierra Leone, Diamonds and Human Security.

Venezuela

PAC (2006:November) The Lost World: Diamond Mining and Smuggling in Venezuela.

PAC (2006:March) Fugitives and Phantoms: The Diamond Exporters of Brazil.

PAC (2006: April) Triple Jeopardy – Triplicate Forms and Triple Borders: Controlling Diamond Exports from Guyana.

Praising Countries

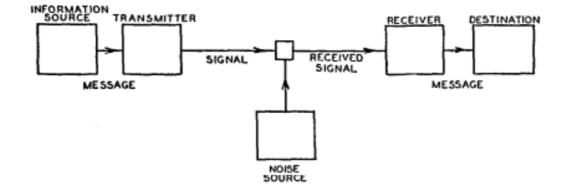
PAC (2002:January) Fire in the Ice: Benefits, Protection and Regulation in the Canadian Diamond Industry.

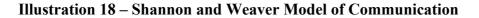
Highlighting CSR (Praising the NGOs)

PAC (2003:June) Motherhood, Apple Pie and False Teeth: Corporate Social Responsibility in the Diamond Industry.

11.14 Communication Models (Transmission and Transactional)

11.14.1 *Transmission Model*





11.14.2 *Transactional Model*

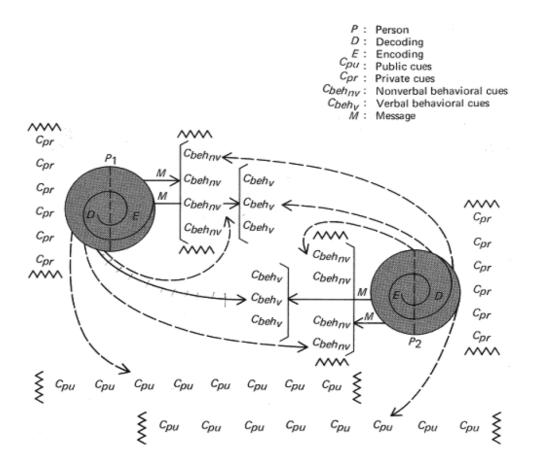


Illustration 19 - Barnlund's Transactional Model

11.15 Interview Guide



of St Andrews

lld2@st-andrews.ac.uk

Interview Guide

Respondent Code: Date of Interview:

Project Title The Kimberly Process Certificate Scheme: Understanding the

Researcher(s) Name(s) Lori Leigh Davis University of St Andrews 07565681811

Supervisors' Name Dr. Philip Roscoe School of Management University of St Andrews The Gateway, North Haugh University of St Andrews St Andrews, KY16 9RJ Scotland (0)1334 461973 E-mail: pjr10@st-andrews.ac.uk

Primary Code of Conduct in the Diamond Industry.

Dr. William Vlcek Lecturer in International Relations School of International Relations University of St Andrews St Andrews, Fife KY16 9AX Scotland, United Kingdom E-mail: wbv2@st-andrews.ac.uk

Research Question: The persuasive appeals within the KP:

	Preparation:
	First Contacted - Date:
Name:	Contacted by: Phone/Email
Position:	Letter of Consent Given – Date:
Company:	
Owners/Shareholders:	
Address:	-
Country:	Actual Contact:
Phone Number:	First/Second/Third Interview:
Email:	Interview Date:
Email:	Length of Interview:
Male/Female	Start-End Time
Age:	Recorded: Yes/No
	Location of Interview:
Length of Time in Current Position:	Corresponds to: (R1, R2, R3)
Length of Time in the Diamond Industry:	
Highest Level of Education:	
Follow Up Section	
Follow Up Required	
Clarification on:	
Thank You Message Sent: Yes/No	

Respondent Code: Date of Interview:

Section In General

- How would you describe and define the Kimberley Process Certificate Scheme:
- □ What role does the KPCS play in your work?'
- □ When do you use the KPCS in your work?

