What explains the change of European Security Policy?

-An analysis of European Security and Defence Policy (ESDP) after September 11th 2001

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1. INTRODUCTION

"As a Union of 25 states with over 450 million people producing a quarter of the world's Gross National Product (GNP), the European Union is inevitably a global player [...] it should be ready to share in the responsibility for global security and in building a better world" (European Security Strategy :1).

The focus and aim of this thesis is to explain the mechanisms that lead to a change in European Security and Defence Policy (ESDP) after September 11th 2001. Since ESDP was declared operational in Laeken in December 2001 there have been several changes which in sum seem to indicate that the EU now has the tools and the capabilities to act as a security policy actor on its own. The treaty of Nice, which was implemented in 2003, provided ESDP with new agencies and institutions. In 2003, the Berlin plus agreement was finalised which gave the EU access to NATO's assets and capabilities. In December 2003 the creation of the European Security Strategy (ESS) arrived as an historical event, being the first security doctrine for a supranational organisation. Earlier that year the EU had launched its first two military missions and two international police missions with a high degree of success. In February 2004 France, Britain and Germany decided to pursue the initiative from the ESS by constructing the so-called battle groups concept within the frame of ESDP. In June 2004 the European Council (EC) signed the Constitutional treaty which contained new provisions for ESDP, among others the clauses maintaining collective defence clause and solidarity. The EC also decided to create a European Defence Agency (EDA), whose main task would be to improve European defence capabilities in the field of crisis management. A final example of the latest development has been the EU take-over of the Stabilisation Force (SFOR) from NATO in Bosnia Herzegovina (BiH) in December 2004, where the organisation is now responsible for 7.000 troops under the name European Force (EUFOR).

What explains this change of EU Security Policy? Is there a connection between this change and US unilateralism after 9/11[1], or is the change in security policy merely a product of the integration process?

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[1] For the simplicity of not repeating the date "September 11th 2001", I have decided to use "9/11" as an abbreviation.
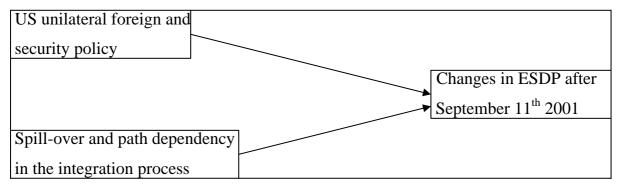
1.1 Research questions

Much research in the field of security policy and European integration has been focused on *who* the most important actors are and whether it is the member states or the supranational institutions that influence most heavily decision making processes and the evolution of the EU. In this thesis I will try to focus on the variables I believe to be the most significant in determining the direction of ESDP. It is my conviction that explanations of ESDP draw upon assumptions from two opposing vantage points. The contrast is conspicuous in attempts to explain the post-9/11 changes in ESDP referred to above. According to the first approach, the expansion of ESDP can be explained with the structural change in the international political system which occurred after 9/11, with US foreign policy taking on a more aggressive and unilateral guise. The second approach is that the change of ESDP is a result of path dependency and spill-over in the integration process.

The research questions for this thesis are:

"What explains the change of European Security and Defence Policy after September 11th 2001? To what extent can neo-realism or institutional theory explain this change?"

In order to answer these questions it may be useful to present the US unilateral foreign and security policy after 9/11 2001 and the path dependency and spill-over in the integration process within the EU as independent variables, and changes within ESDP after 9/11 2001 as the dependent variable. Determining the relative explanatory weight of the two independent variables is a major objective of the thesis.

September 11th 2001 changed the world in many ways and became a turning point in the relationship between Europe and the US. First of all it was the date of the terrorist

attacks in the United States of America. The attack was the first on American soil since Pearl Harbour in 1941, and the first on mainland America since the 19th century. Second, it changed US foreign policy in a new unilateral direction:

"If we are an arrogant nation the world would resent us [...] but if we're a humble nation, but strong, they will welcome us" (George W. Bush in October 2000)[2].

"You are either with us, or against us [...]" (George W. Bush in November 2001)[3].

On the 12th of September 2001[4] the NATO countries decided unanimously for the first time to use article V of the treaty, the countries of Europe perceiving the attack as an assault on alliance territory. Immediately after 9/11 Europe and America were united in an almost unprecedented fashion. However, something changed dramatically in the following period. Somehow, the new foreign and security policy of the US seemed to aggravate relations between the US and Europe as the former waged its "war on terrorism". As a result of the unilateral American doctrine, NATO allies disagreed openly for the first time since the dissolution of the Warsaw pact and the transatlantic relationship was at its worst in decades. Europe and America seemed to drift apart almost sixty years after the Second World War. Seemingly, the terrorist attack and its political and international consequences had laid bare two diverging perspectives on the conduct of foreign policy, originating from separate sides of the Atlantic:

"On the all-important question of power, the efficacy of power, the morality of power, the desirability of power – Americans and Europeans perspectives are diverging [...] Americans are from Mars and Europeans are from Venus" (Kagan:2003:3).

Despite the supposedly isolating effect of American unilateralism since 9/11, many scholars will argue that this is not the primary reason behind efforts to forge a common foreign and security policy in the EU. Rather, developments within ESDP follow from the integration process itself, as captured in the neo-functionalist term of "an ever closer union" (Haas:1958). Although American policy after 9/11 and especially the case of Iraq added much to the ideological cleavage between the US and Europe

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[2] From a speech held during the election campaign in 2000 (Bush:2000).
[3] From a speech held on November 5, 2001 (Bush: 2001b).
[4] According to Thune (2003) and Melby (2004) at this same date it was suggested by Defence Secretary Rumsfeld and Vice Secretary Wolfowitz at a meeting in the National Security Council that the US should attack Iraq as a response to the terrorist attacks, and that this policy after a while took over as official White House policy.

(Kagan:2003:11), the ESDP in itself must be seen independently, as a result of an internal integration process in which spill-over and path dependency provide the driving forces. Put in other words, the change in EU security policy would probably have occurred regardless of the structural change in the international political system.

1.2   Hypotheses

There need not be a contradiction between the external and internal factors assumed to have generated the changes in ESDP. In fact, it may be believed that both these factors have played an important role. However, it is the aim and purpose of this paper to evaluate which theory is the most fruitful in explaining the change and development of ESDP, thus contributing to theory elaboration.

The first hypothesis is H1: *The change in ESDP is a result of the need for power balance in the international political system.*

There are many implications and conditions underlying this hypothesis. The first implication suggests that the new security agenda of the EU was formulated in an effort to counter-balance the powerful position of the US. The second implication is that the great powers of Europe allow or wish the EU to play a role in security policy. The hypothesis is based on a neo-realist perspective on how states react to changes in the structure; notably, they will seek to maximize their own interests by forming a counter-balance to a sole superpower, especially when the latter opts for unilateralism.

The alternative hypothesis is H2: *The change in ESDP is a product of a further and deeper integration in the EU as a result of spill-over and path dependency.*

There are also some implications to this hypothesis. Its terminology draws on a hybrid of neo-functionalism (NF) and historical institutionalism (HI) which in this thesis I have referred to as *institutional theory*. The creation and deepening of integration in one sector creates pressure for further integration within that sector, creating a spill-over effect that has led to the forming of institutions and treaty-based agreements beyond the original intent. Limited information and knowledge about future consequences lead to un-intended consequences and spill-over; this in turn has brought the integration process from the economic sector to the security policy sector. When

the treaty agreements have been implemented and institutions formed, this has led to a further spill-over effect within the areas of security policy. The development and evolution of ESDP could just as well have occurred without any external crisis. It is the deepening and length of the integration process combined with the legacy of path dependency from former decisions that explain the change in ESDP.

1.3   The EU as a security policy actor?

" […] European integration has proved to be the enemy of European military power, and, indeed, of an important European goal" (Kagan:2003:65)

"The European Union has always been about security policy, but in an indirect fashion" (Matlary:2003:105).

The question of whether the EU actually is a security policy actor was debated throughout the late 1990s and into the early years of the millennium. The answer to this question is dependent on how we define the concept of security. In order to understand the role of the EU in security policy it is necessary to use a broad definition of the security concept (Barth Eide:2003:309). Following the end of the Second World War, it was common to understand security as equivalent to territorial defence against military threats (Rieker:2004:13). Karl Deutsch (1957) undertook a different approach to the concept of security, choosing the term "security community" to conceptualise the integration process in Europe. Integration was defined as a condition where war as dispute settlement between nation states becomes obsolete. One of the main purposes behind the integration process has always been to create security (Dedman:1996). Successful integration is about the radical reduction in the likelihood of states using violent means to resolve their differences (Rosamond:2000:42-45). Despite the attempts of a constructivist debate about security, the dominance of realist and neo-realist theories in the decades that followed strengthened the uni-dimensional military and state-centric view of the concept. Following the end of the Cold War and the fall of communism, however, the security threat had to be totally revised. As the former enemy was now becoming a democratic friend, an immediate security threat to the Western hemisphere within the traditional understanding of the security concept no longer existed. Important and new research highlighted the significance of this

change[5]. Security was now defined not only as territorial defence and military security, but was given a broader reference to five different types of security: *military*, *economic*, *societal*, *political* and *environmental*. The idea was that all variables which were basic to the security of the state should be interpreted as a part of the security concept. To meet those critics who claimed that this broadening of the concept made it useless as all matters of state became a security issue, Buzan & Wæver (2003) used the terms "securitisation" and "de-securitisation". The argument was, for example, that if the EU saw migration from Africa as a threat to security, it became securitised, and de-securitised when it was no longer a threat. As matters of security not only seemed to be the problems of one state, but were very often a regional problem, the concept *security complex* was applied, defined as:

"A set of units whose major processes of securitisation, de-securitisation, or both are so interlinked that their security problems cannot be analysed or resolved apart from one another" (Buzan & Wæver:2003:44)[6].

National security is closely linked to regional stability, thus regional stability and integration is inter-linked. The security complex of Europe can either be integrated or more fragmented. As the EU is the only multilateral organisation capable of hindering fragmentation, it will remain the most important organisation for security policy in Europe (Rieker & Ulriksen:2003:18). If we define security as something more than just military power or military capabilities, the EU has undoubtedly been a security policy actor since Maastricht. With the latest military developments in the ESDP and the forming of ESS and the different institutions, even traditional realist scholars would most likely agree that the EU is a security policy actor. However, the main problem of regarding the EU as such an actor is the fact that the EU is neither a state nor an international institution. It is a supranational organisation of sovereign member states, and the first of its kind. This sometimes makes it difficult to use traditional tools in the analysis of the organisation and how this phenomenon may be approached. Although the EU fulfils all the great-power criteria of Kenneth Waltz (1993)[7], the EU

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[5] In *"Security-a new framework for analysis"* (Buzan et al:1998) gave the concept of security a broader understanding.
[6] At first Buzan used this definition of security complex : "A group of states whose primary security link together sufficiently closely that their national security cannot realistically be considered apart from one another " (Buzan et al.:1991:106)
[7] Conditions for becoming a great power: size of population and territory, resource endowment, economic capability, military strength, political stability and competence (Waltz:1993).

is not a Weberian state. Devoid of police, army and a significant intelligence capacity, it is far from the necessary resources to act as a *traditional* great power (Moravscik:2005:19). According to Adler & Barnett (1998) this strange hybrid between a federal state and an international organisation corresponds to what they call "a tight coupled security community", lifting the security community concept, introduced by Deutsch, to another level where political integration is included and where the EU is separated from other multilateral frames of cooperation (Rieker &Ulriksen:2003:19).

"Europe is developing unique forms of political organization neither by replicating the state form at a higher level, nor by annulling the old order, but by mixing a continuity of sovereignty with new forms" (Buzan & Wæver:2003:352)

As to whether the EU is a great power or an important actor in the international system, opinions diverge. Following the arguments of Rieker & Ulriksen (2003), one may argue that the EU is a *different* superpower. The EU's new military capabilities are not those of a traditional grand army used in territorial defence or the army that can fight wars on several continents, like the US. The purpose of the military capabilities is first and foremost to handle crisis management and the Petersberg tasks[8]. Throughout the civil war in Yugoslavia, and especially Bosnia, followed by the conflict in Kosovo, the EU had no hidden threat in forms of military forces to use as conflict prevention in EU's own backyard. Using so called "soft" power tools proved insufficient in the wars and conflicts in the former Yugoslavia (Barth Eide:2003). Henceforth it seemed necessary for the EU to develop a military capability to lend credence to any foreign and security policy pretension. A result of this evolution can be found in the new security doctrine where an important part of the ESS is dedicated to the broader understanding of security, where "soft" power and "hard" power tools are combined. The EU is therefore seen as a *comprehensive* security actor (Rieker: 2004). Often it appears that the EU's foreign and security policy can be summarised by Robert Coopers famous words: *"Speak softly and carry a big carrot"* (Cooper:2004)[9].

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[8] The Petersberg tasks: humanitarian operations, rescue missions, crisis management and peacekeeping operations (Missiroli:2004)
[9] In 2004 Robert Cooper made a speech at the Norwegian Atlantic Committee (Cooper:2004) where he revised the former words of US president Franklin D Roosevelt about how one should act in foreign policy : "Speak softly and carry a big

There are several examples of the EU's emphasis in ESDP on using not only the military tool, but combining all instruments in the toolbox. In fact, until 2001[10] it was rather opposite. Although the ESDP is typically connected with the development of military capabilities, the EU has launched two international police missions as a part of the ESDP. In the traditional sense of security a police mission will not necessarily be covered by the concept, or at least it will be regarded as "low politics". Analysing European security policy without using the broader concept of security does not give justice to the particular European approach. In this paper we will also see that the perception of security is one of the key differences between US and Europe. The further course of this thesis will be to identify what may have induced the EU to obtain the new military capabilities.

1.4   Delimitation of the thesis

An underlying assumption for this thesis is that there has been a dramatic change in the ESDP since 9/11. This argument could of course be criticised as there has been a continuous change within security policy since the implementation of the Maastricht treaty where the Common Foreign and Security Policy (CFSP) was formed as the second pillar. When the Amsterdam treaty was implemented, it was argued that the introduction of a High Representative (HR) and the Petersberg tasks as formal elements of the EU's foreign and security policy amounted to a revolution. Furthermore, some analysts would argue that the most significant change of direction occurred with the Franco-British summit in St. Malo in 1998, others with the EC meeting in Helsinki and the Headline Goals[11]. It is not the purpose of this paper to decide which decision or turning point makes the most radical change of ESDP and whether the trajectory after 9/11 represents a continuation rather than a break with the past. There are no definite answers to these questions; it all depends on how we define change and which kind of change one is trying to measure. There was no immediate change of the course of ESDP after 9/11. However, the terrorist attack emphasised that

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stick". This approach had commonly been used by traditional realists about how to act as a great power in the international system (Kagan:2003). See also Cooper:2003.
[10] The reason for using 2001 as the year when EU started to use their military capabilities is that the ESDP was declared operational during the Laeken summit in December 2001. Some use St Malo in 1998, others the Headline Goals in 1999.
[11] It was first at the Helsinki summit in December 1999 the term European Security and Defence Policy (ESDP) was used.

terrorism became a major part of the new security policy, and with its aftermath came a profound change in US foreign and security policy:

"Almost any discussion of American foreign policy today must begin with the events of September 11th" (Hadley:2003)[12].

It seems useful to start analysing the effect the independent variable of changed US foreign policy has on the dependent variable after 9/11. To analyse the effect of path dependency and spill-over, the other independent variable, it is necessary to search for when and how decisions were made in the EU to explain the eventual path-dependency and spill-over effect this theory predicts we will find. To find evidence of these effects it is necessary to analyse the integration process of security and defence as far behind as the Maastricht treaty.

1.5 Outline

I have so far presented the research questions and the hypotheses for the thesis. In this first chapter I have also presented the concept of security and how the EU can be seen as a security policy actor. In chapter two I will provide a presentation of the theoretical framework; neo-realism and institutional theory. It is natural to focus on the parts of the theories which will have explanatory power to my research questions. Both theories are to some extent controversial, and hence I will discuss my choices in the outcome. I will also at the end of this chapter reflect on some methodological challenges for this thesis. The third chapter will be used to elaborate the development and historical background of the ESDP. In chapter four I will try to analyse the reasons for change in ESDP in a neo-realistic perspective. The main focus in this chapter will be on the European response to the American foreign and security policy after 9/11. Chapter five will be analysed using institutional theory, focusing on the former treaties, intergovernmental conferences (IGC), European Council summits and the role of the institutions. Finally, I will try to summarise and give an answer to the research questions at large as my conclusion will end the thesis.

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[12] US Deputy National Security Advisor Stephen Hadley February 12th 2003 (Hadley:2003).

2.   THEORETICAL FRAMEWORK

The aim of this chapter is to introduce two theoretical perspectives which can serve as analytical framework to changes in ESDP after 9/11 2001. Within studies of European integration, a range of theories and approaches are potentially relevant. I will however concentrate on two theories that I assume to be of particular pertinence to my research question: **neo-realism** and **institutional theory**. First in this chapter I will account for the choice of theories. Second, I will present the two theories and their most important aspects.

The theory of neo-realism is well known within political science and was for the last part of the Cold War the dominant theory of international politics. Institutional theory, or institutionalism, however, is a common denominator for a lot of theories used more or less autonomously since the second part of the 1990s. European integration has been a key object of study, focusing on the importance of institutions in the integration process. In this context, the theories of neo-functionalism (NF) and historical institutionalism (HI) will be regarded as institutional theory[13]. Although there is an obvious difference between the two theories, Moravcsik (1998:489) indicates that the terms spill-over and path dependency refer more or less to the same phenomenon. The problems with this definition is that spill-over is often used about integration in one field of politics leading to similar developments in other fields, while a path-dependent process can occur within one specific policy area. Pierson (1998:48) points out that HI incorporates key aspects from NF at the same time as the theory offers a stronger and more analytical basis. Under the review of the theories this point will be elaborated further.

2.1   The choice of theories

Choosing theoretical approach is a defining task to any student of the EU. Ever since the first steps of European integration with the construction of the European Coal and Steel Community (ECSC) in 1952, different researchers have applied widely

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[13] This label is taken from Moravcsik (1998:489) where he categorizes NF and HI as the same, where he sees HI as just another name of NF theory. However, Moravcsik never calls these theories for "institutional theory", he claims that NF and HI explain the same: "In recent years the neo-functionalist search for a theory of integration as a self reinforcing process of spill-over has been revived. It is now termed 'historical institutionalism' (HI)". In lack of a better term, and the fact that both (original) theories focus on the importance of institutions and institutionalisation of process (within EU) I have decided to use the term "institutional theory".

contrasting theories to conceive of the development. According to Peterson (2001) there is a lack of truly *rivalling* integration theories; too often, they serve to modify or complement rather than compete. When focusing on ESDP, however, the particular problem appears that theories of European integration, general by nature, have rarely been aimed at the sectors of security and defence. In this sense, there is an obvious lack of consensus between researchers as to which theory is the best to explain the security policy development in the EU[14]. In this area of complexity I have chosen research questions and hypotheses that can elaborate certain aspects of the mechanisms behind the change of ESDP. This may be regarded as somewhat restrictive; constructivist theories (Katzenstein: 1996, Wendt : 1992) and rational theories like Neo-liberalism (Keohane & Nye: 1977, Keohane: 1984) and Liberal Intergovernmentalism (LI) (Moravscik:1993, 1998) are valuable contributions to the understanding of the development of ESDP. LI theory, however, appears more apt at rationalising member state strategy than the collective change of approach embodied in ESDP[15]. Another argument against using LI is that Moravcsik had little focus on foreign and security policy while constructing his theory (Sjursen:1999:14). Choosing neo-realism rather than LI stems from the logic that the former can be used to explain change in ESDP as a result of a structural change in the international system and at the same time uphold the state-centric view that LI assert. A weakness of this choice is that neo-realism has little place for the importance of domestic politics on foreign policy decision making. Nevertheless, by using HI as the complementary theoretical approach, this aspect should be duly covered, as HI incorporates insights from what Putnam (1988) introduced as the *two-level game* of international diplomacy. It is my goal to use theories that are both *competing* and *complementary*, where different levels work to supplement each other. Thus, the thesis will contribute to theory *elaboration* by tracing new theoretical linkages within the field of European security policy.

During the last decade, debates within EU research have been dominated by the discussion between institutionalists and neo-functionalists on the one side and intergovernmentalists on the other (Aspinwall & Schneider:2000). Most often, the

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[14] "Like the debate over a common Community foreign policy itself, there is no agreement among academics on the most useful theoretical approach for comprehending this [EU foreign policy] activity" (Holland:1995:129)

[15] If my hypothesis in the introduction had been that ESDP is the product of bargains amongst EU member states that are driven by domestic politics (Bono:2002:9), it would have been a mistake not to use LI as a theory.

focus has been on internal European dynamics, with little attention on international structural factors. This thesis seeks to expand on this approach by perceiving the changes in ESDP after 9/11 as resulting from a deepening of integration *as well as* changes in the international structure.

