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**TITLE**

The Perspectives of the EU’s Specialization in Civilian Crisis  
Management under the CSDP Mechanism: Discursive Institutional  
Analysis

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## LIST OF ABBREVIATIONS AND ACRONYMS

<b>ADB</b>	Asian Development Bank
<b>AFPs</b>	Agencies, Funds and Programs
<b>ARTF</b>	Afghanistan Reconstruction Trust Fund
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>AU</b>	African Union
<b>BiH</b>	Bosnia and Herzegovina (Bosna i Hercegovina)
<b>CCC</b>	Capabilities Commitments Conference
<b>CCM</b>	Civilian Crisis Management
<b>CDO</b>	Collective defense organization
<b>CEEC</b>	Central and Eastern European Countries
<b>CFSP</b>	Common Foreign and Security Policy of the EU
<b>CHG</b>	Civilian Headline Goal
<b>CIMIC</b>	Civil-Military Co-operation
<b>CIS</b>	Commonwealth of Independent States
<b>CIVCOM</b>	Committee for the Civilian Aspects of Crisis Management
<b>CJTF</b>	Combined Joint Task Forces
<b>CMCO</b>	Civil-Military Coordination
<b>CMPC</b>	Civil-Military Planning Cell
<b>CPCC</b>	Civilian Planning and Conduct Capability
<b>CRTs</b>	Civilian Response Teams
<b>CSCE/OSCE</b>	Conference on/Organization of Security and Cooperation in Europe
<b>CSDP<sup>1</sup></b>	Common Security and Defense Policy of the EU
<b>CSO</b>	Collective security organization
<b>CSTC-A</b>	Combined Security Transition Command–Afghanistan
<b>DCI</b>	Defense Capabilities Initiative
<b>DI</b>	Discursive Institutionalism
<b>DRC</b>	Democratic Republic of Congo
<b>EAR</b>	European Agency for Reconstruction

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<sup>1</sup>ESDP (European Security and Defense Policy of the EU) until the Lisbon Treaty came into force in 2009.

<b>ECAP</b>	European Capabilities Action Plan
<b>ECHO</b>	European Community Humanitarian Office
<b>ECLO</b>	European Commission Liaison Office
<b>ECOWAS</b>	Economic Community of West African States
<b>EDA</b>	European Defense Agency
<b>EP</b>	European Parliament
<b>ESS</b>	European Security Strategy
<b>EU</b>	European Union
<b>EUFOR Althea</b>	EU military operation in Bosnia and Herzegovina
<b>EUJUST LEX/Iraq</b>	European Union Integrated Rule of Law Mission for Iraq
<b>EULEX Kosovo</b>	European Union Rule of Law Mission in Kosovo
<b>EUMC</b>	European Union Military Committee
<b>EUMS</b>	European Union Military Staff
<b>EUPM BiH</b>	EU Police Mission in Bosnia and Herzegovina
<b>EUPOL Afghanistan<sup>2</sup></b>	European Union Police Mission in Afghanistan
<b>EUPT</b>	European Union Planning Team
<b>EUSR</b>	European Union Special Representative
<b>FAC</b>	Foreign Affairs Council
<b>FRY</b>	Federal Republic of Yugoslavia
<b>FYROM</b>	Former Yugoslav Republic of Macedonia
<b>GAC<sup>3</sup></b>	General Affairs Council
<b>GPPO</b>	German Police Project Office
<b>HG</b>	(military) Headline Goal
<b>HGTF</b>	Headline Goal Task Force
<b>HHG</b>	Helsinki Headline Goal
<b>HI</b>	Historical Institutionalism
<b>HOGs</b>	Heads of governments
<b>HR CFSP or HR/SG</b>	High Representative for CFSP and Secretary General
<b>ICJ</b>	International Court of Justice
<b>ICO</b>	International Civilian Office
<b>IfS</b>	Instrument for Stability

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<sup>2</sup> Also EUPOL-A.

<sup>3</sup> Originates from the GAERC - General Affairs and External Relations Council.

<b>IGC</b>	Intergovernmental Conference
<b>IMF</b>	International Monetary Fund
<b>IOs</b>	International organizations
<b>IPCB</b>	International Police Coordination Board
<b>ISAF</b>	International Security Assistance Force
<b>KFOR</b>	NATO Kosovo Force
<b>KLA</b>	Kosovo Liberation Army
<b>KPA</b>	Kabul Police Academy
<b>MFA</b>	Ministry of Foreign Affairs
<b>MoI</b>	Ministry of Interior
<b>NACC</b>	North Atlantic Cooperation Council
<b>NATO</b>	Northern Atlantic Treaty Organization
<b>NI</b>	New Institutionalism
<b>NTM-A</b>	NATO Training Mission–Afghanistan
<b>NTM-I</b>	NATO Training Mission–Iraq
<b>OAS</b>	Organization of American States
<b>PISG</b>	Provisional Institutions of Self-Government
<b>PPEWU</b>	Policy Planning and Early Warning Unit
<b>PRT</b>	Provincial Reconstruction Team
<b>PSC (also COPS)</b>	Political and Security Committee
<b>QMV</b>	Qualified majority voting
<b>RI</b>	Rationalist Institutionalism (Rational Choice Institutionalism or RCI)
<b>SAA</b>	Stabilization and Association Agreement
<b>SADC</b>	South African Development Council
<b>SAP</b>	Stabilization and Association Process
<b>SFRY</b>	Socialist Federal Republic of Yugoslavia
<b>SG/HR</b>	European Union Secretary General/High Representative for Common Foreign and Security Policy
<b>SI</b>	Sociological Institutionalism
<b>SSR</b>	Security Sector Reform
<b>TEC</b>	Treaty establishing the European Community
<b>TEU</b>	Treaty on European Union

<b>UN</b>	United Nations
<b>UNAMA</b>	United Nations Assistance Mission in Afghanistan
<b>UNHCR</b>	The UN High Commissioner for Refugees
<b>UNDAC</b>	United Nations Disaster Assessment and Coordination
<b>UNDP</b>	United Nations Development Programme
<b>UNMIK</b>	United Nations Mission in Kosovo
<b>UNSC (Res.)</b>	United Nations Security Council (Resolution)
<b>USAID</b>	United States Agency for International Development
<b>WEU</b>	Western European Union
<b>WHO</b>	World Health Organization
<b>WMD</b>	Weapons of mass destruction
<b>WWII</b>	World War II

## **SUMMARY**

The Thesis sheds light on the role of ideas and discourse within artful institutional design of the Common Security and Defense Policy (CSDP) of the European Union which is an integral part of the Union's comprehensive approach towards crisis management, drawing on civilian as well as military assets and capabilities. Since 2003 the Union has launched some 30 peace missions and operations contributing to stabilization and security both on the European continent and beyond. Each of these missions have had different tasks and different results. The Thesis is concerned with the examination of the EU's regional and global role as a modern emerging security actor in the context of her relationship with other security actors, esp. NATO (general philosophical level of ideas), of her evolving CSDP as well as the role of major EU member states in its evolution (programmatic ideas level), and of the realization of single CSDP missions, namely EULEX Kosovo and EUPOL Afghanistan missions (policy ideas level). Those levels are analyzed through digging into historical-institutionalist context, various types and forms of ideas which underpin the EU security and defense framework, cognitive/normative argumentation exploited within EU coordinative and communicative discourses, and, finally, institutional change which has been or might be characteristic for the EU in this area of activity.

## **PREFACE AND ACKNOWLEDGEMENTS**

Although economic and financial crisis has not yet passed from the picture and the EU has experienced myriads of serious difficulties and problems with the realization of the Common Security and Defense Policy's (CSDP) potential, the Policy is not dead. The CSDP still evolves, slowly and sometimes at hardly observable pace, but it does. The role of ideas and discourse in the institutional design of this highly specific and nationally sensitive Policy was what raised the genuine interest in working out this Thesis. Discursive institutionalism developed by V.A.Schmidt presented a brilliant opportunity for the fulfillment of this uneasy task. It is a relatively young new institutionalist approach, not very well examined yet with regard to such a "hardcore", "realist" topic within International Relations/European Studies, and it has its own promising perspectives. There are certainly minimal expectations concerning its complete self-sufficiency as a sole right explanatory framework, albeit this can be said about any other approach as well, but it can definitely enrich academic knowledge about the EU's security and defense capabilities as a part of the wider EU external action, and about the EU herself at the end of the day.

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## INTRODUCTION

### 1. The Purpose of this Study and Existing Literature

Early institutionalist approaches to IR can be traced back to the 1920es – time when the first international organization (League of Nations) was established (e.g. Herring, 1940; Key, 1947): at that time IR realism of Carr, Wolfers, Spykman, Morgenthau, Brodi and others was hegemonic paradigm in all areas of IR (Brecher & Harvey, 2002, p.1). Institutionalists decided to begin in a roundabout way: what started with descriptive research has soon transformed into more theoretical, academically weighty findings on the linkage between states and international organizations, and in the 1950-1960es institutionalism became the dominant approach in studying international organizations (Barkin, 2013, p.39). Institutionalism in comparison to IR realism emphasizes profound effect of institutions on states and their importance for IR studies (Sari in Cardwell, 2012, p.65; see Keohane, 1982).

In the process of evolution of institutionalism Bull's (1977, 1983) "English school" and functionalism/neo-functionalism by Mitrany, Haas, Deutsch and others were followed by new institutionalism of the 1980-1990 (Telo, 2009; Hobson, 2000). Special place within these insitutionalist clusters of scholarship is occupied by authors like Keohane (1993, 1996), Nye (2004), Young (1986, 1996), Lake (2002) and others (Brecher & Harvey, 2002). Today it is no longer possible to study IR without carefully taking institutional aspects into consideration (Telo, 2009, p.104). As for the European (integration) studies "institutionalist turn" in EU studies, this is sometimes attributed to Scharpf's observation about the impeding effect of joint decision traps inherent in the EU institutions which pose great deal of difficulties to neo-functionalism explanations, but also offer brilliant opportunity of conducting research for famous institutionalists like Deutsch, Haas, Etzioni and others (Aspinwall & Schneider, 2000). Yet, for the so-called old institutionalism, narrowly focused on description (or normative evaluation) of formal, codified aspects of institutions (criticized even by behaviorists who had a lot in common with old institutionalist school) and rather individualistic dimension of institutions at the expense of considering genuinely collective decision-making, peculiarly vibrant and conceptually recalcitrant EU was a hard nut to crack, while the emerging new institutionalism, which overcame many shortcomings of its predecessor, was better equipped for this task from the start (Bell in Summers, 2002; Lowndes in Marsh & Stoker, 2010; Peters, 2005 in Maggetti, 2012; Telo, 2009; Patrushev, 2009; Birkland, 2011; Rosamond in Cini & Borragan, 2013). To the classical list of the new institutionalist schools of the 1980-1990es proposed by Hall and Taylor (1996) – rational choice,

historical and sociological neo-institutionalisms – Schmidt (2000a, 2006a, 2007, 2008, 2012) added one more – discursive institutionalism (DI). DI framework has a double advantage which rests upon strengths inherent in both constructivist and institutionalist sets of approaches. If IR constructivism suggests new ideas about the role of national and collective identities or perceptions of identities in political behavior in a specific context, then DI establishes necessary linkages between ideational underpinning and formal/informal institutions, provides ground for a multi-level ideational and two-dimensional discursive analysis of political behaviors of sentient agents acting in a specific context. DI as a set of ideational-discursive approach to institutions does not represent the most widely spread analytical framework for studying such a “hardcore” topic as CSDP traditionally studied by rationalist approaches. This makes the tasks defined for the given Thesis both promising in terms of their further perspectives and challenging in terms of possible difficulties in the application of the DI terms most frequently tested upon social-economic areas. DI-based examination will in any case contribute to the enrichment of the academic knowledge about the CSDP and EU external action in the widest sense, and will open up new ways for conducting comparative and (new) regionalist studies.

Although institutionalization and deliberate collective action toward institutionalized cooperation is not something *a priori* given but is often gradually evolving consequence of political interactions between actors, dominant IR realism’s and liberal interdependence school’s focus on external factors and power balances both within global political system and relationships between the EU’s major members states alone cannot provide full picture of the CSDP’s emergence and evolution (Smith, 2004). In the context of studying “regional polities”, like the EU, paying attention to institutional dimension is of paramount importance (Telo, 2007, p.304). Explanatory apparatus offered by new institutionalism therefore was a good option to fill the gaps in studying collective choice to create and develop the CSDP. Different scientific schools, from traditional realists to radical constructivists, as a rule offer a large variety of scenarios for the European Union’s future image on the international arena among other prominent global actors. “Rather rationalist” theories and concepts can explain a number of the past and current developments which allows them to predict many aspects of the future international role of the EU. But rationalist schools are not able to explain real nature of actors and of their interests, the origin of institutions and the phenomenon of institutional/structural change. DI-based approaches can benefit from rationalist and adjacent schools as background knowledge and to enrich institutionalist explanatory arsenal with ideational and discursive insights which can better explain the origins of interests rooted in ideational frameworks which operate at different levels, in various forms and types, are conveyed through various discursive interactions and can be mobilized by sentient agents in the form of collective

action which might lead to institutional change. Rationalist and adjacent approaches can explain how institutions work, DI can additionally show why they work the way they do.

The given Thesis is focused on the analysis of EU political cooperation, foreign policy and security *cooperation*, in particular, and not on political *integration*, for the latter is identified by Smith (2004, p.17) as a “foreign policy cooperation plus a host of other factors, such as electoral practices and judicial cooperation”. What is of special interest for the Thesis is namely institutionalized forms of EU foreign policy and security cooperation, for the scope of the Thesis’ interest covers namely modern CFSP/CSDP institutional framework and the theoretical approach chosen for this purpose provides a relevant set of instruments for studying it. As opposed to Keukeleire and Delreux (2014) the Thesis’ main interest lies in the *sensu stricto* examination of primarily CSDP (as a part of the CFSP) framework and its role within wider EU external action, than more comprehensive *sensu lato* approach which also incorporates trade, development, external environmental policy and enlargement.

One of the conclusions made during the conversation held with the author of the discursive institutionalist concept V.A.Schmidt was that discursive institutionalist concept, which has usually been applied to the study of social-economic interstate relationship which recently included the EU’s policies in surmounting economic and financial crisis, could work in an interesting way if applied to this very specific policy area of the EU. Indeed, up until today DI framework used to be examined largely with regard to social-economic problems thank to a testing mechanism for varieties of capitalism problem very well-developed by Schmidt (Gao, 1997; McNamara, 1999; Blyth, 2002; Schmidt, 2002; Swank, 2002; Crouch, 2005; Morgan et al., 2005; Mjoset 2011 etc.). Luckily, by today there are also some prominent and extremely thought-provoking works published on the analysis of social-political problems through DI lenses (Berman, 1998; Campbell, 2004; Howarth & Torfing, 2005; Frost, 2008; Carta & Morin, 2014; Nitoiu & Tomic, 2014 etc.)<sup>4</sup>. And, finally, in the last years there have been a number of publications completely/partially dedicated to the DI-driven analysis of the European integration and its various aspects including CFSP/CSDP (Carta & Morin, 2014; Coman et al., 2014; Saurugger, 2014; Howorth, 2014 etc.). “Two literatures” existing in the social sciences in comparative politics+political economy (Hall, 1993; Berman, 2001; Hay in Rhodes et al., 2006; Schmidt, 2008 etc.) and international relations (IR) (Checkel, 1999; Finnemore & Sikkink, 1998; Slaughter, 2004 etc.) which are concerned with the role of ideas in the generation, continuity and change of “policy paradigms” do not speak to each other properly due to differences in focus and in disciplinary field, as Skogstad and Schmidt (in Skogstad, 2011)

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<sup>4</sup> It must be strictly underscored that the dividing line between social-economic and political focus in the examination of the DI framework is, in fact, conditional. Such works as, for instance, written by Mirowski and Plehwe (2009) on neoliberal thought in Europe and many others may be equally attributed to both economic and political studies.

report. The given Thesis thank to both the chosen theoretical (DI as a set of various ideational-discursive approaches in institutionalism) and empirical components (IR, European studies and comparative regionalist studies with sufficient attention to the roles of member states) is an attempt to contribute to this lacking dialogue.

One of the basic components of theoretical approach applied in a very well-compiled festschrift on European security edited by Merand et al. (2011) embodies the replacement of paradigmatic domination with paradigmatic “pluralism” going beyond (neo)realism and (neo)liberalism or what they call (by paraphrasing T.Kuhn’s 1962 term) the *beginning of a “paradigm shift”*.<sup>5</sup> Paris (2001), for instance, illustrates this evolution by introducing the “broadening” (phenomenological viewpoint) and the “deepening” of the notion of security. The “broadening” comprises a more complex spectrum of global security risks than those limited to state (military) interests, i.e. territory and political values, namely provides for a multi-faceted modern complex of security risks, e.g. overpopulation, terrorism, environmental scarcity and degradation, spread of diseases, nuclear non-proliferation, mass refugee movements, drug trafficking, poverty, and, naturally, regional conflicts; while “deepening” reflects the recent involvement of non-state actors i.e. individuals, movements, various groups etc. into the security-related discourse (Paris, 2001). The EU with her CSDP mechanism is a brilliant example of non-state security actors. It must be also noted that significant part of the explanation for focusing so much attention on a more inclusive concept of security in modern political studies relates to comparatively “benign” security environment lately established in the EU *herself* thank to the ultimate disappearance of existential territorial threats to her member states (Merand et al., 2011, p.12). CSDP is another evidence of the EU’s in a way *sui generis* nature with “an autonomous legal order” clearly distinct from both constitutional (national) law and international law (Wyrozumska in Blanke & Mangiameli, 2013, p.1393).

Whatever the genuine role of the tomorrow’s EU will be, it will be based upon both internal and external dimensions of the EU polity. External action cannot be separated from external implications of internal policies and vice versa as well as obvious overlaps of political and economic issues (Telo, 2007, p.302). This important aspect of European modern security landscape was also reflected in the application of Bretherton and Vogler’s (2006) actorship scheme to the problem of the EU as a regional and global actor explained in the sub-Chapter 1.5. Security is not a separate field of international relations, it thoroughly penetrates each and every aspect of human activity. The modern EU’s responsibility for global security eventually reveals the importance of not only supporting common EU policies, practices etc. forming the intra-European security framework but taking certain part of responsibility for relinquishing security problems experienced

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<sup>5</sup> This problem is to be discussed in the Chapters below.

outside the EU. Task of spreading democratic values and practices to the neighboring countries and beyond sometimes referred as a mission of “civil power” (“civilizing power”) describes probably the most politically visible way the EU ever exercised in order to bring more advancement to the surrounding countries and thereby also to reinforce the conditions for enhanced security there. But the very fact of continuously developing new instruments of positively influencing international security (CSDP included) shows that simply react to the external world by using civil means is not enough today, the Union needs structural foreign policy which addresses international security structures in a more coherent, effective and long-term way. The European Security Strategy (ESS) adopted by the European Council in 2003 expresses EU’s officially declared common will of sharing certain part of international responsibility for global security which is apparently embodied by the whole EU external action framework. Common Foreign and Security Policy (CFSP) and its crisis management continuation - Common Security and Defense Policy (CSDP) - are part of this huge framework. The aim of the CSDP is to “provide the Union with an operational capacity drawing on civilian and military assets”, which may be used “on missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter” (TEU post-Lisbon, 2007, art.42.1). Within the overall external action framework of the Union it is important to further develop EU’s civilian crisis management (CCM) capability both in the form of her autonomous civilian missions and contributions to peace and stability worldwide made by other global security actors such as NATO, UN, African Union etc.

It must be noted that although CFSP and CSDP have been designed namely for taking up certain part of responsibility of providing peace and stability across the globe in practice they account for not the leading share of supporting global security. But a very specific set of civil and military instruments offered within CSDP, CFSP and the Community mechanisms coupled with a very peculiar status and role of the EU as an emerging collective security actor makes the Union’s value-added to global security very meaningful and promising. Bretherton and Vogler (2006) dedicate a considerable part of their book to the Union’s trade, environmental, neighborhood, development and humanitarian policies where, in their view, the EU’s global actorness capacity is higher. Telo (2006, p.206) mentions two foreign policy successes of the EU - enlargement and interregional action. What is of special interest for the Thesis is to take a look at the possible perspectives of the CSDP to improve its visibility within EU external action and to produce better results tomorrow than it does today.

Although, in general, the EU foreign policy currently does not seem to rank high on the agenda of the Union and member states leaders due to the ongoing financial and economic crisis in Europe

and beyond, the future strategic role of the Union on global scale, her political influence depends on both internal and external policies (Helwig et al., 2013). Compared to the military crisis management which lies exclusively within the second pillar competence area of the EU, civilian crisis management is not limited only to the CFSP area but also falls under the one of the first pillar managed by the Commission (Tardy, 2009, p.20). Although the split between two pillars as such causes many difficulties and proper coordination and coherence are not guaranteed, this aspect enriches the analysis of civilian crisis management in terms of studying the problem within a wider picture of the EU inter-institutional communication, even more interesting – EU intergovernmental and supranational interaction. CSDP missions, in practice, are not designed for any regional conflict, they are better off when the Union has comparative advantage over other security actors which, in truth, happens very rarely; moreover, coordination both within the EU's various institutions and bodies involved in the implementation of missions counts as one of the most burning problems.

Modern “assymetrical warfare” security environment requires new generation of crisis management mechanisms and resources (Hunter et al., 2008). And this is the time when namely CFSP and more importantly CSDP are at hand or might be further developed in order to be at hand. Internal EU problems such as member states' reluctance to increase military expenses, permanent political cleavages, diverse positions towards US/NATO and EU's future (*terminus ad quem*), lacking coordination between EU external action structures and bodies, limited competences in external action etc. and external factors such as the US position, instability in the surrounding regions etc. lead to the situation when the Union can afford herself to take only certain part of responsibility over supporting peace and prosperity in the territories which do not belong to the EU system. Certain part of responsibility reflects the improbability of the Union to become able to fulfill the majority of allied needs for civilian post-conflict stabilization work (Chivvis, 2010). Due to these reasons the EU had to find her own niche in this field which seems to have partly happened during the elaboration of her civil-military conflict management arsenal incorporating institutional-programmatic framework. Again the question remains: “how well suited is the EU, in reality, to civilian work?” (Chivvis, 2010). Majority of the CSDP missions to date were civilian crisis management missions (police, rule-of-law, civilian administration and civil protection) and namely they are addressed in the Chapter 3 of the Thesis. Yet, it is admitted that in crisis-torn regions no civilian operations can be undertaken without at least the constant availability of (semi-)military means – the very idea of backup (military) resources which is a very important psychological issue too for making civilian mission effective and efficient. Not namely EU resources, but availability of NATO instruments, for instance, could be of great help. In this respect, NATO-CSDP dialogue is

very seriously addressed in the Thesis. Namely for this reason organically deriving from the fact that both civilian and military components are undisputable integral parts of the large CSDP framework in the next section dedicated to the historical background of the EU missions and CSDP, in general, and of EU civilian missions, in particular, the author tries to show a clear cross fade and not a perforated line between the CSDP and its military and civilian aspects. This cross fade relies upon the conviction that all these elements are interrelated and highly interactive.

## **2. Overview of the Study**

The first Chapter serves as a nodal point for the interosculation of the theoretical and empirical components of the Thesis. The Chapter 1 is focused upon the background of the institutional theory in the study of politics and IR, evolution of institutionalist school, its early varieties and gradual transformation into new institutionalism. Apart from providing insights into origins of (new) institutionalism and its modern 4 varieties – rational choice, historical, sociological and discursive institutionalisms – the given sub-Chapter sheds light on the institutionalist turn in IR, regionalist and European integration studies.