How many times a day/week/month:

- How often do you and your work colleagues talk about the KPCS?
- How important is the KPCS to (a) you, (b) your business and the (c) the diamond industry?
- D To clarify... in what ways is the KPCS beneficial and harmful for the diamond industry?

>>>Probe: Who specifically does the KPCS benefit? How:

>>>Probe: Who specifically, then, does the KPCS cause detriment too? How:

□ Who do you think is/are the major supporters of the KPCS in the industry?

>>>Probe: Why? For what reasons?

>>>Probe: Who is responsible for the problem(s) that you described?

- Do you feel the KPCS is successful, and to what extent?'
- □ Is the KPCS becoming more prominent or less prominent in your workplace?

PROBES

- □ detail-oriented probes (When did that happen? Who else was involved? Where were you during that time?)
- elaboration probes (Could you tell me more about that? Why exactly do you feel that way?)
- clarification probes (You said the KPCS is a "success"/"failure." What do you mean by "success"/"failure"?)
- silent probe,
- □ uh-hu probes which encourage a participant to continue by making affirmative but neutral comments ("uhhuh and 'Yes, I see.'
- cho probes, which is the repetition of the last thing the participant said and asking them to continue.

In what ways does the KPCS shape diamond industry?

In what ways does the respondent see the KPSC as a

through a resolution method or an issue that affects

mode of governance, a way to assess conflict

Lori Leigh Davis Interview Guide 2015

business?

Respondent Code: Date of Interview:

Section - Supply Chain

- At what level of the supply chain do you think the KPCS is most important?
- □ At what level of the supply chain is the KPCS regarded the least important?
- □ How often do your suppliers encourage the utilization or reference the KPCS? (*Question for industry members only*).
- How often do your customers ask you about what you're doing in regards to CSR efforts or activities? (*Question for industry members only*).

STAKEHOLDERS

How well has the diamond industry members supported the KPCS?

How well has government members supported the KPCS?

How well has civil society NGOs supported the KPCS?

Section - Understand Power Rela	ations of Organizations
Why Include: Links to which actors an	re influencing/persuading other actors
Recommend by: Supervisor Dr. Vlcek	ε.
Directly Relates to Answering Question	on: YES
Adapted from Source: Barnett and Du	vall (2005) 2x2 Matrix
	Relational specificity
Direct	Diffuse

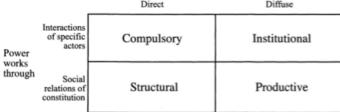


FIGURE 1. Taxonomy of power

□ Would you say that you are a major power player in the diamond industry? Why:

□ Who do you think has the major power in the diamond industry? Why?

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Section - Usage

☐ Why do you use the KPCS? Reason for Code Adoption Why Include: Most Commonly Listed Reasons for Code Adoption Directly Relates to Answering Question: YES Adapted from Source: Bondy, Matten and Moon (2006)

Reason For Code Adoption	Actual Quotation:
No Reason	
Requirement (specify by whom)	
Guide for Behaviour (specify which guide)	
Protect/Enhance Reputation	
Consistency Across Global Network/Framework for Network	
Employee, Management or Board Compliance	
Supplier Compliance	
Communicate Principles/Commitments	
Governance Structures to Stakeholders	
Create/Maintain Trust and Confidence with Stakeholders (Specify which stakeholders)	
Formalize Expected Behaviors/Commitments	
Legal Compliance	

□ Why do you think the other pillars (State/Industry/Civil Society) of the KPSC use/promote the code of conduct today?

Section - Products Conflict Diamonds

- In your written publications or press releases do you prefer to use 'blood diamonds' or 'conflict diamonds?' Why:
- □ In what ways does the KPCS address this important issue?

>>>Probe: Does the scheme help or compound the problem? How?

>>>In your view, whose responsibility is it to ensure the end of blood and conflict diamonds?

□ In what ways does the KPCS safeguard the from conflict diamonds?

What actions do you think are the most effective?

What actions do you think are the least effective?

