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Beyond the Civilian Europe?

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Abstract

In this very preliminary paper, I attempt to question whether the EU is going beyond the purely civilian Europe through the insight into the institutionalising of the use of the military. This focus suggests that institutionalising the use of force does not necessarily lead to the diminution of the EU's civilian power. Consequently, I seek to understand the way in which, without alienating its character as a civilian agent, and on the basis of its own declared responsibilities (i.e. ESS), the EU can contribute to making the global environment safer. To perform this task, I look at further insights: multilateralism, and the EU in its relation to the United States. The second insight centres on certain features of the effective multilateralism of the European Security Strategy, and points out that a network of multilateral mechanisms and institutions promises to provide everyone access to the core global public goods on the availability of which global stability and the security of all states depend. That network commits the EU to civilian action. In fact, since global public goods are universal, they cannot be dispensed by market forces, but very reasonably by the EU as a civilising agency. The third insight looks more directly at the choice of sustaining global order as a duty and a responsibility that the EU should share through multilateral action particularly with the United States in a constant dialogue. The paper argues that in doing this, on the one hand the EU should provide a balance to US unilateralism (a possible task if the United States chooses to make American interests coincide with the global interest), and on the other, should promise to take a lead in the domain of soft power by keeping itself firmly to the role of a civilian Europe.

1 Introduction

The nature of the European Union (EU) as a voluntarily established association with clearly declared purposes creates specific responsibilities for it and gives these responsibilities particular weight (Vogt 2006 6). The creation of the Common Foreign and Security Policy (CFSP) in 1993 and that of the European Security and Defence Policy (ESDP) in 1998 have enhanced EU's positions on security. We cannot put on hold the facts that the EU has rapidly started to build up the military in response to the increasingly vulnerable global environment in particular after the events of 11 September 2001, and that multilateralism¹ has been breached during the invasion of Iraq, as the United States has shown. Differences have appeared in the way in which the EU and the US feel their responsibility in the construction of world security. Europeans live today in a postmodern system which rests on self-enforced rules of behaviour (Cooper 2002), in which, as Americans contend, they have rejected power politics and stepped into a Kantian world of perpetual peace (Kagan 2003 55). The European Security Strategy (ESS) is the most recent and precise official document

¹ The 'bad multilateralism' of the coalition of the willing which had no support of the United Nations.

trying to give details of how civilian power Europe can act, and it recognises a number of responsibilities for the EU in sustaining global order, and provides a key framework for policy formulation (Duke 2004 481). The US right to unilateral and pre-emptive initiatives (US Presidency 2002 6) is not acceptable to the ESS. It constitutes a threat to post-cold war Europe, and this perception is sensed by the Americans as the main reason for their divergence in views (Kagan 2003 61). Contravening multilateralism cannot be recognised as an appropriate conduct in global governance (Mayer 2006 71). The EU has for a long time been described as a civilian power. Spinelli (1957) has expressed his thoughts on Europe's responsibilities² and Duchêne (1972) was similarly emphatic in articulating his notion of Europe's tasks.³ European unification was not inspired by a desire for power,⁴ and member states were convinced that their union would benefit the whole international community of whatever size, culture and social system other countries have.⁵ The prospect that the EU may develop towards a state-like entity with regard to contemplating the use of the military dramatically raises the question whether the EU is at a turning point following directions different from the previously chosen objectives of civilised politics (Sjursen 2006 171). This paper agrees with the definition of civilian EU that describes it as an agent ensuring stability and security through political and economic rather than military means.⁶

The argument in the literature on civilian EU has taken strength in particular in the last two decades through conceptualising the Union as a civilising, ethical and normative power (Whitman 1998; Bretherton and Vogler 1999; Smith 2000; Youngs 2001; Stavridis 2001; Manners 2002; Diez 2004; Lightfoot and Burchell 2005; Bicchi 2006; Mitzen 2006; Sjursen 2006). The argument on the EU's process of building up the military grew within the context of transatlantic divergencies as they appeared after 9/11 on the different approaches of the US and the EU/member states to dealing with international threat and the legitimate use of force.⁷ It is even argued (Manners 2006) that the EU is already beyond the cross roads of standing for its civilian and

² 'Our time is offering two perspectives to human beings which have no precedent in the whole of history. On the one hand it is possible to aim at eliminating misery, ignorance [and] exploitation [...]; it has been for the Europeans to take this course. On the other it is possible that human beings might put an end to all existence; it has again been within the capacity of Europeans to provide the political forms and scientific instruments able to make this collective suicide happen. Europe is not the only one bearing responsibility for the choice between these two ways, but the part of responsibility which weight on [Europe] is bigger than that which weight on any other people (Spinelli 1957). Author's translation.