In the next 1.2. sub-Chapter the author smoothly proceeds to a closer overview of the DI framework as the forth neo-institutionalist set of approaches by showing how the problem of ideas, norms and values has evolved in the social sciences and political science, IR and EU research, in particular. This sub-Chapter vividly demonstrates that DI is not a homogenous set of approaches but is a complex umbrella framework of ideational and discursive concepts which also benefited from other new institutionalist schools other than DI. In the remaining part of the sub-Chapter the author exhaustively addresses basic characteristics of the set of approaches labeled as discursive institutionalist: sentient agents, ideas, discourse, institutional context and collective action potentially leading to institutional change. The author reviewed: the nature and role of thinking and speaking but also doing sentient agents, nature and characteristics of ideas carried by those actors in various forms, types, at various levels and exploited in various types of argumentation, coordinative and communicative discourses as well as bottom-up/top-down “launching platforms” of discursive interactions, characteristics of formal/informal institutions and institutional context, external and internal dimensions of institutional context in various political systems, “background ideational abilities” and “foreground discursive abilities” owned by actors within the internal dimension of institution-agent relationship, causal influence of ideas and discourse, and, finally, DI’s most advantageous component – incremental and radical institutional change as the result of the collective action undertaken by sentient actors by using “foreground discursive abilities”, the ways and the reasons of institutional change.

Following the logic behind the DI approach the discussion of the problem of the EU's civilian crisis management under the CSDP as a part of the EU actorhood, issues addressed in the Thesis are structured on the basis of three ideational levels: *philosophical ideas or the 3rd-level* with focus on NATO-CSDP dialogue as a part of the EU's role, communication and operation within above-EU global political arena; transition (civilian-military integration within the CSDP) from the 3rd level to the *2nd level of programmatic ideas* located on the EU-level (CSDP-level), and, finally, the *1st level of policy ideas* represented by single CSDP missions (two civilian CSDP missions – EULEX Kosovo and EUPOL Afghanistan).

The 3<sup>rd</sup>/philosophical level of ideas coincides with the NATO-CSDP dialogue highlighted in the 1.3. sub-Chapter of the Thesis. Here the author relies on historical facts when demonstrates extremely close interrelationship that exists between the NATO/US and CSDP/EU. General review of the evolution of NATO-EU security relationship is thoroughly accompanied by providing insights into ideational-discursive dimension of ever-developing cooperation (in accordance with the whole spectrum of DI's basic characteristics explained in the 1.2. sub-Chapter) within ever-changing historical-institutional context. Uneasy interaction between the two sides has undergone a very long and complex way of mutual suspicions and two-way endeavors to get closer to each other. Perceptions of each by the other one have altered immensely and the roles of both as international security actors have been transformed in the last decades and years. Special attention was paid to the exhaustive examination of the pre- and post-1999 security cooperation between changing NATO and ever-maturing EU as well as the evolution of the EU's (self-)identity within this relationship. As a part and logical continuation of the debate about NATO-CSDP cooperation the author places civilian-military integration within the CSDP under spotlight in the next 1.4. sub-Chapter. Overview of the gradually developing institutional and policy-making framework which underpins civ-mil coordination within the CSDP has also allowed for the analysis of the real nature of the Policy, its actual specialization and future development perspectives, as well as the EU's overall international image.

EU as a regional and global security actor within the 2<sup>nd</sup>/programmatic level of ideational analysis is under focus of the concluding - 1.5. – sub-Chapter of the Chapter 1. What possible scenarios for EU's current and future actorship does literature offer? Which concepts about EU's role as a collective security provider do scholars propose? How does the EU's future as a global security actor look like? These are the questions which the author puts under discussion here and tries to provide answers to by means of available academic literature on the EU's actorhood and external action which has constantly evolved during the last decades. By attempting to move beyond the two maximalist approaches of perceiving the EU as a completely *sui generis* power or as a model



power, the author takes a look at the ideational-discursive changes in the developing EU external action and security and defense policy and the EU's role as a security actor. EU's regional and global actorness is reviewed on the basis of the three key components of actorhood proposed by Bretherton and Vogler (2006) and they are co-matched with the basic discursive-institutional notions: (1) opportunity or (historical-institutional context) which build upon ideas and processes having constraining or enabling effect on actorness; (2) presence (underpinned by foreground discursive abilities) embodies the actor's ability to generate influence on other actors which comprises actor's identity, self-identity and often unintended consequences of the actor's internal policies; (3) capability (underpinned by background discursive abilities) represents internal dimension of the actor's external action which presupposes possession of relevant policy instruments and understandings for using these instruments. Within this structured examination the author specifically addresses the concepts of strategic culture, various EU as a power (civilian, military, normative, structural and adjacent) concepts, and all this is analyzed in strict accordance with the DI-based approach.

The main focus of the Chapter 2 lies in the closer familiarization with the detailed history of the EU's security and defense policy with due attention to the pre-Maastricht background of the future CSDP. This dovetails with the 2<sup>nd</sup>/programmatic level of ideational examination. Following the DI tradition, global institutional context as well as sentient agents', i.e. major EU member states' (UK, France and Germany) role in the creation and evolution of the CSDP are closely addressed. Historical review is divided into specific periods of 1970-1989 European Political Cooperation epoch, 1989-1999 post-Maastricht or the immediate pre-CSDP period, 1998-1999 CSDP's creation and post-Lisbon (2007) CSDP period. Institutional novelties of each period are exhaustively described and this all is explained in the light of the DI-based terms and understandings. Civilian component of the CSDP is given special attention. The list of the missions undertaken under the CSDP mechanism since 2003 until 2015 and their basic characteristics as well as the full review of all CSDP-related EU institutions and bodies conclude the Chapter.

The concluding Chapter 3 of the given Thesis embodies the 1<sup>st</sup>/policy ideas level of ideational examination and is basically concerned with the two largest civilian CSDP (ongoing) missions – EU rule of law mission in Kosovo (EULEX Kosovo) and EU police mission in Afghanistan (EUPOL Afghanistan or EUPOL-A) launched in 2008 and 2007 correspondingly. The author is interested in the ideational-discursive aspects of the planning and pre-decision-making phase which led to the launch of those missions. Following the logic of systemic approach to the problem the author provides further insights in the historical background of crisis management operations in two regions, interaction of the EU missions with other regional actors and assessments of effectiveness.

## CHAPTER 1

### **Institutionalist Approaches to Crisis Management: Discursive Institutionalism**

#### **CSDP, NATO and EU as a Regional and Global Actor**

*“Has the world ever been changed by anything  
save the thought and its magic vehicle the Word?”*

*(T.Mann, 1959)*

*“There is no perfectly static state in the history of life. Change is the norm.”*

*(O.A.Lewis & S.Steinmo, 2010)*

#### **1.1. The Origins of New Institutionalism**

The history of the emergence of institutionalist approaches to international relations (IR), referred by Peters (2005, p.139), for instance, as “international institutionalism”, has started with the empirical descriptions of international organizations<sup>6</sup> (starting from the League of Nations; see Herring, 1940; Key, 1947) and after the WWII as a part of the transformation of political science into a more deductive science they were substantially enriched with theoretical studies on the linkage between state-sovereignty and international institutionalization (Telo, 2009, p.91; Steinmo, 2001). However, political science itself in its early years of existence, as Steinmo (2001) asserts, “meant the study of political institutions” and draws the example of Wilson’s (1891) “Congressional government: A study in American politics”.

In 1995 Mearsheimer was talking about three major IR theories that employed “institutions as a core concept”: liberal institutionalism, collective security, critical theory. According to Telo (2009), the first theoretical institutionalist streams in the European and the US international political studies are represented, firstly, by the early institutionalist wing of the “English school” especially in the person of H.Bull (1977, 1983) and functionalism/neo-functionalism by Mitrany, Haas, Deutsch and others, and, secondly, by the neo-institutionalism of the 1980-1990s (Telo, 2009; Hobson, 2000). While rejecting the mechanistic side of systems theory and the hegemony of empirical, quantitative American behaviorism, Bull (1977) emphasizes the availability of certain rules<sup>7</sup> and order within an

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<sup>6</sup> For the review of descriptive comparative studies on international organizations see Verba (1967).

<sup>7</sup> Three types of rules: (1) fundamental or constitutional rules for ensuring better effectiveness in the implementation of laws, legal obligations and general rules (sectoral and supranational organs not included); (2) coexistence rules for

anarchical (emphasized by IR realists<sup>8</sup>) international society which can be attained by relying on common interests albeit being critical of Burton's (1972) "world society" and of "neo-medievalism" (Telo, 2009, pp.91-93; De Souza, 2008).

Another IR institutionalist stream is (neo-)functionalism<sup>9</sup> born out of the liberal movement that criticizes orthodox realism and neo-realism and of the concepts on interdependence and transnationalism placed against the political instability of the 1940s (Telo, 2009, p.93; Rosamond, 2000, pp.33-35). (Neo-)functionalism, thus, is, in a broad sense, one of institutionalist approaches in IR, and, in a more specific sense, one of the two main classic theories of regional integration, the second of which is federalism<sup>10</sup> (Dosenrode, 2015, p.242). The core idea of federalism with its reliance upon the principles of independence within a larger unit and division of power embodying territorial politics in many ways reminds of Deutsch's amalgamated security communities (Dosenrode, 2007, p.8). Riker (1975), Forsyth (1981), Riley (1976), Elazar (1987), Lijphart (1999), McKay (1999), Abromeit (2002), Dosenrode (2003, 2007, 2015) offer remarkable amount of findings on federalist approach and also confederalist approach which describe leagues of states of a more long-term character and pursuing a broader set of goals (Dosenrode, 2007, p.9).

Neo-functionalism focused on rather incremental forms of regional integration compared to the more "fast change" orientation of federalist school<sup>11</sup> has had and still has a tremendous impact on the EU studies and IR (Rosamond, 2000; Eilstrup-Sangiovanni, 2006; Vollaard, 2008). Schmitter and Haas (1964), Lindberg (1963), Lindberg and Scheingold (1970) and others have worked out the original functionalist ideas which underpin the modern neo-functionalist school which goes far beyond ever-increasing functional/economic "spill-over" to gradually open the door to the political "spill-over" (Eilstrup-Sangiovanni, 2006, p.90; Haas & Schmitter, 1964).

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excluding the use of force in international interactions, plus those on states behavior (*pacta sunt servanda*); (3) cooperation rules in economic, social, political, environmental etc. fields (Bull, 1977 in Telo, 2009, pp.92-93).

<sup>8</sup> „The characteristic pessimism of realism“, Keohane (1984, p.67) says, can not be the only right way to think about world politics, and the realist characterization of global politics can be equally consistent with „the formation of institutionalized arrangements, containing rules and principles, which promote cooperation“. See also Mearsheimer (1995).

<sup>9</sup> The earlier versions of functionalism, according to Steinmo (2001), were, however considering political institutions simply as instruments to fulfill „the systemic needs of society“.

<sup>10</sup> In theory, one could also add Deutsch's (et al., 1957) transactionalism to the list of regional integration theories but Dosenrode (2015, p.242) considers it to be less developed than the previous ones and therefore excludes.

<sup>11</sup> Dosenrode (2015, p.249) subsequently specifies that incremental change within (neo-)functionalist school here is juxtaposed to a more straightforward change in federalism: functionalist change may not always be steadily increasing, but somewhat punctuated due to certain periods of standstill, set-backs and even disintegration.

To Mitrany's (1966) findings, emphasizing (especially technical aspects of) specific social-economic cooperation based on shared interests for maintaining peace between states (Eastby, 1985; Rosamond, 2000, pp.33-36; McMullen, 2004), Haas (1964, 1970) adds the "bottom-up" (non-state local, regional, transnational and supranational) policy creation's importance in ensuring "spillover effect" of mutually beneficial cooperation between sovereign states<sup>12</sup> which was later on taken up by Moravcsik as well<sup>13</sup> (Parsons in Jones et al., 2012, p.49). K.Deutsch's (et al., 1957, 1968) "security communities"<sup>14</sup> concept (initially proposed by Van Wagenen in the early 1950s) provide a brilliant example of the spillover effect of particularly developed communications, linguistic commonalities as well as common external (military) threats among considerably small number of states (especially observable in the North Atlantic region and West Europe) and of establishing further deepened security cooperation (Adler & Barnett, 1998; Telo, 2009, p.95).

When talking about neoliberal institutionalism and IR there can be no way to bypass Keohane. Similar to what will be said with regard to rationalist mainstream of institutionalism below, Keohane (1984) is convinced that the dominant IR realist approach (hegemonic stability theory) did not prove capable of providing satisfactory explanations of cooperation in international relations, and his "functional theory of regimes" serves as an attempt to fill these gaps by building mutual bridges between rationalistic and reflective approaches (Keohane, 1988, in Beck et al., 1996). His functional theory relies on the necessity to relieve international "state of war" through establishment of economic cooperation by relying on the pre-existing complementary interests of participating states, which will in the end necessitate the establishment of cooperation-oriented international institutions (Herbert, 1996). These institutions or "regimes" are "recognized patterns of practice around which expectations converge" (Young, 1980 in Keohane, 1984, p.8) which alleviate

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<sup>12</sup> Etzioni (2001, 2004), Wendt (2003) and others further develop these ideas in their discussions of the prospects of regional functional units to ultimately shape global unified authority. For a more detailed analysis of similar concepts see e.g. Attina (2011), Cabrera (2012).

<sup>13</sup> Telo (2009, p.94) shows a more inclusive character of Haas' functionalism in contrast to international regimes focused on a single specific problem and technical knowledge tied to this problem. In general, Bornschieer (1996, p.133) demonstrates that the regimes school is normally associated with two theoretical perspectives: (1) functionalist/institutionalist approach (Haas & Young in Krasner, 1983) and (2) realist/structuralist strain (Krasner, 1983; Keohane, 1984).

<sup>14</sup> He distinguishes two types of security communities: (1) amalgamated security communities based on „formal merger of two or more previously independent units into a single larger unit, with some type of common government after amalgamation“ (e.g. USA) and (2) pluralistic security communities made of participants who maintained „legal independence of separate governments“ (Deutsch et al., 1957, pp.5-6).

uncertainties and improve information for a more trustful cooperation even in the absence of a hegemon (Keohane, 1982, 1984, in Beck et al., 1996).

Shared emphasis upon the decisive role of supranational institutions' powers made by both neo-functionalism and federalism, Castaldi (2010) and Dosenrode (2010) argue, suggests their possible complementarity which was favorably taken up by scholars such as Albertini (1971-1999, 1976-1999, 1984) to rely on the concepts of Monnet, Spinelli, Schuman and others to propose the so-called constitutional gradualism which was an attempt to integrate both. (Neo-)functionalism, yet, as Bulmer and Lequesne (2013, p.7) report is too much occupied with the problems of spillover across economic sectors or political area, especially the role of interest groups and, of course, supranational institutions but not the role of national governments, i.e. states traditionally regarded as the "prerogative" of intergovernmentalists, and this is one of the biggest weak points of functionalists which is also confirmed by Telo (2009, p.96).

And finally, for the reason that this Thesis' main focus is the EU as a (*sui generis*) international regional organization, one must necessarily at least briefly review the most prominent (neo-) regionalist schools. K.Deutsch with his "security communities" concept has already been mentioned above, and the approaches of a large variety of integration and regionalist scholars such as Nye (1971), Lindberg and Scheingold (1970) as well as Haas (1958) who emphasized values, social learning, communication and the processes of change within institutions are intimately connected to the essence of this concept (Adler & Barnett, 1998, p.25). Regionalist schools<sup>15</sup> are as old as the Earth but the real development has started since 1945 and reached its apogee since the early 1990s due to accelerating global processes which prompted authors to add prefix "neo-" to the term "regionalism" (Fawcett, 2005, p.27; Soederbaum, 2003, p.3). Soederbaum (in Landman & Robinson, 2009, p.479) gives the following definition of regionalism: "regionalism represents the policy and project, whereby state and non-state actors cooperate and coordinate strategy within a particular region or as a type of world order. He (ibid., p.479) emphasizes regionalism's traditionally formal nature which "leads to institution building", while he defines "regionalisation" as "the process of cooperation, integration, cohesion and identity creating a regional space" (thematic or general). According to Laursen (2010), Warleigh-Lack and Van Langenhove (2010) as well as Warleigh-Lack et al. (2011), during a very long period of time EU studies and regionalism have been unfairly neglecting each other, and only in the last years a serious dialogue between these

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<sup>15</sup> Shaw et al. (2011, pp.8-11) point to the extremely large scope of factors bringing about modern regionalist processes which create the necessity of studying not regionalism but regionalisms also in the sense of regionalism studies and not only regionalist policies.

two seems to have been established at last (see e.g. Brennan & Murray, 2015; Rosamond & Warleigh-Lack, 2013; Christiansen et al., 2013; Saurugger, 2014).

Thakur and Langenhove (in Cooper et al., 2008, p.30) refer to the term of “new regionalism” very popular nowadays formulated by Schultz (2001) which allows for drawing conclusion that the “deepening” of the security concept (which was introduced in the opening part of the Thesis and represents one of its essential components) and reflecting active involvement of non-state actors in world politics and security (which are part of new regionalist processes) can be daringly credited *inter alia* with contemporary processes of regional integration, rising interdependence and transnationalisation. What is more important, in the given state-of-the-art realists, who started being criticized for being “parsimonious”, too focused on “structural anarchy” and pretentious about their overarching objectivity as compared to competing schools, needed to rework their assumptions where feasible and there was need for alternative approaches where it was unfeasible to refresh realist school (Steans et al., 2013, p.239; Kegley, 1993). This is not to say that mainstream must be packed up and thrown away, it is to say that the “defining moment” (Serfaty, 1992) has arrived to add to mainstream something that it lacks.

Now it is time to take a closer look at institutionalism. Historical roots of institutional theory as such date back to E.Durkheim’s famous call for studying “social facts as things” (Powell & DiMaggio, 1991), and as such embodied “the study of politics and policy based on the interaction of formal institutions in government, such as the legislative, executive, and judicial branches” (Birkland, 2011, p.92). In fact, institutionalist school started functioning long before political science got the status of an academic discipline at the beginning of the XX century (“the oldest of the social sciences”, Strauss in Storing, 1962, p.308), since most of the XIX century political study works were largely institutional by character (Bevir, 2010, p.699). So, no surprise, that as soon as political science turned into a distinctive discipline institutionalism got formalized too and its main study method relied on the in-depth analysis of official (written) documents and the relationships among various branches of formal government and states (Birkland, 2011, p.92). Bevir’s edited “Encyclopedia of Political Theory” (2010, p.699) identifies institutionalism as “a general approach to social science that studies institutions using” inductive, legal, historical and comparative methods, the fact confirmed also by Hall and Taylor (1996) as early as in the mid-1990s who reported that institutionalism has spread over a variety of sciences including political science, sociology and industrial organization.

Behaviorism or “the new political science” (Strauss in Storing, 1962, p.307), neoliberalism and rational choice theory challenged institutionalism in the mid-XX century (Bevir, 2010, p.700; Apter in Scott & Keates, 2001, p.259). Each of these schools forced classical institutionalists to reconsider

and to rework their theses concerning the one-track focus on formal aspects: behaviorism with its “the root is man” & “the goal is man” mottos (Eulau, 1963, p.133) argued that much beyond formal constitutional laws political scientist must have taken into account actual processes and activities undertaken by policy individuals (single or in groups); rationalists called for the centrality of interests and preferences of actors based on political rationality; neoliberals insisted that support for excessive state intervention into markets and civil networks had to be abandoned (Bevir, 2010, p.700).

Institutionalism, in turn, ultimately benefited from this multi-voiced excoriation and rose like a phoenix from the ashes in the mid-1980s - early 1990s (Lane, 2000, p.221; Zakharov, 2010)<sup>16</sup>. The name and theoretical roots of its successor - *neo-institutionalism* (NI) - date back to the works of J.G.March and J.P.Olsen (March & Olsen, 1984, 1989), Hall (1986) and Ikenberry et al., (1988) which was, yet, basically just one type of NI – the so-called “normative institutionalism”, by the way, the predecessor of sociological (new) institutionalism<sup>17</sup> (Immergut, 1998; Hall & Taylor, 1996; Blyth, 1997; Lecours, 2005; Peters, 2012; Stross, 2014, p.40). This school having been an answer to the behavioral “hysteria” of the 1960-1970s (Nitta in Bevir, 2007, p.606) came up as a result of the revival of academic interest in exploring institutions as it was to observe in political economy of Veblen or Commons and functionalist school of Parsons and Selznick (Powell & DiMaggio, 1991; Schmidt in Landman & Robinson, 2009, p.125; Della Porta & Keating, 2008, p.6; Steinmo, 2001)<sup>18</sup>. Yet, Steinmo (2001) reports that the most popular American scholars of the 1960-1970s, e.g. Schattschneider (1960), Greenstein (1963), Fenno (1966), Gallagher et al. (1969) as well as comparativists such as Ekstein (1960), Bendix and Brand (1968), Huntington (1968) had not abandoned their institutional studies even in the face of harsh criticism.

When analyzing these academic realignments one must not forget the historical context (how apropos it sounds!) accompanying these shifts in theories. At the intersection of the late 1980s and early 1990s global politics has for the umpteenth time undergone dramatic reshaping of the

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<sup>16</sup> In fact, new institutionalism has grown out of two different streams, one of which is RI and the other one is HI, Blyth (1997) reports. HI as a result of the critique leveled against state-centrism, functionalism in explanations of change and statism, in general; RI thank to the previous lack of structure in models, the multiple equilibria in repeated games even under the conditions of perfect information.

<sup>17</sup> Normativists study the way values and norms within political institutions shape individual behavior, sociologists study how institutions play the role of meaning context for individuals and provide important theoretical building blocks for normativists (Lowndes in Marsh & Stoker, 2010, p.65).

<sup>18</sup> New institutionalist approaches revived the role of institutions in political studies which used to be underestimated for a long time within rationalist concentration on agency without structure or behaviorist focus on agency without sentient agents and structure (Schmidt, 2008).

ideational grounding in the essentially large part of the world. In contradistinction to the earlier epochs the impact of this reshaping was strengthened by accelerated development of science and technologies, global interconnections and ever-rising globalization processes. So, in this new context political science needed something more than was available before, something that could explain how and why happened what happened in this historical period (Yee, 1996).

So, as Lane (2000, p.221) stresses, March and Olsen's version of institutionalism managed to securely reconcile formerly incompatible terms of interests and institutions and placed institutions before interests in any kind of positive/negative social interaction. New institutionalism, thus, clearly demonstrated openness to criticism and readiness for renewal. In fact, the above-mentioned reconsiderations correspondingly influenced the main characteristics of a new varieties of neo-institutionalisms which will be addressed below in detail.

More specifically, the prefix "neo" was added to the term of institutionalism<sup>19</sup> (first of all, with regard to the first three NIs) as the result of the evolutionary process whereby the main focus gradually moved from the old institutionalist *description (or normative evaluation)* of formal-legal arrangements of governments and public sector to individualistic behaviorism<sup>20</sup> accentuating institutional *rules* or "regularities in political behaviour" (not limited to formal organizations<sup>21</sup>) and *informal* relationships, and finally, to the refreshed revitalization (backed by "*explanation* and explicit theory building") of *institutions* as "the central component of political life", i.e. overcoming of the neglect of collective action studies in favor of behaviorist individualistic studies (Bell in Summers, 2002, italics added – *S.I.*; Lowndes in Marsh & Stoker, 2010, p.67; Peters, 2005 in Maggetti, 2012, p.24; Telo, 2009, p.97; Patrushev, 2009)<sup>22</sup>. The term of institutions reconsidered by NI scholars now comprised organizations/systems providing a platform for individuals' social interaction and their pursuit of achieving political goals by following explicit and also *implicit* rules

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<sup>19</sup> See Lake (in Brecher & Harvey, 2002), Smith (in Peterson & Sjurgen, 1998) for the difficulties institutionalism was confronted with during its evolution.