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4

Respondent Code: Date of Interview:

PROBES

detail-oriented probes (When did that

□ elaboration probes (Could you tell me more about that? Why exactly do you

clarification probes (You said the KPCS) is a "success"/"failure." What do you mean by "success"/"failure"?)

uh-hu probes which encourage a

participant to continue by making affirmative but neutral comments ("uh-

echo probes, which is the repetition of

the last thing the participant said and

were you during that time?)

feel that way?)

huh and 'Yes, I see.'

asking them to continue.

□ silent probe,

happen? Who else was involved? Where

□ If you could stop conflict diamonds forever, how would you propose in doing it?

Section - Synthetic Diamonds

- □ What are your views on the emergence of synthetic diamonds into the diamond supply?
- What impacts will these diamonds have on the KPCS?

Expand:

Section - Money Laundering

- □ 'Do you think the KPCS has a role in combatting money laundering?'
- How successful has the KPCS been in combating money laundering in the diamond industry?

Expand:

Section - Corporate Social Performance

- □ 'In what ways do you think the KPCS benefits your company?'
- □ In what ways do you think KPCS could benefit your company?
- In what ways do you think the KPCS is a hindrance or disadvantageous?

Section - Human Rights

- □ 'Do you think the KPCS has a role to play with regards to human rights concerns?'
- In what ways does the KPCS address human rights issues in relation your company?

Section - Sustainable Development

- □ In what ways does the KPCS address sustainable development in the diamond industry?
- Do you think the KPCS has a role in sustainable development?'
- □ How does the company evaluate it operations in the light of community sustainability?

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Respondent Code: Date of Interview:

Section - Policy

- □ In what ways are the written vision and your corporate values or policies available to the public?
- Do you have any corporate social responsibility disclosures? Y/N
- Do these link directly with information on the KPCS?

Section - CSR

- □ What responsibilities do you have as a corporation?
- □ What do you think the relationship between the corporation and society should look like?
- □ What CSR policies are of particular interest to you?
- Who would you say are the most important individuals or groups to your company?
- □ Which individuals or groups, would you include as actually not that important to your day-to-day activities?
- □ Which CSR activities have you tried in the past?
- What motivated you to do CSR?

□ Where would you indicate that the company needs to improve with regard to CSR aspects: (stakeholder engagement, employees, community environmental sustainability, labour relations, protection of human rights, transparency/accountability/CSR reporting or other)

How do these relate to the KPCS?

22

Itziar Castelló and Josep M. Lozano

TABLE II

CSR rhetoric strategies

Characteristics	Strategic CSR	Institutional CSR.	Dialectic CSR
Discursive elements	Legitimated by the economic logic of the firm	Legitimated through the value of the enthymeme	Legitimated by appeal- ing to an engaged dialog
Time scale orientation	Short- to mid-term	Long-term (sometimes used as temporal)	Long-term
Position in text	Supports the most important enthymemes	Used in introduction and linkages	Marginal, additional
Rhetoric strategy	Provides the logos	Provides the ethos	Supports the pathos
CSR Foundation	Positivistic	Positivistic	Post-positivistic
Main concepts	Performance	Social contract/duty	Inclusion; dialog
Management theories	CSP; strategic manage- ment; project management	Business ethics; stake- holder theory	Corporate citizenship/ political view of firm
Role of legitimacy	Pragmatic legitimacy	Cognitive legitimacy	Moral legitimacy
Message to stakeholders	We are accountable; we manage well	We are "good" and responsible; belong to the CSR community	We want to engage you in a dialog

Lori Leigh Davis Interview Guide 2015

lespondent	Code:	Date	of	Interv	iew:
------------	-------	------	----	--------	------

Section - Rhetorical Construction of Narcissistic CSR Orientation

Section - Community Involvement - Health & Safety

□ In what ways does the use of the KPCS ad to the health and safety of the communities linked to the KPCS?

F

Section - Legal

What legal considerations are you aware of that your company has to comply with?