³ Europe 'would be the first major area of the Old World where the age-old process of war and indirect violence could be translated into something more in tune with the twentieth-century citizen's notion of civilized politics (p. 43). [...] It could also be exemplary of the influence wielded by a powerful co-operative formed to exert essentially civilian forms of power' (p. 47).

⁴ The extent to which the European Community (EC)/EU shaped its nature in respect to civilian action was made an integral part of its identity from the very beginning of European Political Cooperation (EPC, 1970) by making clear its reluctance to use coercive means to solve conflicts and achieve its foreign policy goals (Eriksen 2006 252). EPC enhanced its civilising ambition when it stated Europe's responsibility to serve as an element of equilibrium in world affairs (Mitzen 2006 271).

⁵ Chapter II of the Declaration on European Identity: The European Identity in Relation to the World (1973). See Hill and K. Smith (2000 94-5).

⁶ See Sjursen (2006 169) recalling Duchêne's views.

⁷ 'Yet many would argue that US foreign policy is at least as normatively driven and infused by moral argumentation as the EU' (Sjursen 2006 171).

civilising nature owing to the conceptual consequences that militarising processes bring along.

In this very preliminary paper, I attempt to question whether the EU is going beyond the purely civilian Europe through the insight into the institutionalising of the use of the military. This focus suggests that institutionalising the use of force does not necessarily lead to the diminution of the EU's civilian power. Consequently, I seek to understand the way in which, without alienating its character as a civilian agent, and on the basis of its own declared responsibilities (i.e. ESS), the EU can contribute to making the global environment safer. To perform this task, I look at further insights: multilateralism, and the EU in its relation to the United States. The second insight centres on certain features of the effective multilateralism of the European Security Strategy, and points out that a network of multilateral mechanisms and institutions promises to provide everyone access to the core global public goods on the availability of which global stability and the security of all states depend. That network commits the EU to civilian action. In fact, since global public goods are universal, they cannot be dispensed by market forces, but very reasonably by the EU as a civilising agency. The third insight looks more directly at the choice of sustaining global order as a duty and a responsibility that the EU should share through multilateral action particularly with the United States in a constant dialogue. The paper argues that in doing this, on the one hand the EU should provide a balance to US unilateralism (a possible task if the United States chooses to make American interests coincide with the global interest), and on the other, should promise to take a lead in the domain of soft power by keeping itself firmly to the role of a civilian Europe.

2 The institutionalising of the use of the military

There is some literature regarding the EU's building up the military, the ESDP and its negative consequence on civilising Europe, or simply prioritising the military in addition to the literature looking at the securitisation of other EU policy areas such as Justice and Home Affairs, and there are observers recognising the growing interest of the Commission's security research programme in the military and securitisation (Manners 2006 189).

Some of the arguments in the literature contend that there is a great deal of institutional prioritisation of military structures and frameworks suggesting that it is a wrong policy for Europe (Sangiovanni 2003 200-1; Keane 2004 493-4; ICG 2005 30-2). Some others observe that a strategic-cultural discourse on the use of the military by the EU is increasingly developing (Cornish and Edwards 2001; Rynning 2003; Bono 2004) and that, since the end of 2003, the EU has distanced itself from the normative course (Manners 2006 189). Some criticisms assert that prioritising military operations over the civilian ones weakens any short-term advantage military intervention might have conveyed (Faria 2004 51; Ulriksen *et al.* 2004 522), and that EU's military missions take away political functions from local administrations (Osland 2004 556-8; Knaus and Cox 2004 55; Chandler 2005; ICG 2005). Other

observations point out that the Brussels-based transgovernmental policy network sought to guide the EU towards embracing a military doctrine of preventive engagement including the second pillarisation of civilian crisis management (Bono 2004; Gourlay 2004a 413; Leonard and Gowan 2004). Further positions insist on an unusual predominance of transgovernmentalism within ESDP (Mawdsley and Quille 2003; Mawdsley 2005 15), and on an ambiguous distinction between preventive engagement (ESS 2003 18) and pre-emptive engagement (US military strategy) (Leonard and Gowan 2004 12-3; Mawdsley 2005 2) (Manners 2006 189-91). We move within or close to this ground of arguments and opinions to look at the institutionalising of the use of the military to try to understand whether the EU is going beyond the purely civilian Europe, and we observe some worrying signs, in particular sensing that the EU is developing towards a state-like entity.

Developing as a state-like entity?