<sup>20</sup> Peters (2005 in Maggetti, 2012, p.24) seems to draw more remarkable distinctions between the three NIs and behaviorism.

<sup>21</sup> There are several major works, Diermeier and Krehbiel (2003) report, which laid the foundations of the formal analytic political science: K. Arrow's (1951) „Social Choice and Individual Values“, D.Black's (1958) „The Theory of Committees and Elections“, A.Down's (1957) „An Economic Theory of Democracy“, W.Riker's (1962) „The Theory of Political Coalitions“, Buchanan and Tullock's (1962) „The Calculus of Consent“.

<sup>22</sup> It does not seem reasonable, Lowndes (in Marsh & Stoker, 2010, p.66) says, to sharply contradistinguish old and new institutionalisms, for the latter owes pretty much to the former.



that are subject to gradual development through common action (Birkland, 2011, p.93)<sup>23</sup>. Institutions produce genuinely *collective* decisions that do not simply reflect the mechanic sum of individual decisions but are formulated under the organizational pressure (Patrushev, 2009). Today in the era of globalization, higher interdependence and ever-flourishing hi-tech completely new forms of governance start coming into view and these new dynamic forms inevitably incorporate impressive unfolding of informal institutions. Bevir (2010, p.700), for instance, brings the example of policy networks gaining in power globally in the last decades which led to certain weakening of traditional bureaucratic states, and the part of NI scholars studying these networks lately in a very active manner borrowed this topic from neoliberals - the former rivals of institutionalists. The way modern markets with their well-developed self-regulating mechanisms<sup>24</sup> affected the relationship between central states and the public by taking up important fields of activity under their patronage, these policy networks “located around functional departments” of formal governments obliged central states to introduce substantial changes into their traditional management styles (Marinetto, 2007, p.58).

Neo-institutionalism was a more dynamic institutionalism, as Lowndes (in Marsh & Stoker, 2010, p.66) reports, and it substantially reinforced the importance of political values and collective choice in social sciences and it nowadays comprises a large variety of approaches that differ regarding the very definition of institutions, the way institutions come into being, the way institutions change, how individuals and institutions generally interact, the characteristics of a “good institution” etc. (Scott, 2001; Zakharov, 2010; Peters, 2012). Another important question is the perspectives of the elaboration of a broader platform of (neo-)institutionalism within IR which could, on the one side, put the contradictory aspects existing among various NIs onto the way of fruitful mutually beneficial use of findings, and, on the other hand, could prove helpful with respect to a large variety of modern multilateral institutions with different types of operational mechanisms (Telo, 2009, pp.104-105).

What is of special interest for this Thesis is one of comparative politics’ conceptual frameworks - the one studying the role of institutions or institutionalism (Zagorski, 2009, p.8) Comparative politics is one of the three subfields of the political science. Due to a large variety of reasons

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<sup>23</sup> Nee (Brinton & Nee, 1998) demonstrates how a number of Parsons’ (1934) institutionalist findings foreshadowed the questions that NI would have faced in the 1980s (see Nee in Brinton & Nee, 1998).

<sup>24</sup> Marinetto (2007, p.58) cites Smith’s (1999) two factors of the so-called “hollowing out the state” process often addressed by scholars (Bevir, 2010, p.700; Jessop in Kennett, 2004, p.11, etc.): the external factor is globalization, while the internal factor are market-oriented state policies initiated in the 1980s in many states such as contracting out services, privatization, creation of quasi-markets and quangos.

scientific literature is really rich in various definitions of this subfield but lacks a coherent list of major approaches or conceptual frameworks which can be surely ascribed to comparativism.

What was the main point of referring to namely comparative politics to this, at the first sight, clearly IR-related field of study such as the EU studies? As it is known, comparative politics is one of the three main subfields of political science along with political theory and IR and by concentrating on internal political structures, actors, and processes its main task is to “describe, explain, and predict similarities and differences across political systems<sup>25</sup>, be they countries, regions, or supra-national systems” (e.g. EU) (Caramani, 2014). IR directs attention to relationships between or across political systems (war, balance of power, trade, development aid etc.), whereas comparative politics is concerned with „politics within countries“<sup>26</sup> (Kopstein & Lichbach, 2005; Sorensen in Caramani, 2014, p.408). In the given case one talks about the European Union as an international political system which is, true, less than a nation-state but, nevertheless, more than an international organization. Even though in the sub-Chapter 1.3 it will be referred to the EU-NATO interactions in the field of global security, this was done not for the purpose of focusing on their relationship *per se*, but to additionally shed light on the processes taking place within the EU in this respect. And as opposed to political theory which generally deals with normative and theoretical questions (justice, equality, democracy etc.), the chief task of comparative politics is highly empirical and value-neutral (Newton & Van Deth, 2010, p.59) and this is vital for the problem analyzed in the Thesis. Along with more obvious descriptive, explanatory and predictive qualities of comparative politics the key arguments for the author to have referred to this subfield and new institutionalism, in particular, are as follows:

- Focus upon basically “domestic” dimension of the political system of the EU, to be more precise, ideas and interactive processes of discourse within the EU institutional framework underlying the power relationships between the EU institutions, political systems of nation states and the EU public (external influences are not neglected), special emphasis upon analysis of roles and behavior of relevant actors;
- Institutional side of the problem accentuated: in particular, internal (social-)political structures (EU institutions, national political systems), collective actors (EU institutions, member states

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<sup>25</sup> „and over time” (Caramani, 2014, p.2)

<sup>26</sup> Still many modern IR specialists and comparativists do acknowledge the huge impact of of both „domestic“ and „foreign“ environments for the existence and development of each state, and, hence, in the long run successful analytic, explanatory and prognostic capabilities of both political-scientific subfields depend on the way they are able to benefit from this intimate connection (Kopstein & Lichbach, 2005).

and the EU public) and processes of policy-making, communication, socialization and political culture;

- Rather conventional (in orthodox IR terms) geographical area (Western Europe) highlighted with parallel focus on an advanced, somewhat less traditional for its scope type of political systems<sup>27</sup> or institutions, namely the EU complex system as well as numerous parties, interest groups, civil society groups, social movements, media and other modern agencies (different from institutions) and thereby enriching its operational capability<sup>28</sup>;
- Following traditions prescribed for comparative politics to *profoundly* explore single elements of cases<sup>29</sup>, specific aspects (enlisted) of the two civilian missions (size, scale, composition etc.) are compared;
- Rather *empirical* orientation towards ideational change than a more theoretical one characteristic to IR studies which, firstly, corresponds with the specific task of demonstrating how DI works in practice in a specific field of the EU foreign affairs and security, and, secondly, considerably enriches still mainly theory-limited scope of findings within ideational literature.<sup>30</sup>

The contemporary domestic politics which used to be under chief focus of comparative politics for many decades is increasingly challenged by growing globalization and ever-rising interdependence between various political actors (Haynes, 2003). International institutionalization processes have accelerated namely during this period with the GATT's transformation into the WTO, substantial changes taking place in the UN due to the end of the bipolar era, a qualitatively new phase of the development of the European Community due to the SEA and especially the Maastricht Treaty, not to mention MERCOSUR, ASEAN and others (Telo, 2009, p.97). These global processes touching upon the whole spectrum of fields of human activity bring comparative politics and IR closer to

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<sup>27</sup> Buzan & Little (in Hobden & Hobson, 2002, p.207) refer to Easton (1953, 1981) who as early as since the 1950s argued that in the post-WWII era the term „political system“ has begun being attached not only to a state but has been significantly enlarged.

<sup>28</sup> What is also captivating about the latest developments in comparative politics as described by Caramani (2014) is the so-called systemic functionalism that reflects the perspectives of comparative politics to adapt its concepts, indicators and measurements to also non-Western objects of analysis. In the given Thesis regardless the presence of the Afgan mission case study namely within-EU policy/mission construction is under the spotlight and not the Afgan (non-Western) case as such, therefore systemic functionalism as an advantageous quality ensured by comparative politics was mentioned not in the main text but in the footnote (as an extra information).

<sup>29</sup> See discussion of Jahn (2007) on *tertium comparationis* (criterion or criteria for systematic comparison).

<sup>30</sup> Ideas for drawing key arguments collected on this list evolved under the influence of many authors including Schmidt (2008, 2010, 2011, 2012), Caramani (2014), Kopstein & Lichbach (2005), Newton & Van Deth (2010).

each other (Sorensen in Caramani, 2014). As one can see, new institutionalism, namely four concepts congregated under this discipline form an integral part of comparative politics and the general character of each specific concept as well as the interconnections between them very remarkably resemble those happening to diverse IR schools. As Steinmo (2001) shows, Katzenstein (1976) with his institutionalist studies on the oil crisis of the 1970s and Skocpol (1979) who studied revolutions were among the pioneers who contributed to the full-scale return of institutionalism to comparative politics.

In other words, theoretical approach which will be tested in the given Thesis is a neo-institutionalist school of comparative politics which dates back to the 1980s. To be more precise, the author in her Thesis refers to the fourth type of new institutionalism – discursive institutionalism (DI).

As Powell and DiMaggio (1991) reported from the outset there have emerged a number of NIs in economics, history, organization theory, political science and choice theory, sociology<sup>31</sup> which consequently brought about the first three basic types of NI described by Hall and Taylor (1996): rational choice, historical and sociological NIs. All of these institutionalisms, as one will see, represent not a single unified approach but multidisciplinary bodies of research that contain relatively diverse sub-approaches which have common ontological grounds – generally common enough to ascribe them to one or another NI approach. But regardless the fact that NI is divided into different types of schools, close interconnection existing between them is undeniable which also implies chronological appearance and gradual enrichment of NI from rationalist approaches to more sociological streams (see Powell & DiMaggio, 1991).

*Rational choice institutionalism (RCI or RI)*<sup>32</sup> focuses on (states as) rational actors who pursue their preferences for maximizing their utilities following a “logic of calculation” or “logic of consequentiality” within formal (to a lesser extent informal) (international) political institutions, defined as structures of incentives, rules and inducements (Schmidt, 2010; Lowndes in Marsh & Stoker, 2010, p.67; Pollack in Jorgensen, 2007, p.32; Tallberg, 2006; Peters, 2005, 2012). RI (see e.g. Hinich & Munger, 1997) has grown out of the impact of “the second-order” (Wendt, 1999) rational choice theory (including game theory e.g. Gates & Humes, 1997) with its emphasis on individual behavior, utility maximization and institutional constraints and, in this way, it is far more occupied with the inner structure and changes taking place within an institution, like new institutionalism is, in general (Bevir, 2010, p.700; Pollack in Jorgensen, 2007; Panov, 2006). Very

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<sup>31</sup> See also Richerson & Boyd (in Runciman, 2001).

<sup>32</sup> The former acronym borrowed from Katznelson & Weingast (2005) and Pollack (in Jorgensen et al., 2007, p.31) and the second one from Schmidt (2008). In the next paragraphs the author of the Thesis will be using the second acronym.

tenable and simple when applied to stable phase of institutionalization equilibrium-based<sup>33</sup> RI school<sup>34</sup> which was later on imported in IR (Tallberg, 2006) is convinced, Bates et al. (1998) specifies, that unilateral initiative of an individual to choose a different type of behavior is a sheer myth<sup>35</sup>, and even any consideration of consciously bringing certain change to own interests and behavior is unimaginable<sup>36</sup>; stable and patterned behavior can be altered only through exogenous shocks and only<sup>37</sup>. International institutions play a paramount role in making state actors adapt their preferences and interests to a mutually beneficial cooperation through granting incentives and opportunities (Telo, 2009, p.99).

RI as a multidisciplinary set of sub-approaches relies on rational choice theory, game theory, social choice, public choice, constitutional political economy, transaction cost economics, and adjacent methods developed by social scientists of various origins<sup>38</sup> (McGinnis, 2005). The initially predominantly rationalist character of new institutional thinking has introduced “positive political economy” as an important “field of application” of economic methods in political studies, which was reflected, for instance, in special popularity of the Coase theorem in political circles that assumes the “society is able to choose an effective policy and the best economic outcomes regardless of how and between which groups political power is divided” (Patrushev, 2009; Kazancev, 2008, p.13). The way this theorem proved or not proved to provide correct answers in political science is another story (see Acemoglu, 2002). Among similar types of economic approaches especially emphasizing the reduction of transaction costs incentive one might name game theory applied to interactive situations within political science, e.g. Brams (1975), Axelrod (1984), Haggards and Simmons (1987), Morrow (1994), Allan and Schmidt (1994), Dougherty and Pfaltzgraff (2001) and others (Hirsch in Benvenisti & Hirsch, 2004, p.173; Klamberg, 2015, p.21).

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<sup>33</sup> See Schotter (1981) and Calvert (1995) for further findings on institutions as *equilibria*.

<sup>34</sup> Rationalist institutional research undertaken by the American political scientists since the 1970s has played a great role in the development of RI (see also Epstein & O’Halloran, 1999; Huber & Shipan, 2003).

<sup>35</sup> „...*individual goal-seeking under constraints*...“ (Snidal in Carlsnaes et al., 2002, p.74; italics in original).

<sup>36</sup> Domestic politics does not place a decisive role here (Telo, 2009, p.99). Yet, Abbott (2008) in his article on RI looks for possible ways to incorporate a little bit of Liberal IR with its focus on non-state actors and domestic politics, and, also of Constructivist IR theory which deals with the impact of norms, identities, perceptions on international political state-of-the-art. Those inspired by the two-level games studies (interaction between domestic and international levels) held by Putnam (1988, in Evans et al., 1993) have considerably enriched also EU studies with the findings based on this approach, e.g. Moyer (1993), Schneider and Cederman (1994); Milner (1997), Hug and Koenig (1999), Koenig and Poeter (2001), Pahre (2001) and others.

<sup>37</sup> See Pierson’s (2000b) vision of RI from the problematic stability of dysfunctional institutions vantage point. Take a look also at Miller (2000).

<sup>38</sup> See overviews by Scharpf (1997), Shepsle and Bonchek (1997), Mueller (1997, 2003), Sabatier (1999).

„The most widely accepted systemic approaches to the study of international relations, realism and liberal institutionalism, take rationalist models as their starting points“ (Goldstein & Keohane, 1993, p.4). In addition to the above-mentioned unfairly minor attention paid to domestic politics probably the most wide-spread “external critiques”<sup>39</sup> RI has been subject to in IR since the 1990s is its neglect<sup>40</sup> of the impact of cooperation in political activities and of the real role of international institutions in providing this cooperation as compared with the impediments on the way to closer cooperation, which was confirmed even by one of the prominent realist scholars Grieco (in Baldwin, 1993, 1995) (see Hasenclever et al., 1997, p.144).

What is also interesting about RI in terms of the area studied in the given Thesis is that, as Pollack (in Jorgensen et al., 2007, p.31) specifies, RI proved to be “the most influential branch of rational choice in EU studies” (see Scharpf, 1988; Garrett, 1994; Schimmelfennig & Sedelmeier 2005 and others). In the same chapter he (in Jorgensen et al., 2007, p.35-43) asks whether rationalists could really contribute to the empirical research in the EU studies or empirical applications of rational choice faced methodological failings highlighted by Green and Shapiro (1994)<sup>41</sup> but in the next paragraphs insists that the most part of RI literature in EU studies could overcome those pathologies.

*Historical institutionalism (HI)*<sup>42</sup> takes its origin from the American comparative political and systems research of the 1980s and being a large-scale approach to political research HI prefers to study the development of social-political institutions which it interprets as regularized historical macro-patterns and routinized practices (“timing and sequence” – Pierson, 2000, 2004) stipulated by long-term processes and “logic of path-dependence”<sup>43</sup> (Pierson et al. in Katznelson et al., 2002; Schmidt, 2010, 2012). Katznelson and Weingast (2005, p.12) report that differences in emphasis, asked questions, spatial/temporal scales etc. inherent in this approach’s supporters have already been characteristic for its forerunners – authors of macro-analysis books of the 1960-1970s Bendix

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<sup>39</sup> Antonymous to “internal critiques” focused on mainly methodological differences with the parallel acceptance of the basic approach (Snidal, in Carlsnaes et al., 2002, p.73).

<sup>40</sup> “Ontological blindness” as Pollack (2006) would call it.

<sup>41</sup> Amongst methodological failings in the empirical applications of rationalists Green and Shapiro (1994) identify the following ones: abstract and empirically intractable formulation, search for confirming evidence, „retroductive“ theorizing, „arbitrary domain restriction“ and others.

<sup>42</sup> Acronym borrowed from Katznelson & Weingast (2005).

<sup>43</sup> In the late 1970s Skocpol (1985) came to conclusion that revolutions are caused not by the uprisings from the bottom, but through the breakdown of the structure from above, and that is how historical institutionalism has emerged (Patrushev, 2009). The term „historical institutionalism“ have been first used in Steinmo et al. in 1992, although the studies of similar kind have been held long before 1992 (Patrushev, 2009).

(1964), B. Moore (1966), Wallerstein (1974), Anderson (1974), Tilly (1975), Skocpol (1979) and others. Amenta and Ramsey (in Leicht et al., 2010) also draw attention to the so-called political institutionalism as a separate institutionalist approach (sharing certain characteristics with HI) focused on the indispensable and irrefutable actorship of a state which used to be often underestimated as well as the “Tocquevillian” concept of the causal influence of state political institutions or state’s “organizational configurations and overall patterns of activity” onto political culture (Skocpol in Evans et al., 1985, p.21). In contrast to RI, HI’s methodology<sup>44</sup> is inductive, not deductive (Thelen & Steinmo, 1992), less focused on largely constraining character of institutions, and much strongly emphasizes social-historical nature of institutional context (Bell, 2002; Koelble, 1995).

Fioretos (2011) complained for the lack of vast studies held in historical institutionalist manner in IR by referring to the limited number of serious theoretical publications<sup>45</sup>, e.g. Simmons and Martin in Carlsnaes et al. (2002) or Reus-Smit and Snidal (2008). Fioretos (2011) considers HI to be extremely useful in creating new opportunities for interdisciplinary dialogue within IR, in deepening understanding of the origins of actors’ preferences, especially incremental forms of change and continuity in international processes<sup>46</sup>, of specific outcomes in sequence of historical events as well as the linkage between domestic politics and external affairs. Among the brilliant HI scholars who worked in IR discipline one can name Steinmo et al. (1992), Lake (in Brecher & Harvey, 2002), Streeck and Thelen (2005), Orren and Skowronek (2004), Pierson (2004), Bell (2011) and others who went beyond the merely empirical value-added of history in IR with their studies by theorizing about not whether history matters at all but when and in which manner historical events and processes shape political outcomes (Fioretos, 2011). Clear emphasis upon the uniqueness of each international actor’s or group’s of actors development limits applicability of the HI’s case-oriented conclusions, but the limited number of comparable countries is compensated by the analyses of namely *long-term* processes (see Pierson, 2004; Connolly, 2013; Brejning, 2012).

Scherm and Pietsch (2007, p.66) see the roots of *sociological institutionalism* (formed at the end of the 1980s) in the American organization theory and they name three sections within this NI

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<sup>44</sup> See also methodological novelties by Mahoney and Rueschemeyer (2003).

<sup>45</sup> For the so-called country-bound studies by using historical institutionalist approach see Hall (1986), Katzenstein (1996), Judge (2005), Smith et al. (2012), Guo (2013), Groen et al. (2015) etc.

<sup>46</sup> But also having stronger explanatory power than RI in the explanations of unintended consequences which as such must be ruled out by rationalists as something unimaginable in a fully rationalized action (see Miller, 2000; Connolly, 2013, pp.19-20).

approach: (1) scholars examining “institutionalized myths” (Meyer/Rowan<sup>47</sup>, 1977), (2) findings on “the role of institutionalization in cultural persistence” (Zucker, 1977) and (3) sociology of organizations (Powell and DiMaggio, 1983, 1991)<sup>48</sup>. SI as a methodologically holistic approach has borrowed a lot from Durkheim and a more phenomenological heritage of Weber through the influence of A.Schutz, P.Berger and T.Luckmann as well as from K.Marx<sup>49</sup> (Nee in Brinton & Nee, 1998, p.13; Jenson & Merand, 2010). What is essential to remind is that new institutionalism especially in the context of its application to various empirical cases owes its growing importance to namely sociological tradition and still many institutionalist scholars exercise this tradition (Jenson & Merand, 2010).

This type of new institutionalists generally build up their theoretical framework by emphasizing social agents who act in accordance with a “logic of appropriateness” within political institutions, defined as socially constructed and culturally framed rules and norms (Schmidt, 2010; Sharapov, 2010; Patrushev, 2009; see also Keohane, 1988; Kratochwil & Ruggie, 1986; Krasner, 1988). Thus, SI scholars “perceive of institutional creation and development as processes where low priority is given to concerns of efficiency [as RI scholars are convinced of – *S.I.*], relative to concerns of legitimacy” (Tallberg, 2006; Powell & DiMaggio, 1991). Hecló (in Rhodes et al., 2006) analyzes the term of “institutional thinking” by pointing out its non-critical type nature (even though “exercising a particular form of attentiveness to the world”), reliance on “faithful reception” (which does not rule out innovation), infusion of value and long-term commitments<sup>50</sup>.

Partial role of the SI’s debut in IR and EU studies is usually ascribed to IR functionalist theory (Mitrany, 1976; Haas, 1964), reviewed at the beginning of this Chapter. Katzenstein (1978, 1996), Ruggie (in Goldthorpe, 1985, 1998), Wendt (1987), Jenson and Merand (2010) and others have valuable findings dedicated to the importance of shared norms and understandings on the emerging international regimes and various types of international cooperation (including the phenomenon of Europeanization) (see also Boerzel in Carlsnaes et al., 2013, p.522), in general, whereas main criticism targets both HI and SI’s relativism of their limited generalizations stressing cultural uniqueness of state actors and excessive attention towards continuity to the detriment of

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<sup>47</sup> According to Aypay (2001), this were the authors with two articles of whom (both 1977) new institutionalism entered the literature.

<sup>48</sup> For those interested in a profound and sufficiently exhaustive analysis of organizational/sociological institutionalism the book edited by Greenwood, Oliver, Sahlin and Suddaby (2008) “The SAGE Handbook of Organizational Institutionalism” is highly recommended for reading (mentioned in the “List of Literature” section).

<sup>49</sup> On SI’s sociological roots see Selznick (1949).

<sup>50</sup> See also Brinton & Nee, 1998.



institutional change (Schmidt in Telo, 2013, p.120, in Beland & Cox, 2010, in Landman & Robinson, 2009; Bell, 2002; Gilardi in Jordana & Levi-Faur, 2004).

In addition to the commonalities the early three NI strains share enumerated in the explanation given above to the prefix “neo” (see above), Clemens & Cook (1999) drew attention to one particular common aspect for the three older institutionalisms is that knowledge gained at a higher level of analysis is then used for the explanation of processes/outcomes at a lower level, which presupposes avoidance of individual-level explanations and explanations undertaken at the same level of analysis (Amenta & Ramsey in Leicht et al., 2010, p.15). This specificity of (new) institutionalists is often animadverted as making them “structurally biased”, yet, it grants them with both pros and cons: the 3 institutionalisms as a rule face huge problems regarding the explanations of structural change, very frequently ascribing the cases when it happens to exogenous factors (Amenta & Ramsey in Leicht et al., 2010, p.15; Lowndes & Roberts, 2013, p.41). Finnemore (1996), yet, argues that rational institutionalists with their focus on “new institutional economics” do not belong to institutionalist school from the sociological vantage point. Peters (2005 in Maggetti, 2012, p.24) has supplemented the heuristic list<sup>51</sup> of commonalities of the three NIs with the shared set of empirical questions (policy implementation, forming/functioning of officials, and effectiveness of political decisions)<sup>52</sup>.