CSR Issues Not Necessarily Related to KPCS - Does the interviewee link to any of these: Section - Personnel & Equal Opportunity Y/N. What issues of personnel or equal opportunity have you had within your human resources?

Section - Corporate Governance Y/N_How would you describe your corporate governance? What does it look like?

 $\frac{Section - Financial Integrity}{Y/N} \ \ What actions do you take to ensure honesty, integrity and a commitment to transparency wherever$ business is conducted and with accounting, financial reporting statements and communications with suppliers and customers?

Section - For the Future

- □ What does the future hold for the KPCS?
- □ What threats does the KPCS face?
- Do you have any recommendations on who else I could speak with in regards to the KPCS that could prove helpful for my thesis?
- □ Thank you for your time. Do you have any questions for me?
- □ If I have any further questions would it be ok to contact you again in 2015?

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11.16 Ethical Approval Letter



University of StAndrews

University Teaching and Research Ethics Committee

15th April 2015 Lori Leigh Davis School of Management

Ethics Reference No: Please quote this ref on all correspondence	MN11436
Project Title:	CSR, the Diamond Industry and the KPCS through a rhetoric theoretical lens: How do stakeholders of the KPCS communicate about the code of conduct? What does this discursive activity suggest about the CSR orientation of the industry and its relationship with the stakeholders in this particular context? Why do the important stakeholders support the KPCS?
Researchers Name(s):	Lori Leigh Davis
Supervisor(s):	Dr Philip Roscoe

Thank you for submitting your application which was considered by the School of Management's Ethics Committee. The following documents were reviewed:

- 1. Ethical Application Form
- 2. Participant Email Request for Interview Sheet
- 3. Interview Guide

The University Teaching and Research Ethics Committee (UTREC) approves this study from an ethical point of view. Please note that where approval is given by a School Ethics Committee that committee is part of UTREC and is delegated to act for UTREC.

Approval is given for three years. Projects, which have not commenced within two years of original approval, must be re-submitted to your School Ethics Committee.

You must inform your School Ethics Committee when the research has been completed. If you are unable to complete your research within the 3 three year validation period, you will be required to write to your School Ethics Committee and to UTREC (where approval was given by UTREC) to request an extension or you will need to re-apply.

Any serious adverse events or significant change which occurs in connection with this study and/or which may alter its ethical consideration, must be reported immediately to the School Ethics Committee, and an Ethical Amendment Form submitted where appropriate.

Approval is given on the understanding that the 'Guidelines for Ethical Research Practice' (<u>http://www.st-andrews.ac.uk/media/UTRECguidelines%20Feb%2008.pdf</u>) are adhered to.

Yours sincerely

Dr John Desmond Convenor of the School Ethics Committee

cc Shona Deigman

UTREC Convenor, Manscfield, 3 St Mary's Place, St Andrews, KY16 9UY Email: <u>utrec@st-andrews.ac.uk</u> Tel: 01334 462866 The University of St Andrews is a charity registered in Scotland: No SC013532

International Non-Governmental Organizations				
Amazon Watch	Amnesty International	Anti-Slavery International		
Article 19	Avocats Sans Frontières	Breakthrough (human rights)		
Carter Center	CCJO René Cassin	Center for Economic and Social Rights		
Center for Human Rights and Humanitarian law	Centre on Housing Rights and Evictions (COHRE)	Coalition for the International Criminal Court		
Committee of Concerned Scientists	Committee to Protect Journalists	Commonwealth Human Rights Initiative		
CryptoRights Foundation	Cultural Survival	Disabled Peoples' International		
Enough Project	Equality Now	Every Human Has Rights		
Forum 18	Free the Slaves	Freedom from Torture		
Freedom House	Friends of Peoples Close to Nature	Front Line Defenders		
Society for Threatened Peoples	GIRCA	Global Centre for the Responsibility to Protect		
Global Rights	Habitat International Coalition	Helsinki Committee for Human Rights		
Helsinki Watch	Hindu American Foundation	Hindu Human Rights		
Hirschfeld Eddy Foundation	Human Life International	Human Rights Internet		
Human Rights First	Human Rights Foundation	Human Rights Internet		
Human Rights Watch	Human Rights Without Frontiers	HURIDOCS		
Institute for War and Peace Reporting	Interamerican Association for Environmental Defense	International Alliance of Women		
International Association of Jewish Lawyers and Jurists	International Center for Transitional Justice	International Centre for Human Rights and Democratic Development		
International Centre for Human Rights Research	International Coalition against Enforced	International Commission of Jurists		