2.2   Realism and neo-realism

Realism in political science is the description of a school of thought perceiving international politics as a struggle for power among autonomous states where each actor will seek to maximize his own interest. Although realist thoughts can be found as early as Thucydides[16] in ancient Greece and Machiavelli (2004 - reprint) and Hobbes (Malnes:1993) in the Medieval, it was Hans J. Morgenthau that introduced realism as a theory of international relations. His *"Politics among Nations"* (1948) was in many ways based on a Hobbesian view of the human natural condition. Morgenthau presented the following axioms of realism: The states are the most important actors. The international anarchy shape state behaviour and external preferences. Power and security are quintessential to the states; thus they are predisposed for competition and conflict, and this again leads to absence of cooperation. International institutions can just marginally limit the effects of international anarchy on state behaviour. Realism emphasises the absence of superior government; there are no common norms and rules to predetermine state behaviour. The states are rational unitary actors driven by a desire to maximize interest. Conflict is unavoidable in this system as shortage of resources creates competition between states (Morgenthau:1948).

Neo-realism is first and foremost connected with Kenneth Waltz' *"Theory of International Politics"* (1979). In his book, Waltz argues that it is the structural conditions in international politics and not the characteristics of actors in the system that best explain the behaviour of states[17]. Waltz updates realist analysis by paying attention to the systemic level. Because the structure is stable it is possible to rationally explain the behaviour of states, for example the forging of alliances and the waging of

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[16] The Greek historian Thucydides tried around 400 BC to explain the war between Sparta and Athens where he so famously said: "the strong do what they will, and the weak do what they must" (Cited from Knutsen:1999:354).
[17] According to Knutsen (1999:353) Waltz concept of structure has other roots than social science. It emerges from micro economy, and especially American theories of welfare economy.

war. Such choices are conditioned by the structure and will repeat themselves[18] (Ulriksen: 1997:1). Furthermore, in the study of international relations one cannot analyse the constituents of the system (the states) and draw conclusions on the whole (the system of states) - therefore system-level analysis is something more than interaction between states (Knutsen:1999: 339/340). According to Waltz, there are three factors that determine the character of a political structure; (i) an ordering principle, (ii) differentiation in function among the units, and (iii) the distribution of capabilities among the units (Waltz:1979:88). The ordering principle in the international system is anarchy, and anarchy fosters *self-help* behaviour among states[19]. Furthermore, neo-realism emphasizes that states are "like units", and there are no formal functional differentiation among these units. All states fulfil, or try to fulfil, similar tasks according to their capabilities and systemic constraints. The distribution of capabilities in the system is decided by the number of poles or great powers in the system, and this affects state behaviour[20]. The structure of the system only varies around one dimension; the distribution of power.

"A national system is not one of self-help. The international system is" (Waltz:1979:104)

2.2.1 Balance of power and balance of threat

Waltzian neo-realism appears insufficient to explain the reasons for change in ESDP[21]. Nevertheless, a refined neo-realist theory where balance of power is combined with balance of threat may have a broader explanatory reach. According to Waltz (1979) the theory of power balance is of general applicability, international systems differing mainly along the number of poles that constitute their structures. Power balance theory can be used on all anarchic situations (Waltz:1979:118). The utilization of this model hinges on the assumption that states strive, if not to maximize power, then at least to maintain their position in the system and the observation that states behave differently

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[18] The conduct of international relations cannot simply be explained with reference to human nature or the inherent properties of states. It must also take structure into account. Neo-realism is thus a theory of how structural properties of anarchy provide particular sets of limitations upon possibilities for actions in international politics (Rosamond:2000:132).

[19] Waltz prefer the term "self help" rather than anarchic, which he thinks is too ambiguous. See also Knutsen:1999:344

[20] According to Waltz (1979) this functional differentiation has been formalized since 1815. Changes in this system occur when the number of poles changes from many to three, two or one, or the other way around. A system change has only occurred once the 400-500 years before 1979, this happened after the Second World War (Ulriksen:1997:3).

[21] A major weakness with the neo-realistic approach is that it ignores the impact of historical, political and societal change. Furthermore, the pessimistic assumptions of cooperation do not fit the EU evolution (Hyde Price:2004:101).

in different systems. In every system states will seek to balance power, and the number of poles in the system will decide the different strategies for doing so. This leads to the assumption that alliances are more important in multipolar systems than in bipolar ones (Ulriksen:1997:3), while the system is more stable when it is bipolar[22] . In a multipolar system states use alliances as a means to balance power. In bipolar systems states tend to rely on the mobilization of their own resources for the same purpose. It is a general principle that international stability (defined as the absence of a grand war) increases when the number of great powers is reduced. The fewer great powers, the bigger interest each great power will have in maintaining status quo; furthermore, each of these powers will have greater control over the systemic factors in play (Knutsen:1999:346/347). Great powers act to regulate the system because it is their natural role in the system:

*"The balance of power is the result of realpolitik, which is the rationale for foreign policy, not the end or aim" (*Waltz:1979:117)

Certain aspects of state behaviour will always continue. Power of balance politics can be found in all inter-state relationships at all times, in all places irrespective of which fraction, dynasty or person is governing the states (Knutsen:1999:341). Balance suggests that there are similar values in both weight pans, and the result is equilibrium. Put in the balance of power context, Waltz suggests that there is always some kind of disequilibrium that has to be restored by either side in the struggle for security (Sheehan:1996). The states in the system are forced to play the balancing game, even if they would rather spend their limited resources on other programs as welfare for the state's citizens[23].

In debates on balance of power the contribution from Stephen Walt (1987) is recognised as particularly important. In his study on the origins of alliances he argues that states balances threat, not power. He defines threat as a function of distribution of power, geographic proximity, offensive capabilities and the perceived intention of

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[22] It is important to emphasise that "Theory of International Politics" was written when the Cold War was at its coldest. The 1970s was a period where US and USSR leadership developed a stable understanding for the game between the superpowers. At the same time it was easy to use contemporary examples to reject the theory of complex interdependence by referring to the two superpowers (Knutsen:1999:346/347).

[23] "Obviously the system won't work if all states loose interest in preserving themselves. It will however continue to work if some states do, while others do not, chose to lose their political identities, say through amalgamation" (Waltz:1979:118)

states. Walt argues that threats stem from the perception of "aggressive intentions" rather than from any objective assessment. He exemplifies this claim with how Japan and Europe balanced the US economically and not militarily during the Cold War because the threat from the US was economic, not a military threat. At the same time, the US was the security guarantee in their security community, which made specialisation in the field of economy possible for Germany and Japan[24]. In the balance of threat perspective, whether or not (and in what domain) states want to balance a dominant state will depend on the foreign policy behaviour of that state (Mastanduno:1997:60). Thus, unipolarity may be preserved for a longer period than what the theory of balance of power anticipates. However, unipolarity will not be perennial, but could be sustained for a longer period depending on how other states in the system react to the foreign policy of the hegemon (Ibid:1997:60). Following the concepts of Morgenthau (1948), other states in the system are either "status quo states" or "antagonists" ("revisionists")[25]. The status quo states do not want to challenge the existing structure of the system while the antagonist states would want the power redistributed and hence a structural change may occur. Dealing with the status quo states the hegemon would want to please and accommodate their conviction that they are secure in the structure so that they would not want to enhance their military capabilities. In dealings with antagonists, however, the dominant hegemon would use policies of confrontation and containment. The third category of states in the system comprises states that are "on the fence". Waltz' theory predicts that the hegemon will approach these with accommodations in hope that they will not turn into antagonists (Mastanduno:1997:61-62).

2.2.2 Neo-realism, subsystems and the EU

In order to use neo-realism about the contemporary situation and the EU's development since the Cold War, Ulriksen (1997) introduces a new concept to explain

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[24] According to Hyde Price (2004:112) the problem with Walt's theory is that the concept of "intentions" is under-specified and under-theorised. The main flaw is exemplified by the lack of explaining France and Britain's behaviour towards NATO in the 1960s where both countries perceived the same threat (from USSR) and both countries disposed roughly the same capabilities. Nevertheless, their policies towards NATO were totally different.
[25] In this thesis I will use the concept "antagonist" instead of "revisionist" because the historical interpretation of the "revisionist" concept might indicate a connection of the foreign policy of Japan, Germany and Italy during the inter war years and later it was linked to the polices of Hitler and Stalin (Evans:1998).

the phenomenon within the neo-realist school of thoughts. In many terms it is possible to define EU-Europe as a *subsystem*[26] in international politics. The difference between a subsystem and the international system can be explained with the possibility of what is called institutionalisation of "process" [27] (Keohane:1989), which refers to state interaction. A high level of institutionalisation will lead to structural changes in the subsystem, and contradictory to the international system, the structure in the subsystem may become hierarchical. Still, the balance of power logic will be sustained. If a regional power dominates their subsystem, the other global power(s) will try to prevent this state from entering the global stage as rivals to themselves[28]. However, the EU is not a state, and as a non-state actor it does not fit into structural analysis based on the interaction between states (Ulriksen:1997:11). The EU as a subsystem differs therefore from the international system on the deeper levels of structure and on the density of and the level of institutionalisation of process. The Union becomes the sum of all member state preferences and especially the preferences of the great powers in Europe[29]. In this sense the EU is not only a subsystem but also an independent actor where it becomes an agent for the principal member states. Previously, the EU did not have this role within security and defence policy. The question of balance of power/balance of threat regarding the EU becomes a question of whether or not the great powers of Europe would want or allow the EU to have this role. Following neo-realist assumptions, balancing efforts towards a dominating state might occur in the EU if this is the sum of the preferences of the great powers of Europe[30].

A subsystem might be a security complex and the other way around, but the European subsystem described here is not a security complex. The European subsystem does not include for instance Russia or Turkey for that matter, while the European security complex obviously does (Ulriksen:1997). In this analysis the EU as a subsystem will eradicate the problems of using neo-realism as an analytical tool because the states in

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[26].The idea of Europe as a subsystem in a realist context can also be found in Hill (1994).

[27] "EU-Europe is the most institutionalized part of the world" (Buzan & Wæver:2003:352).

[28] The problem using this theoretical explanation is that it fits perfectly where the states are the primary actors in the game.

[29] The EU is viewed as a mechanism for interstate cooperation in Europe driven by the preferences of the most powerful states in the game (Rosamond:2000:133)

[30] "The ordering principle in the EU is not anarchy, but rather a coordinated system of rule based upon the separating principle of pooled sovereignty, varying in strength and intensity over issue areas, and reinforced by the transfer of power to certain institutional non-state actors" (Ulriksen:1997:13).

the European subsystem are not seen as Hobbesian rivals in an anarchic Europe as neo-realism predicts. Thus, introducing the European subsystem as a concept, the revision of the theory will avoid making flawed predictions about state interactions in Europe; however, the theory will still be valid in the international structure as a whole.

2.3   Institutional theory

Most commonly, institutional theory, or institutionalism, is a denominator for three different theories, historical institutionalism (HI), sociological institutionalism and rational choice (Aspinwall & Schneider:2000). Sociological institutionalism emphasises the independent role of institutions in shaping identities and preferences; rational choice theory adds the assumption that outcomes follow from political choice. As indicated in the introduction of this chapter, in this thesis the label *institutional theory* will be used about NF and HI, more specifically about the terms spill-over and path-dependency, which are core concepts of the two theories[31].

2.3.1   Neo-functionalism (NF)

The theory of NF is by many regarded as synonymous to integration theory. Following the thoughts of David Mitrany (1943) and other functionalists, NF became a new social mindset that emerged after the Second World War and matured in the 1950s. The desire of NF theory was in particular to establish a framework for further research; secondly, neo-functionalism was evidently bound up with the strategies of the founding architects of the European Community (Rosamond:2000:50). A normative penchant was apparent in the support for ever closer union as the target of European integration, the main concern of which was to substitute political unity for tragic rivalry on the continent. For this purpose purposeful institutions were quintessential conduits of integration (Dedman:1996). In his book "The Uniting of Europe" (1958), Ernst Haas tried to theorize the strategies of Jean Monnet and Robert Schuman, among others, the founding elite of post war unity. Haas described their technocratic and functionalist approach as a direct rejection of the idealism of the federalist

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[31] "[…] the development of institutional complexity of the second pillar underlines the necessity for detailed institutional analysis in order to understand the behaviour of the EU as a foreign and security policy actor" (Hyde Price:2004:106).

movement[32]. By many, Haas was seen as the first and most important neo-functionalist scholar (Rosamond:2000:51) and later he contributed with "Beyond the Nation State" (1964) and a second edition of "The Uniting of Europe" [33]. The core of NF theory turned towards *process* rather than outcome, interaction perceived as a complex web of actors pursuing their own interests within a pluralist political environment. One of the most important and, indeed, controversial concepts within NF, was the idea of *spill-over*[34]. The concept was used to depict the mechanisms supposedly driving processes of regional integration (Rosamond:2000:55-59).

According to Haas (1958) spill-over can be explained as progressive integration in one economic sector creating pressures for further economic integration within and *beyond* that sector, creating as side-effect a greater authoritative capacity at the European level. The creation of ECSC and the integration of coal and steel sectors would yield substantial benefits for key economic actors, but the full integration of the coal and steel sectors would not be accomplished without the integration in cognate sectors of economy, i.e. transport etc. (Rosamond:2000:59-65).

Steps toward integration at any given time tend to generate unexpected pressures for further integration (spill-over). Once initial decisions are taken, unintended feedback from those decisions becomes the primary force underlying integration (Haas:1958 xxi). Haas separates between functional and political spill-over. Functional spill-over occurs when cooperation in certain sectors of the economy (or society) creates technocratic pressure for cooperation in adjoining sectors, thereby propelling integration forward (Ibid:xxxiii). Political spill-over occurs when ongoing cooperation in certain areas empowers supranational officials to act as informal political entrepreneurs in other areas. In order to manage complex technical issues more effectively, rational governments must delegate discretion to experts, judges, and bureaucrats, thereby creating powerful new supranational actors with a vested interest

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[32] A federal outcome might be the ultimate goal for NF, but this would not be achieved through the pursuit of rational argument and forward-thinking constitutional design, but through incremental and strategic means (Rosamond:2000).

[33] "As a theoretical prospectus, it [NF] contemplated the replacement of power politics with a new supranational style, built around a core procedural consensus which resembled that of most domestic political systems" (Rosamond:2000:73)

[34] Leon Lindberg uses this definition of spill-over (1963:10) : "a situation in which a given action, related to a specific goal, creates a situation in which the original goal can be assured only by taking further actions, which in turn create further condition and a need for more action and so forth".

in cooperation (Ibid:xii-lvi). In other words, the success of integration initiatives draws self-interested groups of actors into the game and both forms of spill-over are promoted by purposeful supranational institutions. The automaticity of spill-over in economics required a measure of political activism and some sectors contained more spill-over potential than others. According to Rosamond (2000:62) Haas argued that spill-over and integration were more likely to occur within sectors of economic significance than on issues linked to culture, foreign policy and defence. The spill-over hypothesis seemed to suggest that integration was a linear, progressive phenomenon; that once started; dynamics would be installed to continue the momentum.

2.3.2 Historical institutionalism (HI)

According to Paul Pierson (1998), institutions have both their own value and their own interests, and can act as independent actors in the decision making process. The term "historical" refers to the belief that political development must be understood as a process that evolves over time; "institutional" points to the belief that the implications of these historical processes are constructed and maintained in institutions (Pierson:1998:30). Furthermore, the historical dimension implies that limited information and knowledge about future consequences leads to non-intended effects and spill-over. This dynamic will again be the basis for future treaty revisions. Such a focus on general mechanisms is an alternative conceptualisation of the spill-over effects we know especially from NF integration theory. HI is covering a range of theoretical schools that have tried to combine social science concerns and methods with a recognition that social processes must be understood as a historical phenomenon (Ibid:1998:35).

As with NF, HI is not directly opposed towards LI, but in many terms the theory was developed as an alternative view to the state-centric LI approach. With the argument that European scholars have generally depicted the European community as a more complex and pluralistic political structure, less firmly under the control of member state governments, Pierson argues that member states are still the most important actors and decision makers, which is in accordance with LI main assumptions. Nevertheless, the most important distinction is that HI modifies a rational actor model

through emphasising the lack of information, overview and insight a decision maker has on the results of the policy they decide hereby rejecting the idea that European integration is a controlled only by, and a product of, intergovernmental conferences (IGC) (Moravcsik:1993). HI tries to explain that the need to analyse the consequences of negotiations over time is of outmost importance. The member states of the EU will not be in full control over the negotiation situation, but have to take in account former political decisions and experience, thus creating limitations for the member states. When the next round of negotiation is started, the member states are still the main actors, but often in a different context – one operates within the limitations made by one's predecessors (Pierson:1998:50)[35].

The institutional approach reveals important aspects of decision making which have all too often been ignored in the past. Political institutions like the EU are not static; they are continually changing and adapting. Decisions are taken on basis of norms and rules that are deduced from experience and learning, rather than on the calculations of preferences and the anticipation of future events. The rules and procedures within an organisation are institutionalised. They are taken for granted, guiding decision makers in their efforts to interpret and create meaning out of the situation. Institutions evolve in a path dependent way. This means that a decision made at one stage create opportunities and constraints for decision making at a later stage. In most cases institutions change slowly and incrementally within the existing procedures and norms (Sverdrup:1998:4-6). Another implication is where one has national adjustments to previous agreements, which again effects and structures future decisions at the next cross-roads (Ibid:1998:8)[36]. The question is not, accordingly, whether institutions matter, but where, to what extent and why (Andersen:2003:17). Institutions provide an environment in which political struggles are played out and which structure the game by a set of rules. The actors are therefore conditioned by the accumulation of procedures, rules and norms *over time*. Identities, priorities, interpretations of reality

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[35] "Studying processes of policy and institutional change over time reveals that gaps may well be extensive, and the prospects for recapturing lost control are often quite limited" (Pierson:1998:50)

[36] The enlargement to the East seems to be an irreversible process, mainly due to path dependency. The sceptics found it difficult to argue against an enlargement on the base of legitimacy as the opposition of this process was seen as illegitimate and contradictory to the value and norm foundation of the EU as an organisation (Schimmelfennig:2001).

are all created by this *path dependent*[37] context (Aspinwall & Schneider:2000:6-7).

When European integration is examined over time, the gaps in member state government control appear far more prominent than they do in intergovernmentalist accounts (Pierson:1998:30). HI cuts across the usual sharp dichotomy between rational choice and non-rational choice work, drawing instead on research within both traditions that emphasises the significance of temporal processes. Thus it includes rational choice analyses that consider issues of institutional evolution and path dependence crucial (Pierson1998:34). This institutional evolution can be exemplified on how existing internal dynamics inevitable leads to a closer union, even without deliberate political actions (Olsen:2000).

HI emphasises, among others, four factors that weakens member states control over the integration process (Pierson:1998:35-50). In this sense, that is deviation between their planned and their actual control over the integration process.

The first factor is the so-called *partial autonomy of European Community organisations*[38]. The second factor is *the restricted time-horizons of political decision makers*. Political decision makers are frequently more interested in the short-term consequences of their actions; long term effects are often bi-products of actions taken under political pressure: *"The principal reason is the logic of electoral politics"* (Pierson: 1998:30). The third factor is *unanticipated consequences*[39]. In his article, Pierson calls this process a "spill-over" effect, using Haas' concept as a partly explanation on the lack of member state control over the integration process. The spill-over effect becomes a result of time limitations, little information, the need to delegate decision making to experts, and of course asymmetric access to information. The fourth factor is the *Shift in Chiefs of Government policy preferences*. The four factors are not a part of the theoretical assumptions of path dependency itself, merely; they provide arguments against nation state control over the integration process.

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[37] Path dependency is defined as :"[…] what happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring in a later point in time" (Sewell:1996:262/63)

[38] Pierson (1998:35) mentions the European Parliament (EP) and the Commission as examples.

[39] "Efforts to integrate some aspects of complex modern societies without the changing other components may prove problematic because the sectors to be integrated cannot be effectively isolated. The more "tightly coupled" government policies are, the more likely it is that actions in one realm will have unanticipated effects in others". (Pierson:1998:40/41).

2.4   Methodological reflections

Following the grain of studies on security and European integration, it appears most pertinent to make use of case study as research design. Among the virtues of case study is, quite decisively, the proximity to out object of study:

"By concentrating on a single phenomenon or entity, [one may] uncover the interaction of significant factors or characteristics of the phenomenon" (Rieker:2004:29)

Case studies have dominated EU research since the first attempts to grasp European integration, but they represent vastly different theoretical ambitions and sophistication. The case study is but one of several ways of doing social science research. In general, case studies are the preferred strategy when "why" or "how" questions are being posed, when the investigator has little control over the events, and when the focus is on a contemporary phenomenon within some real-life context (Yin:1989:1)[40]. Implicit in most social scientific notions of case analysis is the idea that the objects of investigation are similar enough and separate enough to permit treating them as comparable instances of the same general phenomenon (Ragin:1992:1). Case studies are used to develop and test empirical implications on theoretical formulations. A case study is an empirical inquiry that:

"investigates a contemporary phenomenon within real life context, especially when the boundaries between phenomenon and context are not clearly evident" (Yin:1989:1).