*Discursive institutionalism (DI)*<sup>53</sup> recently (1990s) added to the list of the varieties of new institutional theories can be described as a distinctive institutionalist approach that complements the older NIs both ontologically (what are institutions) and epistemologically (what we know about

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<sup>51</sup> In the article by Immergut (1998) one picks up further four analytic-level commonalities: (1) a goal to express the disconnects between actors’ potential interests and their actual behavior; (2) conviction that aggregation of individual preferences and collective preferences are not the same; (3) use of institutional biases to explain unintended consequences; (4) a goal to clarify the problem of political demands and outcomes.

<sup>52</sup> It is therefore not a surprise that a number of shared fundamental assumptions and goals made the creation of a large variety of new institutional combinations possible, Maggetti (2012, pp.24-26) reports: RI-SI (Mayntz & Scharpf, 1995; Scharpf, 1997; Lehmbruch & Schmitter, 1982; March & Olsen, 1989); RI-HI (Levi, 1997; Bates et al., 1998; Pierson, 2000, 2004; Katznelson & Weingast, 2005); HI-SI (Thelen, 1999; Katzenstein, 1996; Mahoney & Rueschemeyer, 2003). Furthermore, there are also those like Cortell and Peterson (2004 in Fioretos, 2011) who argue that HI is itself a “synthesis” of RI and SI, whereas Fioretos (2011) whole-heartedly objects this vision. And, certainly, the fact that DI as such comprises a wide range of specialists working in diverse traditions including RI, HI and SI. One of the most fresh works is dedicated namely to the EU, to be more precise, the European Parliament and institutional and policy change, and Servent (2015) here applies a combination of RI and constructivist institutionalism (it must be mentioned that Servent uses both the terms of sociological and constructivist institutionalism which is somewhat confusing; again this can be ascribed only to the very wide range of concepts comprised by the DI approach).

<sup>53</sup> Acronym borrowed from Schmidt (2008, 2012).

institutions) by filling serious gaps other NIs, especially rationalists, were faced with in understanding of political action (Jacobsen, 1995; Thelen & Steinmo, 1992; Schmidt, 2008). DI proved to remarkably progress in offering new ways of studying the importance of ideas and discourse in political action, of persuasion and deliberation of ideas in political debate, the problems of dynamism of interests, their constant (re)construction and, last but not least, of institutional change (Schmidt, 2008). As Schmidt (Schmidt in Jorgensen & Knudsen, 2006, pp.259-260; Schmidt, 2011, 2012) argues these problems long ignored by RI, HI and SI scholars (especially in the US) are inherent in the very character of daily business of any policy-maker, be it politicians, officials, political experts and so on: all they do each day is to generate ideas and present them for discussion with other policy-makers and then to the public. Furthermore, over the centuries groups and masses across the world have been making revolutions and wars in the name of political ideas and ideals (Majone, 1989; Hall, 1993; Price in Goodin & Tilly, 2006, p.252; Lukes, 2005). How can one neglect this then?

Taking both ideas and discourse at the same time into consideration defines the very nature of the DI framework very vividly and treats institutional change in a more dynamic way than other NIs (Schmidt in Landman & Robinson, 2009, p.138, in Hay et al., 2006; Schmidt, 2008). This set of approaches increasingly gaining in value in recent years has been turned a blind eye to in the political science for many years (especially in the US) in favor of the older three schools of new institutionalism (Schmidt, 2012).

Somewhere between the late 1980s and the early 1990s political science including one of its sub-fields - international relations (IR) - have experienced huge comeback of old but well-forgotten for many decades approaches such as constructivism, post-structuralism and post-modernism (Sprinz & Wolinsky-Nahmias, 2004). Sprinz and Wolinsky-Nahmias (2004), for instance, resume that by the early 2000s IR studies have expanded in three key directions: (1) studying of new problems, e.g. global environmental issues, international ethics, globalization; (2) emergence of new methods, e.g. two-level game analysis and spatial analysis), widening of methodological scope, e.g. rational choice models and statistical methods; (3) specialization on subfields and the use of various methodologies.

The power and importance of ideas in political science has long been underestimated, and, thus, marginalized by those (including Marxist and similar) privileging “rationalist” mainstream of viewing political action as a mere result of well-made calculations of self-interested players (Burstein, 1991; Woods, 1995; Schmidt in Jorgensen & Knudsen, 2006, pp.259-260). Unfairness of the situation is best expressed in the fact that Weber (1946, p.280) as early as in the XIX century wrote about deep ideational effects penetrating social phenomena. Even though in some empirical

studies ideas used to be partly involved in (e.g., Furner & Supple, 1990; Reich, 1988), theoretical analyses which comprised ideational parameters were almost totally absent (Friedland & Alford in Powell & DiMaggio, 1991, p.237). Since the early 1990s situation has begun to change and ideational store of knowledge entered comparative politics and international relations (Hall, 1986, 1993; Kratochwil & Ruggie, 1986, in Young, 1996; Stone, 1989; Blyth, 2003; Boeas & McNeill, 2004; Daigneault, 2014).

The point to accentuate the revival of cultural propensities within political science and IR, in particular, lies within the very tasks of the given Thesis. Empirical part of the given Thesis deals with the core subfield of the traditional study of IR<sup>54</sup>, namely international security. Theoretical approach taken up for testing it on the empirical part belongs to comparative politics, namely discursive institutionalism. One would say that the very fact that such a hardcore security-related problem suddenly becomes an object of analysis of such a non-mainstream ideational approach implies that a general revision of non-mainstream approaches which started to form in the last decades must be conducted. This is right. But what is really important to know is that both IR and comparative politics are parts of political science and all of the crucial transformations the latter have experienced concern both of them. In the paragraphs presented below one will see that numerous processes of change experienced by IR and comparative politics proved to be mutually reflective.

First signs of conceptual (not primarily methodological) criticism of realist international relations (IR) school (born in the 1930s-1940s) are to be found as early as in the late 1960s - early 1970s and first of all concerned its state-centric orientation, overemphasis upon power debate, and, last but not least, total insusceptibility towards large diversity of contemporary phenomena in and outside traditional states as well as beyond political-military field (Waeber in Smith et al., 1996, p.150; Powell & DiMaggio, 1991). Crawford (2013), for instance, argues that by presenting namely (neo)-realist and (neo)-liberal-idealist schools as opponents of the ever-continuing IR debate (“the neo-neo debate”) Kegley (1995) and similar authors simply added further confusion to the distinction amongst IR schools and distorted the whole picture. According to him, in truth, conceptual “battles” instead take place between eternal “only one conception” (Spegele, 1996) in IR (neo)-Realism and its “straw-man alternative” (Cherin, 1997 in Crawford, 2013, p.66) IR Idealism (Crawford, 2013, pp.63-66). Fioretos (2011) develops the claim that in the recent years the paradigmatic battles between realist and liberal strands of IR have been relatively salvaged by “rigorous and common standards of scientific inquiry, a richer empirical foundation, and the use of concepts that are common across the social sciences”. Pollack (in Jorgensen et al., 2007, p.44) writes about

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<sup>54</sup> Sprinz & Wolinsky-Nahmias (2004).

rationalist-constructivist debate in IR and EU studies which accordingly displaced the earlier debate between neofunctionalism and intergovernmentalism (see Christiansen et al., 1999; Katzenstein et al., 1998; Moravcsik, 1999; Checkel & Moravcsik, 2001)<sup>55</sup>.

Neo-institutionalism owes a considerable part of its success in the 1980-1990s to its argumentative achievements over IR neorealism: hopelessly anarchic arena of inter-state relations has been essentially shaken by the processes of interdependence and transnationalism (Keohane, 1986; Siedschlag, 1997; Telo, 2009). In the 1980s institutional theory along with cognitive psychology and post-modernism have been key competitors of the mainstream neorealist approach in IR – the successor of the previously hegemonic IR realist school of Carr, Wolfers, Fox, Spykman, Morgenthau, Brodie and others (Brecher & Harvey, 2002).

In turn, the new institutionalist turn in IR has impressively enriched the latter's arsenal of robust research programs and thereby contributed to the maturation of this discipline (Fioretos, 2011)<sup>56</sup>.

New institutionalism penetrates a wide range of disciplines vested with various forms and features (March & Olsen, 1984; Hall & Taylor, 1996), and, more specifically, in IR it stresses the important role of institutions in shaping behavior of states, that is in detailed IR analyses (Keohane, 1982)<sup>57</sup>. If the earlier "institutionalist" findings were casual descriptions of the then international organizations, neo-institutionalist findings of today are valuable analytic works on the international institutionalization processes and the role of institutions in IR (Lake in Brecher & Harvey, 2002, p.142; Telo, 2009, p.96). Siedschlag (1997, p.164) reports that the wide-spread association of institutionalist approaches in IR with Keohane's neoliberal institutionalism, in fact, must be seriously clarified: institutionalist theory-building in IR consists of two major streams – rationalist and internationalist, and both basically fall under the category of Keohane's neoliberalism. Siedschlag (1997, p.164) recommends to resolve all these confusions with the categories with placing both streams into one under the heading "neoinstitutionalism".

Simmons and Martin (in Carlsnaes et al., 2002, p.194) report that "most scholars have come to regard international institutions as sets of rules meant to govern international behavior". Sari (in Cardwell, 2012, p.66) proceeds from Keohane's (1988) definition of institution as "related

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<sup>55</sup> Fearon and Wendt (in Carlsnaes et al., 2002, p.52) propound the view that the centrality of this debate to a large number of scholars is dangerous, for it „can encourage scholars to be method-driven rather than problem driven in their research“. Scholars have to put forward „distinct falsifiable hypotheses“, Moravcsik (1999) argues, and to test them against alternative theories elaborated by other scientific schools, which was implemented, for instance, by Jupille et al. (2003).

<sup>56</sup> See also Keohane and Martin (1995, 1999), Koremenos et al. (2001), Checkel (2005) on the overview of the institutional turn in IR and comparative assessment of rationalist and constructivist institutionalist traditions in IR.

<sup>57</sup> See also law specialists Henkin (1979), Koskenniemi (2002) and others.

complexes of rules and norms, identifiable in space and time”<sup>58</sup> when illustrates that international law is widely recognized as “a unique international institution” (Abbott, 2008) motivating human (read state) behavior by means of legal obligation by many social scientists<sup>59</sup>. International institutions considerably reduce uncertainty inherent in international relations, add confidence for political actors in their interactions, facilitate mutually beneficial dialogue and decrease transaction costs related to communication and negotiation, help better implement agreements achieved between actors, provide conditions for further socialization and mutual learning, help shaping new collective identities (Telo, 2009, p.98; North, 1984; Dixon, 2007, p.158; Bzostek, 2008, p.48).

Lake (in Brecher & Harvey, 2002, pp.142-143) demonstrates that the concept of international regimes<sup>60</sup>, originally introduced by Ruggie (1975) and subsequently extended by Keohane and Nye (1977)<sup>61</sup> as well as by Krasner (1983), has substantially enriched the idea of international institutions<sup>62</sup>. Fully in accordance with its new capacities compared to the old institutionalism neo-institutionalist studies in IR have extended their scope of interest to a larger variety of various international institutions which encompass international regimes embodied by formal organizations, and also agreements, sets of rules and standards, functional agencies, equally intergovernmental and transnational institutions (Powell & DiMaggio, 1991, pp.6-7; Finbow, 2006; p.51; Telo, 2009, pp.96-97).

And here lies one of the most significant difficulties with institutional approaches to IR - ambiguity of the concept of institutions<sup>63</sup>: various authors identify the term of international institutions extremely differently (Sari in Cardwell, 2012, p.66; Strange, 1982). While there are impressively loose definitions of institutions suggested also by Bull (1995, p.71) which covers *inter alia* “the balance of power, international law, the diplomatic mechanism, the managerial system of the great

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<sup>58</sup> *Specific institutions* which Keohane (1988) is especially interested in (based upon Rawls’ notion of rules) fall under this categorization, and additionally he uses the notion of *practices* as “social facts that are not to be challenged although their implications for behavior can be explicated”.

<sup>59</sup> See also MacCormick and Weinberger (1986), Ruiter (1993), Hart (1997). For similar discussions regarding the concept of customary international law Sari (in Cardwell, 2012, p.66) recommends to refer to the works of Muellerson (1997), Kammerhofer (2004), Lepard (2010) and others.

<sup>60</sup> International regimes are “multilateral agreements, at once resulting from and facilitating cooperative behavior, by means of which states regulate their relations with one another within a particular issue area” (DiMaggio & Powell, 1991, p.6).

<sup>61</sup> Also Keohane (1984, 1988), Young (1986).

<sup>62</sup> The very notion of regimes, Lake (in Brecher & Harvey, 2002, p.143) reports, is, yet, to be clarified and more explicitly formulated in accordance with the scholarly consensus.

<sup>63</sup> Onuf (2002) as well as Simmons and Martin (in Carlsnaes et al., 2002, p.194) confirm the generally normative character of the definitions attached to international institutions in IR.

powers and war”, there are also quite narrow definitions like the one provided by Chimni (2004) whereby he basically places international institutions and international organizations on the same footing<sup>64</sup>, and this ultimately leads to the problem of levels of analysis which are so typical for IR studies<sup>65</sup> and also for international law (Setear, 2004; Keohane, 1988).

While Katzenstein (1990) used to call for the improvements in “our understanding of change in international politics” which is too heavy for IR realism alone<sup>66</sup>, institutionalism can be helpful rather with its diverse explanations of stability and change, yet, conditional upon certain specificities (Sari in Cardwell, 2012; Bartle, 2005, p.33). The effectiveness of the new institutionalist schools with their general emphasis on uniquely institutional factors as having major causal effect on policy stability/change have always been questioned by many social scientists (Blyth, 1997; Campbell, 1998; Gorges, 2001), and institutionalist approaches to IR could not escape this fate. Bartle (2005, p.34) points to ideational institutionalists approaches which are more promising in this regard and have an established niche within IR as part of social constructivist framework introduced also into European studies since the late 1990s. The most prominent political scientists who challenged dominant IR schools by offering their institutionalist findings namely with regard to “intersubjective meanings” are Alker (1996), Kratochwil (1986), Ashley (1986) and Ruggie (1986). These authors who were once baptized by Keohane (1988) “reflective” highlight the constitutive nature of institutions as shaping actors’ preference and behavior and simultaneously being shaped by actors via the latter’s ideas about norms and their discursive interactions. Hoffmann (1987), Simon (1985), Axelrod (1984), Oye (1986), Wendt (1987, 1999), North (1989), Alker (1986) and others belong to this strand too. The detailed analysis of the application of ideational approaches within EU studies by the example of the EU’s CFSP/CSDP will be provided in the next sub-Chapters and Chapters.

“Institutionalist turn” in EU studies, Aspinwall and Schneider (2000) remind, is sometimes attributed to Scharpf’s observation regarding the existence of joint decision traps in the institutions of the Union, whereas decision-making rules do not boost but impede further integration forecasted by neo-functionalism, and this facilitates a completely alternative perspective to the more classic ones proposed by the above-mentioned Deutsch, Haas, Etzioni and others. Interestingly, in the presentation of their sociological perspective in institutionalist approaches to EU studies Jenson and

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<sup>64</sup> See also Martin and Simmons (2001).

<sup>65</sup> Waltz’s (1959) classical “levels of analysis” scheme contains three classic levels of international political system: III level of the structure of the state system; II level of the behavior of states; I level of the behavior of individuals within states.

<sup>66</sup> See also Lebow (1994).

Merand (2010) identify an alternative set of “predominant strands in EU institutionalism”: (1) formal institutionalism which studies operation and impact of legal and political organizations/structures; (2) rational-choice institutionalism emphasizing rational design of formal institutions of the Union, and, finally, (3) constructivist institutionalism which deals with the impact of ideas, norms and discourse in the process of institutionalization in the EU.

As for the actual idea of the beginning of a “paradigm shift”<sup>67</sup>, it namely reflects post-1989 profound theoretical expansion which ended up bringing about deep revision of orthodox IR (see Frost, 2008; Rao & Walton, 2004) also in relation to security studies as well as the emergence of qualitatively refreshing “constructivist” approaches into the discussion (Merand et al., 2011; see Christiansen et al., 2001; Checkel in Jorgensen & Knudsen, 2006). One can observe the strongest effect of this reconstruction of conventional IR schools and emergence of the new ones namely in the European security studies where in the 1990s environmental, humanitarian, economic problems<sup>68</sup> were finally added to the neorealist list of “genuine” or *state-bound* security agenda<sup>69</sup>, and, thus, making this a “wide” debate about security studies” (Buzan et al., 1998<sup>70</sup>). For this reason nowadays there is a visible conceptual move from the term of “threat” intimately related to military state-bound security agenda to the notion of “risk” the scope of which spreads beyond territory-bound classic challenges (Gheciu et al. in Merand et al., 2011). Key conceptual token of these schools is that they do not agree on the traditional focus on national interests and balance of power models as sole or all-embracing determinants in world politics (Merand et al., 2011). Working-out of these scientific concepts (including those calling for a more *cooperative* security) appears to be both the outcome of overall rethink applied to orthodox security studies and the very theoretical basis challenging main findings of traditional IR theory (Merand et al., 2011, p.12).

The concept of strategic culture, which will be addressed in the sub-Chapter 1.5, developed in the 1970s by Snyder (1977) exemplifies one of the cultural approaches to security problem that

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<sup>67</sup> Merand et al. (2011, p.14) specifies that it is normally introduced through a “severe” (ontological, epistemological or methodological) anomaly “or the multiplication of anomalies”.

<sup>68</sup> One of the best examples of international attention towards these categories is provided by human security concept officially offered in the Human Development Report (HDR) of the United Nations Development Program (UNDP) in 1994. The Report finally supplemented traditional state-centric approach with “people-centric” one and, in particular, specifies seven dimensions of human security - personal, environmental, economic, political, community, health, and food security (UNDP, 1994).

<sup>69</sup> „...transcend the *Realpolitik*“ (Kegley, 1993).

<sup>70</sup> Buzan et al., (1998, p.2) lists the following scholars arguing for widening: Ullman (1983); Jahn, Lemaitre and Waever (1987); Nye and Lynn-Jones (1988); Matthews (1989); Brown (1989); Nye (1989); Crawford (1990); Haftendorn (1991); Tickner (1992); Waever et al. (1993).

challenged dominant rationalist schools (Biehl et al., 2013, p.8). As any other cultural approach this originally state-centric approach calls for a more inclusive analysis of national preferences/interests as originating from not only material-rational factors but also non-material factors, of historical processes that underpin their generation and the linkages between domestic and international dimensions of security policies (Biehl et al., 2013, p.8)<sup>71</sup>.

For the reasons of clarity, there is need to explain what is meant under the notion of the “orthodox IR theory”. When one says “orthodox IR theory” the very way it sounds in singular draws special attention and this indeed conveys important symbolic message. Neo-versions of realist and liberal paradigms regardless of all differences eventually, during the 1980s, proved to share the same ontological and epistemological starting point (unitary state, positivism, international system etc.)<sup>72</sup>, the main focus of which were states and their interests, with remaining contentions of largely methodological nature (Baldwin, 1993; Waeber in Smith et al., 1996; Jackson & Sorensen, 2013, pp.49-50; Crawford, 2013, p.66). Therefore since both mainstream IR approaches share an overwhelming majority of conceptual-explanatory limitations there was need for something very fresh, or not fresh, for ideational approach is nothing new under the Sun, but essentially different<sup>73</sup>. Hence, the collapse of the Soviet Union and other communist regimes leading to the end of the Cold War in the late 1980s and early 1990s has revived questions of cultural identity, ethnicity etc. but those approaches that pushed ideas away from their agendas, including those in comparative politics and IR could not provide proper answers to these questions (Berman, 2001). Hence, ideas, norms, culture have been introduced into the social science, and the development of the DI framework, therefore, must be strictly seen within the revitalization of scientific debates over ideas in the political science as the result of these great political transformations (Berman, 2001). Moreover, analytic value of ideational approaches has grown even more in the face of the post-9/11 world order and the current global economic and financial crisis: the earlier NIs are not capable of explaining the whole inner story (Schmidt, 2011). Thus, comparative politics and new institutionalism, in particular, could not escape ideational turn which took place within political science (and also IR), in general.

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<sup>71</sup> Yet, Desch (1998) prefers to address strategic culturalist theories as a supplement to IR Realism, whereas Keating (2004) refrains from putting such limitations imposed on the concept by Desch and others.

<sup>72</sup> „...different but equal“ (Crawford, 2013, p.66).

<sup>73</sup> Kegley (1993) was talking about the change of answers to all questions and what he actually meant were (1) strengthening of alternative approaches to orthodox IR theory combined with (2) the emergence of new paradigmatic claims which refused being post-positivist by nature.



For the theoretical part of the Thesis Schmidt's version of discursive institutionalist approach will be responsible. Now it is time to draw a more complete and coherent portrayal of DI highlighting both this field of study's analytical-explanatory advantages and deficiencies and not forgetting to systematically compare it with other NI schools. It must be underscored that as in the case of rational choice theory and constructivism (Pollack in Jorgensen et al., 2007, p.31) (new) institutionalism and its four subtypes did not originate in the EU studies which means that they are broad approaches to social phenomena, each from a different angle.

## **1.2. Discursive Institutionalism**

The modern American scholar who introduced discursive institutionalism (DI) as the fourth new institutionalist framework Vivien A.Schmidt (2008, 2010, 2011, 2012, 2014) describes it as "an umbrella concept" for an extensive range of non-mainstream "interpretive" approaches in the social sciences dealing "with the substantive content of ideas and the interactive processes of discourse and policy argumentation in institutional context" which helps them explain the dynamics of both change and continuity in a more comprehensive way. The term "discursive institutionalism" was first introduced as a title for a new 4<sup>th</sup> NI approach by V.A.Schmidt (2002, 2006, 2008, in Beland & Cox, 2011). Earlier to Schmidt this *distinctive* institutionalist field of study called DI was given similar names, e.g. the "ideational turn" (Blyth, 1997), „ideational institutionalism“ proposed by Hay within the chapter titled „Discursive Institutionalism“ in the book of Campbell and Pedersen (2001), or „constructivist institutionalism“/“ideational constructivism“ (Hay in Rhodes et al., 2006); or „strategic constructivism“ introduced by Jabko (2006); and, finally, "economic constructivism" (Abdelal, 2009, et al.). But Schmidt (2008) considers them all to spotlight the substantive content of discourse or ideas while interactive processes that are not less important, alas, did not receive due attention in their works. Moreover, she doubts whether such scholars as Campbell (2004) or Campbell and Pedersen (2001), for instance, do offer the fourth institutionalism with their findings due to their conceptual haziness with regard to their focus on ideas/discourse that let them avoid to adhere to a clearly distinctive school (Schmidt, 2008).

Four basic commonalities are basically shared by all DI-apologists<sup>74</sup>: (1) serious consideration of ideas and discourse (although definitions of ideas/discourse vary); (2) examining ideas and discourse within institutional context using RI, HI, SI as background information; (3) placing ideas and discourse within their "meaning context" conditioned by the given "logic of communication"

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<sup>74</sup> For a more exhaustive overview of various ideational approaches as well as universality of ideational prescriptions see e.g. Price (in Goodin and Tilly, 2006).