11.17 International Non-Governmental Organizations

	Disappearances	
International Disability Alliance	International Red Cross and Red Crescent Movement	International Federation of Red Cross and Red Crescent Societies
International Committee of the Red Cross (private, sovereign organisation)	International Crisis Group	International Federation for Human Rights
International Foundation for Human Rights and Tolerance	International Freedom of Expression Exchange	International Helsinki Federation for Human Rights (federation of 15 other human rights organizations not included in this list; now bankrupt due to fraud)
International Humanist and Ethical Union	International Human Rights Commission- IHRC http://www.ihrchq.org	International Institute of Human Rights
International League for Human Rights	International Partnership for Human Rights (IPHR)	International Property Rights Index
International Progress Organization	International Rehabilitation Council for Torture Victims	International Rescue Committee
International Tibet Support Network	International Service for Human Rights	International Society for Human Rights
International Work Group for Indigenous Affairs	Islamic Human Rights Commission	JUSTICE
Mind Freedom International	Minority Rights Group International	National Labor Committee in Support of Human and Worker Rights
International Organization of Human Rights IOHR (OIDO)	Network for Education and Academic Rights	No Peace Without Justice
Norwegian Refugee Council	Peace Brigades International	People & Planet
Physicians for Human Rights	Point of Peace Foundation	Protection International
Refugees International	Release International	Reporters Without Borders

		Robert F. Kennedy		
Reprieve	Redress Trust	Center for Justice and		
		Human Rights		
Scholars at Risk	Scholar Rescue Fund	Shia Rights Watch		
Society for Threatened Peoples	Survival International	Tahirih Justice Center		
The Advocacy Project	The Sentinel Project for Genocide Prevention	Tostan		
Transparency		UNITED for Intercultural		
International	UN Watch	Action		
Universal Tolerance	World Council of	World Organization		
Organization	Churches	Against Torture		
		Women's Learning		
Witness (human rights	Womankind Worldwide	Partnership for Rights,		
group)		Development, and Peace		
	W. 110			
World Future Council	World Organization	Youth for Human Rights		
	Against Torture	International		
L				

11.18 Regional Non-Governmental Organizations

Regional Non-Governmental Organizations				
African Movement of Working Children and Youth (Africa)				
AIRE Centre (Europe)				
Arabic Network for Human Rights Information (Arab world)				
Arab Commission for Human Rights (Arab world)				
Asian Forum for Human Rights and Development (Asia)				
Asian Human Rights Commission (Asia)				
Asian Centre for Human Rights (Asia)				
Commonwealth Human Rights Initiative (Commonwealth nations)				
Council on Hemispheric Affairs (Americas)				
Ecumenical Center for Human Rights (Americas)				
Euro-Mediterranean Human Rights Network (Euro-Mediterranean region)				
European Roma Rights Centre (Europe)				
Federal Union of European Nationalities (Europe)				

Helsinki Citizens Assembly (Europe)

Human Rights Foundation (Americas)

Human Rights Trust of Southern Africa (Southern Africa)

Incomindios Switzerland (Americas)

International Association of Independent Journalists Inc. (Canada, England & elsewhere)

elsewhere)

Journalists for Human Rights (Africa)

Kurdish Human Rights Project (Iraq, Turkey, Syria, Iran & elsewhere)

Memorial (Ex-USSR)

Unimondo (southeastern Europe)

Washington Office on Latin America (Latin America)

Media Foundation for West Africa (West Africa)