The sense that the EU is developing towards a state-like entity is prompted by the ability and rapidity with which, on the one hand the EU is giving evidence of the growth of the institutionalising of the use of the military and providing itself with mechanisms for its deployment and on the other is producing military forces and equipment. The institutionalising has come about through various steps: the Saint Malo declaration (1998) and the Helsinki European Council (1999) which took a major advance towards the establishment of a common European Security and Defence Policy, a Directorate (VII) for ESDP, and the Laeken European Council (2001) formally declaring 'that the Rapid Reaction Force (RRF) was operational and capable of undertaking some crisis management operations', and the setting up of the new Council institutions operating as interim bodies since March 2000 and later becoming permanent, and the Political and Security Committee, the Military Committee and the Military Staff. The European Security Strategy (2003) (in particular Title III, Policy Implications for Europe) was another major development laying emphasis on prompt and when necessary robust intervention (ESS p.11), together with the founding of the European Defence Agency (EDA 2004), the agreement on organising two operations within five days from the Council's decision to initiate them and on conducting them simultaneously, and again the decision to expand the battle group concept under the guidance of the ESDP and create additional groupings to comply with the 2010 Headline Goal. The European Defence Agency published (2006) its *Long Term Vision* document (Institute for Security Studies 2007 304-26) seeking to match defence capabilities as laid down in the ESS (Allen and Smith 2000 101; 2001 98; 2002 97-8; 2007 165). The pace of this progress entailed that autonomous action presupposed that the demand for capabilities required a quick response.⁸

In providing forces and military equipment, the EU has surprisingly shown no delay. In response to the Capability Commitment Conferences of 2000 and 2001, troops of 100,000 units were made available (especially thanks to the applicant countries and outsiders seeing their offer as an act of Europeanness), and 400 combat aircraft, 100

⁸ For an extensive account of the EU's provision of military forces and equipment, see the section 'Collecting capabilities and putting them in use', in Ojanen (2006 40-2).

vessels and other resources from submarines to aircraft carriers were offered (Ojanen 2006 41, 53 note 5). The EU has also been capable of complying with the 2003 demand of the Policy Implications for Europe of the ESS, for readiness for vigorous intervention in crisis management and conflict prevention. The agreements on the Petersburg tasks and on the Rapid Reaction Force stipulated before 2001 were quickly modified into post-2003 operations for preventive engagement (ESS p.18). The EU enhanced its capacity to deliver operations in the military field: at the end of March 2003, the EU started its first military action, the operation Concordia in the Former Yugoslav Republic Of Macedonia (FYROM) and soon afterwards the military Operation Artemis in the Democratic Republic of Congo (DRC), following the United Nations' demand for support (the first EU military led operation outside the European borders) (Bono 2005). The readiness of the EU in supplying military means gives credit to the suggestion that once the EU has been set up 'as an agent with specific security-related tasks, its credibility in playing its role depends on its capabilities' (Ojanen 2006 40) which include also the military. The impression that the EU is developing as a state-like entity is concerning to the extent that it may tend to become a military actor and as such may lose its unique character of civil power.⁹

Other worrying signs?

Other worrying signs within and around the process of institutionalising the use of force are given by the cultural, political and economic factors and interests attached to the military, more in some cases and less in others. These factors have the effect of strengthening the development of the military or of notions linked to it. Cultural bodies, such as the Center of International Cooperation of the New York University put forward their influence to increase the acquisition of military equipment.¹⁰ The political factors are represented by the transnational networks, policy bodies and think tanks bearing an interest in the European institutions.¹¹ These bodies carve out political relations with the European Council, Parliament and the Commission, and are keen to acquire a political role within the process in which the military is part of the European political rationale of security. By doing this they also contribute to the dissemination of ideas on possible uses of the military and concepts of tolerance towards the use of force. They seek to 'promote a more muscular and united European approach to the world' (Leonard and van Oranje 2007).¹² They lobby the Commission also as an important dispenser of grants for high quality research, which include a focus on how to achieve deeper security and political integration of which the military is an important component.¹³ The economic factors are most openly embodied by the

⁹ See Sjurgen (2006 171).

¹⁰ The Center of International Cooperation of the New York University has furthered the idea that the most important organisational issue to address in a context of military overstretch, is the lack of strategic means, by which it indicated the acquisition of martial assets. *Financial Times*, 20 September 2006.

¹¹ A few examples of these bodies (mostly based in Brussels, but not only) are: the European Council of Foreign Relations (ECFR) based in the main European capitals, the Centre for European Reform (CER) in London, the Forum Europe of the New Defence Agenda (NDA), the European Security Forum of the Centre for European Policy Studies (CEPS) and the European Policy Centre (EPC). See Manners (2006 191).

¹² Leonard and van Oranje speaking about the European Council of Foreign Relations's (ECFR) task of countering EU introversion.