There are clearly divergent positions over the extent to which case studies may be used scientifically. One of the main views underlines the insufficien**cy of case studies** as scientific method. At the opposite side one finds the argument that case studies represent the real scientific method. The basis for this claim is that the ambition to generalise and test hypotheses is restrained. A third view emphasises the complementarities of case studies, or qualitative studies on one hand, and quantitative studies on the other. Case studies are seen as a main supplier of hypotheses and ideas which may act as the basis for quantitative research and studies (Andersen:1997:13-14). The tradition of conventional case studies represents countless variables but only one case, and quantitative research on the other hand has been few variables and many

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[40] The research question for this thesis could easily have been changed to: "Why is there a change in ESDP", thereby confronting and meeting these standards.

cases (Ragin et al 1996:750). One of the major challenges within case study research is exactly the problem of countless variables and only one case. Trying to analyse a development in the EU focusing on both internal and external factors provides a range of potential variables, which necessitates the use of hypotheses to guide the process. One problem, however, is that case studies often are so complex that the hypothesis cannot be verified or falsified. In this thesis the use of hypotheses is cursory, as guidelines of investigation; ideally, hypotheses are best suited when performing quantitative and delimited research.

An early definition of case study has been:

"The essence of a case study, the central tendency among all types of case study is that it tries to illuminate a decision or a set of decision: why they are taken, how they were implemented and with what result" (Schramm 1971 cited in Yin:1989:12).

The essence of this study is exactly to analyse a set of decisions, and especially, why they are taken. The study of European integration has most often used case studies to contribute to theory (i) construction and (ii) elaboration, thus seeking to generalise where other categories apply cases to interpret and explain existing theory (Andersen:1997:127). This thesis does not aim for conclusions beyond the research questions (generalisation); I will nevertheless attempt to contribute towards theory elaboration.

2.4.1 Expected empirical findings

In order to pinpoint empirical evidence, we need an operational definition of what findings may strengthen or reject the two theories' different assumptions. The operational definition is necessary both for the validity and the reliability of the thesis because it indicates which operations that has to be done in order to determine whether or not the empirical phenomenon is a part of the concept we want to measure or not (Hellevik:1999:51). If balance of power/balance of threat theory is correct in its assumptions, which evidence will we find? What are the findings that can prove path dependency and spill-over effect?

Evidence of balance of power/balance of threat:

a) There is a marked change in US foreign and security policy after 9/11.

b) European countries have the perception that the changed US policy is a threat to their ability to maximize their own interests

c) European reactions will lead to a marked enhancement of the ESDP on the expense of NATO and the nation states

d) European reactions will contribute to the making of an independent security strategy for the EU which will emphasise the effort to power balance the US

e) European reactions will contribute to the execution of EU lead military operations

Evidence of path dependency and spill-over:

a) Any change of US foreign and security policy will have no direct influence on the security and defence integration within ESDP

b) Changes in nation state preferences will have little effect on the change in ESDP and it is the Commission and the ESDP institutions that are the main suppliers of proposals for change

c) A marked enhancement of the ESDP is a result of the integration process where previous decisions give unanticipated consequences and make constraints for the decision makers' possibilities for action.

d) The spill-over effect from the economic integration and the enlargement process and the autonomous role of institutions will lead to a deepening of ESDP integration which in turn will make it necessary to produce a security strategy for the EU

e) The execution of military operations is a result of a functional spill-over effect initiated originally from the St Malo process together with the preparations and influence of the ESDP institutions operating in a path dependent context

One of the major challenges in this thesis is to find evidence that any particular action or event is the result of path dependence or spill-over. The main methodological issue is to prove that some specific details in the development of ESDP would have been different if the contextual and institutional setting had been otherwise. In other words; some of the assumptions of path dependency and spill-over might be impossible to confirm or reject because there is no empirical evidence of the opposite.

Despite the obvious challenges of finding evidence of institutional theory assumptions, there are still some indicators that can be used. The surest sign of path dependency can

be found in analysing the text of the treaties and if there is evidence of the treaties making restrictions to any future decision making and if the adopted text do not change its original character and thus become more or less an irreversible process. Furthermore, the evidence of a political spill-over effect and the agenda setting role of institutions would be found in official documents of the EU, the different treaties and statements. It is more difficult to find evidence of a functional spill-over effect. However, if one finds evidence of a deeper integration (which can be exemplified with the construction of an institution) within the security and defence sector which was not part of the original intent of a decision, it will be an indication of a functional spill-over effect.

Some of the same challenges can be found using balance of power/balance of threat theory. Do we know that it is the effort of trying to balance the US which makes the EU member states reach consensus and decide to make changes in the ESDP? One way to find evidence of a European reaction is if there is close correlation in time between what we can assume to be "aggressive intentions" from the US and a shift in ESDP policy or any political actions within ESDP which can be regarded not to be in US interests. Another way to see evidence of the ESDP as the tool or the forum where balancing efforts are taking place can be found in official European Council statements and documents and speeches made by CFSP/ESDP spokesmen. The evidence of balance of threat could be found in the EU making an opposite official approach than the US, focusing on a broader understanding of security, multilateralism and the UN and legitimacy of military interventions. As indicated above, a final evidence of balance of power/balance of threat can be found if the EU executes military operations on its own.

2.4.2 Sources

The sources of the analysis in this thesis can mainly be divided in primary and secondary sources. The primary sources include official EU documents as the treaties, white papers, official reports, and other original and official documents as strategy papers from European Council meetings and press releases. Pointing out the unilateral

change in US foreign policy, I will also use official US documents and speeches by key government spokesmen. At the same time, speeches from European leaders will be applied. The secondary sources in this thesis include books, articles and newsletters by other scholars and researchers. Magazines, newspapers and periodical journals will also be used. All sources have their advantages and disadvantages. Official documents are characterised by their diplomatic and formal language, and they are sometimes made by a purpose, often not being objective, and sometimes they will try to cover the lack of result and progress, thus focusing on what has been accomplished and not what went wrong. Therefore, the obvious choice would be to use several different sources so that they can confirm, reject or complement each other.

It is important both for the sake of validity and reliability to use source criticism and be mindful that the choice of documents have importance for the outcome of the analysis. Therefore it could have been wise to use "triangulation" to confirm the findings from the documents with interviews of key personnel. But in this thesis I have reached a conclusion not to use interviews. The reason for this is that the interview objects that could have illuminated my research questions are primarily politicians such as chiefs of governments, foreign ministers or the other ambassadors to the EU or their closest counsellors. The main problem with these individuals is their availability and the fact that the interviews would have to be abroad. After many attempts through both official and unofficial channels to reach interview objects, and the lack of resources to perform these interviews abroad, I decided not to have interviews in this thesis. This decision is an obvious weakness because the advantage of such interviews could have been a confirmation or rejection of the different findings from the documents, speeches and articles analysed. However, perfect validity is almost impossible to reach in the world of science, and sometimes the resources and availability will be a constraining matter which a researcher cannot always influence.

3. BACKGROUND

The end of the Cold War created an international structure where the possibilities of global war more or less disappeared (Cooper:2003). This new situation affected especially the transatlantic relationship, but also the relationship between the European states. As an indirect result of the fall of the Soviet empire, the EU now consists of 25 member states. This political and international revolution has changed the dominant perceptions of security and defence in Europe. Essentially, the end of the Cold War created a scenario where Europe did not need to import American security; conversely, Europe was no longer America's first line of defence. Initiating a strengthened EU security identity may thus be seen as a product of the end of bipolarity.

3.1 European security identity and Common Foreign and Security Policy

Nation-state security identities are shaped over time, and in response to changes in the environment. The various national security identities in Western Europe towards the late 1980s were largely coloured by the Cold War period with their emphasis on military territorial defence against a potential attack from the East (Rieker:2004:21). Although the Western European Union (WEU) had existed since 1948, the European security identity in the western part of Europe was connected to the transatlantic relationship and NATO. During the 1980s there was a small revival of European security cooperation with the Rome declaration in 1984 and the Hague platform in 1987 which created a platform on European security interests. However, it was only after the end of the Cold War that the western European countries started to develop their own security identity. The term "European Security and Defence Identity" was first used about the CFSP which became a part of the Maastricht treaty[41]. The term was also employed in NATO statements and appeared in 1994 following the three years of heated debate on the new role of NATO and identity in European security architecture after the demise of the Cold War bipolarity (NATO:2002). The wish for a European Pillar within NATO had been replaced with the construction of the CFSP in the EU.

The "Europeanisation" of security identity among the member states of the EU was

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[41] The Final Act of the Maastricht treaty declared that: "the Member States of WEU welcome the development of the European security and defence identity" (Article J.4.4, TEU)

not the only part which seemed to lead to the CFSP in Maastricht in 1991. In 1970 the European Political Cooperation (EPC) was launched, however, it was only with the Single European Act in 1987 that it was formally enshrined[42]. The main feature of the EPC was the consultation process between member states within foreign policy. In many ways, the EPC became the predecessor of the CFSP, which made a qualitative leap in integrating the foreign and security policy of the Union under Maastricht:

"The common foreign and security policy (CFSP) shall include all questions related to the security of the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence" (Art J.4.1, TEU)[43]

The Maastricht treaty in 1991 (implemented in 1993) made it possible for the EU in certain issues to perform as a unitary actor in foreign policy. The EU could now, at least intentionally, speak with one voice on the international stage, hereby expressing its position on armed conflicts, human rights and any other subject linked to foreign and security policy. The CFSP was developed as the second pillar of the EU with an intergovernmental decision making structure (Haine:2004).

3.2   From Amsterdam to the Headline Goals and Nice

The Amsterdam treaty of 1997 went beyond Maastricht and continued the process of a deeper and more integrated CFSP with a possibility for an integration of the WEU in the EU. At the same time the second pillar was strengthened with establishing a High Representative (HR) for the CFSP and adding the Petersberg tasks which was decided upon by WEU in 1992, to the functions of the EU.

A main turning point in the evolution of security policy in the EU was the St Malo summit between France and Britain. The meeting took place in December 1998, at a time when the Kosovo conflict seemed destined to repeat the bloody warfare in Bosnia. For the first time the ability to develop military capabilities was mentioned:

"[…] the Union must have the capacity for autonomous action, backed by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crisis" (St Malo Declaration 1998)

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[42] The EPC was a part of the Hague platform which was initialised with the Single European Act in 1986.
[43] After the Amsterdam treaty this article was referred to as article 17.

One of the most noticeable differences on display at St Malo was the end of Britain's opposition to militarization of the EU; it also formalised the process of integrating WEU functions into the EU. This evolution continued in the EC meeting in Cologne in July 1999 where the Petersberg tasks were placed at the core of CFSP and the summit also agreed to give the EU a capacity to implement them, hereby following the process which started in St Malo. The statement in St Malo was amended with :

"[in order to respond to] international crisis without prejudice to actions by NATO. The EU will thereby increase its ability to contribute to international peace and security in accordance with the principles of the UN charter" (European Council: 1999a).

In addition to these changes it was also decided to establish new institutions in the near future including an EU military committee (EUMC), an EU military staff (EUMS) and a permanent Political and Security Committee (PSC) consisting of political and military experts. During the Helsinki EC summit in December 1999 the heads of state agreed on further development of the now established ESDP. The summit established so-called Headline Goals (HG) for ESDP which was to construct a military force of up to 60.000 troops (equivalent with 15 brigades) on a 60 days readiness which could be sustainable in a mission for at least 1 year. The European Rapid Reaction Force (ERRF) was to be operational by 2003 and was meant to be used for the Petersberg tasks[44]. Secondly, the Helsinki summit decided to establish new political and military bodies and structures within the Council for the political guidance and strategic directions of such operations. Further, to develop structures for consultation, co-operation and transparency between the EU and NATO, to allow non-EU European NATO members and other interested states to contribute to EU military crisis management, and finally to establish a non-military crisis management mechanism to coordinate the civilian and military resources at the disposal of the Union[45].

Following the Cologne declarations and the Helsinki HG, the treaty of Nice was signed by the heads of state in December 2000 (implemented in March 2003). Accordingly, the Nice Treaty also amended previous treaties in certain matters. The

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[44] "These forces should be military self-sustaining with the necessary command, control and intelligence capabilities, logistics or other combat support services and additionally, as appropriate, air and naval elements" (Umbach:2002:5).
[45] "The European Council underlines its determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU led military operations in response to international crises. This process will avoid unnecessary duplication and does not imply the creation of a European army" (European Council: 1999b)

Political and Security Committee (PSC) was amended in article 25. At the same time the European Union Military Committee (EUMC) and the European Union Military staff (EUMS) was formally established (Umbach:2002:5). The European Council also adopted a declaration on the ESDP[46] and the concept of ESDP (or CESDP at first) was now a well integrated part of the CFSP in the EU.

3.3   The ESDP development after 9/11

The next step of the development of ESDP was the EC summit in Laeken in December 2001. The summit adopted a declaration on the operational capability of the ESDP. Following this development, the EU and NATO made a common declaration on ESDP which became known as the Berlin plus agreement, formalised in March 2003[47]:

In 2003 the first operation for the ESDP was the take over of the International Police Task Force (IPTF) in Bosnia Herzegovina (BiH). From the 1st of January 2003 the EU was responsible for 500 police officers monitoring and assisting local police in BiH. In March 2003 the EU lead its first military operation in the former Yugoslavian republic of Macedonia. The EU mission was called operation "Concordia" and it was the first to rely on NATO assets and capabilities under the Berlin plus arrangements. Approximately 350 soldiers and officers from 27 (13 EU and 14 non-EU) countries were deployed to replace the NATO operation "Allied harmony". The mission ended in December 2003 and was followed by another EU police mission in Macedonia, operation "Proxima" with some 200 police officers deployed (Quille:2003).

In June 2003 the EU conducted its second military operation in DR Congo with a mandate from the United Nations (UN). The name of the operation was "Artemis" and it was the first EU military operation outside Europe. The mission was lead by French forces and was conducted *without* recourse to NATO assets. The EUMC monitored the

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[46] "In accordance with the texts approved by the European Council in Nice concerning the European security and defence policy (Presidency report and Annexes), the objective for the European Union is for that policy to become operational quickly. A decision to that end will be taken by the European Council as soon as possible in 2001 and no later than its meeting in Laeken/Brussels, on the basis of the existing provisions of the Treaty on European Union. Consequently, the entry into force of the Treaty of Nice does not constitute a precondition". *(Declaration on the European security and defence policy.* Annex to the Treaty of Nice:2001)

[47] Berlin plus: 1) Assured access to NATO planning capabilities for EU led Crisis Management operations (CMO), 2) Availability of NATO assets and capabilities for EU led CMO, 3) Procedures for Release, Monitoring, Return and Recall of NATO Assets and Capabilities, 4) EU-NATO consultations arrangements in the context of an EU led CMO making use of NATO assets and capabilities, 5) Terms of Reference for DSACEUR and European Command Options for NATO, and 6) Arrangements for coherent and mutually reinforcing Capability requirements (NATO: 2003)

proper execution of the mission, whilst the PSC exercised political control and strategic direction under the direct supervision of the Council. Aside from France, the force of approximately 1.400 troops consisted of soldiers and officers from Sweden, United Kingdom, Germany and Belgium (and also 4 non-EU contributors). The mission ended in September 2003 (Mace:2003). In December that year the ESS was signed, becoming the first security policy evaluation which was made on the EU level. In February 2004 Germany endorsed a Franco-British proposal to create so called battle groups so as to strengthen the EU rapid reaction capability to support UN operations. The experience from Operation Artemis in DR Congo was a typical scenario in which the battle groups may be deployed. The trilateral proposal for EU battle groups consists of 1500 troops in battalion size formations. These should be available within 15 days notice and sustainable for at least 30 days (extendable to 120 days with rotation). The forces should be flexible enough to undertake operations in distant crisis areas (as failed states) under, but not exclusively, a UN mandate. The forces should also be able to conduct combat missions in extremely hostile environment. The expected operational date was set to 2007, but the EU could have two or three of the battle groups available much sooner based on existing capabilities and voluntary contributions under the Headline Goal Force Catalogue. Within 2007 it is expected that the EU will be able to make use of 6-10 battle groups dependant on the member states' ability to contribute with forces (Quille:2004).

In June 2004 the EC summit passed a new Headline Goal for 2010. At the same time the creation of the European Defence Agency (EDA) became a fact[48].

December 2nd 2004 the EU took over the control of the NATO Stabilisation Force (SFOR) in BiH under the name European Union Force (EUFOR) operation "Althea". The mission was to fulfil the role of the Dayton agreement from 1995 and to contribute to a safe and secure environment in BiH (Quille:2004). With its mandate and size, EUFOR confirmed that the EU now had become a security policy actor with the possibilities of command and control over a relatively large military force.

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[48] The agency is designed: "to support the Member states in their effort to improve European defence capabilities in the field of crisis management and to sustain the ESDP as it stands now and develops in the future" (European Council:2004:1)

4.   ANALYSIS IN A NEO-REALIST PERSPECTIVE

"The pre-eminence of American power today is unprecedented in modern history" (Ikenberry:2002:1)

In the unipolar world with American dominance and hegemony which emerged after the Cold War, some neo-realist scholars have expected that the great powers in the world would try to counterbalance the US hegemony. However, few believed when the Cold War ended that the EU would be able to do this. In fact, realist theorists like John Mearsheimer (1990) believed that the EU would be dissolved or at least marginalised[49]. On the other hand, neo-liberal intuitionalists like Keohane (1993) believed that the EU would grow even stronger and that integration would continue. Still, Keohane never saw the EU as becoming an equal partner or rival to the US.

In this chapter I will seek to analyse the change of ESDP after 9/11 using a modified neo-realistic perspective of the international system. In support of the claim that a policy change occurred in US foreign and security policy after 9/11, I will briefly refer to official documents and speeches from the US government. At the same time I will present the differences between Europe and the US in their strategic culture. Secondly, I will show the European response to the new US foreign and security policy analysing the events that happened during the transatlantic crisis before the Iraq war, and of course the crisis and war in Iraq itself which perhaps exemplifies the contrast between the US and Europe and thus gives and indication that Europe tried to counterbalance the US. The greatest indication of the European counterbalance efforts will be found in official strategies, hence the ESS and US National Security Strategy (NSS) will be analysed and compared. Finally, in the last part of this chapter I will discuss whether or not the change in ESDP may be seen as a result of power balance adjustments.

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[49] Even in the book *"The tragedy of Great Power Politics"* (2001), Mearsheimer do not see the EU as a potential challenger to US hegemony. However, Mearsheimer wrote his book before the events of 9/11.

4.1   US new foreign and security policy

Neo-conservatism became the common label on the policy rationale of American hegemony as the future global order after 9/11. The idea was to promote American liberal values to the rest of the world, if necessary with the use of military force[50]. It became a return to "Reaganism", were military power and traditional American values provided the ingredients. In a simplified form, neo-conservatism was based on three basic assumptions: 1) The US is a superpower, must act as a superpower and should prevent other regional great powers to become opposite power poles, 2) Realism and idealism are intrinsically linked because American hegemony and power cannot be based on material interests and territorial control alone. The US must therefore confront autocratic regimes and shape global development, 3) Threats are unpredictable and latent, especially in what may be termed as rogue states. Therefore the US cannot sit and wait for potential enemies to obtain Weapons of Mass-destruction (WMD), but must confront the states with appearance or intentions to do so (Thune:2003:183)[51].

In the neo-conservative view the state-centric Westphalian order is turned upside-down. States are legitimate or ill-legitimate, not sovereign. State sovereignty is dependent on how the state is organised and only democracies are legitimate. Security in this view presumes that unless the world changes to meet American security needs, America will have to react to an international order which is no longer updated to restore order and fulfil American security needs (Ibid:2003:183-184). The new American unilateralism made one set of rules for the US and one set of rules for the others (Hagtvet:2003:89).

"America did not change on 9/11, it only became more itself" (Kagan:2003:85).