D	Task Name							2014	2015 20 203040102030401		201
1	Lori Leigh Davis - PhD Timeline							04010	203040102030401	0210310410110210310	<u>1401</u> C
2	First literature reviews co	irst literature reviews completed on Rhetoric, CSR and Power.									
3	Background chapter lite	ackground chapter literature review, addressing the 'gap' in the literature.									
4	Ongoing research on dia	ngoing research on diamonds, 'conflict' diamonds, the diamond industry, the KP and certification scheme.									
5	Data Collection by Obse	rvation: Women in	Mining Diamond Ir	ndustry Event, Lon	idon.			_	1.1		
6	Data Collection by Perso	onal Interview (sen	ni-structured): Diar	nond industry, Loi	ndon.			_			
7	Data Transcribing	Data Transcribing									
8	Methods Chapter Consid	Aethods Chapter Considerations						_			
9	Presented a Paper: The	Conflict Conferenc	e, The University of	Texas at Austin, U	JS.					ı	
10	Data Collection by Obse	Data Collection by Observation and Personal Interview (semi-structured): KP Intersessional, Dubai, UAE.						_			
11	Presented a Paper: Cong	Presented a Paper: Congress of the Humanities and Social Sciences, The University of Calgary, Canada.									
12	Data Collection by Personal Interview (semi-structured): St Andrews, UK.										
13	International Rhetoric Workshop, Presented a Paper: University of Uppsala, Sweden.										
14	Data Transcribing								•		
15	Presented a Paper: Scottish Graduate School for Social Science Business and Management										
16	Data Analysis: Coalition Chapter Written						-				
17	Data Analysis: State Chapter Written						_				
18	Data Analysis: Industry Chapter Written										
19	Discussion and Conclusion Chapters Written										
20	Methods Chapter Writte	Methods Chapter Written									
21	First Draft Submitted and Revised										
		Task		Inactive Task		Manual Summary Rol	lup		External Milestone	\$	
Project: LLD PhD Timeline v1.0 Date: Wed 23/08/17		Split		Inactive Milestone	\diamond	Manual Summary			Deadline	•	
		Milestone	•	Inactive Summary	0	Start-only	E		Progress		
		Summary		Manual Task		Finish-only	3		Manual Progress		
		Project Summary		Duration-only		External Tasks					

Start Date	End Date	Activity
October 2013	May 2014	Background chapter literature review, addressing the 'gap' in the literature. First literature reviews completed on Rhetoric, CSR and Power.
May 2014	September 2017	Ongoing research on diamonds, 'conflict' diamonds, the diamond industry, the KP and certification scheme.
March 2015	March 2015	Data Collection by Observation: Women in Mining Diamond Industry Event, London.
April 2015	April 2015	Data Collection by Personal Interview (semi- structured): Diamond industry, London.
May 2015	July 2015	Data Transcribing
August 2015	February 2016	Methods Chapter Considerations
April 2016	April 2016	Presented a Paper: The Conflict Conference, The University of Texas at Austin, US.
May 2016	May 2016	Data Collection by Observation and Personal Interview (semi-structured): KP Intersessional, Dubai, UAE.
June 2016	June 2016	Presented a Paper: Congress of the Humanities and Social Sciences, The University of Calgary, Canada.

July 2016	December 2017	Data Collection by Personal Interview (semi- structured): St Andrews, UK.
August 2016	August 2016	International Rhetoric Workshop, Presented a Paper: University of Uppsala, Sweden.
January 2017	March 2017	Data Transcribing
March 2017	March 2017	Presented a Paper: Scottish Graduate School for Social Science Business and Management PhD Colloquium, School of Management, University of St Andrews.
January 2017	March 2017	Data Analysis: Coalition Chapter Written
March 2017	April 2017	Data Analysis: State Chapter Written
May 2017	June 2017	Data Analysis: Industry Chapter Written
July 2017	August 2017	Discussion and Conclusion Chapters Written
August 2017	August 2017	Methods Chapter Written
August 2017	September 2017	First Draft Submitted and Revised