¹³ Author's interview with a Commission's DG Research representative, Brussels, November 2007.

transgovernmental military industry and lobby tying in with ESDP as a promoter of the high-tech armament industry. Whereas before Saint Malo (in particular between 1992 and 1997),¹⁴ Europe imported arms from the United States, afterwards it was European companies (such as Finmeccanica) and not American ones which were granted weapons contracts (Sangiovanni 2003 197). The European Defence Agency within the framework of ESDP was seen as a facilitator towards strengthening the EU defence industrial base and creating a competitive equipment market (Allen and Smith 2005 111). It can hardly be denied that, to a certain extent, ESDP is functional to the restructuring of the European defence industry.¹⁵

These signs can be disturbing because they may create a culture of support of the military as a necessary element of EU's policy, and they may shape a collective consciousness on such a model (Bono 2005), and may open the way to the EU as a military actor in contrast to the tasks of a civilian Europe. It can be the case that, for a particular reason, actors or some individual actor in the international context operate as 'interest maximizers' behaving 'out of a sense of justice or duty'.¹⁶ In that situation the civilian EU is challenged¹⁷ by its standby role of military readiness combined with the accessibility of the EU arena for deliberation on international issues and the need for vital and urgent action (Mitzen 2006 283, M. Smith 2006 325). Civilian EU is not challenged by the practices of diplomacy and persuasion leading to the purpose of influencing interest maximiser's decision makers. The cultural, political and economic factors bearing a link to the military also challenge civilian EU. They may take some attention away from non-military initiatives such as in the case of European Peacebuilding Agencies. In fact an indication of the diminution of the EU's civilian power was clear in 2004 with the EU failure to take up (Gourlay 2004b, see ICG 2005 31-2) the proposal for European Peacebuilding Agencies supported by NGOs and the European Parliament. That was a lost opportunity in terms of rationalising and reinforcing the operation of these agencies in particular with respect to human rights abuses.¹⁸

¹⁴ See the Western European Union report Doc. A/1781, 6 December 2000, p. 8, giving an account of the gap in defence spending and technology between Europe and the United States. In Sangiovanni 2003. For the growth of European arms industry, *Financial Times*, 6-7 October 2007.

¹⁵ *Financial Times* 12 April 2007.

¹⁶ Eriksen (2006 266) uses the expression which in this text is reported between inverted commas in a phrase meaning the opposite of what is argued here (i.e. 'actors in the international order should not be seen merely as interest maximizers but also as able to act out of a sense of justice or duty'). Eriksen however needs to be referenced, because the idea in this text came about while reading his analysis.

¹⁷ That the civilian EU is challenged by the military is not result of imagination. Allen and Smith inform (2004 96): 'In Brussels in December [2003], the European Council was able to reach agreement for the first time on a European security strategy drawn up by Solana (albeit one that had been significantly sanitized by France and Germany of its initial British inspired reference to the possibility of the pre-emptive use of force)'.

¹⁸ To be informed about those efforts to enhance the civilian capabilities and competence of the EU, the report by Gourlay (2004a) is useful. There was a growing conviction among observers of EU's civilian undertakings that the ESDP's approach to crisis management was limited, and in particular was institutionally and also practically separated from other tasks supported by the Commission. The work delivered by conflict prevention and post-conflict peace building operations could be improved. Moved by these concerns, the supporters of the establishment of a European Civil Peace Corps argued that in the context of these limitations the projected agency for a Peace Corps would link the institutional separation by means of an integrated unit for civilian crisis management. The latter would administer and control the functions of planning, recruiting, training and deploying. The monitoring missions envisaged by these proposals would perform assignments such as scrutinising human rights violations,

The sense that the EU is developing towards a state-like entity is an unreassuring sign together with the recorded diminished attention of the EU to non-military operations. Disturbing signs can however be moderated and rebalanced. There are systems of checks and balances and critical thinking that can watch that civilian EU does not fade away. One of these systems is implemented by the Scandinavians, especially the Finns and Swedes (rather than the Danes), who, almost at every step of the process of providing some limited military capability for the EU, have immediately sought to balance it with a civilian capability.¹⁹ If the development of institutionalising the use of the military is accompanied by critical thinking rather than a search for greater power, civilian Europe is set to avoid becoming an obsolete agent. The first insight suggests that the institutionalisation of the use of force does not necessarily lead to the diminution of the EU's civilian power.²⁰

3 Multilateralism

I link the issue regarding 'the unreassuring signs that the EU is going beyond the civilian Europe that can be moderated and rebalanced' to the discourses of Javier Solana (2007) which I consider as going in a direction that moderates fears that the EU is developing as a state-like entity. Solana suggests that the 'Europeans are a minority in an ever-expanding world' and this impels them to be responsively aware that 'other cultures hold weight', and implies the deeper challenge for the Europeans of trying 'to understand the other'. Solana's emphasis on the challenges that the tasks of the EU's multilateralism are growingly facing locates the EU far away from a EU state-like entity. We build on this promise to reshape our questioning of the civilian Europe. We seek to understand the way in which, without alienating its character as a civilian agent, and on the basis of its own declared responsibilities (i.e. ESS), the EU can contribute to making the global environment safer.