(regardless of disagreements what, where, how is communicated); (4) approaching institutional change more dynamically – less statism of RI, HI, SI (Schmidt, 2008; Givens & Case, 2014, p.19). Almond (1990 in Aspinwall & Schneider, 2000) once pointed out one of his observations that epistemological and ideological differences do not let scholars of various scientific streams to talk to each other properly; yet, Torfing (1999 in Panizza & Miorelli, 2013) claims for the importance of maintenance of mutually beneficial multiplicity of approaches as “methodological bricoleurs”. Taking this problem into consideration it will be once more emphasized that DI’s distinctiveness does not preclude it from active interaction and fruitful exchange with other three NIs in order to “give peace a chance” (Schmidt, 2006; Lecours, 2005). DI is a part of a larger institutionalist picture and can be not replacing but complementary with respect to the other NIs (Schmidt, 2012), since no single approach can exhaustively analyze, interpret and explain very complex political phenomena by using certain set of explanatory conditions (Olsen, 2001; Keohane, 1988; Katzenstein & Sil, 2005 in Maggetti, 2012, p.26). In fact, when one talks about various DI-related scholars one usually means DI specialists working in various traditions with an inclination towards RI, HI or SI (Schmidt in Landman & Robinson, 2009, p.136)<sup>75</sup>. However, as one will see in the discussion of institutional change below, complementarity must not ignore objective specificities of each school, and this especially concerns those scholars who try out combinations of various approaches (Schmidt, 2010).

Very often various DI scholars appear to talk very little to each other than controvert with other three NI protagonists (Schmidt, 2008). Therefore Schmidt basically pursues a constitutive goal of providing an ideational exchange platform for various DI-based approaches to discuss ideas and discourse from ontological, epistemological as well as methodological points of view; and an empirical goal of improving DI’s explanatory capacity as regards change (and continuity) in the actual operation of political systems compared to the other three neo-institutionalisms (Schmidt, 2011). And she, in fact, admits that indeed the DI-based approaches do not really contest about the core problems of ideas and discourse: in truth, what makes them distinguishable from one another is

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<sup>75</sup> It is interesting to know that Gouin (2012), for instance, divide modern public policy studies into two large categories: (1) Lasswell-inspired (1956) policy cycle analysis; (2) cognitive studies accentuating representations, ideologies, culture etc. He then addresses the cognitive studies categorization of Sabatier and Schlager (2000, pp.209-234), specifies three streams within cognitive policy analyses (as opposed to RI): (1) “equilibrated cognitive approaches” with equal emphasis on ideas, interests and institutions (e.g. Sabatier, Jenkins-Smith, Kingdon, Baumgartner and Jones); “minimalist cognitive approaches” with preference for interests and institutions compared to ideas (e.g. King, Keohane and Verba); and “maximalist cognitive approaches” concentrated upon ideas (e.g. Wildavsky, Radaelli, Muller and Jobert). The author of the Thesis presumes that this set of approaches quite objectively reflects the variety of DI-based approaches.

that they are sensitized towards tangibly dissimilar kinds of questions and this stems from institutionalism *per se* (Schmidt, 2008).

Constructivist approach standing in close conceptual relationship with the roots of DI<sup>76</sup>, social constructivism in the version of A. Wendt, for instance, usually addressed by Goldstein and Keohane (1993, p.5) and Keohane (1988) as “reflectivist” stream<sup>77</sup>, was frequently criticized for limited experience of empirical analysis, i.e. presence of far-reaching ideational discussions not well-tested on live examples, plus “the lack of a clear reflective research program” for studying this “stream” and little attention to domestic politics (the latter concerns also rationalistic approaches) (for institutionalism’s general empirical difficulties see Lake in Brecher & Harvey, 2002). Discursive institutionalists do their best (?) in order to overcome this danger (especially valuable are findings regarding policy change, see Schmidt, 2011) and they have been testing their findings quite frequently since the emergence of this school, and that is good news. However, Telo (2009, p.104) labels DI along with other NIs<sup>78</sup> as highly useful approach which, regrettably, still lacks empirical backing (EU and other organizational “impact studies”) of their theoretical contributions<sup>79</sup>.

As mentioned in the Introduction, due to the very character of the approach it has been normally examined upon rather social-economic problems than social-political ones (Gao, 1997; McNamara, 1999; Blyth, 2002; Schmidt, 2002; Swank, 2002; Crouch, 2005; Morgan et al., 2005; Mjoeset 2011 etc.)<sup>80</sup>. By the present there are also some very good works being published on the application of the DI concept for the problems arising in the social-political field too (Berman, 1998; Campbell, 2004; Howarth & Torfing, 2005; Frost, 2008; Carta & Morin, 2014; Nitoiu & Tomic, 2014 etc.). And, finally, in the last years there have been a number of publications completely or partially dedicated to the DI-driven analysis of the European integration and its various aspects including CFSP/CSDP (Carta & Morin, 2014; Coman et al., 2014; Saurugger, 2014; Howorth, 2014 etc.). The given Thesis represents an attempt to somewhat contribute to this list.

It is time to get familiarized with basic characteristics of the set of approaches labeled as discursive institutionalist. Sentient Agents, Ideas, Discourse, Institutional Context, Collective Action and Institutional Change: these six are more than cynosures of DI-related approaches, i.e. the “newest”

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<sup>76</sup> Risse (in Wiener & Diez, 2004), Hansen (2006), Katzenstein (1996a), Checkel (1999), Buzan (2009) are the most prominent IR constructivist scholars who have immensely contributed to European security studies.

<sup>77</sup> For further reflectivist critique see Ashley & Walker (1990), Bierstecker (1989) and others.

<sup>78</sup> Green and Shapiro (1994, p.33) express similar thoughts on the empirical application of rational choice models. Telo (2009, p.104) urges all NI schools to contribute with a larger amount of „impact studies“.

<sup>79</sup> IR, in general, are known for more theoretically oriented studies of ideational change, Schmidt (2011) illustrates, than comparative politics and public policy studies.

<sup>80</sup> One of the top fields of the approbation of DI is Hall’s and Soskice’s (2001) Varieties of Capitalism (VoC) theory.

NI (Schmidt, 2006, 2008, 2011; 2012). Diverse DI-bound schools distribute their efforts on ideas and discourse very differently: for those privileging ideas the substantive content of discourse comes under the spotlight, e.g. various forms of ideas (with relegating discursive interactions to a minor role; especially in comparative politics and public policy - see Berman, 1998, 2006; Parsons, 2003, Schmidt, 2003; Goodin & Tilly, 2006; Bevir & Rhodes, 2003), while in the approaches with discourse owning central position for some also the substantive content of ideas is given the palm of supremacy (how actors express their ideas/representation of ideas), while for the others discursive interactions play the lead role (Schmidt, 2008, 2012). Substantive content is, thus, here representation of ideas, while interactive processes in discourse is the social communication through which actors put forward, discuss about, and transmit ideas in specific institutional contexts (Schmidt, 2012). Smith (2013, p.72) warns about high degree of conceptual nebulosity of ideational definitions exploited by various scholars which sometimes allows for thinking of ideas as “catch-all concepts” (Blyth, 1997). In DI-based discussions ideas and discourse are “vehicles of change”, sentient (thinking and speaking) agents are “drivers of change” and institutional context is the basis of meaning and realization of ideas and discourse and of also collective action potentially leading to change (Schmidt, 2011). Hence, a general scheme is that sentient agents carry ideas which they communicate to other sentient agents through discourse and ultimately undertake collective action<sup>81</sup>. There are many points of view regarding these notions even within the DI framework, yet, there are commonly referred categories. The author of the Thesis proposes to have a look at the key categories and problems posed within the DI framework, as proposed by Prof. Schmidt, presented in the next paragraphs titled in italics:

**(I) *Sentient Agents.*** Agents were not randomly chosen here as a starting point of the analysis of discursive institutionalist tenets. Sentient agents are *thinking and speaking*, and what is also very important, *doing*<sup>82</sup> (albeit in real life politics only some of these components may be present or there may be certain contradictions and inconsistencies between them) individual and collective actors who generate ideas, communicate them with other thinking and speaking actors through discursive interactions and take collective action upon agreed ideas (Schmidt, 2011). DI can be fairly addressed as a more agent-centered approach in contrast to other NIs and especially HI,

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<sup>81</sup> See Figure 1 below.

<sup>82</sup> RI adherents normally prefer to focus all of their scientific endeavors on the „doing“ character of social actors which probably transform the explanations of actors‘ actions in a more „rational“ and „business-like“ manner which, in the long run, appears to lose sight of complexities of social action and to be deprived of ability to offer proper interpretations (Schmidt, 2011).

Schmidt (2010) reports<sup>83</sup>. Compared to the rationalistic approaches which basically ignore what Alker (1986) calls “historicity” and Haas (1987) – “learning” (Keohane, 1988), DI’s agents are “acting and willful subjects” (Malmvig, 2006, p.3) who undertake socio-political practices by creating and managing discursive interaction, institutional context and ultimately change; simultaneously the latter three also exercise immense effect on agents, as will be shown below<sup>84</sup>. And even though Jenson and Merand (2010) with their sociological perspective distance themselves from the rest of EU institutionalisms including constructivist institutionalism, they favorably confirm the idea that is true for DI’s sentient agents too: “social action and even strategic choices are underpinned by social factors that give choice and action more varied foundations than a simple calculation of optimality”. Finnemore’s (1996) call for being more attentive towards political agency in sociological institutionalist studies has been largely ignored, for the impact of international institutions makes agents behave in more or less similar ways, including the policy-making manner on national levels (e.g. Goodman & Jinks, 2004).

There are two chief categories of policy-making participants according to Birkland (2011, p.93): official actors whose entitlement to conduct and enforce public policies is provided by laws/Constitution (legislative, executive, judicial), and unofficial policy-makers with policy-making power which is not explicitly sanctioned in official state documents. The latter’s political weight must not be underestimated, Birkland (2011, p.93) says, because these interest groups protect and forward collective ideas and interests of a large number of people, and, furthermore, thereby they make a vital contribution to the functioning of a modern state. Media, in particular, as a subtype of unofficial actors provides a vivid example of an absolutely valuable part of political discourse (van Dijk, 1997).

(2) **Ideas.** Blyth (in Beland & Cox, 2010, p.83) once favorably showed that neglecting ideational component of surrounding reality resembles “employing Euclidian geometry in a non-Euclidian world” as Keynes once formulated (Keynes, 1937, p.16 in Grundmann & Stehr, 2012, p.56). Ideas provide answers to what sentient agents think about what to do - *policy solutions*, in the narrowest sense (Mehta in Beland & Cox, 2011, p.27; Schmidt, 2008, 2011). Parsons (2003, p.7) calls ideas “packages of related causal and normative assumptions that assign costs and benefits to

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<sup>83</sup> For a slightly more endogenized version of agency in HI tradition see Lewis and Steinmo (2010, 2012). Schmidt (2010) finds their findings on genetic predispositions plus environmental factors concept largely mechanistic deprived of thinking, speaking, doing capabilities of sentient agents.

<sup>84</sup> Beyond DI, Mayntz and Scharpf (1995), Scharpf (1997), Lehbruch and Schmitter (1982) point out the so-called „actor-centered institutionalism“ focused on „relatively autonomous rational actors“ and thereby building a bridge between RI and SI (Maggetti, 2012, p.25).

possible actions". Ideas embody "the substantive content of discourse" (Schmidt, 2008, 2011, 2012), and, as comparativists like Beland (2009) suggest, they are used by thinking-speaking-doing agents to formulate their interests, to construct policies they are eager to undertake, and to justify them. For interpretivists (Bevir & Rhodes, 2003) ideas serve as rather dynamic "webs of meaning" created and recreated in a different way over time; for discourse analysts (Laclau & Mouffe, 2001; Bourdieu, 1990, 1998) they are dominant visions which facilitate hegemonic position of certain elite groups; for sociologists (Swidler, 1986; Cleaver, 2012; Campbell in Magnusson & Ottoson, 1997) agents are "bricoleurs"<sup>85</sup> communicating according to "schemas" through "chains of action" with the help of cultural "links"; for IR scholars agents are "norm entrepreneurs" who use norms/ideas as standards for choosing the right behavior in the community of states achieved through framing, learning and socialization (Risse-Kappen, 1994; Keck & Sikkink, 1998; Finnemore & Sikkink, 1998; Risse et al., 1999; Checkel, 2012 in O'Faircheallaigh, 2014; Kiratli, 2013).

Mehta (in Beland & Cox, 2011, p.27) shows that, to put it very simple, the process of the generation of ideas goes through problem definition – establishment of respective objectives (aimed at the mitigation or elimination of the problem) – ideas for solving problem and accomplishing objectives. She then develops this logical chain by dividing ideas into three analytic categories – ideas as (1) policy solutions, as (2) problem definitions, and as (3) public philosophies or *Zeitgeist* – which she analyzes first separately then together (Mehta in Beland & Cox, 2011)<sup>86</sup>.

They are not something new under the Sun in social and political, in particular, science but something the explanatory value of which used to be substantially belittled by varieties of rationalist-type schools (Berman, 2001). As opposed to rationalist institutionalists the term of "interests" (similar to institutions) here is understood as not objective or material, but rather subjective but still real (Schmidt, 2008). Parsons' (2003, p.10) discussion on the two aspects of idea-interest relationship deserves certain attention here: (1) ideas' "Janus-faced" character, i.e. they may constitute material interests or justify these interests; (2) subjective (roughly, ideational) and objective (material or structural) components of interests are deeply interconnected. As regards SI's social norms and cognitive frames which are ideas inside out<sup>87</sup>, in DI (including DI scholars

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<sup>85</sup> The famous idea of the *bricoleur* introduced by Levi-Strauss (1966) and further analyzed by Derrida (see e.g. Shakespeare, 2009).

<sup>86</sup> This, as also confirmed by Mehta (in Beland & Cox, 2011), basically coincides with the three levels of ideas which will be reviewed below in this Chapter.

<sup>87</sup> And as opposed to rational choice institutionalists with their formal rules and cold-headed calculations sociologists do conceive of informal norms and ideas as a decisive factor in making choice regarding individual behavior (March & Olsen; Checkel, 2001 in Tallberg, 2006; Finnemore & Sikkink, 1998).

working in the SI tradition) they are intersubjective and dynamic constructs which emanate from Weberian-type bottom-up social construction as opposed to static norms in SI<sup>88</sup> which are sort of given from above through collective system of ideas, even though in both approaches they are treated as endogenous to agents (exogenous in RI) <sup>89</sup>(Ruggie, 1998; Schmidt, 2008, in Beland & Cox, 2011; Telo, 2009; Schmidt & Skogstad in Skogstad, 2011). If one paraphrases Borrás' and Seabrooke's (2015) constructivist definition of ideas, then ideas are "essential factors building causal stories that can cut across" political group and traditional policy-making boundaries to create new political systems.

Interestingly, many scholars from the older NI concepts have attempted to somewhat streamline their rigid relationship with the problem of institutional change by letting some ideas in their explanations (see Hall, 1993; Goldstein & Keohane, 1993; Levi, 1997; North, 1990; Ostrom, 1990; Knight & North, 1997; Bell, 2011) but ideas beat on the very core of these approaches as soon as they undermine the premises of statism of institution marked by strictly fixed rationalist interests, unavoidable historical paths as well as insurmountable cultural norms (Schmidt, 2008; Hall in Manohey & Thelen, 2009, p.204; Bartle, 2005, p.33). Rationalists and historical institutionalists deal with ideas "instrumentally and functionally"<sup>90</sup>, Blyth (1997) says, reducing the latter's role to the minimum by „stuffing“ them into the clutch of fixed frameworks of either rationalist calculations or deterministic institutional practices (Schmidt, 2011).

Below the Thesis' author will take a look at basic forms, types by levels of generality, rates of change, and types of content of ideas. It must be mentioned that even within the scope of similarly oriented schools authors differently define ideas and below one will find the review of this issue in the description of forms of ideas.

***(2.1) Various forms of ideas: narratives, myths, frames, frames of reference, argumentative practices, scripts, scenarios, discursive fields of ideas, collective memories, storytelling, images, results of "discursive struggles" etc.*** Special category of DI scholars demonstrating high interest in examining rather the substantive content of ideas and discourse which we mentioned above generally come up with various categorizations of forms of ideas (Schmidt, 2012). Authors, as it was mentioned above, offer a large variety of definitions to ideas: strategic weapons or blueprints in

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<sup>88</sup> For institutional normativists like March and Olsen (1984) institutions are „rules and practices which are socially constructed, publicly known, anticipated and accepted“, while for institutional sociologists like Meyer and Rowan (1977) institutions represent „the processes by which social processes, obligations, or actualities come to take on a rule-like status in social thought and action“.

<sup>89</sup> For further ideas about the comparison of DI and SI see also Nee (in Brinton and Nee, 1998).

<sup>90</sup> It is useful to reminiscence how norms and values are epiphenomenal for IR realists or, to be more precise, „Structural Realists“ (Keohane, 1984).

the struggle for control (Muller, 1995 in Schmidt, 2012; Blyth, 2002); strategic constructions (Jabko, 2006); “frames” as “sense-making devices” for setting parameters of a specific problem, its discussion and action via “frame-reflective discourse” (Rein & Schön 1994 in Gray, 1994; Campbell, 2002); narratives or discourses for specific perceptions of events (Roe, 1994; Hajer, in Fischer & Forester, 1993, in Hajer & Wagenaar, 2003; Shanahan et al., 2011); roadmaps, guide for actions and for interests or focal points (Goldstein & Keohane, 1993); “frames of reference” that structure interactions within entire policy sectors (Jobert, 1989; Muller, 1995 and 2005 in Schmidt, 2012); “storytelling” as “a form of practical judgment” (Forester, 1999 in Wagenaar, 2011); “collective memories” strategically created by policy makers for framing action (Rothstein, 2005; Irwin-Zarecka, 2007); national traditions (Katzenstein, 1996 in Beland & Cox, 2011); discursive “practices” or areas of ideas that frame imaginable action (Bourdieu, 1994 in Rouse, 2006; Howarth et al., 2000; Torfing in Howarth & Torfing, 2005); “argumentative practices” at the heart of policy-making (Fischer & Forester, 1993); or the products of “discursive struggles” (Stone, 1989).

**(2.2) *Types of ideas at different levels of generality: policy, program, and philosophy.*** The scholars dealing with ideas and discourse traditionally differentiate three levels of ideas<sup>91</sup> the analysis of which can be regarded as answering “what” questions or “what changes?” (De Lovinfosse, 2008, p.20).

*I level:* the most outward layer of *policy ideas*, policies or, as Mehta (in Beland & Cox, 2011, p.27) calls them, “policy solutions”. These “secondary” level beliefs represent a wide range of the narrowest beliefs<sup>92</sup> among the three levels of ideas, and, as a rule, concern the degrees of seriousness of identified problems or relative role of diverse causal factors in specifically localized contexts, e.g. policy preferences in regulations and financial allocations, technical aspects of institutions, evaluation of various actors’ performance etc. (Sabatier & Jenkins-Smith in Sabatier, 2007, p.122).

*II level:* the interjacent stratum of the ideational system is represented by *programmatic ideas* or programs that substantiate policies. In scholarly literature authors regard them as paradigms vectoring policies in the capacity of organizing principles and suppositions (Hall, 1993; Schmidt, 2002); as frames of reference or *référentiels* (i.e. a term exploited mainly by French social scientists) (re)constructed by policy actors in the form of “shared intellectual framework” that orient

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<sup>91</sup> Other similar categorizations are also available: e.g. Goldstein and Keohane’s (1993) world view, principled beliefs and causal beliefs.

<sup>92</sup> Narrower than a policy subsystem scope, in particular; the latter is defined as “the set of actors who are involved in dealing with a policy problem” (Sabatier & Jenkins-Smith, 1993, p.24; see also Sabatier & Jenkins-Smith in Sabatier, 2007).



them in the world (Jobert, 1989; Muller, 1995 in Skogstad, 2011); as “problem definitions” defining the scope of potential ways of solving problems spotlighted by policies<sup>93</sup> (Mehta in Beland & Cox, 2011, p.27); as coherently defined “programmatic beliefs” ascribable to specific political actors that offer guidelines for practical activity in specific fields of human action (Berman, 1998); as “policy cores” – (a) normative policy core beliefs, i.e. essential normative priorities for a specific policy area and (b) empirical policy core beliefs, i.e. basic approach to problem definition and strategies for the realization of core values (Sabatier & Jenkins-Smith, 1993 in Watanabe, 2011). Programmatic ideas or first-order concepts (Campbell, 2004, p.100), regardless the way scholars baptize them, underlie policy ideas by providing definition of problems, tasks to be addressed to solve them, goals targeted, methods and tools of solution as well as normative/empirical ideational backing of policies (Schmidt, 2008).

*III level:* Policies and programs together are, in turn, rooted in *philosophical ideas*, i.e. broad “public philosophies” (Weir, 1992; Campbell, 1998), “public sentiments”<sup>94</sup> (Campbell, 2004), worldviews, *Weltanschauung*, “global frames of reference” (“référentiels globaux”), “road maps” (Jobert, 1989; Muller, 2005 in Schmidt, 2011; Beland, 2005 in Smith, 2013, p.72), ideologies (Berman, 1998, p.21), “deep core” (Sabatier & Jenkins-Smith in Sabatier, 2007, p.121)<sup>95</sup>. While programmatic ideas are designed to influence public cause-and-affect relationships and are normally couched in technical terminology, then philosophical ideas<sup>96</sup> or second-order concepts (Campbell, 2004, p.100) are large-scale public concepts that construct policies and programs by facilitating accordance with the deeper core of normative values and moral principles embodied in widely-known symbols/rhetoric (Weir, 1992, p.169)<sup>97</sup>. Roughly speaking, both policy and program ideas are rather “policy practices” (Jobert’s term, 1989) whereas “global frames of reference” (Muller, 1995 in Schmidt, 2012) “provide coherent interpretations of the world and guidelines for dealing with it” (Berman in Beland & Cox, 2011, p.105). Public actors utilize philosophical ideas as

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<sup>93</sup> As a rule, authors tend to stress conceptual distinctiveness of the terms they come up with. E.g. Mehta (in Beland & Cox, 2011) firmly underscores the fact of the availability of further multiple options for policy “within a given problem definition” that differentiates this term from “framing”, in particular. For further specificities see the scholars mentioned.

<sup>94</sup> Campbell (2004, p.97) views collective identities as public sentiments and this issue will be again touched upon in the last sub-Chapter within the debate about the EU’s actorhood.

<sup>95</sup> Campbell’s (2002) „cognitive paradims“ together with „normative frameworks“ seem to exemplify the similar concept.

<sup>96</sup> Or “total visions of the world” as mentioned in quotes by Berman (1998, p.21).

<sup>97</sup> Public philosophies vary both in territorial-geographical terms across countries (Berman, 1998; Dobbin, 1994; Hall, 1989; Ziegler, 1997) and over time (Hall, 1993, 1992; Hay, 2001; McNamara, 1998).

a guidance for action and general source of legitimation for this action (Berman 1998; Blyth, 2002); they represent basic ontological and normative core of social mind (Sabatier & Jenkins-Smith in Sabatier, 2007, p.121). Schmidt (2008) notes that the first and the second level ideas are rather foreground ideas, for they are regularly discussed in the public, and philosophical ideas are in the background (“taken for granted”), rarely debated except in crises (Campbell, 2004, pp.93–98)<sup>98</sup>, and which also limit the possible scope of policy/programmatic alternatives available to policy-makers (Block, 1996, 1990; Heilbroner & Milberg, 1995). In addition to nation-bound public worldviews Campbell (2002) proposes the notion of world culture, i.e. transnational cognitive paradigms, normative frameworks, or both at the same time (Katzenstein, 1996).