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[50] Using American power unilateral was not a new policy. The Clinton administration used US unilateral power in Iraq, Afghanistan and Sudan and the forces deployed in Kosovo was a NATO operation but without the UN mandate (Johansen:2004:10). Already in 1998 the Congress decided on the liberation act ; "US policy should be to remove Saddam Hussein's regime from power in Iraq" (Thune:2003). However, pre-emptive warfare was never formerly a part of US policy.
[51] These political views had been a result of a long intellectual debate in the US. The former democrat William Kristol and Fred Barnes were editors of the magazine called "The Weekly standard" were these views were asserted long before Bush II came to power (first issue published in 1995). The ideas started already in 1992 where key actors like former vice defence secretary Wolfowitz and Vice president Cheney (in 1992 he was secretary of defence) made an important report on how to use American power unilateral after the success of the Gulf War. However, these plans diminished when Bush I lost the election in 1992. During the 1990s an organisation which called itself "Project For a New American Century" (PNAC) aggregated some of the same views which we now know from the label neo-conservatism (Thune:2003:183)

One of the first political effects of 9/11 was a redefinition of US foreign and security policy (Melby:2004:94). The first changes came immediately as a reaction to the attacks on 9/11. America's goal became to hunt and destroy *"terrorists and those who harbour them"* (Bush:2001a). Making the campaign against terror into a "war" against terror facilitated the policy link between terrorist organisations and regimes, as the US did in Afghanistan, but also for any future actions against other states suspected to harbour terrorists[52]. It was first in the State of the Union speech in January 2002 that the world was given signals on a new unprecedented unilateral US foreign policy. President Bush spoke about the "axis of evil" and made couplings between WMD and "rogue states", especially mentioning Iraq (Bush:2002a)[53]. However, the major official policy change came with Bush's famous speech at West Point on 01 June 2002. This was the first time the concept "pre-emptive" warfare was used:

"And our security will require all Americans to be forward-looking and resolute, to be ready for pre-emptive action when necessary to defend our liberties and our lives" (Bush:2002b).

Almost a year after 9/11 the right of pre-emptive warfare was not just politically acceptable, it became a demand from the opposition (Melby:2004:98). The efforts to combine terrorists and states, and hence promoting why pre-emptive strikes should be used continued in an official speech by Vice President Cheney in august 2002. This time the right to use pre-emptive measures was more or less directed towards Saddam Hussein's regime in Iraq[54]. Another example of a definitive change in foreign and security policy was Defence Secretary Rumsfeld's annual report to Congress in august 2002 (Rumsfeld:2002)[55].

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[52] According to Melby (2003:145), one of the main problems of terrorism was its asymmetric perspectives. However, making a coupling between states and terrorists it was indirectly possible to do something with the problem of terror using traditional military tools.

[53] "Iraq continues to flaunt its hostility toward America and to support terror"[…] "States like these, and their terrorists allies , constitute an axis of evil[…]" (Bush:2002a)

[54] From Cheney's speech :"There is a terrorist underworld out there, spread among more than 60 countries", "And containment [about WMD] is not possible when dictators obtain weapons of mass destruction, and are prepared to share them with terrorists […]", the same dictator [about Saddam Hussein] who has been on the State Department's list of state sponsors of terrorism for the better part of two decades", "Deliverable weapons of mass destruction in the hands of a terror network, or a murderous dictator, or the two working together, constitutes as grave a threat as can be imagined. The risks of inaction are far greater than the risk of action" (Cheney:2002).

[55] From Rumsfeld's report: "U.S. forces must maintain the capability, at the direction of the president, to impose the will of the United States and its coalition partners on any adversaries, including states or non-state entities. Such a decisive defeat could include changing the regime of an adversary state or occupation of foreign territory until U.S. strategic objectives are met" (Rumsfeld:2002:19).

In the winter of 2002/2003 the Iraq crisis and the new American policy had created strong transatlantic tensions. These tensions worsened when Rumsfeld referred to Germany and France as "old Europe" on a press conference 22nd of January 2003 (Rumsfeld:2003a)[56], trying to rule and divide the European countries on the case of Iraq. In the State of the Union speech held only one week later, most of the attention was given to the leading role of the US making unilateral action necessary, the future intervention in Iraq and coupling terrorists and WMD with Saddam Hussein's regime (Bush:2003)[57]. From merely being reaffirmed when the Bush administration came into office, the traditional neo-conservative concepts now enjoyed a monopoly in the official US policy (Biscop:2004:12). Approximately one month after the war in Iraq was declared over by Bush, Rumsfeld held a new speech where he again discredited the European countries opposing the war in Iraq[58]. In the State of the Union speech in 2004, Bush did not mention NATO for the first time in the history of State of the Union speeches since the alliance was established in 1949. Instead the unilateral policy was continued and Bush used the frame "our international allies" (Bush:2004).

The official policy in the Bush administration was backed by international unilateral action and politics: The focus on the rocket shield, the attitudes towards the Kyoto protocol and the Anti-Ballistic Missile Treaty (ABM) agreement, the Ban of landmines treaty and of course the rejection of the International Criminal Court (ICC)[59]. The treatment of the suspected terrorists at Guantanamo bay reinforced this impression; especially in Europe, that international law did not apply for the powerful, but for everyone else.

Furthermore, the Bush administration increased an already high military budget, from $288 billion in 2000 to $420 billion in 2005 (Shah:2004). Already at the end of the

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[56] Rumsfeld 22 January 2003 : "Germany has been a problem and France has been a problem. But you look at the vast numbers of other countries in Europe, they're not with France and Germany […] they're with the US". "You are thinking of Europe as Germany and France. I don't. I think that's old Europe" (Rumsfeld:2003a)

[57] State of the Union 2003 : "Yet the course of this nation does not depend on the decision of others. Whatever action is required, whenever action is necessary, I will defend the freedom and security of the American people" Making coupling between Saddam Hussein and the terrorists of 9/11 : "Imagine those 19 hijackers with other weapons and other plans, this time armed by Saddam Hussein" (Bush:2003)

[58] Rumsfeld in his speech in the George C Marshall European Centre For Security Studies 11th of June 2003 : "It suggests that the distinction between old and new in Europe today is really not a matter of age or size or geography. It's really a matter of attitude -- of the vision that countries bring to the transatlantic relationship and to the challenges that we will all face in the years ahead" (Rumsfeld:2003b).

[59] The rejection of the ICC became a small international crisis in 2002. Although this was a continuation of the Clinton administration policy, in 2002 the US had declared "war" against the ICC accompanied by threats of sanctions against allies who ratified it (Hoffman:2004:15). The US also vetoed the six month extension of the UN's Bosnia mission as an effort to block the plans of ratifying the ICC.

1990s US military budgets were 40% of the entire world countries collective budgets and the US finances about ¾ of the worlds military research budgets. At the same time, the development in what is known as Revolution in Military affairs (RMA) gave the US a political applicable military force and strengthened the US relative power position in the world (Melby:2004:29). Whereas the EU consists of 450 million people, the collective military budgets of all the member states are $220 billion, while the US military budget is $400 billion[60].

4.2   European response to the aftermath of 9/11

"What we want is more Europe, not less America" (Solana:2003a).

At first, the reactions to the 9/11 attacks in Europe represented a unified support to the Americans. Sentiments in Europe were exemplified by the front page of *Le Monde* two days after the attack: *"We are all Americans"*[61]. The member states of the EU reacted jointly to the terrorist attacks of 9/11 and all the NATO members immediately issued a statement saying that the terrorist attack was to be treated as an Article V incident. However, most EU members had a different view than the Americans on how to fight terrorism. The extraordinary European Council meeting 21st Sept 2001 called for :

"an in-depth political dialogue with those countries and regions of the world in which terrorism comes into being" and *"the integration of all countries into a fair world system of security, prosperity and improved development"* (Cited in Biscop:2004: 4).

As 9/11 became a turning point for the American foreign and security policy, the terrorist attacks did not prove a similar change of strategy for EU external action, despite the unanimous support to the Americans. Rather, it served to solidify the European view that a policy that focuses exclusively on military instruments cannot achieve long-term stability or ensure national security. The EU's effort to try a differentiated response, focusing on the underlying causes of terrorism, was another example of the comprehensive approach, and with regard to enhancing the ESDP it

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[60] In the SIPRI yearbook for 2003 the estimates are $220 billion for EU and $400 billion for US (Everts & Keohane:2004:3). Kagan (2003:69) operates with the figures $180 billion for Europe, and $400 billion for USA. In a calculation using figures from CIA World Fact Book in April 2005 (CIA:2005) the figures are $203,5 billion for Europe and 370,7 for the US. However, several of the figures in the fact-book are from 2003 or earlier.
[61] Le Monde 13/9 2001 : "Nous sommes tous Americaines".

seemed that 9/11 itself only accelerated evolutions that were already put in motion by the EU's experience from the Balkans (Ibid:2004:4). The war in Afghanistan was largely supported by the EU member countries[62]. Although the coupling between states and terrorists was performed already before the war in Afghanistan, the US gained massive support for "Operation Enduring Freedom" even though it was conducted without a UN mandate mainly as it was seen as a response to a direct attack. However, the ISAF stabilisation force were given a UN mandate and also supported by the EU.

Following the logic of balance of threat theory it seems that Europe did not yet see the need to power balance the US. However, the signals from the Bush administration during the summer and fall in 2002, especially the rejection of international cooperation through institutions and regimes were to change this attitude.

4.2.1 Berlin plus, NATO crisis and transatlantic relations

Although the EU decided to declare the ESDP operational in December 2001, the decision was a result of the obligations made at the Helsinki summit more than it was an attempt to countermeasure against the Americans. The transatlantic relations hardened during the spring of 2002, yet there were no signals either in official EU policy or by the member states that action was needed to counterbalance the US. The situation might have been uncomfortable but not intolerable. This appeared to change during the summer and fall of 2002. As the official US policy introduced the ability to use pre-emptive warfare without a UN mandate, it is likely that the Europeans interpreted this new agenda as "aggressive intentions". These aggressive intentions would undermine the great powers in Europe's ability to maximize their own interests through the multilateral institutions, hence a stronger alliance among the countries of Europe was formed to counterbalance the superpower and regain some of the lost influence. At the NATO summit in Prague in November 2002, the US launched an initiative to create a NATO response force (NRF)[63]. It is possible to deduce, at least if

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[62] During the operation "Enduring Freedom" in Afghanistan 2001/2002 13 EU countries contributed with about 5000 troops to the ISAF peacekeeping force (Matlary:2003:112), and several countries provided with special forces to the US led task force in the fighting against the Taliban.
[63] The NRF is expected to achieve full operational readiness in October 2006. The NRF is a strike force to conduct high-intensity combat operations far from NATO shores. The ERRF, by contrast, is principally aimed at carrying out stability

one follows the logic of neo-realism, that the US wanted to build a competitor to the ERRF decided upon at Helsinki, or at least to undermine the EU's efforts to construct their own military capabilities. However, the NRF was dependent on European contribution and the European NATO countries also approved the creation of the force. Literarily, the NRF came under American control, the opposite of its counterpart, the ERRF[64]. At the same meeting all the NATO countries decided on the provisions of the later Berlin plus accords (NATO:2002b), although the accord was not formalised before 16th of December 2002 and ratified in March 2003. What seemed to be at stake for the European countries was a shift in the distribution of power. To let the US control and have the possibility to veto the use of NRF, and more or less let the NRF become a "tool in the toolbox" for the US conducting its pre-emptive warfare, seemed not to be in most European countries interest. It is therefore likely that the Berlin plus agreements again were Europe's effort to regain the initiative by letting the EU use NATO assets and capabilities in order to conduct operations independently, without American influence.[65]

The transatlantic crisis culminated in February 2003 when Turkey invoked the art IV of the North Atlantic Treaty to have consultations with the other NATO members because of the situation of Iraq. Germany, France and Belgium refused to accept the obligation to protect Turkey against Iraqi aggression in the case of a US-led attack of Iraq from Turkish soil (NATO: 2003).

Finally, the NATO members reached a shaky consensus on the issue (Robertson:2003), but it was not what the US had wished for and the crisis was the first of its kind in the history of the alliance. A month later (17 March 2003) the Berlin plus accords were adopted and less than two weeks later the first autonomous EU operation was put to play. Although "Operation Concordia" was of a small scale (only 350 soldiers), the signal that the EU was able to conduct operations independently

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operations on Europe's periphery (Larrabe:2004:8, Everts & Keohane: 2004:5). According to Gnesetto (2003) the NRF became a duplication of the European achievements of European defence, hence the NRF was an effort to weaken the European development.

[64] The NRF is also more or less a European project, where Britain, France Spain and Germany are the main contributors while US only participates symbolically (Everts & Keohane:2004:12).

[65] Previous problems in conducting EU operations with NATO assets and capabilities were not a result of an American rejection, but a result of a veto from Turkey (Bailes:2003:32).

seemed to respond directly to the American unilateral action during the crisis and war in Iraq, which commenced on 20 March[66].

In October 2003 the NATO exercise "Dynamic response 2007" was conducted lead by US Defence Secretary Rumsfeld. The theme of the exercise was a military intervention in a country in the Middle East. The country was not named, but experts have suggested that it was an exercise on an intervention in Syria or Iran. The Europeans reacted with strong scepticism to how the exercise was conducted. The main problem was that the military action was preventive or more precisely, pre-emptive. Another reason for strong European reactions to the exercise was that the member states of NATO that did not want to participate should not use their right to veto (Johansen:2004:21). On the 17th of October, at an EU Council meeting on the draft Constitution, Britain moved further than ever before towards accepting the need for a tighter EU structured cooperation on security and defence (Howorth:2003:13), indicating a British shift in preferences in close connection with the reaffirmation of US policy.

4.2.2 Strengthening ESDP – The EU making its operations

The changed US foreign and security policy contributed to the acceleration of ESDP[67]. It reinforced Europe's desire to look after its own security and hedge against a weakening of US interest in NATO and the transatlantic relationship (Larrabee:2004:2). For the EU, one of the major challenges became how to react to the US superpower now wearing new clothing and with a changed attitude. Many Europeans felt that the EU could not have a serious foreign policy without a credible defence component. Several EU members, particularly France and Germany, wanted to have a "core group" to have the ability to proceed with closer defence cooperation, and if necessary, ahead of other EU members[68]. At the end of April 2003 France, Germany, Belgium and Luxembourg had a mini summit in Brussels. The most eminent result of this summit was the proposal of a separate EU operational planning

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[66] Another argument is that a strong ESDP could lead to the formation of a European caucus or a European pillar in NATO (Larrabee:2004)

[67] This view is also supported by Bono (2004:445-46).

[68] In this context it was quite surprising that turning ISAF in Afghanistan into a NATO operation, which was decided by the NATO Council on 16th of April, the request to increase NATO's role, actually came from Germany (along with Netherlands and Canada (Brodeur: 2003)

headquarters in Tervuren, which of course provoked a strong reaction from Washington (Ibid:2004). Most EU operations would need to draw on NATO assets under the Berlin plus arrangement, and therefore the proposal to make an autonomous EU operational headquarter was one more step in the direction of signalling balancing tendencies. The proposal, however, was defused (Howorth:2003:13) and this was mainly a result of the mediation of Tony Blair (Larrabee:2004:1)[69].

On 1 May 2003 the war in Iraq was officially declared over by Bush. Even though the attempt to produce an autonomous ESDP headquarter had failed at the end of April, the first EU operation without use of NATO assets, capabilities and command structure was launched in June. Answering the UN's call for action in the Congo, France took initiative to form an EU led operation which were to protect the civilians in the city of Bunia in the Ituri province[70]. Although the mission became more or less a symbol on ESDP success, critics have claimed that the size of the force (1400) and the time period it was deployed (4 months) indicate that it was a very small operation where a large majority of the forces were French[71]. Thus, a comparison with NATO or the US might not be in place. Nevertheless, the operation was certainly on the upper scale of high-risks interventions, and demonstrated that the EU could act rapidly and decisively in the presence of political will (Biscop:2004:5). Apart from the construction of the ESS, another signal of this course from the EU was given in the ESDP presidency report issued in December 2003 where the need for the EU to enhance capabilities at the upper end of the conflict spectrum was noted (European Council 2003b)

In the EU as well as in the US, the attacks on 9/11 brought about a certain renewed emphasis on defence (Biscop:2004:12). The first examples of this effect were the so-

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[69] Making a military headquarter for the EU would make the organisation a rival to NATO and not a complement. However, the difference in military capabilities between NATO and ESDP are tremendous. While NATO consists of 2000 people in SHAPE, and NATO having regional headquarters in Italy, Netherlands and the US, the EUMS only consists of 200 staff officers in Brussels (Everts & Keohane:2004:12). For the EU to become a security policy actor with at least the same capabilities as NATO, the proposal of the Tervuren headquarter was an attempt of the first important step.
[70] A long term French strategy has been to strengthen European security policy with the EU as its core (Matlary:2003:112/113).
[71] At the same time it seemed more like the French wanted to give the impression that the ESDP had overcome its problem with lacking hard power capability, although critics would say that a comparison with British unilateral intervention in Sierra Leone and French intervention in the Ivory Coast were almost the same as the operation "Artemis" with the exception that some EU and non-EU countries supported the operation with special forces.

called collective defence clause which was prepared by the Convention, later it was found in the final adoption of the Constitution:

"If a Member State is the victim of armed aggression on its territory, the other Member states shall have towards it an obligation of aid and assistance by all the means of their power [...]"(Treaty establishing a Constitution for Europe (2004), art 41, part 7)[72].

The controversy over this clause considered its interpretation of the EU as alternative to NATO. However, at the present time the EU does not have the capacity for collective defence, thus the issue is largely theoretical. There is also the important question of what kind of assistance or military aid the member states have to contribute. Nevertheless, the collective defence clause was an effort to strengthen the status of the ESDP among the member states, something which was reinforced with the reference to a mutual defence in the Constitution.

In many ways, these and several other specific provisions in the Constitutional Treaty showed an EU more offensive than ever before in the domain of security policy. However, the major problem of EU security policy in the past had been its credibility to perform "action on the ground". During 2003 and especially 2004 the EU should prove otherwise. Besides the military operations in Macedonia and Congo, the EU had also launched two police missions in the former Yugoslavia. In 2004 the EU met most of earlier criticism with the construction of the battle groups concept and the take-over of SFOR in December 2004. The idea that EU was unable to conduct high risk large military operations over time was rejected and disproved.

The unilateralist approach of the US reinforced the EU member states will to develop a more autonomous ESDP outside NATO and a stronger European defence component was seen by many as a prerequisite for a more equal partnership with the US (Larrabee:2004). Balancing the US became not the traditional bipolar balancing of power which was eminent during the Cold War. In 2003 and 2004 it became a European effort to transform its military forces into deployable forces which could be used around the globe. Europe's main problem was not a lack of peacekeepers, but a lack of deployable forces. Europe has over 1.7 million men and women under arms,

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[72] In the work in the Convention Working Group VIII (2002) stated in its final report in December 2002: "Such a collective defence clause was considered unacceptable by some members [...]". Yet, the Constitution which was signed in June 2004 adopted the collective defence clause. There was obviously a change of preference for some member states between December 2002 and June 2004. However, the article emphasised a formulation of non-prejudice towards NATO.

but only 10% of those forces are deployable abroad (Larrabe:2004:9)[73]. Europe needed a transformation. Some Europeans argue that the resources for this transformation can only be found if EU members no longer organise their defence nationally but strive for a European defence. European defence integration, they maintain, will help Europe rationalise its defence procurement policies and overcome its inefficient defence spending. In June 2004 the EDA was constructed to enhance these capabilities among the EU member states.

4.2.3 Iraqi crisis and changes in the structure

The invasion of Iraq started already on 12th of December 2001. That is, the first time it was suggested that Iraq should be invaded was in a meeting at the US National Security Council on that day (Thune:2003:57). However, it was not until the 20th of March 2003 that the actual invasion took place. In the period from Sept 12th 2001 and even beyond the end of the war in Iraq on 1 May 2003, the case of Iraq became one of the main reasons for the transatlantic divide, thus contributing to a European effort to balance the superpower. The divide between the EU countries on support or resistance to the American invasion plans started already in March 2002 when Bush and Blair held the so called "war summit on Iraq", and the plans to invade Iraq were meant to be completed on 15 April 2002 (Thune:2003:35). This was four months before the US National Security Strategy (NSS) became published as official policy.

The case of Iraq became a disagreement over the extent to which Iraq really posed a threat and the legitimacy of a military intervention. The American attitude, exemplified by official rhetoric, did not drift the EU away from earlier views on legitimacy and multilateralism as official policy[74], merely it divided the EU member states on whether to follow or oppose the unilateral superpower. When the EU had

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[73] Most of these troops are incapable of operating in a coalition with US forces in high-intensity conflicts – one reason why the US preferred to conduct the Afghanistan campaign with a select group of allies rather than through NATO. The US wanted to avoid "war in committees" which had happened during the Kosovo campaign.

[74] Javier Solana speech at Harvard, April 7th 2003: " […] we tackle cause and not just symptoms, […] we act together to sustain a world based on rule" "Upholding and strengthening the rule of law is the best means for America to preserve her position as the benign world power and to continue to project her values". "[…]it would be a mistake for the US to 'cherry pick' from among its European allies". "A policy of 'divide and rule' would become 'divide and fail'. (Solana:2003b,). This policy was continued in speeches in August and September, even after the Iraqi war : "The European Union needs to fulfil its responsibilities as a global actor" (Solana:2003d) "We have a commitment to disarm Saddam Hussein, and we have a commitment to do it through the United Nations" (Solana:2003e) , and: "The EU's action on the last years has had its main goal the strengthening of what we have agreed to call effective multilateralism, with the UN at its heart" (Solana:2003f)

been confronted with such crises in the past, such as in Bosnia and Kosovo, the member states had shown equal difficulties in reaching a consensus on how to respond and which instruments to use (Biscop:2004:4).