The way in which the EU declares its purpose to 'understand the other' is revealed by its intention to contribute to the development of a ruled-based international order, well functioning international institutions, and a stronger international society which are the duties corresponding to the rationale of the effective multilateralism of the EU as expressed in the European Security Strategy. In these duties the EU is helped by the United Nations. In fact the ESS holds the UN Charter as the 'fundamental framework for international relations' and the UN Security Council as primarily responsible for the maintenance of international peace and security. The UN has therefore a recognised role to play in keeping the EU attached to an 'effective multilateral system'. Effective multilateralism can be interpreted as a network of multilateral mechanisms and institutions which provides everyone access to effective global governance (Biscop 2006 94-5). This has something to do with people's material

and would identify the ways in which the civilising capacity of institutions and society could be enhanced. Existing organisations would provide the Commission with a recruitment agency duty. The Commission would finance the external service of employed civil servants, taking in public sector institutions, professional associations, and specialist NGOs.

¹⁹ Interview with an expert analyst of European institutions, London, March 2008.

²⁰ See Manners (2006 183).

prosperity and the satisfaction of their manifested aspirations.²¹ Global governance of the EU can be exemplified through the idea of global public goods as they were ranked by the United Nations at the end of the 1990s originally classified within the context of development. These goods are now recategorised within political and normative perspectives (Nye 2002; Rotberg 2004 73) and are recognised as belonging to the groupings of freedom from fear, rule of law and respect for human rights and fundamental freedoms, freedom from want, and social wellbeing in all of its aspects.²² Global stability and the security of all states depends upon sufficient access to the core global public goods. These goods are interrelated to such an extent that it is not possible to possess one group without acceding to another. And being universal, they cannot be dispensed by market forces but reasonably by the EU, as a 'civilising' agency (Biscop 2006 89).²³

The way in which the EU dispenses goods with its foreign policy relies on multilateral action. Multilateralism *per se* is qualitatively distinctive. It coordinates with no compulsion relations among three or more states which decide to share some generalised principles of conduct. Behaviour would be appropriate to a class of actions, not favouring particularistic interests, or strategic situations. A member of the group would yield an equivalence of benefits independently of its size and resources (Ruggie 1993 11). However multilateralism does not impede that the EU or member states break a previously agreed common line if attracted to do so in order to pursue their own advantages. The Falklands Crisis of 1982 played a role in bringing this about. The wider European policy-making framework became increasingly central to the member states' pursuit of their international politics. The Falklands conflict exposed the normative constraint of multilateralism in failing to maintain the solidarity obtained around common action and agreement (Edwards 1996 40-42, 56). We remain with the problem of how to fix soft rules²⁴ for multilateralism to dilute the risk that the EU and member states search for their individual gain in foreign policy, which is a constraint seen in the light of our intention that the EU should not develop as a state-like entity.

Still within the notion of the EU allocating global public goods (thus, as a civilian agent contributing to enhance global stability) through effective multilateralism in an effort to implement Solana's approach 'to understand the other', we wonder on what kind of legal principles the EU relies in aiming at being inclusive when it addresses 'non-democratic states in a still anarchical international environment' (Bicchi 2006 292). There is a cultural and a power problem in distinguishing among norms because the direction of diffusion of norms makes apparent the increasing dominance of a western cultural model (Jepperson 2002 239-45). The motive for which norms are exported lies in the fact that they are legitimated by the western culture and then accepted by other countries and is not because they hold wider significance. The EU's role as protagonist is supported by the conviction that the history of Europe is an

²¹ Governance can be described as the 'interaction between citizens and their rulers and the various means by which governments can either help or hinder their constituents' ability to achieve material prosperity and the satisfaction' of their manifested aspirations. Rotberg (2004 71).

²² For a more detailed account of political goods see Rotberg (2004 74-77).

²³ When the EU fails to provide these fundamental goods, it lacks legitimacy.

²⁴ See Sjursen (2006 246).

example for everyone and it does all it can (deliberated or not) to promote its own model. Furthermore, the EU's institutions are inclined 'to export institutional isomorphism as a default option' (DiMaggio and Powell 1991; Finnemore 1996; Jepperson 2002; Bicchi 2006 287). The cosmopolitan perspective on 'normative power Europe' promises to address the cultural and power challenges of norms. It equates universally recognised norms with 'good' norms in that it guarantees inclusiveness on the basis that these norms have universal character to the extent that they would be agreed upon by all individuals if these were given the chance to speak out (Bicchi 292-3, 299-300).

The finding relevant to our questioning 'that the EU should not alienate its character as a civilian agent' is that a role for the EU exists (i.e. that of dispensing the global public goods) which keeps the EU attached to civilian Europe, which aims at making the global environment safer and which also attempts to address Solana's approach 'to understand the other'. The cosmopolitan perspective on normative power Europe promises to be capable of dealing with the latter. However, we are concerned that multilateral policy making is unable to prevent members of the multilateral group pursuing their own interests even if they recognise that it damages the others.