**(2.3) *Types of content or arguments/justifications utilized to develop ideas: cognitive and normative.*** These are two classic types of arguments/ideas exploited in the legitimation process (Crawford, 2002) DI presupposes for each of the three aforementioned levels of ideas (Wentzel, 2011, p.29)<sup>99</sup>.

For comparative political scientists, political economists and public policy scholarship namely cognitive or causal ideas with the latter’s outcome-focused emphasis on convincing rational arguments that targets public interests and urgent necessity in the form of maps/guidelines for political position and justification of this action proved to be more preferable (Schmidt, 2002a, 2008, 2012; Crawford, 2002, p.38; Hall, 1993)<sup>100</sup>. Cognitive ideas represent cause-effect mechanisms of (1 - policies) offering solutions to the given problems, of (2 - programs) defining the problems that need solution and means to do it, and of (3 – philosophies) guaranteeing coherence between policies/programs and public philosophies/worldviews (Schmidt, 2005). “Cognitive mapping” offered by R.Axelrod (1976) which takes its rise in cognitive anthropology and even back in E.Durkheim’s “collective representations” (Miller, 1979) underlying organizational or sociological institutionalism is a perfect example for this type of ideas (Campbell, 2004, p.17; Jobert, 1989; Hall & Taylor, 1996). Pursuing this logics Draelants and Maroy (2007) underscore the

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<sup>98</sup> The ways “foreground ideas” facilitate and “background ideas” rather constrain institutional change will be reviewed in the paragraph 7 (“Institutional change”).

<sup>99</sup> It must be underscored that not all authors follow this type of categorization: Campbell (2004), for instance, builds his concept upon the distinction of foreground and background ideas: paradigms are background cognitive ideas, programs are foreground cognitive ideas, frames are normative foreground ideas and public sentiments normative background ideas. Nilssen (in Ervik et al., 2009) uses similar terms where instead of cognitive paradigms and world views he speaks about cognitive frameworks, and three other types of ideas: normative frameworks, frames and programmatic ideas. These are just few examples out of many drawn in order to show that the categorization offered here is not the only way of approaching this topic.

<sup>100</sup> See also Jobert (1989) on common intellectual interpretative framework.

primarily cognitive nature of institutionalization within sociological institutionalist approach and overwhelmingly normative character of this process established within HI.

Schmidt (2011, 2012) argues that IR scholars, on the contrary, due to the specificities of global political interactions more often refer to normative ideas<sup>101</sup>. They are widely known to rely either on the logics of appropriateness rooted in public philosophies/ideologies (Finnemore, 1996) or defined in the theoretical framework of diffusion of ideas through learning, diffusion, transmission, and mimesis (Dobbin et al., 2007) as value-based support for political action and its justification, especially effective in crisis situations when cognitive capabilities are rather limited (Schmidt, 2000a, 2002; Crawford, 2002, p.38; “normative institutionalism” by March & Olsen, 1989)<sup>102</sup>. In this manner, normative ideas or normative beliefs introduce political culture as well as “principled beliefs” into political action: whereas cognitive ideas are about “what is and what to do”, normative ideas reply to the question of “what is *right* and *good*”<sup>103</sup>, provide basis for ethical arguments raised by policy-makers and serve as ethical/normative legitimization of social actions (Crawford, 2002, p.86; Jobert, 1989; March & Olsen, 1989; Schmidt, 2008; Roberts & Parks, 2007 in Khan, 2014, p.148). Those normative ideas in the form of (1) policies reflect public aspirations/ideals, and together with those in the form of (2) programs they originally emanate out from (3) a deeper normative “nucleus” of public principles/norms of public life, both freshly emerging and well-entrenched ones (Schmidt, 2000a; 2002).

Cognitive and normative elements or dimensions are both present in Jobert’s (1992 in Klein & Sutto, 2012) interpretation of the reference framework, and as the third dimension he mentions *instrumental* component containing the “principles of action that must direct action”.

As Schmidt (2002, 2008, 2011) repeatedly shows, in real life situations both dimensions – cognitive and normative – must be taken into consideration when judging the effectiveness of public programs: cognizable arguments expressed in rather technical and scientific terms which emphasize

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<sup>101</sup> It seems to be useful to take a look at an interesting overview of this problem offered by Crawford (2002) where she discusses three different scholarly viewpoints (including IR) on causal relevance of normative beliefs. She personally adheres to the third stream that views normative norms “as part of reason or elements of ethical argument” (Crawford, 2002, p.96).

<sup>102</sup> Philosophical considerations about the content of ideas are usually addressed in post-modernist/post-structuralist approaches or discourse analyses based on the renowned works of Bourdieu, Foucault, and Laclau and Mouffe (Schmidt, 2011).

<sup>103</sup> This is the very core difference between them and the so-called “behavioral norms”, i.e. “typical, or modal, behavior” or the dominant practice in certain contexts” which are very often misinterpreted/confused in IR (Crawford, 2002, p.86).

program's potential usefulness must necessarily be supplemented with complementary beliefs corresponding to the domineering public values formulated in generally accessible narratives.

(3) ***Discourse or the ways in which “sentient” (thinking and speaking) agents articulate their ideas: “coordinative discourse” (amongst policy-makers) and “communicative discourse” (between policy-makers and the public).*** If shortly<sup>104</sup>, discourse is „the interactive process of conveying ideas“ or to put it simply what sentient agents say about what to do (Schmidt, 2008, 2011). But this would be an unfinished definition of discourse. In fact, discourse is a more overarching concept than ideas insofar as it comprises both (1) ideas (representation of ideas) and (2) interactive processes by which ideas are conveyed (who says to whom) (Schmidt, 2002)<sup>105</sup>. Discourse is a social transmission channel marked by a specific, one-of-a-kind set of „conceptually articulated and logically coherent beliefs“, categories and meanings through which specific interpretations are attached to social and physical phenomena<sup>106</sup>, and which is constantly (re)produced through a certain set of practices<sup>107</sup> (Hajer in Howarth & Torfing, 2005, p.300; Lehmbruch, 2001). Discourse „shapes and organises the way we see the world“<sup>108</sup> (Mathieu et al. in Mitoui & Tomic, 2015, p.24; see also Jorgensen & Phillips, 2002). Wendt (1987) as a representative of social constructivism confirms that social structures have “an inherently discursive dimension in the sense that they are inseparable from the reasons and self-understandings that agents bring to their actions”; agents and structures here are “mutually constitutive” (see also

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<sup>104</sup> Mathieu & Weinblum (in Mitoui & Tomic, 2015, p.23) report about the two parallel processes of the infusion of discourse analysis/theory into EU studies and of the extension of the notion of „discourse“ that ended up with a number of different definition of the term (see also Wodak & Meyer, 2009).

<sup>105</sup> In order to have a clearer picture of these two components of discourse stressed by Schmidt's discursive institutionalist concept it is recommended to refer to Foucault's „Archeology of knowledge“ (1969 in Lemke, 1995), more specifically the definition of discursive formation by Foucault: discursive formation comprises „four kinds of relations among statements: those which determine what sorts of discursive objects (entities, topics, processes) the discourse can construct or talk about; those that specify who can say these things to whom in what contexts; those that define the relations of meaning among statements, including how they can be organized to form texts; and finally those that tell us what the alternative kinds of discourses are that can be formed in these ways and how they can be related to each other as being considered equivalent, incompatible, antithetical, etc.“ (Foucault, 1969 in Lemke, 1995, p.26).

<sup>106</sup> Signifiers' so-called insertion in “a *chain of equivalence and opposition* with other signifiers within a discourse” (see Saussure, 2002 in Nitoui & Tomic, 2015, p.24).

<sup>107</sup> This definition fully coincides with the most rigid interpretation of discourse made by Mathieu et al. (in Nitoui & Tomic, 2015, p.23) that goes contrary to the one accepted in European Studies, i.e. discourse is not „a set of signs“ but „practices that systematically form the objects of which they speak“ (Foucault, 2002, p.54).

<sup>108</sup> As for the connection between discourse and the above-mentioned cognitive and normative types of ideas, discourse provides „criteria, which makes it possible to differentiate between, for instance, true and false, normative and objective, invalid and valid, absurd and reasonable statements“ (Foucault, 2002).

Schmidt, 2008). Foreign policy (including the European foreign policy discussed here) is an area, Ladi (in Papanagnou, 2011, p.207) confirms, where discursive analysis can prove very helpful. Even though, as mentioned, ideas have recently found certain way into the discussions held by the protagonists of the three other NIs, Schmidt (2008) argues that discourse has not been awarded this chance due to persisting stereotypes ascribed to postmodernists/poststructuralists allegedly reading texts without considering contexts<sup>109</sup>. DI framework says that no ideas can be developed and promoted without interactive processes conveying these ideas and structuring contributions of participants of social discussions (Ladi in Papanagnou, 2011, p.207). And here discourse is not only *text* but also *context* because it is in the very nature of discourse to be specific to certain social-historical and institutional conditions and in order to have a full picture about the character of social interactions in a certain community one must evaluate these conditions too (Hajer in Howarth & Torfing, 2005, p.300). Scholars undertaking discourse analysis also remind of plurality of discourses even with regard to one topic which Foucault (2002) was speaking about (Cameron, 2001, p.15; Hajer in Fischer & Forester, 1993, p.46), and this will be demonstrated upon examples in the next sub-Chapters and Chapters.

When one talks about the (1) component of representation of ideas (how and what you say), then one refers to different levels (3 levels), types (cognitive & normative) and forms (myths, frames, stories etc.) of ideas (Schmidt, 2008). Here enters the discussion on the „institutional practices“ of the generation of discourse (that goes beyond linguistic studies) which usually presupposes the examination of the „terms“ of policy discourse (Hajer in Hajer & Wagenaar, 2003, p.104), i.e. „institutionalized structures of meanings that channel political thought and action in certain directions“ (Connolly, 1993, p.1). Ideas can be presented in various ways in terms of the use of oral or written modes, technical or general language, diverse semantic characteristics etc. (Mohanty, 1989; Schmidt, 2002).

The (2) component of discourse or „interactive-procedural dimension“ (Hennessy, 2014, p.25) implies interactive processes or the problem of who shares ideas with whom in *public sphere* (Habermas‘ „buergerliche Oeffentlichkeit“) in the process of policy generation and communication

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<sup>109</sup> Panizza and Miorelli (2013) do not agree with this assertion and explain their disagreement by referring to J.Derrida’s findings on essential iterability of any sign which underlies the post-structuralist discourse theory or PSDT: PSDT’s “relational theory of discourse is aimed at understanding how context affects text”. In fact, discourse theorists in various countries are known to approach the problems of “text” and “discourse” very differently, see e.g. Wodak & Meyer (2009, p.6). Panizza and Miorelli (2013) in their article go a little bit further and consider the ways of integrating Schmidt’s DI which is more advanced in analyzing institutional dimension of politics and post-structuralist discourse theory (PSDT) which better explains the relationship between power, discourse and politics with regard to institutional change.

(Habermas, 1993, 1996). According to Habermas (1996, p.360) (liberal) public sphere is „a network for communicating information and points of view“ and it „is reproduced through communicative action“<sup>110</sup>. Mohanty (1989) highlights the political nature of the terms of discourse which grants some institutions, subjects etc. with a more advantageous position than others<sup>111</sup>. Discourse within DI is both **(1)** the representation or incarnation of ideas in the way scholars conduct discourse analysis (Bourdieu, 1990; Foucault, 2000; Laclau & Mouffe, 2001) as well as **(2)** the interactive processes as a means and a playfield for the ideas **(2a)** to be generated in the so-called discourse coalitions or policy-makers (Haas, 1992; Sabatier & Jenkins-Smith, 1993; Hajer in Fischer et al., 1993) and **(2b)** communicated to the general public (Habermas, 1993; Zaller, 1992; Mutz et al., 1996; Dryzek, 2000; Wodak & Meyer, 2009).

Scholars normally concentrate on one of the two „organizational components of the governance architecture“ (Schmidt, 2001, 2002, 2010; Borrás & Radaelli, 2012, p.14). „Coordinative discourse“ associated with policy construction embodies the field where policy actors construct their ideas among themselves, whereas through „communicative discourse“ that symbolizes policy legitimization „sentient“ agents convey these constructed ideas to the general public for discussion, evaluation and contestation (Schmidt, 2002, 2005, 2006, 2010, 2012, in Skogstad, 2011; Schmidt & Radaelli, 2004). When explaining institutional change both types of discourses play important role<sup>112</sup> and the role of sentient agents here cannot be overestimated (Ladi in Papanagnou, 2011, p.207; Jaeger in Wodak et al., 2001, p.36). Within the discussion on institutional change the problem of interconnectedness of these two discourses will be clarified.

Individual and collective actors, i.e. policy consultants, lobbyists, civil servants, experts, elected officials, organized interests, business and union leaders, activists and others involved in the coordinative discourse or “horizontal discursive interactions” (Nitoiu in Nitoiu & Tomic, 2014, p.73) generate, elaborate policies and programs in the policy sphere as well as prepare proper justification of the latter for wider public (Schmidt, 2006, 2008). The general label for coordinative

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<sup>110</sup> There are many discussions held on the „bourgeois public sphere“ concept offered by Habermas in his older work in 1991 („The Structural Transformation of the Public Sphere“) originally published in German in 1962 where this public sphere social is a social sphere which stands between civil society and the state is shown as rooted in the eighteenth-century political traditions (Pusey, 1987, Fraser, 1990 and Garnham, 1992 in Carpentier, 2011, pp.80-81). But these discussions go beyond the scope of the given Thesis.

<sup>111</sup> In his study on the political discourse in the post-colonial societies he talks about the so-called subaltern versions of discourse that criticize the prevailing term of discourse for being elitist and for neglecting the real role of organized movements of public masses (Mohanty, 1989).

<sup>112</sup> Ladi (in Papanagnou, 2011, p.214) draws parallels between Schmidt’s (2008) distinction of these two discourses and Boswell’s (2009) discussion of the symbolic use of knowledge.

discursive communities made of various actors mentioned above to influence construction and implementation of policies with the help of mediators and experts are discursive coalitions (Schmidt, 2012). One of the subsets of discursive coalitions is the renowned “epistemic communities” that exist within national and transnational settings and whose members share causal and normative beliefs as well as notions of validity and common policy enterprise (Haas, 1992). Compared to them discourse coalitions needn’t sharing the whole spectrum of arguments, ideas, interests regarding the promoted common policy program; there must be a common viewpoint towards “the institutionalization of a joint solution” instead which does not require agreement on deep beliefs (Never, 2015, p.17; Zittoun, 2014, p.130). A closer interconnectedness, i.e. not only shared ideas but also access to policy making, between sentient agents of coordinative discourse can be attained within “advocacy coalitions” in specific or localized policy contexts (Sabatier, 1988; Sabatier & Jenkins-Smith, 1993; Sabatier, 1999, 2007), e.g. development of the euro (Verdun, 1996, 2000 in Enderlein & Verdun, 2010); nation-wide “discourse coalitions” made of social scientists and policy-makers for operation over longer periods of time (Singer, 1990 in Lehmbruch, 2001; Hajer in Fischer & Forester, 1993; Lehmbruch, 2001; Wittrock et al., 1991 in Wollmann, 2011)<sup>113</sup>; transnational “advocacy networks” each made of usually a small number of activists focused on issues of environment, human rights, women’s rights, infant health and indigenous peoples, including trans-governmental networks of state officials (Keck & Sikkink, 1998; Slaughter, 2004). The so-called “institutional entrepreneurs” (Kingdon, 1984; Leca & Naccache in Clegg, 2010, p.396; Fligstein & Mara-Drita, 1996; Baumgartner & Jones, 1993; Mintrom, 1997), “norm entrepreneurs” (Finnemore & Sikkink, 1998), “meaning managers”/“meaning architects” (Lessig, 1995 in Finnemore & Sikkink, 1998) or “mediators” (Jobert, 1989; Gouin, 2012) including “research mediators”, lobby groups and the media (Rickinson et al., 2011, p.85) who craftily use institutional logics to establish or change institutions with the help of other actors as they avail themselves of and enunciate ideas developed in various discursive communities and coalitions. Along with the conclusions made by Rigby (2005), Kirst (2000) and Campbell et al. (2007) regarding the lack of influence of academic researchers on national/supranational policy-making compared to researchers working within governments/supranational management structures<sup>114</sup>,

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<sup>113</sup> Also applied to the idea of “ordo-liberalism” (proposed by Mueller-Armack) that underlied German post-WWII “social market economy” distinct from neo-liberal economy (Lehmbruch, 2001 & Ptak, 2004 in Crespy & Schmidt, 2012).

<sup>114</sup> However, one of the objects of much concern is, in particular, the real research capacities and background of those experts working in many think-tanks. Studies undertaken by Rich (2004), Haas (in Anderson & Herr, 2007), Ball and Exley (2010), Abelson (in Dobuzinskis et al., 2007) and others show that the US think-tank people quite often have media or political background rather than policy or research experience which is reaffirmed by the fact that media

there are also findings which demonstrate stronger impact of the “insider researchers” (Brown’s term, 2009 in Rickinson et al., 2011, p.86) clearly declaring their normative position (e.g. conservative ideology) and establishing close relationships with respective policy-making groups compared to assumingly<sup>115</sup> neutral “insider researchers” (Rich, 2004; Campbell & Pedersen, 2010). Communicative discourse or vertical communication that occurs in the political sphere between policy actors and the public serve for policy communication and legitimization (Schmidt, 2006, 2012; Statham in Koopmans & Statham, 2010, p.287). Individual and collective actors now present the policies and programs earlier agreed within coordinative discourse to the general public for debate, deliberation, impugment and ideally modification and legitimation (Schmidt, 2008; Mutz et al., 1996). Thus, communicative discourse involves, on the one side, political leaders, government spokespeople, “spin doctors”, party activists, and opposition parties members, i.e. “political entrepreneurs” who are engaged with opinion-formation (Zaller, 1992; Mutz et al., 1996; Cantner & Wohlgemuth in Reksulak et al., 2013), and, on the other hand, mass media, community leaders, social movements<sup>116</sup>, pundits, experts, think-tanks, public intellectuals, organized interests (“policy forums”, Schoen & Rein, 1994), opinion makers, social movements as well as ordinary people, i.e. sentient agents which provide opinion-formation as well as will-formation (Schmidt, 2011; Mansbridge et al., 2010). Schmidt (2008) informs that the aforementioned agents are normally assembled in “policy forums” of “informed publics”<sup>117</sup> (Schoen & Rein, 1994), the community of “organized private persons” (Habermas, 1991), and last but not least, in the “strong publics”<sup>118</sup> of opposition parties, political commentators, MPs etc. (Eriksen & Fossum, 2002). At last, communicative discourse cannot be imagined without political participation of ordinary citizens/voters or civil society who provide the basics for ordinary practices, bottom-up debate, public mobilization, demonstrations, even though their influence on the coordinative negotiations is somewhat limited and indirect also for absence of official political power, especially in the case of

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exposure as well as public activism substantially account for the influential capability of think-tanks. So, again social sciences prefer to question: are think-tanks *really research* centers or not?

<sup>115</sup> Ladi (in Papanagnou, 2011, pp.211-212) considers the idea of neutral bridging academia and policy-makers via think-tanks rather problematic.

<sup>116</sup> Aminzade et al. (2001), Davis et al. (2005), Epstein (2008), Della Porta (2009), King & Pearce (2010), Goodwin & Jasper (2009) and many others are helpful for deepening one’s knowledge in this field.

<sup>117</sup> Policy forums are various institutional settings or vehicles for policy discourse (with different discourse rules), e.g. courts, legislatures, editorial pages, political parties, radio/TV programs (Schoen & Rein, 1994, p.32).

<sup>118</sup> These authors depart from Fraser’s (1992) notions of strong and weak publics but add to the notions a more institutional colour: strong publics is „institutionalized bodies of deliberation and decision–making“ as opposed to weak civil society publics excluded from desicion-making process (Eriksen & Fossum, 2002).



the EU (Beyers & Trondal, 2003 in Andreev, 2007; Schmidt in Carta & Morin, 2014, p.246). Examples of civil congregations of this “mini publics” include citizen juries, issues forums, consensus conferences, deliberative polls, planning cells etc., also called as “deliberative institutions” and “deliberative events” (Goodin & Dryzek, 2006; Gastil & Levine, 2005; Thompson & Bell, 2004). Thus, compared to the elites ordinary citizens normally need to get together in much larger active groups in order to convey their message and to somehow influence the politics (Barrington et al., 2010, p.323). These new mechanisms invented within theories of deliberative democracy substantially extend the possibilities of the public involvement into policy-making processes which is traditionally confined to opinion polls, surveys, focus groups, and, first of all, elections – they allow for possible transformation of the public opinion (Thompson & Bell, 2004). Modern political systems also allow for communicative discourses to the general public that end up with public protests, demonstrations, strikes etc. (Schmidt, 2002).

Once again, following the idea of the importance of taking into account both cognitive and normative components of ideas, one who studies coordinative and communicative discourses, has to remember that the distinctions made between them are scholarly conditional – in reality they are largely overlapping. Political actors translate policy and program ideas prepared and agreed within coordinative discourse (often more scrupulously prepared with regard to cognitive criteria) into the language accessible to the public as an *actively responding* group(s) of agents within the communicative discourse by ensuring that arguments used for boosting these ideas satisfy both rational expectations and moral-philosophical convictions (Schmidt, 2002, 2006, 2011). Borderlines between these two phases are, thus, not perfectly well-defined, they kind of change each other all the time. At the point when “mere” representation/expression of ideas gives way to the next phase of persuading other actors to join the line of action offered by these ideas, discourse’s (2) way of influencing ideas through interactive processes comes in (Schmidt, 2008). Regardless the dichotomy often drawn with respect to “arguing” (persuading with “good reasons”) and “bargaining” (“forcing or inducing the opponent to accept one’s claim” similar to instrumental rationality) (Habermas, 1992 in Gehring, 1996; Elster, 1991 in Heinelt, 2011; Risse, 2000), Schmidt (2008; see also Schmidt & Radaelli, 2004) rather inclines to stress integration of both in real-life discourses as it do such authors as Gehring (in Von Prittwitz, 1996), Holzinger (2004), Buchstein (in Peruzzotti & Plot, 2013) and others. The degree to which the substantive content of ideas remains the same in each of these discourses is another story.

Political discourse in the role of presenting offered reforms as necessary and normatively acceptable influences the success of these reforms (Schmidt, 2002). Discourse’s contribution to the fruition/failure of ideas in the former’s (1) role as the representation of ideas coincides with general

criteria of successfulness of ideas: relevance of discourse, its adequacy, appropriateness, resonance as well as consistency and coherence across policy sectors (Schmidt, 2008, in Beland & Cox, 2011; Nullmeier, 2006 in Rolandsen Agustin, 2013, p.28). Vagueness of discourse is never completely surmountable but is often used for the purpose of negotiating the same ideas in different contexts (Schmidt, 2008)<sup>119</sup>. Yet, Schimmelfennig's (2001, 2003, p.222) concept of "rhetorical entrapment" very vividly displays how certain argumentative commitments once established in the past by some policymakers can remain coherent and consistent by forcing the successive policymakers to follow them regardless the successors' own self-interests and ideas. Earlier generational turnover, for instance, was mentioned as one of the factors that have impact upon the adoption of some ideas. Yet, it must not be forgotten that the same factor may work in a very individualized way in each unique case. For instance, Art (2006) has an exemplary work on the preservation of certain ideas in Austria and Japan after WWII and their alteration in Germany in the 1980s, and Rochon (2000) also talks about rapid institutional changes that are less dependent on generational turnover but rather on "wholesale adoption of new perspectives".