While the Iraqi crisis exposed deep divisions within Europe over security policy and transatlantic relations, it also spurred new efforts to develop a stronger security and defence policy (Larrabee:2004:2-3). In the European subsystem, France had replaced the US as Germany's most important ally. This structural change goes beyond the case of Iraq and is a major reason for the fronting of ESDP as an effort to balance the US. However, the case of Iraq and the reactions to US foreign and security policy became the trigger which released the structural change exemplified by the French, German and Belgian push for "structured cooperation in defence" within the EU (Ibid:2004). Undoubtedly, 9/11 and Iraq influenced the member states to consider new strategic thinking that was impossible when ESDP was created just a few years earlier. For some this strategic thinking included a distinctive "European way", for others it meant to preserve the transatlantic partnership (Biscop:2004:5).

At first, the Iraq crisis served to marginalise the EU as a foreign policy actor. The incident became a return of the nation-state era in Europe. On the 22 January 2003 Chirac and Schroeder issued a statement where the two leaders declared their opposition against the war (Aftenposten:2003a). On the 30 January, Britain, Italy, Spain, Portugal and Denmark signed a support letter to the US which was also signed by the NATO countries and upcoming EU members Hungary, Poland and the Czech Republic. On the 05 February 2003 the ten countries of the so-called Vilnius group of EU applying members also gave their support to the US (Orban:2004:49). At an extraordinary meeting on 17 February 2003 the European Council did state: *"that force should be used only as a last resort"* (European Council:2003a) and emphasised the importance of reinvigorating the Middle East peace process if peace and stability are to be brought to the region. Although the status quo EU member states supported the US, the European declaration proved that the same countries did not leave the multilateral approach of the EU. Europe agreed that Saddam had to be removed; the divide was about how to do it. However, the Europeans did not unite for or against the unilateral superpower, they divided themselves on each side of the transatlantic fence

(Orban:2004:36-38). It seemed that the American tactic on *divide et imperia* had succeeded in weakening the EU in the question of Iraq. Even though the Union was divided the emphasis on multilateralism and legitimacy was still the official policy (see footnote no. 74).

4.2.4 The case of Iraq and the great powers of Europe

In the crisis of Iraq the three great powers of Europe reacted differently. France had been an antagonist opposing US power throughout the Cold War (especially during the presidency of DeGaulle). France had been the foremost speaker for the WEU and also for strengthening European defence capabilities during the Cold War. Yet, during the 1990s there were very few open confrontations between France and the US (Haine:2004:42). However, France worked intensively during the post Cold war era for deeper defence integration within the EU where the country could take a leading role. Nevertheless, it was the changed US policy after 9/11 which made France to strengthen its earlier antagonist policy towards the US. In many ways this attitude can be analysed in a neo-realist perspective where the great power now were losing influence in the international system to a superpower with aggressive intentions.

France's reaction to the Iraq crisis had three implications. First, France wanted to maximize its own national interests in Iraq. France was the third largest importer of oil from Iraq in 2002 (Orban:2004:14). Strategically and economically, Iraq was important for the French. Second, the fear of more terrorism as a result of an invasion was eminent. At the same time, Chirac needed to reinforce his status from weak president (which was the result of the election in 1997) to a "strong" president. The "Gaullistic" values like independence and influence for France was important in this phase (Orban:2004:15). Third, the anti-Americanism in France is seen as a driving power behind the French diplomatic positioning during the Iraq crisis. Both the left and right of the political landscape in France have traditions for anti-Americanism and with the unilateral change of US foreign policy after 9/11 the US was seen more as a direct *threat* toward French interests[75].

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[75] In a poll made for Le Monde, 65% of the French felt that US and Britain was responsible for the war in Iraq, and 74 % of the French felt that Chirac had not gone far enough in his critique of the war (Orban:2004:45). Foreign minister De Villepin in a speech in IISS in London 27 March 2003 : "We do not oppose the use of force. We are only warning against the risk of

The British attitudes toward Iraq were the story of riding two horses. On the one hand, Britain did not want to loose its "special relationship"[76] with the US, on the other, Britain did not want to be outdistanced or left behind in the evolution of the ESDP, or in the integration process in general. Despite the polls showing a growing opposition to a war in Iraq (Aftenposten:2003c), Blair supported his American allied although British official statements tried to focus on multilateral means of cooperation and a UN mandate for the intervention. As a declining great power Britain had come to believe in the importance of the idea of international community or society. (Hill:2004:3). Britain behaved like Morgenthau's status quo state supporting the superpower as it seemed to be in its own interest.

As a former status quo state; Germany turned into an antagonist opposing the US during the crisis in Iraq. A major reason for the German pacifistic attitude towards the case of Iraq has been the focus on a re-election of Chancellor Schroeder. Strong public opinions gave the chancellor support for this view (Matlary:2003:101). There were also rational and realistic arguments to the German policy. By opposing the US in the Middle East, Germany, as well as France, could gain stronger influence on the world's most important oil region. In trying to balance the power of the hegemon, French and German official policy became the opposite of the US in the UN Security Council. While US wanted to invade, France and Germany wanted to keep up the inspections. At the same time this lead to a much harder climate between the two and the US. Following previous policy, from NSS and other official channels, the US attitude was that no single country in the UN Security Council should decide whether or not the US should "protect themselves" (Ibid:2003:102).

4.3   European Security Strategy (ESS)

The story of the ESS began with the informal meeting of the foreign ministers of the EU at Kastellorizo on the island of Rhodes, on 2-3 May 2003. This was the day after the war in Iraq was declared over. Rather unexpectedly (Biscop:2004:6), Javier Solana

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pre-emptive strikes as a doctrine. What example are we setting for other countries? How legitimate would we feel such an action to be? What are our limits to the use of such might? In endorsing this doctrine, we would risk introducing the principle of constant instability and uncertainty. We risk not controlling situations and rushing headlong into action. Let us not open Pandora's box" (De Villepin:2003).

[76] After the Suez crisis in 1956 British foreign policy has followed the pattern of supporting the US (Lundestad:2003).

was mandated to produce a "European Security strategy concept" and present it to the next European Council in Tessaloniki in June[77]. The member states of the EU, and especially France and Britain, had used strong efforts in trying to build the EU as a robust and coherent security policy actor even since St Malo in 1998, only to see that the same mistakes which happened on the Balkans, happened again during the Iraq crisis. The member states would have to find a set of fundamental principles to which all could agree, so that for the next crisis the EU could behave as an effective international actor; the consensus would be embedded in a written strategy to guide the Union's action[78]. The undermining of CFSP/ESDP and Solana's role during the Iraq crisis was something which the member states now tried to remedy. In fact, the member states had spent years and years on negotiating the provisions for CFSP/ESDP and at the first crisis they were not able to use the tools which they themselves had created. Britain and France, prominent advocates of the ESDP, were now leading opposing camps. Faced with the initiatives of a dominant global player, which possessed an explicit strategy, the NSS, the EU was in dire need of a clear strategy of its own to attain credibility in the global arena (Biscop:2004:2). Therefore it seemed logical that the initiatives to form a European strategy came the day after the war in Iraq was over[79].

The question is still; why was the ESS made? There are several reasons and historical events that influenced the process. Pointing only on US foreign and security policy after 9/11, the case of Iraq and Europe's need to power balance the US would not be sufficient. First of all, the upcoming enlargement of the EU forced a common strategic fundament for the organisation[80]. Second, the need to define and clarify the goal of EU's security policy had increased as both ESDP and CFSP had evolved. In May 2003, when the initiative was taken, the EU was already undergoing two of its

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[77] "The immediate background and motivation of the formulation of the ESS was the aftermath of the Iraq crisis, which produced a divide both among Europeans and the US" (Biscop:2004:7). "The idea of the mandate was pushed by France, Germany and the UK as part of their general attempt to regroup after the Iraq-related split" (Bailes:2005:11).

[78] In the words of Commissioner Pascal Lamy: "No state, no national parliament would accept to act through the Union if the debate on objectives and principles has not taken place" (Cited in Biscop:2004:5)

[79] "One of the main reasons why the EU was so divided in the case of Iraq was its lack of strategic reasoning. By contrast, a majority of member states addressed the issues through political motives, some internal, some external, which led to a merely reactive policy. There was also a recognition that a divided Europe would be powerless" (Haine:2004:50)

[80] The 10 new Central and Eastern European and Mediterranean countries might have tried to tilt the policy balances in a pro-US direction or make ESDP consensus building mechanically more difficult. Having all 25 states of the larger EU pre-committed to the ESS would offer at least one defence against this (Bailes:2005:10).

operations and was planning for two more. Third, to become a credible international security policy actor the EU needed to have a strategy which could response to both the NSS and NATO strategic concept. Fourth, The Iraq crisis illuminated the desperate need for a common strategic concept in Europe. A strategy would provide a clear framework for policymaking and would thus render unilateral action amongst the states in the EU more difficult (Tofte:2004:2, Bailes:2005:10).

"The adoption of the Strategy is a major step for EU external action, a step which until the Iraq crisis was quite unimaginable" (Biscop:2004:35).

4.3.1 European Security Strategy vs. US National Security Strategy

"The end of the Cold War has left the United States in a dominant position as a military actor" (ESS:1).

"[…]our aim should be an effective and balanced partnership with the USA" (ESS:13)

Was Europe to take the same course as the US, or was this first ever combined security strategy in Europe an effort to show the US that Europe no longer wanted to be dictated by the superpower and restructure a course of its own? It seemed obvious after the Iraq divide that Europe could not be united either on an anti-US or a pro-US platform. The key was to define what Europe itself wanted and needed (Bailes:2005: 24) by restoring a sense of common purpose in Europe while not provoking a worsening of the transatlantic crisis. Most important, starting to use strategic language, the EU took one more step into the international arena as an actor.

A pivotal difference between the two strategies is found in the perception of how to respond to threats. In the NSS *threats* and *enemies* are the dominant theme throughout the strategy. The NSS defines that terrorists, WMD and "rogue states" consists the gravest danger to US security (NSS:5) Although the phrase "axis of evil" is not used in the NSS, Iraq and North Korea are mentioned as examples of "rogue states". The biggest threat according to the NSS is "an alliance of terror and tyrants" and the greatest danger to freedom lies in the denial of the threat of terrorism/rogue states or the failure to act against it (NSS:Chapter V). For the ESS threats are not the dominant theme in the strategy and the words "enemies" and "rogue" are not used. Where the

NSS defines the biggest threats as terrorists, WMD and "rogue" states or rogue states acquiring WMD, the ESS defines terrorists, WMD, failed states, organised crime and regional conflicts as the biggest threats. The ESS acknowledges that the phenomenon of terrorism is also a part of our societies; the NSS do not mention this at all. Furthermore, the ESS identifies the causes behind terrorism as economic and social insecurity (ESS:3) and when summarising the problem of "failed states", Afghanistan, Liberia and Somalia are mentioned as examples (ESS:4, 7)[81].

While the NSS focus on the importance of pre-emptive strikes as eminent to meet the threats[82], the ESS uses the phrase preventive[83] :

"The first line of defence will be abroad" (ESS:7) and *"The best protection for our security is a world of well governed democratic states"* (ESS:10).

The ESS and NSS differ strongly on the view of military action. Where the NSS focus on the need to use military force to meet the threats[84] (Biscop:2004:28), the only reason for using military action according to the ESS is in connection with failed states, and intervention should be used to put failed states back on their feet (ESS:6). Military means alone solve nothing (ESS:7). Although the comprehensive security approach is continued in the ESS, the strategy also acknowledges the need for the EU to obtain military capabilities on the upper high risk scale (ESS:11-12).

Another important difference between the two strategies is found in their views on multilateralism and unilateralism. Not surprisingly, the NSS follows the same line of the Bush administration rhetoric earlier in 2002 : *"we will be prepared to act apart when our interests and unique responsibilities require"* (Bailes:2005:15). There is no talk of multilateralism and little mentioning of the UN system as a general framework for action. Cooperation is based on *"American internationalism"* and the NSS openly rejects all international constraints. For instance, an entire paragraph is used on

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[81] "According to the NSS the world is dangerous, according to the ESS the world is complex" (Biscop:2004:28).

[82]"[…] we will not hesitate to act alone if necessary, to exercise our right to self-defence by acting pre-emptively […]" and "[…] the only path to peace and security is the path of action" and "as a matter of common sense and self defence, America will act against such threats before they are fully formed. We cannot defend America and our friends by hoping for the best" (NSS: Chapter V), and "our best defence is a good offence" (NSS:6)

[83] In the June 2003 draft of the ESS the word pre-emptive was used. Later this was removed, apparently because some of the member states in the EU had problems of "translating" the word (Bailes:2005)

[84] "It is time to reaffirm the essential role of American military strength" and "[…] build and maintain our defences beyond challenge" (NSS:29)

denouncing the legitimacy of the ICC[85]. In the phrase where pre-emptive is used (NSS:6), there is little doubt on the intentions of the US acting unilaterally (see footnote no. 82). Whereas the ESS more or less rejects unilateral action:

"There are very few if any problems we can deal with on our own, international cooperation is a necessity" and *"[…] we would look to develop strategic partnership […] with all those who share our goals and values and are prepared to act in their support"* (ESS:13) and *"The UNSC has the primary responsibility for the maintenance of peace and security"* (ESS:9).[86]

In committing itself to an international order *"based on effective multilateralism"* (ESS:8) the European strategy emphasises the importance of legitimacy and international law:

"We are committed to upholding and developing international law" and *"the development of a stronger international society, well functioning international institutions and a rule based international order should be our objective"*.

The ESS on this point can be summarised by the words of Matlary (2003:94): *"Make law, not war"*. As the opposite example, the NSS is accused of deviating from three basic principles within internationals norms: 1) The treaty of Westphalia about national sovereignty, 2) The UN charter which forbids the use of force or the threat on use of force except in self-defence and after a mandate from the UNSC, 3) The Nurnberg convictions which saw pre-emptive or preventive war as a war crime (Prestowitz:2003).

The separate views on NATO likewise serve to exemplify the divergence between the two strategies. Where the NSS only mentions NATO in its last paragraph, the ESS hails NATO security contribution in the beginning of the document, if this could be interpreted as having any influence on how the different strategies measures the importance of the alliance. Furthermore, the NSS see NATO as a "tool in the toolbox" which can be used "whenever our interests" are threatened. The legitimacy of NATO military action is, in the view of the NSS, provided by NATO's own mandate (NSS:25). The view of the EU developing military capabilities of its own is only

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[85] "We will take the actions necessary to ensure that our efforts to meet our global security commitments and protect Americans are not impaired by the potential for investigations, inquiry, or prosecution by the ICC, whose jurisdiction does not extend to Americans and which we do not accept" (NSS:16).
[86] The citation above was not in the first draft presented in EC summit in June 2003. According to Berenskoetter (2004:18) this change happened after German pressure: "Only the UN are able to procure international legitimacy- and thus global political and legal credibility […] It will stay that way", words of the Assistant Foreign Minister of Germany in a conference about European Security in the autumn 2003)

welcomed if this development works with NATO (NSS:26). The ESS perception of NATO is that it is an essential element of the transatlantic relationship; however, the alliance is not given much space in the strategy[87].

Similarities between the NSS and the ESS are legion, although the rationale for researchers after the transatlantic crisis has been to focus on the differences. If we look beyond unilateral/multilateral action and pre-emptive/preventive, the strategies for example share the same policy towards North Korea (Biscop:2004:28). Although they have different means on how to deal with the so-called "new" threats, the strategies define the same threats seeing the problem of terrorists, WMD and rogue/failed states as the most important threats to our societies (ESS adds organised crime and regional conflicts). These similarities of the strategies and the fact that American reactions to the ESS were seen as a "sign of mature relationship" (Everts & Keohane:2004) could support the interpretation that the ESS was not seen as an attempt to balance the US, at least not by US officials. If the objective behind the ESS had been to balance the US, one would have expected that American reaction and response to the ESS was negative[88]. However, American observers were not negative, they were generally impressed (Oudenaren:2004:46). The ESS seemed to establish a basis for improved cooperation across the Atlantic, due to what the strategy included as well as what it left out (Ibid:48) [89]. In many terms these findings could lead us to believe that the ESS never was an attempt to balance the US, but more an attempt to unite and reconcile the member states of the EU. The brilliant diplomatic craftsmanship[90] of the ESS could be a reason why researchers find so many differences between the NSS and the ESS, yet the Americans were positive to the ESS. Another reason could be the fact that the policy prescriptions in the ESS are of a purely *generic* nature providing illustrated

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[87] Even though the alliance was not given much space in the ESS, the signals from the EU on NATO have been quite clear : "Our working relations with NATO are on a firm, clear, and agreed basis which respects the autonomy of each organisation" (Solana:2003c) and : "Commitments [about the collective defence clause in the Constitution] and cooperation in this area shall be consistent with commitments under the North Atlantic Treaty Organisation, which, for those States which are members of it, remains the foundation of their collective defence and the forum for its implementation" (Art 41, subparagraph 7, Treaty establishing a Constitution for Europe: 2004)

[88] "An important virtue of the Solana paper is that it avoids a tedious repetition of Europe's multilateralist claims and the corresponding check-list of EU defined tests that the US has to 'pass' in order to re-qualify as a true multilateralist in Europe's eyes" (Oudenaren:2004:45)

[89] Already in April 2003, the title of Javier Solana's speech in Harvard was : "Mars and Venus reconciled, a new era for transatlantic relations" as a response to the more dark prophecies of Robert Kagan's book "Paradise and Power" (2003).

[90] The Americans were very pleased that it was Javier Solana (former Secretary General to NATO) and his team (among them Solana's no 2, the British diplomat Robert Cooper) that drafted the ESS, and not the Commission (Oudenaren:2004:47).

examples rather than specific instructions for the use and development of the EU instrument. On the other hand, the NSS contains instructions and guidelines all the way to the strategic and tactical level (Bailes:2005:14). Nevertheless, the main reason why the ESS seemed to have been such a success both in Europe and the US was in fact that it seemed to manage to satisfy all involved parties. For the antagonist states France and Germany, the ESS emphasised a "European way" and was a European answer to the NSS. For the status quo states like Britain, the strategy emphasised that Europe now could talk the language of hard power, in this age of terrorism, which the US had wanted Europe to do for such a long time. At the same time the document was seen by the British far more as a broad statement of intent, than a set of binding commitments (Hill:2004:7).

4.4 Is the change in ESDP a result of power balance?

There are several arguments in this analysis that give strong evidence that the change in ESDP is a result of power balance. However, we must revise our theories to both include balance of power theory in a combination with balance of threat theory. To eliminate the Waltzian belief of great power rivalry within Europe we have explained the EU as a subsystem. In this context it is possible to analyse the effects behind the change in ESDP in a neo-realist perspective.

The first argument for viewing the change in ESDP as a result of power balance is the changed US foreign policy after 9/11. The analysis has showed that the new policy from the Bush administration could in many ways be seen as aggressive intentions. In the book "*The future on balance of power*" from 2002, Ikenberry et al. tried to answer the question *why* counter balance against the US had not yet occurred in the wake of the Cold War. Their conclusion was that the absence of balance of power efforts lies in the fact that the US hegemony has **novel features**. The first of which is that unique features of American power, such as geography, technology, ideology and democracy do not make the US a threat to European countries. The second argument is that US security commitments helped Europe overcome regional dilemmas as happened on the Balkans. The third argument is that the traditional power balancing may not be responsive to the threat American power pose (Ikenberry et al:2002). All these

arguments are in line with the view of balance of threat theory; it was first when Europe perceived the new American foreign and security policy as a threat or as having aggressive intentions the Europeans reacted.

The notion from neo-realism that states respond to the particular features of their international structural environment is eminent to explain the changes in ESDP. An important aspect to explain changes in the international system after going from bipolarity to unipolarity is to characterize the new structure. The question is not whether new powers will rise and balance, but *when* (Mastanduno:1997:53-54). The new structure was unipolar, yet Europe did not feel threatened. The balance of power situation in the years after the Cold War rested on the US not being aggressive and using multilateral means of cooperation. Being an ally for the European countries for half a century, the countries of Europe never felt threatened by an invasion by the US. The threats the US posed during the years after the Cold War was the threat of competition, which Europe and the US had coped with since the end of the Second World War. However, immediately when US started to be more unilateral, more aggressive and did not include European allies or the UN in their decisions to go to war in Iraq, this was felt by the European countries as both a threat to their security and a threat to the European way of wanting to organise the international community in a multilateral manner. In neo-realist theory, the European countries relative weakness[91] is a reason for their multilateral approach to the international system; hence also the reason for wanting the US to do the same so as their influence on US foreign and security policy may increase. When the US decided to change their foreign policy after 9/11, as we have seen in this analysis, the initial European reaction was quite reserved. It was the explicit emphasis on pre-emptive warfare and unilateral military action that some of the European states could not accept. The EU integration project, which had occupied the attention of the nation states in Europe since the end of the Cold War, had focused on the ultimate importance of rule of law, legitimacy and

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[91] As Robert Kagan writes (2003:37) : "Because they are relative weak, Europeans have a deep interest in devaluing and eventually eradicating the brutal laws of an anarchic Hobbesian world where power is the ultimate determinant of national security and success" and (ibid:2003:38) : "In an anarchic world, small powers will always fear that they will be victims. Great powers on the other hand, often fear rules that may constrain them more than they do anarchy" and (ibid) "Since the Europeans lack the capacity to undertake unilateral military actions, either individually or collectively, it is natural that they should oppose allowing others what they cannot do themselves. For Europeans, the appeal to multilateralism and international law has a real practical payoff and little cost".

multilateralism. With the West Point speech and especially the NSS, American power lost its novel features. It became a threat to the European states' ability to maximize their own interests through international institutions in a multilateral system.