4 The EU in its relation to the United States

We recorded a diminished attention of the EU to non-military operations when the EU set aside initiatives such as the formation of European Peacebuilding Agencies supported by NGOs and the European Parliament. We thus need to deal with the issue of the 'diminished attention' of the EU to causes other than expanding the military and its use to ensure more powerfully that the EU is not going beyond the civilian Europe. In defining in more detail the way in which the EU can contribute to making the global environment safer, we foresee one major choice for the EU which would enable it to carry out its civilian obligations. For analytical purposes we consider it as two separate choices though they interact to such an extent that it is difficult thinking of them in an unconnected way. The first is that the EU undertake the assignment of sustaining global order in particular with the United States through multilateral action. The second is that the EU softly balance US unilateralism.

Looking at the first choice, fostering global order and in particular with the United States are relevant actions for the EU. Promoting overall security is a duty of the EU not only declared all along its own evolution but because of its obligation to peace,²⁵ and of its efforts to repair the damage inflicted in 2003 to the EU-US relationship by the divisions within Europe created by the military intervention in Iraq (Allen and Smith 2004 96). Encouraging worldwide stability is an undertaking that the EU can share with the US for the reason that the latter has a long tradition of support of Europe and the European Union, not to mention the US role played through NATO. Promoting overall security and stability together with the US is thus a duty and a responsibility for the EU

²⁵ Obligations that the EU has inherited from European history.

Doing this job (i.e. sustaining global order with the US) through multilateral action involves difficulties for the EU. Primarily it is clear that the distinctiveness of American internationalism and unique responsibilities, and capability to take action by itself when it chooses within a wide area of non-military and military situations give the American administration a special outlook. Though the Alliance's²⁶ 1999 Security Concept and the US National Security Strategy (NSS) of 2002 'pay lip service to multilateralism', this is undermined by the pre-emptive action of the NSS (Duke 2004 479). Multilateral agreements and international law are made non-compulsory by the NSS. Furthermore, though in revitalising solidarity world wide and in tackling various challenges the United States recognises that the key word is 'acting together with the Europeans' (McCain 2008), it evaluates the United Nations as an unwieldy institution. The NSS makes reference neither to the international role of the United Nations nor to the UN's involvement in authorising the use of force. The US claims that the UN made use of its power to allow the employment of force 'for a true collective security operation only twice in half a century' (Korea and Kuwait) and that the UN is not the only basis for legitimacy. It takes for granted that the Kosovo campaign, though not formally legal, 'was legitimate by the *de facto* support of a large majority of Security Council members' (Nye 2004 145).²⁷ The European Union, on its side, in playing an active role in the construction of world security, holds multilateralism within its chief objectives and regards the UN as an authority for international military action as both questions are at the basis of the security strategy. Unilateral and pre-emptive interventions represent a threat to post-cold war Europe, and this perception is sensed by the Americans as the main reason for their divergence in views (Kagan 2003 61).²⁸ Unilateral and pre-emptive initiatives cannot be recognised by the EU as a general principle in global governance. Therefore if to conduct multilateral action with the United States stands as a major problem, softly balancing US unilateralism might be a possible solution. This leads to the second choice we envisaged for the EU.

Looking at softly balancing US unilateralism, we consider (i) why it seems logical, and (ii) how and (iii) by what means it seems implementable. (i) If Americans themselves identify the problem that their 'leading position in the world will continue to breed unease and a degree of resentment and resistance' (National Defense Strategy 2005),²⁹ it does not follow as a logical consequence that the Europeans should share many of the stances that the United States holds in the international realm. The United

²⁶ NATO.

²⁷ This point in fact illustrates the extent to which the UN, as at that time Security Council's President Kofi Annan drew attention to after the Kosovo war, 'is torn between the traditional strict interpretation of state sovereignty and the rise of international humanitarian and human rights law that sets limits on what leaders can do to their citizens'. 'The UN has proved useful in its humanitarian and peacekeeping roles where states agree, and it remains an important source of legitimisation in world politics' (Nye 2004 146). Lucarelli and Menotti (2006 153) consider: In both cases Kosovo and Iraq, military intervention took place without a UN resolution, though political commentators usually make a difference between the two situations penalising more the resolve to intervene against Iraq.

²⁸ The Americans know that the Europeans are worried 'about how the US might handle or mishandle' (Kagan 2003 61) problems of mass destruction and security. In Kagan's passage, the worry of Europeans on the US invasion of Iraq is considered, but similar situations were previously encountered, such as in 1986 with the US bombings against Libya (wrongly) believed to be responsible for terrorist acts in Berlin.

²⁹ Mayer (2006 71) quoting Walt (2005 108).

States has been essential to European integration and European security in particular through NATO (ESS 2003 1). Europe is America's most unquestionable partner, and therefore it can play the role of America's most trustful counterbalance. This entails that the EU has the opportunity of softly balancing US unilateralism as part of a responsibility grounded in a constant dialogue (Mayer 2006 71).