Discourse, therefore, firstly, "determines individual and collective doing and/or formative action that shapes society, thus exercising power", and, secondly, establishes certain frames for ideas, discourse and action of even successive discourses as "first-class [...] sui generis material realities"<sup>120</sup> (Schmidt, 2008; Jaeger in Wodak et al., 2001; Checkel in Smith et al., 2008, p.75). Very often discourses generated and held by policy actors, discourse analysts argue, do not satisfy the ideal criteria of truthfulness, coherence and consistence, but misleading, obscure and manipulative in the cases when hegemony targeting policy or political elites need them to keep things under control (see Bourdieu, 1990; Gramsci, 1971; Foucault, 2000; Laclau and Mouffe, 2001; Habermas, 1993; Jobert, 2003). This is where discourse and deliberation comes into play and puts certain limits to the national/supranational elite monopoly by acquiring democratic access to decision-making (see Dryzek, 2000; Smith, 2013a).

For the EU citizens, Nitoiu (in Nitoiu & Tomic, 2015, p.73) stresses, there are not many options to influence policy-making process within the Common Foreign and Security Policy (CFSP) and especially the Common Security and Defense Policy (CSDP), and this lack of policy influence confines the role of communicative discourse to the legitimization of already adopted policies. Statham (in Koopmans & Statham, 2010, p.287) in his discussion on stronger (horizontal) and weaker (vertical) versions of Europeanization additionally concludes that while rather supranational

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<sup>119</sup> This will be better illustrated upon the EU's example in the next sub-Chapters and Chapters.

<sup>120</sup> Jaeger (in Wodak et al., 2001) consciously allocate extremely strongly the idea of material reality embodied by discourse.

EU needs more vertical (communicative) linkage, rather intergovernmental EU requires more horizontal (coordinative) linkage that theoretically may lead to a higher “collective identification” under a “*common European discourse*” (Sifft et al., 2007, italics in original).

In theory, discursive interactions may rely on two basic social “launching platforms”: top down (national/supranational authorities → public) and bottom up local/national/international civil society, social movements, general public → national/supranational elites) (Schmidt, 2011, 2012).

Normally discursive interactions start from policy construction conducted by policy elites, and then constructed ideas are translated by political elites for the general public within policy legitimization phase (Schmidt, 2008). Murphy (2008) stresses the importance of coherence between these two discourses for the success of propagated ideas. It is normally achieved through the generation of the so-called “master discourse” or a “coherent political program” which offers guidance for both discourses by exhaustively elucidating current state-of-the-art, drawing relevant forecasts and describing objectives for the generation and communication of planned policies/programs (Schmidt, 2008)<sup>121</sup>. Campbell (1998) points to the limited role of the public in this type of launching platform; Della Porta and Diani (2006, p.243) as well as Seabrooke (2006 in Schmidt, 2008) apprehend that this creates an affinity between DI and SI in its extreme form by stressing imposed beliefs and not democratic deliberation as was formulated by Habermas (“political deliberation”, 1992)<sup>122</sup>.

Along with the top-down discursive interactions initiated by policy elites also participants of various social movements, associations, networks, and the media may independently generate new ideas and launch their discussion and deliberation among themselves (Keck & Sikkink, 1998; Tarrow, 2005; Aminzade et al., 2001; Della Porta, 2009; Epstein, 2008). As opposed to Hendrik’s (2006) micro deliberation focused on decision-making within more or less structured groups bottom-up discursive processes or macro/discursive deliberation have a more general function of opinion formation in less structured terms and may take forms of “public conversations” (Benhabib, 1996), communicative action undertaken in the public sphere from face-to-face discussions to social activism and mass media (Habermas, 1993, 1996), “deliberative democracy” in the supranational context (Dryzek, 2000), and, finally, more strategic ways of public action such as boycott, protest,

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<sup>121</sup> Shaping mass public opinion by establishing terms of discourse for the general public and framing issues for the media has become a burning scientific and practical problem since the mid-1960s, and one may benefit from an extensive literature dedicated to public policy studies (Zaller, 1992; Araral et al., 2013). This issue with regard to the EU will be addressed in the sub-Chapters 1.3, 1.5 and Chapters 2, 3 of the Thesis.

<sup>122</sup> Those interested in scholarly findings concerning this aspect may take a look at Moe’s (2003) „Power and Political Institutions“ where he exhaustively elucidates differentiation between institutions as structures of cooperation and structures of power.

radical activism (Mansbridge et al., 2010)<sup>123</sup>. Schmidt (2008) warns against approaching the problem of ideational change in one-sided manner by underscoring crucial importance of using explanatory potential of both internal processes bound to „launching platforms“ and external factors creating favourable environment for the ideas proposed.

As it was mentioned above, beyond top-down and bottom-up scenarios<sup>124</sup> coordinative and communicative discourses may show no direct interconnectedness at all. All of the debates over new policy/program ideas may be constrained to coordinative discourse in the case of negotiations behind closed doors to avoid possible public disapproval (too progressive reforms), or due to the extreme technicality of language used in policy/program descriptions; or they may end up with partial or total incoherence of the substantive content in each of discourse (Schmidt, 2006, 2011, in Carta & Morin, 2014, p.262). In the vast array of cases including situations when arguments used in coordinative and communicative are diametrically opposed there is a more primitive explanation for this sort of policy negotiation. Finlay and Egan (2004, p.14) refer to “a reluctance to trust the people in the formulation of policy” which can be equally simply understood in the struggling for hegemony type of nature inherent in the public policy debate emphasized by Jobert (2003). A similar scenario may concern the “bottom”-bound ideas: the lack of comprehensive support and argumentative weight of certain ideas elaborated within the public outside central policy-makers circle may well prevent them from being implemented (Schmidt in Fischer & Gottweis, 2012, p.107).

**(4-5) Institutions & Institutional Context. Collective Action.** „Nothing is possible without men; nothing lasts without institutions“ (Monnet in Smith, 2004, p.1). Institutions are consciously created by sentient agents, then these institutions continue their existence somewhat autonomously from agents, i.e. once created they (1) start influencing and constituting the very sentient agents who become part of these systems, and (2) may evolve as a result of either unconscious alterations in the way sentient agents use them or as a result of conscious collective action of sentient agents who decide to use them in a different way or to close them down completely (Schmidt, 2012; Keohane et

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<sup>123</sup> Here the author of the Thesis refers to the so-called micro and macro accounts of deliberative democracy offered by Hendriks (2011, p.28) based on this the latter’s earlier findings on the these two broad theoretical categories of deliberative democracy theory where he specifically emphasized the importance of a more integrated deliberative theory not split into polarized components but formed by their intermixture (Hendriks, 2006). Public conversations etc. are various types of macro deliberation (Hendriks, 2011, p.28).

<sup>124</sup> According to Van der Heiden and Krummenacher (in Torfing & Triantafillo, 2013, p.229), top-down and bottom-up approaches in the literature on interaction between politics and the people usually coincide correspondingly with the theory of deliberative democracy (Habermas, 1992; Fung & Wright, 2001; Groenewald & Smith in McLaverty, 2002 etc.), and concepts dedicated to social movements (Castells, 1993; Hutter & Giugni, 2009).

al., 1993). “Institutional facts“, as Searle (1995)<sup>125</sup> favorably formulates, exist solely through collective agreement about the nature/definition of an institution which is a process rather than a product<sup>126</sup>. Sentient agents, thus, create their ideas and speak about them within certain institutional context, i.e. the latter defines where and when actors speak about those ideas (Hall, 1993; Schmidt, 2008). Interestingly, in its comeback to institutions NI basically overstepped the balance line by limiting the role of agency and choice within institutional constraints, and this is what DI tries to soften (Schmidt, 2008)<sup>127</sup>. Brosig (in Galbreath & Gebhard, 2010, p.34) questions the way both RI and HI transfer their state-centered assumptions to the study of international organizations, since they are not states and have to be treated very cautiously avoiding mechanical attachment of state behavior patterns and rules to this type of institutions (especially the EU). Rationalist approach to IR „leaves open the issue of what kinds of institutions will develop, to whose benefit, and how effective they will be“ (Keohane, 1988).

Hall (in Mahoney & Thelen, 2009) offers a classic definition of an institution: it is a set „of regularized practices with a rule-like quality“. Hay’s (2002) version of definition identifies it as a „setting within which social, political and economic events occur and acquire meaning“. Discursive institutionalists readily add this definition to their conceptual armour. However, unlike the three older NIs one of the basic tenets forming the basis of DI is the dual character of the institutional context through which ideas, discourse and subsequently collective action are realized: (1) as “meaning context” where sentient agents get engaged in discursive interactions according to (national/supranational) logics of communication; (2) as a system of formal and/or informal institutions pervading this discursive interface marked by their own specific rules and common set of understandings<sup>128</sup>, and this latter aspect is often under focus of RI, HI and SI<sup>129</sup> (Schmidt, 2010, 2008, 2012; Jenson & Merand, 2010). Scholars use the term “meaning context” in order to stress largely nation-bound political, economic and cultural specificities of ideas and discourse but also exploit this term with respect to particular logics of communication which may go beyond state

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<sup>125</sup> Schmidt (2012) mentions Searle as an exceptional philosopher working in the analytic tradition who, nevertheless, similar to continental school adherents (followers of Foucault, Bourdieu, Habermas and Giddens) publicly recognizes the two-way character of institutions.

<sup>126</sup> Changes in the environment become significant facts only when they can be defined and interpreted (Jobert, 1989).

<sup>127</sup> Zakharov (2010) argues that all of the NIs at the end of the day basically recognize that institutions are products of actors’ activity, except for perhaps only the distributive theory of institutions which take institutions for side effects of actors struggles, i.e. institutions can be collectively useful but this not their main feature.

<sup>128</sup> These including formal and informal rules are crucial for both communication within permanent organizations and *ad hoc* negotiations (Grandori, 2001).

<sup>129</sup> NB: (1) underlined blue, (2) underlined red in the graph below

borders (Schmidt in Telo, 2013, p.118, 2007; Keohane, 1988). Unlike old institutionalism new institutionalism deal both with formal and informal institutions. Zakharov (2010) refers to the definitions of Shepsl (in Morgunov, 1998) and of Knight (1992): formal institutions are “legal game rules which prescribe what actions and under what conditions are allowed (or not) or obligatory (or not)” (competences and obligations)<sup>130</sup>, while informal institutions are “social practices and rituals based on the conformity with cultural values and norms”<sup>131</sup> (behavioral models)<sup>132</sup>.

One might ask: what is the exact connection between discourse and institutional context? Foucault (2002) has answered to this question in his famous “Archeology of Knowledge and the Discourse on Language” (1972, pp.224-225): “Disciplines constitute a system of control in the production of discourse, fixing its limits through the action of an identity taking the form of a permanent reactivation of the rules...None may enter into discourse on a specific subject unless he has satisfied certain conditions or if he is not, from the outset, qualified to do so”. Institutional context controls various aspects of discourse processing and ensure the social appropriateness of discourse (Van Dijk, 2006); in other words, behavioral patterns getting shaped within evolving institutions structure discursive interactions (Krasner, 2009, pp.95-96). Discourse, as mentioned above, exercises power, and it can do so because it is “institutionalized and regulated” and “linked to action” (Jaeger in Wodak et al., 2001, p.34; Hall, 1993). In other words, institutions, as Katzenstein (1998, p.33 in Allan, 2008, p.169) puts it, “do more than structure people’s daily routines; they also assign value to what people do, and they shape the very self-definitions people come to hold”. Ideas are granted meaning, discourse – communicative power, collective action undertaken by agents, thereby, comes into being and brings real results thank to institutional context that is not limited to incentive structure, path-dependency and cultural packing (Schmidt, 2012). Young (1986), in turn, stresses the role of agency in institutions when says that institutions are “recognized practices consisting of easily identifiable roles, coupled with collections of rules or conventions governing relations among the occupants of these rules”.

Thus, institutions in DI are regarded as a *context* within which sentient agents think, communicate their thoughts and undertake collective action, i.e. institution-structure, and at the same time this

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<sup>130</sup> Organizations, regulations, law (Fioretos, 2011).

<sup>131</sup> Principles of conduct, social conventions (ibid.)

<sup>132</sup> What is interesting for the concluding section of the sub-Chapter dedicated to institutional change (even if its is said about neo-institutionalism, in general, and not in the DI tradition specifically), Zakharov (2010) argues that informal institutions change spontaneously and incrementally, the formal ones, in turn, are the results of conscious actions of rational actors; and this may lead to problems with sometimes contradictory functioning of those institutions (Oleynik, 2000, 2001 in Zakharov, 2010).

very context is produced and reproduced by actors' ideas, words and actions, i.e. institution-construct (Ladi in Papanagnou, 2011, p.207; Schmidt, 2010, 2011). The double character of the institutional context eventually conditions binary quality of the formalized as well as informal institutions too: (1) „internal“ meaning of structures and constructs („meaning context“) inherent in the agents themselves in accordance with the first definition of the institutional context - logics of communication; (2) „external“ or constraining nature of institutions originating from the second definition (formal/informal institutions) (Schmidt, 2010, 2012).

The „external“ dimension whereby institutions constrain action from outside has already been known from the other three new institutionalisms while the „internal“ one is specific to the DI framework (Schmidt, 2011). Institutions in DI, i.e. formal as well as *informal* institutions, are both constructed by ideas, discourse, actions and construct these ideas, discourse, actions at the same time (Schmidt, 2008, 2010). For rationalists these purely “external” structures serve as incentive for agents' interest-based calculations, for historical institutionalists - historical path-dependencies leaving no alternatives and submissively followed by agents, and for sociological institutionalists - cultural frames imposed on agents in the form of “logic of appropriateness” (Schmidt, 2008, 2012). By the example of the European integration Christiansen et al. (1999, p.529), for instance, argue that institutions have „transformative impact“ on the preferences and identities of individual actors, and this impact has always been detected by ideational schools but not by those for whom ideational processes are largely an empty phrase and who are convinced that interests are given exogenously. For DI specialists institutional context is a „homeland“ for the construction of ideas by sentient agents and communication of these ideas through discourse (external) (Schmidt in Landman & Robinson, 2009, p.132). Institutions frame the discourse, discourse defines the set of ideas and discursive interactions that are more or less acceptable in the given institutional context (Yee, 1996) and which might enter policy-making area „by allowing or restricting the access of social groups to political leaders and bureaucratic official“ (Hall, 1989; Weir, 1992; Yee, 1996). The construction process, however, happens the other way around too which is unimaginable for RI, HI and SI (internal): DI refers to the processes whereby ideas developed and communicated by actors influence and bring about changes to macro-structures to which they belong (Schmidt, 2008; Wodak, 2009).

Similar to discourse, formal institutional settings and their various characteristics may influence successfulness or failure of political discourse by establishing formalized rules for discursive interactions (Schmidt, 2012). “Simple” political systems (or single-actor constellations) basically governed by a single authority (primarily executive, majoritarian electoral system, statist policy-making, unitary, e.g. UK, France), as a rule, are marked by a remarkably stronger communicative

discourse to the general public, while comparably compound polities with multiple authorities providing governance of political system (proportional representation systems, corporatist policy-making, federal/regionalized states<sup>133</sup>, e.g. Germany, Italy, Spain) show a more elaborate coordinative discourse of policy construction (Schmidt, 2000a, 2002, 2003, 2006, 2008, in Beland & Cox, 2011). Both phenomena appear to be easily explained by using common sense. In the 1<sup>st</sup> case, a group of policy-makers restricted in number largely within executive branch of power comparably easily agree upon a policy or a program (thin coordinative discourse) and then in the face of possible loss of appropriate support of interest groups or public confidence resulting in electoral failures tries to get these policies/programs legitimized; thus, this is where communicative discourse proves crucial (Schmidt, 2002, 2006). In the 2<sup>nd</sup> case, the multiplicity of interlocutors involved in the generation of policies/programs ranging from officials from central, local and regional governments to business, union people and social partners makes coordinative discourse vitally necessary not only for reaching a common denominator among them, but for obtaining proper approval of their these actors' own supporters (Schmidt in Beland & Cox, 2011, p.59, 2009). In these polities political elites prefer to keep communicative discourse thinner and to avoid detailed public discussion of the planned reforms for the risk of unravelling agreed compromises reached by policy elites in private (Schmidt, 2005).

Clear borderlines characteristic of simple and compound polities have become somewhat blurred, Schmidt (in Grant & Wilson, 2012, p.166) demonstrates, for Italian and Spanish governments in recent years have substantially improved their communicative discourses and France, for instance, did the similar regarding coordinative discourse, both especially in the cases where existing dominant discourses worked not well or proved insufficient.

Yet, compound polity as the US is it is notable for both very well-developed coordinative discourse guaranteed through federal structures and communicative discourse thank to its majoritarian and presidential system (Schmidt in Beland & Cox, 2011, pp.59-60). Another example that provides evidence of obvious nebulosity of polity type notions is the one the author is very interested in – the EU. This highly compound polity has a heavily skewed discursive profile with a particularly strong coordinative discourse of policy construction developed through exceptionally complex interactions among numerous EU supranational and intergovernmental structures and an extremely weak communicative discourse due to the lack of an elected central executive power (Schmidt, 2006)<sup>134</sup>.

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<sup>133</sup> E. g. Germany, Italy, Spain, Belgium, Austria, Denmark, and the Netherlands (Schmidt, 2005)

<sup>134</sup> S.Fabbrini (2007) provides an extremely thought-provoking comparative analysis of these two exceptional compound polities (see List of Literature).



A highly important condition for any successful discourse is targeting the right audiences in the right manner and at the right time points as well as satisfying both cognitive and normative criteria of argumentation individual to each group of people (Schmidt, 2008).

As for the „internal“ dimension of institution-agent relationship incorporated by DI scholars and (referred as „the second-order problem in institutionalism by Hall in Mahony & Thelen, 2009, p.204) it eventually relies on two kinds of discursive abilities owned by sentient agents:

- “background ideational abilities” of *thinking* agents (Searle, Bourdieu, Wittgenstein, cognitive psychology) of agents by means of which they can *create and maintain* institutions within an existing “meaning context”;
- “foreground discursive abilities” of *speaking* agents (Habermas) of agents which enable them to communicate (within „logic of communication“) about institutions in critical manner and put forward **collective action**, i.e. to *change (or maintain)* institutions (Schmidt, 2012)<sup>135</sup>.

Searle (1995, pp.140–45) defines background abilities as a set of „unconscious dispositions and capacities“ internal to agents who are "sensitive to the rule structure of the institution“. Following the logic of Searle who made a comparison with rationalist choice, Schmidt (2010, 2012) notes that it enables agents to act without „conscious or unconscious following of external rules assumed by rationalist calculations, historical path-dependencies and norm appropriateness“. Searle (1995) reports that Bourdieu’s (1990, p.11) „habitus“ reflects the same idea by identifying human activity as “following the intuitions of a „logic of practice“ and similar aspect is also present in Wittgenstein’s work. It is in accord with the cognitive dissonance theory of the social psychologist Festinger (1957) which describes quite the same sort of generally intuitive rule following behavior combined with situative consciousness only at times when rules appear to be contradictory and preservation of consistency of thoughts, feelings and behavior is endangered (Harmon-Jones & Mills 1999; Calhoun, 2012, p.332; Andres in Robson & Sanders, 2009, p.77; „confirmation bias“ by Lord, 1979 in Graves, 2015).

Background ideational abilities (or „knowledge“ as Ladi in Papanagnou, 2011, p.211 refers) serve as the original material for the generation of ideas in agents’ minds which then gives way to the next level of agency potential, namely foreground discursive abilities which set discursive interactions among agents into motion that might end up in a collective action (either through coordinative or communicative discourses) for *changing*<sup>136</sup> existing institutions (Schmidt in Beland

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<sup>135</sup> NB: “Background ideational abilities” underlined blue in the Figure 1 below (coincides with logics of communication); “foreground ideational abilities” – red (as formal/informal institutions).

<sup>136</sup> More on the theme of institutional change see section “Institutional Change” below.

& Cox, 2011, p.48)<sup>137</sup>. If at the background ideational level it is more or less imaginable to ensure certain averaging-out of thinking and speaking habits of agents in accordance with the elite-based dominant vision, then the foreground level equips the same agents with abilities to look at institutions they are in from a different angle (Schmidt in Fischer & Gottweis, 2012, p.107). Foreground ideational abilities is the answer to the question once put by Foucault (1980), namely how to put knowledge into motion through discursive interactions within certain institutional settings.

Discursive institutionalism as a part of a wider ideational approaches framework may benefit from the given findings of other new institutionalists as useful background knowledge for providing clarification to this interesting observation (Schmidt, 2012; Wendt, 1987). Juxtaposed to the idealist-materialist opposition very often highlighted in the political-scientific literature which deals either with ideas or interests but not both, here, in DI, the interplay of these two is welcomed (Campbell, 2002; Hall, 1993; Blyth, 2002; Pollack in Jorgensen et al., 2007; Fearon & Wendt in Carlsnaes et al., 2002). On the other hand, there might be further studies held for elucidating potential constraints to interest-based convictions, path-dependent explanations or cultural appropriateness when comparing DI with other neo-institutionalist schools (Schmidt, 2012, p.86). This further prompts the DI adherents to profoundly explore interaction between discursive-ideational constituent of the institutional context and its rather material integrant: material events and conditions, *force majeure* situations as a result of various agents' actions, the discourse and ideas exploited to reintroduce coherence of such actions with others, and the problems of power and position (Schmidt, 2012, pp.86-87).

Institutions, thus, represent (1) *external subject* structuring agents' ideas and (2) *internal object* constructed by agents whose (2a) "background ideational abilities" within a given institutional context help them create and maintain those institutions and whose (2b) "foreground discursive abilities" within a "logic of communication" allow them to change and maintain the institutions (Schmidt, 2008). This two-sided nature of agent-institution relationships results in a more agent-centered dynamic approach than in the case of historical institutionalism (HI) (Schmidt, 2008). It leads to total overcoming of „mechanical reactions of actors to external stimuli“, if one uses Jobert's words which he uses when propones his normative framework of policy-making (Jobert, 1989).

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<sup>137</sup> Schmidt (in Beland & Cox, 2011) recommends to refer to Habermas' (1996) "communicative action", deliberative and discursive democracy (Dryzek, 2000), public debate (Art, 2006), coordinative discourses of policy construction and communicative discourses of political communication (Schmidt, 2002, 2006).

If one views the three levels of ideas in connection with the above mentioned ideational capabilities, policies and programs are often associated with foreground as most regularly debated in the public, while philosophical ideas are rather part of the background as something discussed in very rare cases, e.g. crises (see Campbell, 2004, pp.93–94).

To conclude the section highlighting institutional context one needs to comment on the questions of relativism. Scholars do not also lose the sight of the problem of experience and pictures of the world. This type of social construction of institutions, according to Wittgenstein (1972 in Schmidt, 2012), does not lead to radical relativism because it recognizes that knowledge usually comes „with different kinds of certainty related to the differences between the agents’ experiences in the world“ (Schmidt in Telo, 2013, p.120). Relative contingency and arbitrariness of knowledge and identities are counterbalanced by the causal influence expressed in meaning-constraining regulatory role of discourse (Jorgensen & Phillips, 1999, p.14 in Malmvig, 2006, pp.3-4). Compared to SI specialists whose social norms and meanings are often targeted by critics for being subject to conceptual relativism tying them up to specific single cultures which makes comparative analysis between various cultures and drawing universal rules impossible, DI adherents do regard ideas as culturally conditioned but not limited to them, and the same concerns human rationality (Jacobsen, 1995; Schmidt, 2008)<sup>138</sup>. As juxtaposed to Wendt (1999) with his „rump materialism“ or rather rationalist interpretation of DI (correspondence view of the world) and Gofas and Hay (2010) with their more centrist „critical realism“, Schmidt (2012), as described above, prefers to emphasize constructivist component of DI that underscores *mostly* socially constructed nature of reality beyond the very basic level or material reality (noncorrespondence view of the world). For the given Thesis which deals with an international actor owning a very complex nature and therefore requiring cross-cultural ideational analysis this discursive institutionalist advantage may prove very useful. If one is to take into consideration the characterization of the DI theoretical framework which was provided above, then its graphical visualization might look the following way:

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<sup>138</sup> Although there still a plethora of problems not only with the implementation but even with the ontological question of universality in international norms (Mills, 2009, p.91), no one can deny the fact of the ever-shaping phenomenon of international human rights (Risse et al., 1999).