A second argument for the change in ESDP as a result of balance of power is a timeline of incidents. As shown in the analysis, there is a close correlation in time between what may be conceptualised as US "aggressive intentions" and enhancement of military capabilities in the ESDP. This timeline of incidents is a pointer which clearly indicates that the ESDP decisions in Europe are not random coincidences, but a direct result of a European response to the new US foreign and security policy.

Critics of neo-realist theory (Lebow& Risse:1996) claims that the theory has failed to explain the international system because no other great power has tried to balance the US. If one uses the time perspective of the Cold War where the USSR balanced US only after 3-4 years in 1948/49, this may be true. One of the shortcomings of this type of critique is that it uses historical precedence as an explanation and gives assumptions about the future using facts from the past. What if balancing is already taking place[92], but this time the balancing efforts takes time since there is not just one single entity or unitary state that is doing the balancing? What if balance of power this time takes another form because the major countries which can do the balancing (except China) are all democratic states? During previous historical attempts to explain balance of power theory, there was no "democratic peace" or no supranational organisation of sovereign nation states, like the EU subsystem today. One of the main reasons why Europe does not fear - or feel threatened by - the US is that their security is not under threat[93]. This is the basis for all realist assumptions. If states no longer fear for their security and survival in the system, how will they react to secure themselves and maximize their own interests? Is it logical to oppose and balance a unilateral superpower's military might if this military might is not a threat to state survival or state prosperity? As the analysis has proven so far, the efforts to balance the US through ESDP is not that of trying to create traditional bipolarity, and the unipolar

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[92] According to Waltz (2002) balancing is already taken place.
[93] A logical consequence of Waltzian theory should for example be that the US fears Britain's 500 atomic bombs much more than North Korea's five. However, the US fears North Koreas five bombs as a much bigger threat then the British bombs (Knutsen 1999:357).

moment of the US is not that of traditional oppressing hegemony. In many terms this analysis has shown that Europe's effort to balance the US has also been a "moral" or normative balance based on the perception of international politics. The comprehensive security approach and the broad definition of the concept of security in the EU are examples that the EU is not balancing the US by using military tools, but with using a different approach to the problems of the international system. However, this comprehensive approach also needs a hard power military capability. The security policy of the EU has become "post-national" (Sjursen:2004).

The states in the system are not forced to play the balancing game. One of the major flaws of neo-realist theory is its prediction that unipolarity will not be accepted by other great powers in the system. Faced with the hegemon as an oppressor with aggressive intentions, states can either choose becoming antagonists or status quo states[94]. If the distribution of power in the system is guided by a single pole, neo-realism predicts that other states in the system will produce a counterbalance. In this case, the distribution of power was concentrated around one pole, however, the superpower did not decide to use power or show force before after 9/11. The US believed that it could use the unipolar moment to increase its power, enforcing its will to an invasion of Iraq without the necessary legitimacy. In this sense it is the attempt to increase its power which makes the European states to play the balancing game. Even though Britain and other status quo states like Italy and Spain (at first) supported the American view on Iraq, they also supported the evolution of the ESDP and especially the ESS. Britain was even in the lead when the decision to form the battle groups concept was taken. For France the rationale had always been to promote the EU as an international actor as the ESDP became a policy area where France easier could maximize its own interests than when standing alone[95]. For Germany, France had replaced US as its most important strategic partner and the rationale became to seek a solution with France in strengthening the ESDP as a mean for collective action. In fact,

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[94] Or as Ikenberry wrote (2002:4) : "The main security concern for many countries in Europe is not how to distance from an all-to-powerful United States, but how to prevent the United States from drifting away" –" the practical reality for many states around the world is that they need the US more than it needs them" (Ibid:2002:2).

[95] "Those who cannot act unilaterally themselves, naturally wants to have mechanisms for controlling those who can" (Kagan:2003:39)

standing alone against the hegemon could be very dangerous for any antagonist state; standing together in the EU could be dangerous for the hegemon.

"The EU member states will only share their foreign policy sovereignty if the gains of the common action are seen to be so great that sacrificing their sovereignty is worth it" (Smith:2003:4).

Thus, a "Europeanisation" of security policy becomes the result of the nation states in the EU seeing their relative weakness in comparison with the superpower and where an institutionalisation of European security policy becomes a way to redress this relative weakness. For Britain, the solution became to support both sides, contributing to a shift in the power of balance and at the same time convincing the hegemon that the evolution of ESDP was not a threat to the superpower, but a way for Europe to develop hard power capabilities which the Americans had wanted Europe to do for such a long time[96].

An important reason for the antagonist states attitudes towards the US was the support in the domestic opinion polls for an anti-US policy. The polls in Britain, Spain, Italy, France and Germany (Aftenposten:2003b) showed strong opposition against the US-led war in Iraq. Despite this fact, Britain, Spain[97] and Italy supported the US, while France and Germany did not. Neo-realists will use this latter fact to claim that the theory of the two-level game explain nothing as the governments of the EU faced almost the same public opinion, but acted totally differently. However, as the analysis has shown, the two-level game and especially the logic of elections is an important part in understanding the development of the ESDP, although neo-realists will claim that the generalisation aspect of the "two-level game" is insufficient.

The complexity of ESDP makes it necessary to analyse the phenomenon on several different levels, thus the next chapter will focus on internal dynamics of integration as an explanation of the change in ESDP.

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[96] The record of recent interventions "suggests that the most problematic transatlantic defence issue is not the relative ability to keep the peace, but rather the relative ability to fight wars" (Everts & Keohane:2004:42) and : "[…] the enthusiasm in some capitals for the Europeanization of national armed forces too often appears to be directly related to a deep reluctance to use military force" (Ibid:2004:16)

[97] After the election in Spain in 2004 the change of government turned Spain into an antagonist, minimizing its support to the US and withdrawing its troops in Iraq (Aftenposten:2004).

5. ANALYSIS IN AN INSTITUTIONAL PERSPECTIVE

"[…] the institutional dimension has always been and remains a key to any attempt at developing a EU security and defence policy" (Andreani:2000:83)

The purpose of this chapter is to show the influence of path dependency and spill-over as a reason for the change in ESDP after 9/11. There is a need for an alternative analytical perspective in addition to and as a supplement to the neo-realist one[98].

Theories of European integration have rarely been used in the past to explain changes in high-politics such as security and defence. The reason for this was simple, the foreign and security policy of each member state in the EU was seen as a vital part of their national sovereignty, and hence the power of decision making was not in the hands of supranational institutions but rather in the hands of the nation states. With the introduction of the CFSP as the second pillar in Maastricht, the enhancement of CFSP in Amsterdam, and especially after St Malo and the Helsinki HG, this had changed. Since the St Malo summit in 1998 until today, more has happened within European security and defence than the fifty years before.

Institutional theory, represented here with NF and HI, is not in clear opposition or an obvious competing alternative to the state-centric theories of European integration. The theory questions some of the basic assumptions and offers a framework which can be regarded as supplementary to the understanding of the ESDP development. Institutional theory does not oppose neo-realism specifically as NF and HI were constructed to explain European integration and not state behaviour in the international structure. The assumption is that member states are important actors, but they are constrained by past decisions and functional and political spill-over effects which emerge from the institutions. The autonomy of the institutions as well as previous decisions shape the agenda and reduce the scope of action as processes turn irreversible.

In this chapter I will first show that there is some supporting evidence to the assumption that Amsterdam and Nice were influenced by past decisions. Second, I will analyse the process from St Malo to the Constitution to see if path dependency had any effects on the development of ESDP after 9/11. Third, the role of the Commission and

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[98] "When studying ESDP it is therefore important to have in mind that ESDP, despite it being intergovernmental and not supranational in nature, is part and parcel of the ever more dynamic EU integration process" (Knutsen:2002:1)

ESDP institutions will be analysed before I seek to find evidence for the spill-over effect. Finally, the ESDP after 9/11 will be analysed before a short conclusion summarizing the findings in the chapter.

5.1　　　　Maastricht and Amsterdam – making the foundation wall of ESDP

The Maastricht treaty embodied an intergovernmental consensus about CFSP. Maastricht undoubtedly impinged on the development of CFSP, which in turn was the fundamental basis for creating ESDP. One argument which underlines this path-dependent evolution is that the treaty of Amsterdam became a direct result of the previous decisions in the Treaty of the European Union (TEU). Within the TEU it was incorporated that a new negotiation round would be performed before the next treaty, hence the Amsterdam treaty was known as the revision conference or Maastricht II[99]. In the Maastricht treaty it was decided that during the next Intergovernmental Conference (IGC)[100] art J4 and art J10 in the TEU should be part of the intergovernmental bargaining and negotiation process. Hence, the new provisions of the Amsterdam treaty became a result of previous decisions and the member states seemed to have lost a part of their influence on setting the agenda.

The IGC before Amsterdam was formally started in Torino in March 1996. Several parts of the treaty which concerned CFSP needed to be clarified. The institutional settings and the previous decisions at Maastricht made government control less possible, especially on setting the agenda and the timing of the conference. However, it was the member states that decided that there should be a revision conference after Maastricht, and it was the member states that decided whether or not new provisions of the CFSP should be amended, hence the final decision was in the hands of the national governments. Nevertheless, the IGC was made under organisational factors that constrained and facilitated the new policy and decision making process[101].

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[99] An empirical evidence for this argument is that the summoning of the IGC was included in the TEU. The parties were bind to meet within a short time to evaluate the treaty and to negotiate further the unresolved elements. The Maastricht treaty listed a number of issues that were meant to be on the agenda of the IGC in 1996: "On the occasion of any review of the security provisions under article J.4, the Conference which is convened to that effect shall also examine whether any other amendments need to be made to provisions relating to the common foreign and security policy" (Art J.10 of the TEU).

[100] "An IGC is a conference where the representatives from the member states consider amendments to treaties. The outcome of the conference has to be agreed upon unanimously and ratified by all member states" (Bainbridge & Teasdale:1995:282)

[101] "The decision making process needs to be understood in a distinct historical, institutional and environmental setting, unveiling how actors are embedded in a web of structuring elements" (Sverdrup:1998:4).

The Maastricht treaty laid down regulations that contributed to shaping the agenda and the conference was not a voluntary process. The legacy from former political decisions and statements structured the course of the decision-making process (Sverdrup:1998: 7-9).

The process of legalisation accompanying the construction of CFSP reinforced the path-dependent process, as the foundations were laid of a legal framework within which foreign policy cooperation would have to evolve. Cooperation was institutionalised because there were formal rules of behaviour (Smith:2001:94). As examples of this Smith (ibid:2001:96) shows that the legalisation process of the TEU made demands on what was required by the member states[102].

"The emergence of explicit behavioural standards- rules and laws- is perhaps the most important manifestation of the institutionalisation of cooperation" (Smith:2001:99)

When something is "routinised" or a rule first has survived, other alternative solutions are limited because these solutions would have to be in accordance with former procedure. Most often the common positions become more than just a point of reference and for the EU the CFSP common positions took the form of a legal act of the Council and became binding for the member states:

"[…] the very idea of common foreign and security policy reflects a higher order obligation than the notion of consulting or cooperating in foreign policy" (Smith:2001:96-97).

The cooperation within CFSP which emerged after Maastricht was not a new path; it was a cooperation which was continued in the existing surroundings of former decisions. The introduction of the Petersberg tasks which became a part of the Amsterdam treaty was a legacy from the WEU. Art. 17 (former J.7) in the Amsterdam Treaty opened for WEU integration in the Union[103] and the Amsterdam treaty provided the CFSP with a new institution, the Policy Planning And Early Warning Unit, the task of which was to meet the new challenges of the enhanced CFSP cooperation.

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[102] TEU art 11.2 : "**shall** support the Union's external and security policy […] **shall** refrain from any action which […]". TEU art 16 : "**shall** inform and consult one another […]". TEU art 15: "**shall** ensure that their national positions […]". TEU art 19 : "**shall** coordinate their action in international organisations […]

[103] "The Western European Union (WEU) is an integral part of the development of the Union providing the Union with access to an operational capability notably in the context of paragraph" (Art 17, subparagraph 2, Treaty of Amsterdam (1997).

The likelihood of the EU adopting the Petersberg tasks without the historical decision on the WEU summit in 1992 seems very small. At the same time, the institutional cooperation within the CFSP had opened for a need to have a front figure if the CFSP were to have any role on EU foreign and security policy. The CFSP cooperation became a foundation wall – making it easier to build the next project on the standing foundations than to make new ones.

The two most important factors contradicting the path-dependent assumptions from Maastricht to Amsterdam are the rational and state-centric view on the one side and the importance of external crisis and shocks on the other (Bono:2002). At first, the state-centric view (which LI asserts) assumes that even though decisions from the past shape the future, the nation states are in general in control of the process. That is, if the stakes are too high for a member state, or it does not see the development as beneficiary, it can opt out (in the Amsterdam treaty: "constructive abstention"), which in fact gives all power to the nation states if the desire to reject a decision is strong enough. However, the deeper the integration and institutionalisation of process becomes within a policy area, the more difficult it will be to withdraw, or for that matter, to be the one single country which will not agree to consensus when all others have.

At the time of the Amsterdam IGC, Europe had just witnessed the collapse of Somalia, the genocide in Rwanda and the civil war in Yugoslavia with a failed EU common policy on display, especially in former Yugoslavia. If the timing of the IGC in Amsterdam had been different, the outcome would most probably have been otherwise; undoubtedly, both external and internal events shaped the conditions for the design of the new treaty (Sverdrup: 1998:19). The war in Yugoslavia became a perfect example where the EU could not speak with one voice; hence, the decision to construct a HR for CFSP might have been a product of lessons learned by the member states as well as internal institutional pressure.

Another factor which altered the agenda was the British election in 1997. When Labour won the election, the interest in the concept of cooperation and flexibility decreased in the EU as the change in British government removed the "problem" of the British Conservatives (Sverdrup:1998:20). This argument is particularly in line

with the notion of the two-level game where the new government changes a state's preferences as the election has given the government the necessary domestic support (or what Putnam calls "win-set", Putnam:1988) to alter the policy towards the EU. The argument is a parallel to what Pierson calls the restricted time horizons of the political decision makers. However, it is well-known that for British policy the Conservative scepticism towards the EU is more in line with the British opinion polls (Eurobarometer 1995-2005). Nevertheless, very often the domestic pressure from the voters is less important within foreign and security policy, which in the case of Britain, gave the government the necessary room for policy change vis-à-vis EU.

5.1.1   From St Malo to the Constitutional treaty

"At its simplest level it can be argued that ESDP is both a political and legal concept. It encapsulates a number of decisions taken by EU member states, both on a bilateral and multilateral basis, beginning from the autumn of 1998 at St Malo" (Bono:2002:5)

It is argued by many scholars that the Franco-British summit on St Malo was a direct result of the crisis emerging in Kosovo and of Europe wanting to avoid another Bosnia where the EU as an international security policy actor was a total failure. In this sense it seems that HI is not particularly valuable to explain the process of St Malo. However, although it was the external crisis that made the British and the French to take this lead in the EU, the process was still a result of previous historical decisions and institutionalisation. Without the institutionalisation and the legalisation of the CFSP first at Maastricht and later at Amsterdam it seems likely that the Kosovo crisis could have led to another reaction from the great powers in Europe (NATO, uni- or bilateral solutions) than the continuation and strengthening of the role of the CFSP.

Once again, an important process in the Union was a result of external factors. The end of the Cold War had produced the Maastricht treaty and the crisis in Kosovo made the ESDP. However, it was not that simple. Why should the two major military powers of Europe join forces in the EU and hence give away some of the control of the evolution of military capabilities into the hands of the Union? From this point of view, the Franco-British decision was not rational. However, after the Amsterdam treaty (which was signed in October 1997) and the enhancement of CFSP with the Petersberg tasks

and the suggestion of an integration of the WEU into the EU, it became logical to continue to build on this already evolving institution instead of creating competing ones, or bilateral ones[104]. The St Malo summit did not invent a new way of organising an important part of the CFSP. The governments of France and Britain followed the path that was laid before them. This path started already in 1992 where the Petersberg accords were adopted by the WEU. There was no radical change in St Malo. Although it was a turning point with the emphasis on EU developing military capabilities (which was not a new idea, but earlier it lacked the necessary initiatives) it followed the same path which the WEU, Maastricht and Amsterdam had laid down.

One thing which the Amsterdam treaty gave the EU was a HR for CFSP[105]. This could have been a strong incentive for why France and Britain wanted to build military capabilities within the EU rather than the NATO context, filling the capability gap and turning the EU into a security policy actor. Another important argument is of course the fact that Britain did not want to be left behind if a European defence capability initiative was taken. Instead, the Britons took the lead[106].

The case of St Malo shows that the path dependent development does not make decision makers slaves of the past, although the evolutionary development stems from a sequence of choices. Because of the path-dependent character of the development, small and well-timed interventions can be multiplied by other forces enabling reforms (March and Olsen:1995:44). Past decisions are both enabling and constraining factors.

HI theorists might claim that there is a strong correlation between the treaty of Amsterdam and the treaty of Nice. The IGC in 2000 before the Nice treaty was supposed to deal with the so-called "Amsterdam leftovers" (Sverdrup:2001:7), just as Amsterdam had to deal with the unsolved problems in Maastricht. The 2000 IGC before the Nice treaty became influenced by some of the same self-committing mechanisms which the Amsterdam treaty had inherited from Maastricht. This time the

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[104] The intention of the St Malo was to take on crisis management operations in the framework of the Petersberg missions (Haine:2004:43)

[105] The proposal to have a HR for CFSP was initially originated as a French proposal. (Missiroli:2004:61).

[106] As a part of wider European policy the Blair government's strategy considered that only through the Union could the European's military means be enhanced – In fact, the British imperative for St Malo was that it was the only way to save the foundation of the transatlantic relationship- [US wanted Europe to participate more]Haine:2004:43).

Amsterdam treaty laid down procedures for the upcoming IGC[107]. Consequently, both the convening and the content of the IGC were to a large extent path dependent (Ibid). One of the main reasons why it became difficult for the member states to alter the agenda was the national adaptation, legalisation and institutionalisation of previous EU decision making in the member states. (Sverdrup:2001:19)[108]. However, these issues did not affect CFSP/ESDP in the same sense as the treaties as a whole - at least not before the Helsinki HG in 1999, as the CFSP provisions in Maastricht and Amsterdam did not create any serious obligations for a common defence and security policy which implied the use of military capabilities. Legalisation and national parliament's ratification of the new course and the creation of ERRF made the HG into a decision which would have serious impacts on future security and defence policy.

There are also arguments that the past decisions in the EU were less important. One example is that the Helsinki EC summit in 1999 redefined the WEU "acquis", whereas it was decided implicit in the HG that the military forces should undertake combat-type operations (Bono:2004:447).

After the Helsinki HG the general tendency of new proposals was to push ESDP closer to a "real" defence (Working Group VIII:2002). In the Convention it was suggested to meet the new threats of terrorism with the forming of a so called "solidarity clause"[109]. Even though the past decisions and historical evolution made important impacts on the decisions about security and defence in the Convention, the solidarity clause was a direct result of the terrorist attack on 9/11. Without any terrorist attack on 9/11 it seems hardly likely that the Convention would have suggested such a proposal. In its Franco-German incarnation this idea was presented as a deliberate echo of EMU (Bailes:2003:27) as resistance from the neutrals and the Atlanticists in the EU made strong implications that a pioneer group would consist of countries from the heart of Europe (like the EMU which did not get the support of Sweden, Denmark and Britain). The draft clauses for the Constitution suggested that to compensate for this problem

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[107] "At least one year before the membership of the European Union exceeds twenty, a conference of representatives of the governments of the Member States shall be convened in order to carry out a comprehensive review of the provisions of the Treaties on the composition and functioning of the institutions" (Article 2, Protocol of the institutions with the prospect of enlargement of the European Union, Treaty of Amsterdam:1997).

[108] "The Europeanization of the domestic administrative institutions of the nation states made it increasingly difficult to maintain the idea of a clear separation between domestic position formation and international negotiation" (Ibid:2001:19).