(ii) An attitude to rebalance US unilateralism lies in European national leaders telling forthcoming US governments that sovereignty, as accepted by many Americans, arises from reasons more substantial than US' own perception of threat and ambition of power, and that in the last decade while Americans were debating on how to regain US primacy, the other states in the world centred on how best to approach 'that sole supremacy'. To rebalance US unilateralism, the EU and its national leaders have the option to convince the United States that if it wants to end resentment and resistance at large, it should steer clear from security worries as the only directive of American foreign policy³⁰ and more concretely that it should consider the opportunity of making 'American interests to coincide with the global interest' (Brzezinski 2005 46; Mayer 2006 70-1).³¹

(iii) The means through which softly balancing US unilateralism seems an implementable option is the most difficult question to identify. It is so because there is no coercion and thus no guarantee that the actors involved stick to the option if not by their wish. Advancing by steps should contribute some clarity to the division of labour between the EU and the US. A logical division should follow the rationale that each side understands and accepts what capabilities it can best offer to the emerging system of global governance. The US has invested and trained more in the area of hard power where it is more thriving, consequently it leads in the sphere of global security. The US and the EU equally³² sustain the responsibility for economic governance. The US has been less successful in the field of soft power where its diplomacy has not been competent, because its limited care for the institutions and feelings of allies has created an impression of illegality that has ruined American attractiveness (Nye 2004 147). The EU with its advocacy for the rule of law and multilateralism remains the leader in global political governance.³³

A further step forward (which includes also the constant dialogue between the EU and the US linked to the former's action of softly balancing US unilateralism) is suggested by recent analyses which have focused on efforts of the EU to construct a principled foreign policy.³⁴ This can be equated to the efforts to devolve the global public goods

³⁰ See Allin 2004; Cox 2005; Jones 2004; Moravcsik 2003; Wallace 2001 and 2003. In Mayer p. 73, note 37.

³¹ As for the ESS, the global interest coincides with availability of access to physical security, political participation, an open and inclusive economic order that provides for the wealth of everyone, and social wellbeing in all its aspects (Sven 2006 89).

³² 'Europe is already growing faster than the US. See *Financial Times* 14 April 2008.

³³ Both actors share the stance that domestically power has to be disciplined and controlled and since these principles make sense in that context they promise to hold also internationally (Mayer 2006 65).

³⁴ The EU's principled foreign policy, as these recent analyses have investigated, is 'characterised by features which have emerged as values through case studies. The 'prime value is that of *peace* and core values are those of *human dignity/rights*, *freedom/liberty*, and *democracy*, and *equality, justice/rule of*

as defined in the integrated strategy of the ESS. Through these efforts, the institutions of the EU, its members, and participants in the policy making process locate themselves within 'mutually constitutive routines' such as practices of cooperation. Though these routines might never have been intended, they influence each other, and they do so through a 'self-learning and an identity-construction process'.³⁵ This process is recognised as shaping the international identity of the EU and of the participants in these overall practices (Lucarelli and Manners 2006 209, 211). It promises to be most useful when performed softly. It potentially leads to the possibility of transferring priorities from power politics to civilising politics. An identity-construction process initiated by both the EU and the US would identify an area of shareable identity³⁶ and make certain that global public goods³⁷ are transformed into attainable goals. This option tends to make all nations more aware of the usefulness of sharing values and promises to make a positive impact on global order and governance.

5 Conclusion

Looking back across the analysis as a whole, in this preliminary paper I was concerned with whether the EU is going beyond the purely civilian Europe, and with understanding the way in which, without alienating its character of civilian agent, and on the basis of its own declared responsibilities (i.e. ESS), the EU can contribute to making the global environment safer. I made three points. First, I suggested that the process of institutionalising the use of the military does not necessarily lead to the diminution of the EU's civilian power (as intended by Spinelli and Duchêne) if that process is accompanied by critical thinking rather than a search for great power. I arrived at this suggestion considering that there are systems of checks and balances which can see that unreassuring signs such as the risk that the EU is developing towards a state-like entity can be moderated and balanced. I found one of these systems implemented by the Scandinavians who, almost at every step of the process of providing some limited military capability for the EU, have immediately sought to balance it with a civilian capability. I inferred that the EU is not showing yet that it is going beyond the purely civilian Europe. I do not find either that the EU is at a

law, and solidarity'. Further derived values have been distinguished in case studies such as *regulated liberalism/capitalism* and *ecological modernisation* (Lucarelli and Manners 2006 201-2).