[109] "The Union and its Member States shall act jointly in a spirit of solidarity if a Member State is the object of a terrorist attack or the victim of a natural or man-made disaster […]" (Art I-43, Treaty establishing a Constitution for Europe : 2004)

the full Council would take the decision (which would mean legitimacy) while the execution of the ESDP tasks could be delegated to a smaller group. In a sense both Schengen and the EMU became examples for solutions, thus being a product of a path dependent heritage from other policy areas which might also indicate a spill-over effect. These flexible arrangements were already amended in the Nice treaty[110] and followed the precedence from Amsterdam (Art 23.1, TEU) where Denmark decided to opt-out of the new CFSP provisions[111]. The part of constructive abstention was proposed to be a part the new Constitutional treaty in the Convention:

"The launching of an operation would be decided unanimously, but the rules on constructive abstention would apply [...]. Member States not wishing to support an operation actively, in particular those not wishing to contribute militarily, would be encouraged not to oppose the operation, but to abstain" (Working Group VIII:18)[112].

A future ESDP operation would be run on behalf of and under the "strategic control" of the whole EU (Missiroli:2004:68). The evolution of the process made premises for the future design of ESDP cooperation as both the ESS in 2003 and the battle groups concept from 2004 followed in the same direction.

A similar path dependent process can be found in analysing the text covering CFSP/ESDP provisions in the treaties from Maastricht to the Constitution. The Constitutional treaty subparagraph 2 in Art I-41 says:

"The Common security and defence policy shall include the progressive framing of a common Union defence policy. This will lead to a common defence, when the European Council, acting unanimously, so decides"

This important legislative part of the provisions of ESDP was a "direct descendent" from Maastricht through Amsterdam and Nice. Each time this article has been changed, the amendments have created more common provisions and deeper integration within security and defence. At first in Maastricht the phrase was :

"which might in time lead to a common defence",   and the Amsterdam Treaty added:

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[110] "[…]The provisions of this article shall not prevent the development of closer cooperation between two or more member states on a bilateral level […]" (Part of Art 17, Treaty of Nice)

[111] According to the protocol on the position of Denmark to the Amsterdam treaty: "Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications, but will not prevent the development of closer cooperation between the member state in this area". According to Missiroli (2004:57) this is more a possibility to opt-in rather than opt-out. Denmark will automatically exempt from participating in the implementation of the policy, unless the country decides to do so.

[112] The attempt not to hinder the development of the ESDP from one or a few countries which did not want to participate is also found in the Constitutional treaty under art I 41, subparagraph 5 and 6.

"including the progressive framing of a common defence policy, in accordance with the second subparagraph, which might lead to a common defence, should the European Council so decide." and *"[…] with a view to the possibility of the integration of the WEU into the Union, should the European Council so decide"* (Art. J.4.1 of TEU, and Art 17 of the Treaty of Amsterdam:1997).

Article 17 in Title V was simplified in the treaty of Nice, but was a duplication of the Amsterdam treaty with the exact same words, only excluding the integration of the WEU which now had been formalised. However, at the same time the article was amended it was also creating new constraints for future decision making, among them amending first "should the European Council so decide" and secondly in the Constitutional treaty: "acting unanimously".

The analysis above shows that there is a path dependency between the treaties regarding CFSP/ESDP provisions. In fact, from one treaty to the next, the text is a continuation of the previous with amendments in the direction where previous decisions have made the path. This path has made the development irreversible and all new proposals and decisions have continued the evolution. The result over time is that the original decisions make unintended consequences beyond the original intent. Once an historical choice is made, it precludes and facilitates others. Political change follows a branching model (Krasner:1984:225).

5.2   The role of institutions - the Commission as the political entrepreneur?

According to Andreani (2000:83), the institutional dimension is the key to EU dynamics, embodying the driving forces of European integration. Originally, the member states created the institutions to overcome complex problems which they could not handle on their own, thus creating purposeful common institutions which became agents for their principal member states. However:

" the functions of supranational institutions may reflect not so much the preferences and intentions of their member state principals, but rather the preferences, and autonomous agency, of the supranational institutions themselves" (Pollack:1997:101)

In many terms, the evolution of the institutions made the relative autonomy of EU institutions being determined mostly by the extent to which they could free themselves from the control of the EU's member states (Peterson:2001:300). This was originally

the function of the Commission in the first pillar. However, within ESDP the role of the Commission was marginalized. The Commission has had a non-exclusive initiative right in the CFSP after Maastricht, the same right as any other member state. Nevertheless, as this part of the analysis will show, the Commission has suggested several proposals and many of them became quite influential. This is a reason why the role of the Commission is seen as a political entrepreneur. Already in 1995 the Commission proposed to abolish the principle of unanimity and hence to introduce a more effective decision making procedure with more Qualified Majority Voting (QMV) in the Council (European Commission:1995). What is more astonishing is that the Commission in 1996 during the IGC before Amsterdam proposed:

"[…] introduction of explicit provisions to ensure that the Union can speak with one voice in international organizations and thus defend all the relevant interests more effectively"

Other proposals were the construction of a Political Committee within the Council to prepare decisions, QMV to be the norm for taking decisions under CFSP, possibility of Union action by a limited number of Member States when the others do not oppose it though they need not participate, provided the Union's common interest is duly represented, adopting the Petersberg tasks into the Treaty of Amsterdam, incorporating the WEU in the EU, and finally, closer integration of the armaments industry which implied closer cooperation including the establishment of an armaments agency (European Commision:1996).

It seemed in fact that most of the changes from Amsterdam to Helsinki and even the eventual creation of the EDA in 2004 originated as proposals and initiatives from the Commission. However, this is not surprising. Within a rational choice perspective, making CFSP/ESDP more supranational will be in the Commission's (and its actors) interest as it will gain more influence over the process. Even though the findings above show that the Commission very early became a political entrepreneur for the evolution within ESDP, the Commission did not seem to have suggested any enhancement of military capabilities as was the theme on St Malo. Rather, within the domain of high politics the Commission had a low profile, although it continued the phrase from Maastricht: *"A real common foreign and security policy has to extend to common defence"* (Ibid:1996).

But what was the role of the Commission before Cologne and Helsinki? These two important EC summits laid the foundations of the ESDP. Normally, the Commission had expressed its views even within the intergovernmental parts of the EU, as showed above. It was natural that the Commission, as it had done in the past about CFSP, would argue for a more supranational control of ESDP[113]. However, during decision-making to enhance EU's military capabilities in St Malo, Cologne and Helsinki, the Commission was more a follower than the organizing entrepreneur. The Helsinki EC called on the Commission in December 1999 to set up a Rapid Reaction Facility for the civilian crisis management to follow the HG. It was not the other way around[114]. The Commission did not have any role before the St Malo summit, the summits in Cologne or Helsinki. In fact, a review of all Commission press releases in 1999 before Cologne and Helsinki and in 2000 before the Nice treaty and the IGC can confirm that the Commission was not setting the agenda for security and defence. The Commission may have functioned as a political entrepreneur within several areas, but in the areas of security and defence, and especially the question of military capabilities, the initiative was first and foremost in the hands of the nation states.

Although the Commission only played a minor role in the creation of ESDP it still had influence in other areas. In 1997 it was decided that the budget expenditures of CFSP would not decrease the following budget years as long as the Commission did not propose otherwise[115] (EU Bulletin 1.4.1, 7/8 1997). In many ways the decision can be interpreted as an irreversible and path dependent decision. The proposal from the Commission was implemented in Art 28 of the Amsterdam treaty and today the ESDP expenditures are divided in the same manner; the Union budget have all "administrative expenditure", while for the military operations "costs lie where they fall" (Missiroli:2004:68).

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[113] Before the Nice treaty: "The Commission is convinced that only an integrated approach to crisis management can guarantee the consistency and efficiency that enable the Union to fully play its role on the international scene". (Prodi:2000)
[114] "I have also decided that, with the Member States, the EU should work up non-military headline goals, to match the military on the creation of the Rapid Reaction Force" (Patten:2000)
[115] "The agreement provides for CFSP operational expenditure to be charged to the Community budget except in cases where the expenditure relates to operations with military implications or in the defence field or where the Council unanimously decides otherwise" (EU bulletin 1.4.1, 7/8 1997)

There are several other examples of the Commission being a political entrepreneur. The Euro-Mediterranean partnership[116] (the Barcelona process), the "Wider neighbourhood" report from March 2003 (European Commision:2003a) and the "EU-UN Joint Declaration on cooperation in crisis management" serve as examples on the Commissions ability to focus on "soft power" and setting the agenda. The latter report laid the foundations of the comprehensive and conflict preventive approach to the new security threats especially focusing on multilateralism and the cooperation with the UN in a period of strong transatlantic tensions (European Commission: 2003b), which in fact became the path the member states chose to take when signing the ESS.

5.2.1 The role of ESDP institutions

Within institutional theory it is argued that specialized and fragmented institutions may be "stickier" than integrated institutions (such as cabinet governments) and thus may promote path dependency in policy outcomes (Peterson:2001:302). The institutions of ESDP are typical specialized and fragmented institutions. Following this argument one would believe that the ESDP institutions sets the agenda and promotes a path dependent behaviour within ESDP. In connection with the HR for CFSP, additional bodies and institutions were established in order to cope with the increasing load of policy formulation and implementation that the ESDP imposed on the Council secretariat. First proposed in the Cologne summit in 1999, the interim of the PSC, EUMC and EUMS started their work in March 2000 (Missiroli:2004:63). The area of foreign, security and defence policy became one of the most institutionalised policy areas in the EU, already having institutions like the rotating presidency, the General Affairs Council (GAC), the Political committee, COREPER, the Council secretariat, and the Commissions Directorate General for external relations. The ESDP institutions that were formed were not supranational in nature, as their forms of functions were under the intergovernmental decision making structure of the second pillar. Nevertheless, their role was not to focus on maintaining the intergovernmental

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[116] The Barcelona process is an attempt to contribute to regional peace and stability in Europe's surroundings by :
1) Having a political and security dialogue with the countries in the region, 2) Constructing a free trade area, 3) Rapprochement between people through cultural, social and human partnership between civil societies (Wolff:2003)

structure, rather, their role and mandate became to emphasise and develop *European*[117] structures for defence enhancement and cooperation[118]. According to Howorth (2003) the work of the newly created institutions was essential and invaluable for the possibilities of making the ESDP operations in 2003; hence the creation of the institutions had a direct impact on the decision making at the intergovernmental EU level. For the PSC, meeting two-three times a week they gave the Council valuable opinions of policy formulation and overseeing the implementation of agreed policies. The HR for CFSP and his secretary became a strong an important institution in filling in the role of internal coordination and external representation. The EUMC institutionalised and made important routines for the cooperation of the Chiefs of the Defence Staff, and finally, the EUMS contributed with formalising the problems of command and control, rules of engagement and logistics and communication. Building on the "acquis" gained from the WEU planning for the Petersberg tasks (Bono:2004:447), the EUMS had also contributed with the development of "the broader politico-military policies" concepts and procedures, information policy and a handbook of crisis management procedures.

The core of the debate is the question if the governments in Europe would have decided to engage the ESDP operations without the preparation of these institutions?

The institutions created opportunities for the decision makers which both enabled and constrained further development in a certain direction. As history of European integration has showed, this direction has moved, although with setbacks, more or less in one direction. A contrast to this argument is that it is the member states that provide the capabilities to be mobilised. There are no legal obligations to mobilise these capabilities, hence it requires a peculiar combination of willingness and ability to put these capacities at the disposal for the EU. Once again it seems, institutions are important, but the member states make the final decisions. However, the pressure for

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[117] "The committee [about PSC] has succeeded in avoiding the conflicts between national capitols and "Brussels" which many had foreseen at the outset This it achieved by an interactive process of constantly reconciling national positions until a European position emerged" (Howorth:2003:20)

[118] Over time, the identity of the actors working in the different common institutions, although the institutions make proposal to an intergovernmental decision making structure like the Council, will be Europeanised. This "Brusselisation" is an important underlying variable for the development of identity amongst the actors in the institutions (Sjursen:1999, Rieker:2004). In the field of analysing identity and change of preferences amongst nation states, institutions and their actors, there have been done substantial work. However, the debate is often related to sociological institutionalism, "logic of appropriateness" and social constructivist theories.

each member state to follow the majority and an often pre-determined path is strong as the process of abstention is legalised in the treaty[119] (Missiroli:2004:66-67). The cooperation in the Union was institutionalised in a sense that made precautions where the possibilities for different actions are reduced for the member states. These instruments makes it extremely unlikely that a member state would decide to block an ESDP decision (Ibid:2004:67).

It is also worth mentioning that it was only the PSC which was treaty-based in the Nice treaty. This means that the EUMC and the EUMS are not treaty based, which is an example that the legalisation process did not cover all aspects of the ESDP. The reason for this exception was mainly due to the reluctance of the neutral member states to have these institutions as part of the treaties. ESDP has in many ways moved forward by intergovernmental decisions first, with a codification to follow only later on. The only exception is the creation of the HR, which preceded rather than followed the ESDP (Ibid:2004:65). In the long run, however, HI theorists will argue that almost all decisions were bound by and constrained by the decisions made in the past.

5.3   The Spill-over effect

Within institutional theory presented here, the differences between HI and NF are indeed very small. However, one distinction often made is that HI can explain continuity while NF can explain change (Peterson:2001:297).

From NF theory it is possible to assume that ESDP is a result of the spill-over effect from economic integration. The increased level of cooperation in the economic sector, exemplified by the EMU project, influenced the emergence of ESDP. NF theorists will therefore give a primary role to an analysis of how economic and monetary decisions shaped the debate about military and security issues (Bono:2002:9). Empirical analysis has shown that the effect of spill-over has not been automatic. However, it is obvious that European integration has gone from less intergovernmental to more supranational. NF theory predicts that there will be a political spill-over when supranational officials initiate a preference for cooperation in other sectors. In 1999 the implementation of the

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[119] "Such abstention must be qualified in a formal declaration: it does not oblige the member state(s) in question to apply the decision and pay for it, but only to accept that 'it commits' the Union. Such a qualified abstention blocks the decision only if the member states who choose it amount to more than one-third of the weighted votes in the Council (Art.23.1, TEU)

Economic and Monetary Union (EMU) reached its third phase; currencies were deadlocked and the European Central Bank started to function as preparations for implementing the Euro in 2002 was starting (Egan:2003). The Single market and other economic areas were now well integrated within the first pillar of the Community and the European economic project was deemed, preliminary, as a success. If the theory of spill-over is correct, initiative for St Malo and the continued process of establishing ESDP under the summits in Cologne and Helsinki, would be a process of a political spill-over where the supranational actors of the Commission and the other institutions guided the further process of integration. However, the St Malo process did not seem to be the result of any influence by supranational institutions (as shown above with the role of the Commission) or a result of a spill-over effect from the positive experience from economic integration. Nevertheless, if the economic integration and the Community project had failed, is it likely that the historical arch-enemies of Europe would have decided to cooperate within the realm of high politics as well? Undoubtedly, the economic integration and cooperation between the member states could be seen as a reason for wanting cooperation within other sectors of the Union. The weakness of NF theory in trying to explain St Malo is that the meeting took place without The Commission or the EP playing any role, and as argued above, it was triggered first and foremost of the temporal context of the Kosovo crisis[120].

The concept of functional spill-over and vertical effects of cooperation seem to be parts of NF theory which is more eminent. This is also more in line with path dependency. An argument in this direction is that the St Malo summit was made possible because of the enhanced cooperation of the member states within the CFSP in addition to the creation of a HR which reinforced the institutional dimension. However, it was first after Labour won the election in 1997 that the British took an interest in the CFSP cooperation in the Union. In the period before 1997 the Britons had been the biggest brake for this cooperation.

The spill-over effect has a stronger explanatory power in explaining what happened after St Malo, than explaining the process of security and defence integration as a

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[120] Still, it can be argued, within the context of NF, that the Franco-German "special relationship" was the basis for the negotiations in Maastricht and Amsterdam, where a link between EU's external role and the WEU peacekeeping and defence tasks was extremely important for the further development of the ESDP. The "special relationship" between France and Germany seemed to be a product of the economic integration EMU in the EU (Bono:2004:443).

whole. Once initiated, the St Malo initiative lead to a spill-over effect in adjoining sectors, thereby propelling the integration of security and defence onwards. The proposal to create new institutions for ESDP in Cologne and of course the construction of the Helsinki HG can be seen as direct links from the St Malo initiative[121]. The process of functional spill-over continues and the institutions "help" the member states to overcome complex issues more effectively, thus creating possibilities for making crisis management operations as it happened in 2003, and again the means and possibilities for actions and decisions are directed by the institutions. The evaluation of the ESDP operations in 2003 led to the decision to create an agency which could enhance the Union's effort to coordinate the construction of the common military capabilities, hence the EDA was formed. The success of the operations in 2003, the cooperation between the member states and the function of the institutions made it possible to create the ESS, the battle groups and suggest that the EU should take over the NATO SFOR in BiH. Integration begets further integration (Peterson:2001:297). In this sense, the functional spill-over effect can explain one reason for the ESDP development from St Malo until today. Pierson (1998) argued that the spill-over effect was only likely to occur under rather specific circumstances, namely where policy consequences and future circumstances are uncertain, state preferences are unstable or time horizons are short. For the development of ESDP it is possible to argue that all these factors were present.

If economic integration did not produce political spill-over, NF theory seems to have several flaws. However, it is possible to find a political spill-over from another political process; **the enlargement process:**

"With a view to the forthcoming enlargement of the Union, most members of the Group consider it is more important than ever that the Member States should agree to move from unanimity to other decision making procedures […]" (Working Group VIII:18).

The decision of enlargement made by the EC in Copenhagen in 2002 lead to the necessary evaluation of decision making procedures and of course, to a political spill-

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[121] It also produced other forms of functional spill-over effects: "Following the Cologne Conclusions and in the light of the Presidency's report, the Conference will examine the size and composition of the Commission, the weighting of votes in the Council and the possible extension of qualified majority voting in the Council, as well as other necessary amendments to the Treaties arising as regards the European institutions in connection with the above issues and in implementing the Treaty of Amsterdam" (Helsinki Presidency conclusions part I, no 16, European Council:2003b)

over effect where the enlargement process (which was first initiated early in the 1990s) seemed to make unintended consequences beyond the original intent. Enlarging the EU from 15 to 25 states made it necessary to make several changes that can be seen as a result of a political spill-over effect from the enlargement process. As mentioned in chapter four, one of the reasons for the creation of the ESS in 2003 was the enlargement process. It was a strong *rationale* for the EU-15 and especially the great powers in the Union, to have a security doctrine in place before the enlargement in May 2004. The enlargement process gave incentives to strengthen the supranational institutions (especially the role of the EP) in order to meet the demand and accusations of lack of democratic procedures ("the democratic deficit")[122]. According to Peterson (2001:297), NF usually helps explain how the structural context of the EU decision making changes, such as via the shift to increased QMV and the empowerment of the EP. In the case of enlargement, NF's predictions of a political spill-over effect may have been correct. With the enlargement, the integration process had to move forward; hence there were also institutional building implications for security and defence issues. However, even though there was a political spill-over effect from the enlargement process, this did not affect the ESDP in any large scale and a common defence is still not established. The changes proposed in the Constitution of more supranational elements issues were still seen as insignificant in the eyes of state centric theorists and do not change the strong intergovernmental character of ESDP[123].

5.4   ESDP after 9/11- Internal dynamics as reasons for change?

Following the ESS and the success of the ESDP operations in 2003, a lot of changes happened within ESDP. A number of so called "breakthroughs" in the building of the EU's policy corpus and structures regarding ESDP happened as an effect of the ESS : The firming of proposal for the EU to take over the NATO SFOR operation in BiH,

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[122] Changes proposed in the Constitution was that co-decision (between Council and EP) should be used more frequently giving the EP decision making influence in 95 % of EU decision making. However, the influence of the EP in security and defence matters was still marginalised as the Council only needed to consult with the EP on CFSP matters (Art I 40, Treaty establishing a Constitution for Europe)
[123] The role of the EP in ESDP is to approve the Community budget for the common institutions and to be consulted when decisions have been made (Missiroli:2004)

the decision to set up an agency in the field of armament and defence capabilities[124] and the reaching of agreement (after considerable Franco-British negotiation after the "Tervuren" suggestion) on the establishment of a small EU military planning cell in NATO (Bono:2003:446)[125], and finally a provisional agreement among member states to strengthening leadership in EU external policies - an EU foreign minister (Bailes: 2005: 19). The effects of the 2003 ESDP operations and the construction of the ESS became a confidence building value contributing to the relative non-controversial creation of the battle groups in February 2004. However, Bailes (2005:20) argues that no direct cause and effect link can be claimed from the adoption of ESS to any of these other moves. They are perhaps best seen as parallel reflections. In this view the assumption of the path dependent or functional spill-over effect from the ESS is not present. However, there are several arguments for the opposite. In fact, the trilateral battle groups concept was constructed based on the strategy agreements from the ESS, the continuation of a so-called "coalition of the willing" which can be traced as far back as Amsterdam. The formulation of the ESS and the process of the Constitution are one of the variables in the long list of historic decisions which may explain the creation of the EDA[126]. Finally, it can be argued that the EU take over of the SFOR in BiH could not have been achieved without the ESS. In the EC summit in December 2003 where the ESS was endorsed, the EC decided four topics to follow up: Effective multilateralism with the UN at its core, terrorism, Middle East and BiH. The follow up decision made at the summit functioned as a constraint for future developments and decision making, and it introduced BiH as an area of commitment for the ESDP (European Council 2003b).

The EC summit in June 2004 also endorsed a text forwarded from the Council concerning "comprehensive policy" for BiH, which was explicitly identified as the

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[124] Council decision of 17 Nov 2003 created a team to prepare for the establishment of an agency in the field of defence capabilities development, research, acquisition and armaments (Official journal of the EU L318/19, 3 December 2003).

[125] It is now known as the civil military planning cell and is linked with a (non-standing) EU operations centre – in parallel with an EU planning implant in the NATO structure (Bailes:2005:19)

[126] The EDA is seen by many as a result of the new security and defence integration in the ESDP and some might argue the importance of its predecessor, the OCCAR (Organisation Conjoint de Cooperation en matiere d'Armement) which was established in Nov 1996 by the Defence Ministers of France, Germany, Italy and Britain (it was also a Commission proposal for the IGC in 1996). Its aim was to provide more effective and efficient arrangements for the management of certain existing and future collaborative armament programmes :"The Agency [about future EDA] would incorporate, with a European label, closer forms of cooperation which already exist in the armaments field between certain Member States (OCCAR)" (Working Group VIII:22).

response to the ESS related mandate of December 2003. The text underlined the political aim of putting BiH *"irreversibly on track towards EU membership"* and otherwise consisted of a set of general and specific measures to improve the coherence of the EU's various activities and instruments in BiH with special reference to the impending EU takeover of SFOR (Bailes:2005:22).

Recently, three more examples within ESDP development can be used arguing for a path dependent and functional spill-over effect, especially from the 2003 development. First, the EC summit in June 2004 decided on the HG 2010 which seemed to be a direct response to the follow-up decisions made at the Brussel EC summit in 2003 (Quille:2004). Second, the normative focus on legitimacy in the ESS created a new environment that had to be explored. In a report delivered to the HR of CFSP in September 2004, a study group concluded that the EU needs to build on a doctrine based on human security[127] (Kaldor et al:2004). It seemed that the EU with this report was questioning the norms and the legitimacy of the last 60 years in the international system. The fall of the traditional security concept after the Cold War, the interventions in Kosovo and Iraq without a UN mandate, and the focus on the EU as a global actor with its new security doctrine made it necessary for a debate on these issues, thus a functional spill-over effect from the ESS can in some sense be recognised. Third, the decision to create a European security and Defence College and finally the construction of the European Gendarmerie Force (EGF) are examples of other path dependent and spill-over products of the evolution. (BBC:17/09:2004)[128].

5.4   Is the change in ESDP a result of spill-over and path-dependency?

In this chapter I have been preoccupied *why* there is a change in ESDP and if institutional theory has any explanatory power. I have showed that there are several factors supporting the hypothesis that the change in ESDP after 9/11 is a product of spill-over and path dependency. The first argument in this line is the evidence of a path

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[127] "Human security" refers to the protection of individuals, as opposed to "state security," which refers to the defence of borders.

[128] The EGF cooperation can be traced back to the "Eurofor" which was created in 1995 by France, Italy, Portugal and Spain to meet the adoption of the Petersberg tasks in the WEU, and also the "Eurocorps" (France, Germany, Belgium and Luxembourg). In 1999 The Cologne summit agreed to redefine the Eurocorps into a European crisis reaction corps directly connected to the CFSP (Sjursen:1999:9). The EUMS inherited procedures and policies from both "Eurofor" and "Eurocorps" (Bono:2004)

dependent process. HI theory recognizes that the member states are important actors and ultimately make the decisions. What is not so obvious is whether the process of developing ESDP is voluntary or if the member states are constrained by former decisions and the historical development. Furthermore, how is it possible for the member states to shape the agenda or alter the agenda? The more institutionalised the cooperation within ESDP gets, the more costly it will be for any member state to try to opt-out or wanting not to be a part of the evolution. The member states are not as solemnly powerful as state centric theorists will claim, although finally, they make the decisions, but with highly questionable degree of voluntariness and a lack of options to choose from[129]. Once an EU policy is set, it is often even harder to change it, even when it has outlived its usefulness (Peterson:2001:302). From the treaty of Maastricht all the way to the Constitution and ESS, previous decisions make unintended consequences and constrain the dynamics of the evolution of the ESDP. Decisions are made on the basis of norms and rules accumulated from past experience and learning, rather than on calculations of preferences and the anticipation of future events (Sverdrup:2001:4-5). Rules and procedures are institutionalised in a cultural setting which creates a legacy making it almost impossible to change or redirect policy which is not in accordance with the past.

The second argument supporting the hypothesis is the role of institutions and supranational actors. The Commission can be regarded as a political entrepreneur as it becomes a powerful actor setting the agenda and leading the process of further integration. However, there are also limitations on the influence of the Commission. The analysis has showed that the Commission's role is almost non-existent before the St Malo summit and the important Cologne and Helsinki EC meetings when it comes to shaping the agenda of security and defence policy. Nevertheless, several changes in the development of the ESDP derives originally from Commission proposals.
Considering the role of the ESDP institutions, they have become agents for their principal member states eventually evolving incrementally within the existing norms

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[129]"Member state preferences are still affected in turn by the EU policy making process. Once the member states have agreed that the EU should pursue particular objectives , they become involved in a process in which their initial preferences are reshaped, and in which they must make compromises over how these objectives will be achieved" (Smith:2003:197)

and procedures in a path dependent way. The "Europeanisation" process within the institutions reinforces their autonomy and the institutions become independent actors in the game. The role and function of these institutions had a serious impact on the operational capability and the will to use crisis management and military operations in 2003.

The evidence of a spill-over effect is the third argument supporting the institutional approach. Although the political spill-over from the economic sector to the policy area of security and defence is not so eminent, the political spill-over from the enlargement process is. Apart from the creation of the ESS, which can be seen as a spill-over from the enlargement process, there are few other implications from this process that affected the "high-politics" of ESDP. The functional spill-over effect can explain how the St Malo initiative lead to the ESDP changes after 9/11. Yet, the most eminent weakness of NF assumptions is the attempts to generalise about the integration process, thus it has problems to explain why a more marked level of integration in the military and security field did not develop under SEA or under Maastricht and Amsterdam treaties and why it is the end of the 1990s that the integration has taken place (Bono:2002:10). Another factor is the focus on the automaticity of the process. European integration did not expand steadily, but it stops and starts (Moravcsik:2005:6)[130]. Beyond the attempts to generalise and the focus on the automaticity of the process, NF theory has several aspects which are valuable in analysing the reason for change in ESDP after 9/11.

Focusing on institutions, path dependency and the spill-over effect, a major weakness of institutional theory is its lack of explaining external factors as an important variable. However, it is possible to claim that external factors is an underlying variable for shift in government preferences, thus HI can partially explain this impact. During the creation of ESDP in 1998/1999 the Kosovo crisis seemed to be the direct cause of the EU policy change. Even though it is empirically impossible to investigate, it can be argued that without the Yugoslavian civil war, NATO renewal and the Kosovo crisis, the ESDP would not have been constructed. It seems that dramatic external shocks

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[130] "Whenever integration stagnated, scholars criticised NF, whenever integration progresses, they rediscovered it" (Moravcsik:2005:9)

created a situation where the existing rules and procedures were unhelpful for interpreting the world and create meaning (Sverdrup:2001:5). Still, the possibilities for decision and actions, at least within the EU, are constrained and enabled by the institutional evolution and past decisions, hence, the decision to create the ESDP within the institutional context of the EU did not evolve from the blue. Another aspect is that once the external factor have created new decision making within the frames of previous decisions, the further process and evolution can be explained by institutional theory. 9/11 made the EU focus on terrorism and when initiated, this policy became path dependent for the ESDP, like any other external shock or crisis. Institutional theory obviously has no place for seeing the change in ESDP as a result of the reoriented US foreign and security policy. Beyond explaining shift in government preferences as a result of the logic of elections, institutional theory focuses on the internal variables of the integration process.

The restricted time horizons of political decision makers due to the logic of elections are factors which create deviation between the nation states planned and actual control over the integration process. The Labour victory in the British election in 1997 seemed to be one of the main reasons behind the will and effort to focus on the EU as a security policy actor at St Malo. The problem with HI is that it has difficulties in explaining dramatic shifts which are not products of any path dependency. Although the theory takes into account the importance of short term political effect as a rationale for intergovernmental decision making in the EU, the theory fails to explain decision making which is not in a path dependent context. The British election became *another* external factor where the shift in government preferences changed the development in the CFSP in a new direction. It was not a product of the past decisions. However, as I have argued earlier in this chapter, the mechanism that made the French and the British focus on the EU and its already established CFSP institutions as the "tool" for the job is an argument that it was.

6.   CONCLUSION

What explains the change of ESDP after 9/11 2001? On the basis of the preceding analysis the answer is less clear-cut than what might have been desired. Significantly, the theoretical approaches applied in this thesis offer partly complementary, partly competing explanations to our question. From one side one would argue that changes in ESDP were driven by the general of US foreign and security policy since 9/11. From the opposite theoretical vantage point, one would conclude that ESDP development was primarily a continuation of the European integration process, where path dependency, spill-over and the autonomous role of institutions are central explanatory factors. If we attempt to systematise the empirics, it appears that the ESDP has been part of three partly parallel processes of change. The first process refers to the incremental, stepwise development of ESDP from Maastricht until the present. The second process is externally directed and more recent; it points to the new security challenge in Europe, as displayed by the Kosovo crisis and lessons learned from the Yugoslavian civil war. This process heralds the St Malo summit and the decision to create military capabilities for the Union as the key moment of change. There is also a third process, however, in which ESDP development appears as European response to American unilateralism since 9/11. Here, integration is accelerated by a defined external impetus, inclining the EU towards an autonomous security strategy and "on the ground" military operations. To what extent can neo-realist theory bring light over these three processes, which together amount to the development of the ESDP?

First, if balance of power/balance of threat theory was to fit with ESDP development, we would, first, need to find evidence of a marked change in US foreign and security policy after 9/11. Our analysis has shown that there was indeed such a change; although some arguments point to the presence of unilateral US policy during the Clinton administration, it is clear that the focus on pre-emptive warfare and a more authoritative use of force after 9/11 indicates a turn towards more "aggressive intentions". The second point according to balance of power/balance of threat would be the perception among European countries that the new US foreign and security policy constituted a threat to European interest maximisation. As we have seen, 9/11

had primarily a long-term impact, as the initial reactions were those of strong European support for their American allies. In the fall of 2002 this had changed dramatically. The perception of American foreign and security policy as having novel, progressive features dissipated in Europe when pre-emptive warfare and American will to act alone entered centre stage. The US policy change became a threat to the European preference for multilateral institutions, consciously supported by the EU as well as national governments.

If European reactions led to a marked enhancement of ESDP *at the expense of* NATO and the nation states, neo-realist assumptions would hold much explanatory power. The development of ESDP military capabilities during 2002 and 2003 indicates a timing in which EU member states were using the ESDP as an attempt to balance the US. However, the enhancement of ESDP has not been at the expense of NATO[131]. The evidence has shown that a more correct assumption is to see the ESDP evolving not as a substitute to NATO, but as a parallel. The enhancement of the ESDP was the sum of member states preferences; most significantly, the principal member states wanted to solve the issues of the new security agenda which was too large to handle for the nation states acting alone. The security and defence policy of the EU has become post-national as the focus on protecting the territorial integrity has been reduced to the benefit of a broader security concept and the meeting of transnational threats such as terrorism.

The theory of balance of power/balance of threat would predict, furthermore, the development of a European security strategy which would emphasise balancing efforts towards the US. The decision to create the ESS was taken on an informal EU summit which started the day after the Iraq war was declared over. Although the ESS in many ways can be seen as an attempt to strengthen the military component at the EU level, it was also an attempt to reconcile the EU member states after the Iraq crisis. The analysis has shown that the ESS in many ways became the sum of preferences of both the status quo and antagonist states. However, the ESS was first of all a result of excellent diplomatic craftsmanship by the Solana team (among them the British Robert

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[131] Thus, although the creation of the NRF was a US proposal, the NATO member states of the EU approved and even contributed to this force on a large scale. At the same time, some of the strongest antagonists, like Germany, were contributing to the NATO take over of the ISAF force in Afghanistan.

Cooper) who were responsible for the drafting of the text. The ability to capture the essence of a "moral" balance towards the US and at the same time satisfy the Atlanticists, was one of the ESS main achievements. The European balancing efforts in the ESS was a combination of smart diplomacy and *realpolitik*. Even though there are many indications of balancing attempts with the ESDP as the "tool" of making balancing efforts, the American reactions to the ESS was quite positive. As the ESS did not focus on ESDP becoming a competitor to NATO, but instead enhance the ability to deploy military capabilities at the European level, the American reactions were quite positive as it was also a response to the US demands of Europe having the ability of "burden sharing".

The fifth and last criterion for neo-realistic assumptions to be viable is the execution and deployment of EU-led *military operations* as a reaction to the new American foreign and security policy. The Berlin plus agreement was a precondition for the EU's ability to execute the operations and the finalising of the agreement happened in a time period of strong transatlantic tensions. In the winter/spring of 2003 the transatlantic relationship was at its worst with the NATO crisis in February, the Iraq invasion in March and the Tervuren headquarter suggestion in April. In March the EU launched operation "Concordia" in Macedonia and in June the EU launched operation "Artemis" in DR Congo, the latter operation without using NATO assets and capabilities. This last example may be the strongest indication of a balancing attempt from the EU.

The analysis has shown that the incidents on 9/11 became a trigger for the change in US foreign and security policy and the Iraq crisis became the catalyser for the European effort to change and strengthen the ESDP. The ESS is the foremost marker in trying to show that the EU is balancing the US. However, the EU is far behind reaching equilibrium with the US. Nevertheless, the attempt to construct military capabilities within the framework of ESDP is at least an effort to fix the capability-gap between soft power and hard power tools in the EU, making it more credible to use hard power tools in a conflict situation in the future without having to call on the US for help. It is important to emphasise that a comparison between the EU and the US only makes sense if the EU is meant to do the same as the US (Ulriksen &

Rieker:2003:12). The effort to power balance the US through enhancing the role of ESDP was first of all an attempt to tip the scales and to meet the aggressive intentions of the superpower. It was not to make the EU into a superpower. The ESDP changes after 9/11 constituted more or less a normative and ideological balance towards the US at the same time as it was an attempt of balancing a hegemon which had lost its novel features. The importance of the balancing efforts was not to tip the scales in a sense where the US perceived the EU as a threat, but in a way where the ESDP could unite both the status quo and antagonist states and maintain the ESDP as a forum for common preferences among the member states in the subsystem.

It is an established fact that neo-realism fails both to explain the dynamics of the integration process in the EU and the two-level game as important factors to understand international relations, and I have in this analysis (only briefly about the two-level game) showed that they are. It is probably fair to claim that neo-realism is fruitful, but insufficient in rationalising the reasons for change in ESDP, or as Mastanduno (1997:51) says it: *"Realists are hardly in a position to declare victory and go home"*. The explanatory power of the theory is only valid on the case of ESDP after 9/11 when we modify the Waltzian ideas of balance of power to include balance of threat theory and at the same time we have to see the EU as a subsystem where hierarchy, not anarchy, exists among the states. This modification might make neo-realism more useful as a theory of international relations in the future when EU and the US are being compared.

Balance of power/balance of threat theory gives a very good contribution on how to explain the changes in ESDP, but it cannot explain *all* the reasons why ESDP is changing. To what extent can institutional theory explain this change?

An important part of the reason why the integration process has moved from less intergovernmental to more supranational has been the path dependent institutionalisation of process. The analysis has shown that there are some indications supporting this view. The changes in ESDP after 9/11 were the result of the path dependent process and the internal dynamics of spill-over first from Maastricht and later from St Malo. US foreign policy after 9/11 had little effect on this historical

process. The IGC's before Amsterdam and Nice were influenced and constrained by the former treaties and decisions made at an earlier stage. The Commission played the role as a political entrepreneur initiating most changes within CFSP/ESDP. On the contrary, there are also evidence that it was shift in member state preferences influenced by external factors which first and foremost initialised the process. Still, the basis for the enhancement of military capabilities within the EU instead of finding bilateral, multilateral or using NATO solutions might indicate a path dependent influence from previous decisions in the EU.

The process of ESDP after St Malo and especially after the decision to construct ESDP institutions in Cologne and Helsinki can be seen as a functional spill-over effect. This effect combined with the constraints of past decisions and the role of ESDP institutions to do the coordination created the possibility to deploy military operations, and very much contributed to the possibility of creating an environment for future enhancements. The evidence of the analysis has shown that the take over of SFOR in BiH was very much a result of such a process. The Helsinki HG made the establishment of military capabilities irreversible as it made premises for the future creation of the ESDP. The enlargement process made unintended consequences by creating a political spill-over effect to the policy areas of security and defence, among others, contributing to the necessity of having a security strategy for the enlargement of the Union.

Looking back at the expected empirical findings from the methodological reflections in chapter two, it seems that the analysis has shown several indicators that verify institutional theory and several indicators of the opposite. It seems that institutions matter, but not all the time and in every situations. It seems that path dependency and spill-over are valuable concepts of apprehending special dynamics of the integration process which cannot be explained by external factors, change in member state preferences or change in the international structure. According to historical institutionalists it is not possible to create a "snapshot" of a case in time and expect it not to be influenced by the historical process. Therefore it is argued that the process of integration must be studied over time. On the other hand, one of the main arguments to dismiss this theory is that path dependency is often very difficult to measure. It is not

easy to find concrete empirical evidence that there has been an incremental and institutional process as a basis for the development. Thus, the methodological challenge is to prove that some specific details in the development of ESDP would have been different if the contextual and institutional setting would have been otherwise. However, the findings in this analysis have shown that once certain decisions are made, i.e. the decision to create military capabilities for the EU, the process, so far, has become more or less irreversible. Yet, the French and Dutch rejection of the Constitution in referendums in May/June 2005 shows how unpredictable, undetermined and fragile the integration process is. The path dependence and institutionalisation do not make the decision makers slaves of the past and it is unwise to make universal predictions about irreversibility. However, the fruitfulness of institutional theory is its explanatory power which becomes a supplemental contribution to rational theories of nation state control of the integration process. It explains that the European military integration within ESDP is not only the result of the nation states maximising their interests through cooperation, but also as a result of the unpredictable, unforeseen and often unintended consequences of past decisions and the importance of the institutions and their supranational actors woven together creating a spill-over effect.

There are several other approaches that could have been used to answer the research question or questions about the development of the ESDP. I have in the theory chapter illuminated why I did not choose LI as a theory for this research. Undoubtedly, the result of the analysis would have been different if I had used LI as a theoretical framework instead of neo-realism. The importance of external factors and shocks has been discussed as an alternative approach to institutional theory. To elaborate the importance of these external factors, more than just using them as examples on other influential variables, would need an extended use of theories to explain the mechanisms that make member state change their preferences and allow the establishment of military capabilities at the EU level. In this sense the evolving "Europeanisation" of identity among the actors and the institutions both at the EU level and the nation state level can explain how and why there is a change in ESDP

after 9/11. In some cases the politics of identity might provide a good understanding of when other states in the system are viewed as a threat to states' security and when the actors of the process change their identity and for what reason. These issues need perhaps other hypotheses which can guide the research in a different direction. This direction would most likely also have different conclusions than the ones presented here.

The main conclusion of this thesis is that the change in ESDP after 9/11 is a product of the European attempt to power balance the US and it is also a result of the internal dynamics of the integration process. The evidence neither fully supports nor fully refutes either one of the theories. There is no basis to claim that the change in ESDP is only a result of European response to the change in US foreign and security policy. On the other hand, claiming that the change is solely a result of the integration process, where the role of institutions, spill over and path dependency work are fundamental, equally neglects supplementary explanatory factors. Neo-realism and institutional theory presented here *complement* each other, yet, there are still gaps that need to be filled to find all variables that can explain the change. However, there seem to be an obvious correlation of the development of the EU and the lack of theories that can explain this development as the EU is not a rational unitary actor, not an international organisation and not a state. Many times, the EU evolves in a way where the theories constructed to explain parts of the integration process are falsified at the next junction. This is one of the major future challenges for theory elaboration about the development of the EU. The complexity and the special dynamics of the EU where it distinguishes between intergovernmental and supranational decision making makes it even more difficult to use a theoretical framework often because one has to analyse the reason for change on several different levels.

The result of this analysis suggest further testing of balance of power/balance of threat theory and it also suggest further testing of institutional theory to explain both the evolution of the ESDP and how the EU functions as an international actor. Perhaps it is possible to construct a theory which can cover both these levels. Then again, the unpredictable evolution of the EU in the future might pave the way for different avenues, different approaches as to how the EU should be perceived.

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