³⁵ To exemplify the course of the EU's self-identity construction, with the end of the Cold War, democracy, human rights, and the rule of law became more explicit signifiers of the EC/EU's own identity. These values made a leap towards an area different from their original context to serve as criteria and conditions (Balfour 2006; Bonaglia, Goldstein and Petito 2006; Panebianco 2006). Membership to the EU and aid from the EU are subject to recognising that democracy, human rights, and the rule of law are essential values. These values have become a constitutive part of the Union and of its self-identity to such an extent that the EU (and its member states) felt the need to make this aspect more clear in 1997 and again in 2004. The Amsterdam Treaty has fixed their importance in Art. 6, and the Constitution for Europe has secured their influence in Art. I-2. It is this 'itinerary' that suggests that the 'mutually changing' 'routines and practices' (that may never have been intended) have become part of the EU's self-identity. See Lucarelli and Manners (2006 211).

³⁶ Together with the existing forms of cooperation between the US and the EU, the dialogue and cooperation of the text is not just an academic exercise but reflects American understanding of these relations. McCain concedes that 'Americans and Europeans share a common goal - to build an enduring peace based on freedom' (2008).

³⁷ Access to physical security, political participation, an open and inclusive economic order that provides for the wealth of everyone, and social wellbeing in all its aspects.

turning point following directions different from the previously chosen objectives of civilised politics, and I do not maintain that the EU is beyond the cross roads of standing for its civilian and civilising nature owing to the conceptual consequences that militarising processes bring along, nor of course that the EU is tending to become a military actor.

The second point I made is that the EU has an opportunity to continue its civilian action. The prospect for civilian undertaking according to the logic communicated by Solana and to the dynamics of change emanating from the ESS (explained as a way to contribute to the development of a ruled-based international order, well functioning international institutions and a stronger international society) impose on the EU multilateral civilian charges. An example of these is given by the responsibility of dispensing the global public goods that we have seen as belonging to the groupings of freedom from fear, rule of law and respect for human rights and fundamental freedoms, freedom from want, and social wellbeing in all of its aspects.

The third point I supported is that the EU has the choice of sustaining global order in particular with the United States through multilateral action by softly balancing US unilateralism in a constant dialogue. I built up this suggestion through steps. Considering the EU's obligation to peace and its efforts to repair damage caused to EU-US relations, I inferred that sustaining global order with the United States is a duty and a responsibility of the EU. In the next step I suggested that the EU should have the confidence to rebalance US unilateralism because of the logic of the discourses of the Americans. They maintain that in dealing with challenges worldwide the key expression is 'acting together with the Europeans' (McCain 2008), and that they are committed to reconstructing American attractiveness in the world (Nye 2004 145).

A further step led to foreseeing some ways for the EU to rebalance US unilateralism, and the most reasonable option came out as the opportunity for the Americans to make their interest coincide with the global interest. For the EU, it is clear in the ESS, the global interest corresponds to the availability of access to the global public goods. The Americans may accept engaging in this same 'global' interest. Then, a passage central to this draft paper, in a division of labour between the EU and the US acceptable by both if they decide to share and implement the common agenda *versus* the global interest, the EU promises to take the lead in the domain of soft power and keep itself firmly linked to the role of constructing a civilian Europe. The following building block suggested that if recent analysis concluded that processes of cooperation can influence the international identity of the participants in the process, that same conclusion should hold also for the EU and the US. Routines, itineraries, and practices of cooperation agreed and shared by the EU and the US (among others) should ease the action of softly balancing US unilateralism in a constant dialogue.

Two shortcomings in particular, it can be objected, characterise this draft paper. The findings have not demonstrated that multilateral policy making can avoid the risk that members of the multilateral group pursue their individual interests even when these

endanger others, as was made clear by the Falklands crisis. But this issue cannot be considered as an analytical failure because it is an intrinsic limitation to multilateralism (and at the same time a quality) which does not coerce nor oblige the members of the group to certain actions.

The other shortcoming regards the system of checks and balances referred to as a watchdog preventing the EU from developing as a state-like entity. That system needs to be examined further in particular if one seeks to consider it as a kind of yardstick against which to evaluate the EU's action under the above terms. Specifically the way in which that system works, on what occasions, with what actors and within which contexts, its potential and drawbacks are all elements that need to be grasped, as well as how it performs while reconducting the EU towards a more civilian function.

This work is a very preliminary draft of a paper. Seeking a more novel approach, one could enquire the way in which some member states (such as Italy) envisage the use of the military, and examine its use in European foreign policy, in between police forces and gendarmerie, as in the case of Carabinieri, and consider whether that concept of national foreign policy contemplating the employment of the military is applicable to the actual developments of EU's foreign policy. To deal with that purpose, discourse analysis of policy makers and analysis of mission statements would be central.

The main argument of this paper is that the institutionalising of the use of the military does not necessarily lead to the diminution of the EU's civilian power, and that the EU should sustain global order in particular with the United States through multilateral action in a constant dialogue softly balancing US unilateralism. By doing this, the EU promises to lead in the domain of soft power and to keep itself firmly linked to the role of constructing a civilian Europe.

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