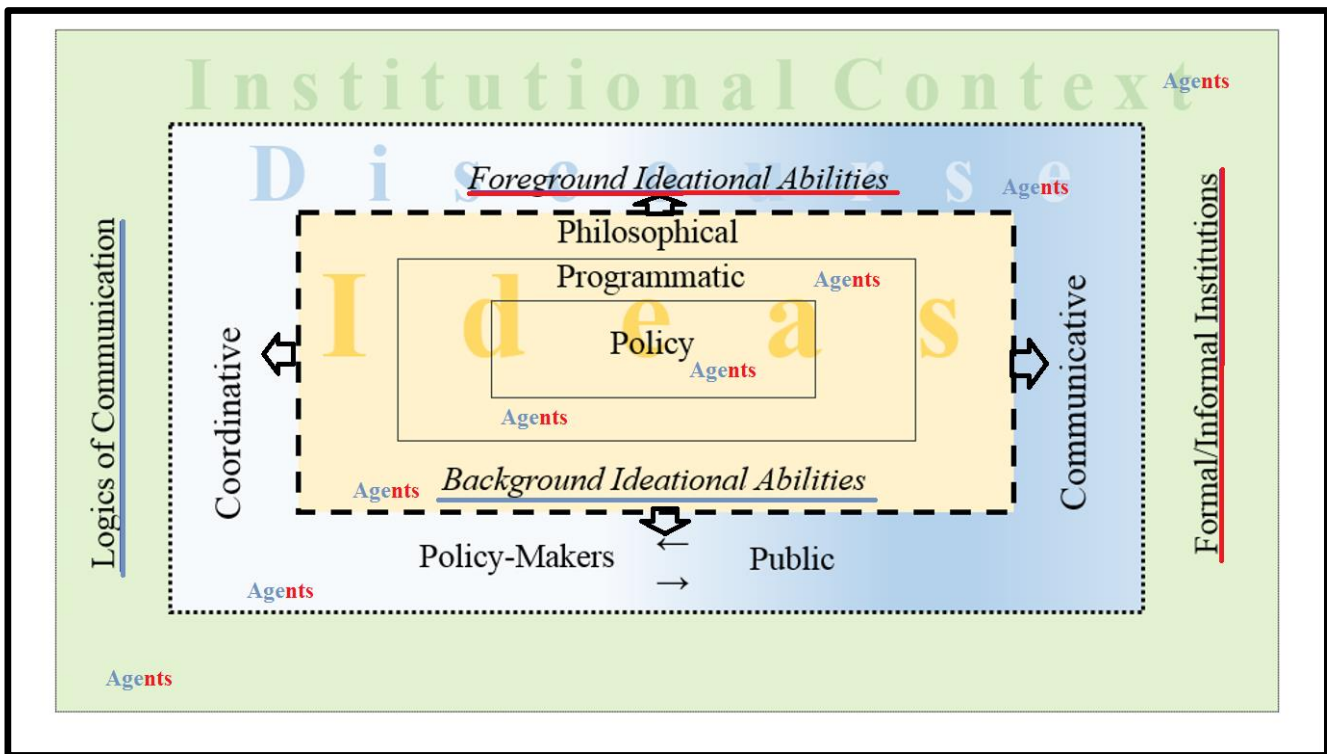


Figure 1. Schematic Overview of the DI framework

(6) *Causal Influence of Ideas and Discourse.* The so-called transformative power or successfulness of certain ideas as opposed to others is a big question that is permanently addressed in the social science. A very thought-provoking notion of „discourse intervention“ offered by Karlberg (2005) the project of which he ascribes to Boulding (1990) who analyzed various understandings of power as well as Hartsock (1974 in Karlberg, 2005) and Miller (1982 in Karlberg, 2005) with their works on feminism and power. According to Schmidt (2008) three different levels of ideas are treated differently in this regard in the scientific literature.

The mainstream list of mainly political, as Schmidt (2008) argues, necessary (not necessarily sufficient) factors that ensure or impede the adoption of policies or the 1st-level ideas namely includes:

- existing relationship among the so-called „policy stream“ (ideas for solving problems), „problem stream“ (the whole range of problems regardless of solutions) and „political stream“ (political sphere standing detached from ideas and problems) (Kingdon, 1984);

- policy („theoretical quality and problem-solving capacity“), administrative (compatibility with administrative mechanisms<sup>139</sup>) and political (usefulness to policy-makers in getting support and building coalitions) viability (Hall, 1989 in Coats, 1997, p.340);
- timing<sup>140</sup> (Cox, 2002; Aspinwall, 1997);
- scientific weight of policies (Rich, 2004; Campbell & Pedersen, 2008);
- acceptability in terms of national traditions, especially for transnational policies in the case of the EU (Katzenstein, 1996 in Schmidt, 2008; Barbier, 2004, 2005 in Vosko et al., 2009; Campbell & Pedersen, 2014) including compatibility with the existing set of well-entrenched policies (Cox, 2002)<sup>141</sup>;
- generational turnover (three models by Samuels, 1977 in Boyd & Samuels, 2008; Inglehart, 1997).

This was quite vast but not exhaustive list of factors affecting the causal influence of ideas but it basically covers the nucleus of the problem addressed here. Schmidt (2008) warns that these criteria are fraught with certain pitfalls for many reasons: factors offered are necessary but not sufficient for policy adoption, especially those not included in the agenda, for in most cases authors concentrate on successful ideas only (Harding, Fox & Mehta, 2002); criteria can barely shed light upon the mechanisms of how old ideas leave and new ones come (Mehta in Beland & Cox, 2011); finally, it is traditionally accepted to argue that useful and more appropriate or „good ideas“ usually win<sup>142</sup> whereas the rest or „bad ideas“ come to grief but it does also happen the other way around. Moreover, despite numerous conceptual advantages over other NIs rather neglecting ideational factors DI along with other ideational approaches is very often targeted by critics for the so-called „*post hoc ergo propter hoc*“<sup>143</sup> interpretations, i.e. to attribute at least certain part of effect on reform's success while blaming reform's failure for improper use of ideas and discourse (Van

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<sup>139</sup> Harty (in Lecours, 2005), in particular, repeatedly shows the importance of material factors such as available material resources that dramatically influence the conduct of any policies.

<sup>140</sup> Interesting to know for comparison that Ladi (in Papanagnou, 2011) who represents HI repeatedly shows that this factor plays one of the most important roles in policy change meaning by the latter also the 2nd and the 3rd order changes.

<sup>141</sup> Barbier (2004, 2005 in Vosko et al., 2009, pp.8-9) presents an interesting analysis of the multiplicity of meanings of „precariousness“ in various European countries, whereas Campbell & Pedersen (2014) provide a very fresh outlook of the national construction of knowledge regimes in the USA, France, Germany and Denmark.

<sup>142</sup> „Referring (as is habitually done) to failed reforms as good ideas that could not be put into practice is illogical, as their infeasibility makes them bad ideas to begin with“ (Inter-American Development Bank Report, 2006, p.257) type of thinking is a common example.

<sup>143</sup> "after this, therefore because of this" (latin)

Kersbergen & Vis, 2014, pp.108-109). Here, they ask why some policy-makers use certain ideas/discourse while others do not, how ideational approaches can explain policy drift when one has ideas but prefers not to act in the face of failure and, finally, why some ideas work and others not (Van Kersbergen & Vis, 2014, p.109). Problems of causation specific for many various ideational approaches were highlighted by Yee (1996) who already then in the mid-1990s during the „turn of ideas“ to political science forecasted huge difficulties which discursive approaches would face with causal effects of ideas<sup>144</sup> (being better off with ideas themselves) and which other ideational institutionalists would come across with the ideas themselves (better dealing with general causation). As one can immediately understand, both groups of scholars referred here in the early 2000s would be addressed as various DI-based approaches – those privileging the substantive content of ideas and those dealing with discursive interactions in the first instance.

For a better picture, Schmidt (2008) says, one has to address the 2nd and the 3rd levels of ideas too. In their quest for explanations of the adoption and change of the 2nd-level ideas or programs scholars who examine them more closely (e.g. Blyth, 2002; Berman, 1998 etc.) usually refer to philosophy of science for the appropriate criteria measuring their effectiveness and change they possibly undergo (Jobert, 1989; Schmidt, 2008). They generally draw parallels between these ideas and Kuhn's (1970) famous paradigms as well as Lakatos' „research programs“ (1970 in Lakatos & Musgrave, 1970) (Schmidt, 2008). The analysis on this level relies not only on the (multi-faceted) viability of policy ideas emerging from programs but also on the relatively long-term problem-solving capacity of programs. However, Schmidt (2002, 2008) admits that conceptual power of philosophy of science to provide explanations for programmatic success stops at the point where science ends and ideas enter a real society. As it has already been shown, as opposed to scientists ordinary citizens expect not only brilliantly designed smart solutions for problems (cognitive component) but those that equally appeal to the social values of this society (normative component) (Schmidt, 2008; McCann, 2014). This is, by the way, one of the advantages of DI over HI, since most part of historical institutionalists proved to consider only the first component of ideas as soon as some of them decided to let ideational topic into their agenda<sup>145</sup> (Goldstein & Keohane in Goldstein & Keohane, 1993; Yee, 1996).

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<sup>144</sup> See also Campbell's (2002) article.

<sup>145</sup> Campbell (1998) notes that namely an excessively state-centered orientation of HI is blamed by some authors to be the main problem of the neglect of ideas within this NI school and he names Friedland and Alford's (1991) „Bringing Society Back In“ as an example. But he personally insists on a different explanation that stems from the materialist nature of HI (Hall, 1986 and Campbell, 1988 cited by Campbell, 1998).

Higher inscrutability of the third level of ideas or philosophical ideas compared to policies and programs in many cases makes the very task of identifying the scope of public philosophy and its characteristics a titanic endeavor indeed (Schmidt, 2008). The evolution of public philosophies through time and their change or replacement with others appear to be hard to trace (Schmidt, 2008). Following the tradition established by Weber, other macrosociologists such as Bourdieu (1994<sup>146</sup>), Foucault (2000) and Gramsci (1971) wrote brilliant works on macroideas that dominate societies or public philosophies (Schmidt, 2008). For the wide-spread reasons that ordinary more or less feel what their basic commonly accepted values are, a classical method of qualitative research as comparative case studies<sup>147</sup> and its indispensable component process tracing proved to be very useful (Schmidt, 2008, 2012; Vennesson in Della Porta & Keating, 2008). Beyond those enumerated by Schmidt (2008) such as Hall (1989), Dyson (2002), Dobbin (2004), Berman (1998), McNamara (1998), Blyth (2002)<sup>148</sup>, there are endless works of high quality based on these methods that provide analyses on various levels of organization and in diverse fields of social-political (including economic) activity: Matthijs (2011), Swank (2002), Mjoset (2011), Frasher (2013), Rynning (2002)<sup>149</sup> and many-many others. Studying directly the causal influence of ideas and discourse upon changes in or maintenance of interests, paths as well as norms is another method, and even though the last three are traditionally under focus of other NI schools, changes in them or their continuity can be better explained within DI than within these approaches (Schmidt, 2008). Conceptually broad and even very specific books and articles written by Berman (1998), Blyth (2002), Parsons (2003), Wentzel (2011), Radulova (2013), Carta & Morin (2014), McCann (2014) etc. favorably exemplify the use of this method. Among other approaches toward studying the content of ideational change there are both classic in-depth poststructuralist analyses based on the findings of Bourdieu, Laclau and Mouffe, Foucault (Schmidt, 2012) as well as rather specialized analytical methods available, e.g. in public administration - Bevir and Rhodes (2003), Bleich (2003), Goldstein (1993), Stiller (2010) and others.

Even though the adoption perspectives of the three levels of ideas were scanned above separately, as Weir (1992, p.169) reports that only a balanced interconnectedness between policy ideas or

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<sup>146</sup> In the List of Literature of this Thesis the reference indicated is not of the original French version but in English version.

<sup>147</sup> It dates back to the renowned works of Frédéric Le Play in the late XIX century and of the Chicago school of sociology in the 1920s-30s (Vennesson in Della Porta & Keating, 2008).

<sup>148</sup> In the List of Literature one can find two of them: Berman (1998) and Blyth (2002). Other authors are cited by Schmidt (2008) only.

<sup>149</sup> These all are to be found in the List of Literature.

„administrative means“, as he calls them, programmatic ideas and public philosophy can guarantee effectiveness and practical strength of the three ideational levels.

As was shown above by Yee (1996) and Hall (1989), the access of only certain part of ideas is allowed by institutions, and the same concerns the availability of only part of ideas to policy-makers which is again institutionally regularized. Moreover, a more hierarchical and concentrated political authority can better ensure that adopted reforms will be fully implemented and maintained, as opposed to divided/shared government which may limit the influence of established ideas (Hall, 1989; Yee, 1996). Institutional context, as it was observed above, ultimately determines the range of dominant ideas acceptable within a society or a group, the so-called set of „theoretically appealing“ ideas which has an impact on the causal capacities of (new) ideas (Hall, 1989; Weir, 1992).

Now it is time to shift the attention to the problem of institutional change which V.Schmidt considers to be the most promising field of study where DI seems to say more than the older new institutionalisms. The section 6 on causal influence of ideas is obviously closely connected with this topic and served as a prologue into the explanation of institutional change, therefore these two were logically placed one after another. Taking a chance given by the analysis of this aspect of DI framework which is of very huge importance to as possible precise characterization of this concept in relation to the older three NIs also a concluding comparative review will be undertaken of the four NIs in this section.

**(7) *Institutional Change.*** This topic is crucial in every respect. Many scholars argue that most of the culturalist/ideational approaches reanimated in the late 1980s suffer from “status quo bias” based on the perception of ideas as producers of fixed patterns of behavior whereas dynamism of political system requires explanations of change as well (Berman in Beland & Cox, 2011, p.106; Eckstein, 1988; Blyth, 2003)<sup>150</sup>. As Van Kersbergen and Vis (2014, p.108) show, constructivist approaches, including DI, became prominent in this regard, “not in the least...because of the institutionalist [RI, HI, SI – *remark of Thesis’ author*] literature’s failure to do so”. For rational choice, historical and sociological institutionalists basically consider institutions as *fixed* and largely *constraining* incentive structures (RI), historical regularities (HI) and cultural norms (SI) *external* to actors that correspondingly require *rule-following behavior* – interest-based logic of calculation

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<sup>150</sup> In their analysis of the EU Convention French political scholars Dehousse and Deloche-Gaudez (2005) point to conceptual differentiation between the notions of „negotiation“ and „deliberation“: „Negotiation is traditionally opposed to deliberation, a process through which actors modify their preferences in the light of exchanged arguments“. This differentiation might provide an extra thought-provoking element to the discussion of institutional change.



(RI), history-based logic of path dependence (HI), and norm-based logic of appropriateness (SI) (Schmidt, 2008; Immergut, 1998; Gilardi in Jordana & Levi-Faur, 2004)<sup>151</sup>.

Change in rationalist theories is usually explained by making reference to “changes in opportunity costs at the margin, as a result of environmental changes” (Keohane, 1988). Snidal (in Carlsnaes et al., 2002, p.74) finds rational choice „deficient in explaining who the key actors are, in explaining their interests, explaining the origin of institutions, or explaining how these change“. In EU studies, as Pollack (2007, p.35) demonstrates, the constructivist criticism of rational choice theory mainly refers to the incomplete recognition that EU institutions shape both behavior and preferences/identities of member states and EU individuals (Sandholtz, 1996 in Pollack, 2007; Lewis, 2005; Checkel, 2005; Christiansen et al., 1999) as well as institutional statism which ignores endogenous change obviously observed in the Union (see Thelen, 2004; Greif & Laitin, 2004). If one compares RI and SI, then, as March and Olsen (1998) as well as Pierson (2000b in Tallberg, 2006) detect, institutional adaptation to changing environmental demands in SI is slower, less precise and less continuous than in RI. Gorges (2001) thinks that NIs fail to provide an adequate explanation of change, conditions under which chosen variables matter as well as causal relevance of institutions are not specified. Approaches that rely on institutional behest combined with blind obedience of actors still have the opportunity to “get back on track” but this, at the end of the day, will involve certain access for ideational component into the discussion (Keohane, 1988; Wendt, 1987; Schmidt, 2008). It goes without saying, that rationalist institutionalism does not question many substantial elements of institutions including institutional norms rather treating them as something exogenously given and therefore positive and/or efficient (Fewsmith, 2013; North, 1990; Moe, 2003; Immergut, 1998). Empirically oriented DI owns the ability to better shed light on this topic since it, as said, treats institutions both as constitutive and contingent due to its communicative logic (see the 4-5 section: foreground discursive abilities)<sup>152</sup> (Schmidt, 2008, 2012). Ideas can, thus, explain stability and both incremental and radical change likewise (Blyth in Beland

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<sup>151</sup> Sociologists have studied diverse problems of modern institutionalist approaches, institutional change included (see Olson, 1965; Hardin, 1982; North, 1981 and others).

<sup>152</sup> Schmidt (2008) notes that among DI specialists working in the traditions of one of the three older NIs namely those working in SI tradition have put more relevant knowledge on ontological issues, and she mentions philosophers and macrosociologists Bourdieu (1994), Foucault (2000), Habermas (1989, 1996), and Giddens (1984), Wendt (1987). In general, Schmidt (2011) recognizes the fact that the way various approaches see institutional change concerns the DI framework itself too: there are contradictions based on the perception of timing of change (crisis-driven or more incremental); on the ideational and discursive content of change; on the agents of change (elites or ordinary people), and on their discursive interactions (in the policy or political sphere); and on the context of change. Thus, the DI scholar (2011) attempts to map out the range of ways of approaching change within DI umbrella concept.

& Cox, 2010, p.99), regardless the traditional associations about ideas as being rather bound to radical change than stasis and incremental change (Gorges, 2001).

Agents can change (or start using them differently than intended before) institutions at the level of the mobilization of foreground discursive abilities through a collective action (p.31). At this stage the deliberative mechanism of discourse comes into action and it operates at two levels: regular level of daily communication about institutions (maintaining institutions) and meta-level of critical communication about institution as a basis for further reform arrangements (changing institutions) (Schmidt, 2008). Sentient agents' foreground discursive abilities allow for their thinking and talking about institutions parts of which they are in a critical way, communicating and deliberating about institutions among each other, persuading themselves and others to change their ideas about institutions and finally taking individual and collective action to change institutions (Schmidt, 2012). Critical deliberation which implies public reflexivity, active communication and communicative action, Schmidt (2008, 2011) argues, puts into question Bourdieu's (1998) intrusion of "doxa" ("worldview") of elite groups as public "habitus" and Foucault's (2000) ideational elite domination<sup>153</sup>. They, in fact, constitute a prerequisite of at most only one type of discursive abilities – background ideational abilities.

The externalization of internal ideational capabilities (i.e. foreground abilities), thus, represents a notion intimately bound to Habermas' (1993) collective action (without normative component) and Dryzek's (2000) deliberative democracy and discursive democracy which, as mentioned in the previous sections, which implies the availability of public discourses alternative to elite monopoly and public access to decision-making (Schmidt, 2012). Be it elite viewpoint or public argumentation or any compromise who ultimately gains the upper hand in deciding upon slight or drastic changes in existing institutions, or maintenance of institutions, active role of the public in communicating and deliberating about institutions is a must for successful cooperation within institutions (Schmidt, 2012).

The explanation of institutional change through the role of agency owning background and foreground discursive abilities provides well-grounded argumentation to the problems experienced by the older NIs, especially HI (Schmidt, 2007). A brief look at this argumentation proves helpful for understanding the way DI explains change.

Rather stability-focused HI analyzes change by referring to "stop-go" models of critical junctures ("unexplainable moments" – Ladi in Papanagnou, 2011, p.207) or "punctuated equilibrium" (PE)

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<sup>153</sup> Gramsci (1971) speaks about „intellectual and moral reform” as a part of counter-hegemony – the movement which challenges basic social conventions imposed by dominant class.

which create opportunities for drastic institutional changes<sup>154</sup> (Krasner, 1988; Collier & Collier, 1991; Baumgartner & Jones, 1991, 1993; Ikenberry, 1994 in Pierson, 2000) and path dependence based on increasing returns, self-reinforcement, positive feedbacks, and lock-in mechanisms (Pierson, 2000; Page, 2006). In addition to critical junctures (Art, 2006 in Schmidt, 2008) DI specialists working in the HI tradition operate with the notions of “critical moments” with “collective memories” being generated (Rothstein, 2005); “great transformations” (Blyth, 2002); “third-order change” (Hall, 1993); “window of opportunity” (Kingdon, 1984 in Williams, 2012). These types of explanations are usually based on such factors as external shocks (Schmidt, 2012). As opposed to HI and adjacent approaches DI (1) is capable of explaining the dynamics and reasons of these shifts, (2) lends insight into both revolutionary (crisis-driven/”paradigm shifts”) and evolutionary (incremental) change<sup>155</sup> (with special attention towards the latter) in a more *clarified* manner, and, finally, (3) more adequately estimates the role of endogenous factors which trigger change (Lowndes & Roberts, 2013, p.40; Schmidt, 2008, 2005, 2006).

Modern HI, similar to DI, looks at both incremental and revolutionary types of policy change<sup>156</sup>, but as Schmidt (2011) argues for crisis-focused HI scholars critical moments are basically unexplainable exogenous shocks which create certain state-of-the-art “locked in” the social reality and constantly strengthened through “positive feedback loops” (Pierson, 2000, 2004), while crisis-focused DI specialists do offer answers which characterize those moments as social actors’ constructive ideational/discursive activity which prepares the ground for future ideational (re)constructions and collective action.

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<sup>154</sup> See Ladi’s (in Papanagnou, 2011) exhaustive explanation of HI’s critical juncture in comparison with and with the help of DI.

<sup>155</sup> Schmidt (2006a, 2007, 2008) is convinced that the five types of gradual transformation identified in Streeck and Thelen (2005) - displacement, layering, drift, conversion, and exhaustion – regardless the fact that they deal with *incremental* change, do not carry information about the role of agents in observed change, and even when they do carry, they apply RI or SI-based agency models (Hall & Taylor, 1996), hence, are still are stuck into the static vision of institutions. This resulted in ever-increasing references to ideas in the newest HI works: Hall (1993), Rothstein (1998), Weir (2006), King (1999), Lieberman (2005) etc. For RI’s reference to ideas see Goldstein and Keohane (1993, 1995), for critical analysis Gofas and Hay (2010), Blyth (2002), Schmidt (in Landman & Robinson, 2009) etc. Schmidt (2008) shows the limits of the ideational factor in these rationalist findings: fixed preferences, interests considered objective while ideas subjective, supplementary, second-order role of ideational explanation.

<sup>156</sup> North (2005, p.6) is, nonetheless, inclined to associate HI with rather incremental change as a relatively extended periods of actors’ contemplation about new opportunities in order to react to new threats to their positions (for incremental change theory see Thelen, 2004). See the four sources of institutional change in HI (Connolly, 2013).

As for the consideration of endogenous factors which is observable within incrementalist HI<sup>157</sup> (change “under a veil of continuity”, Schedler, 2000 in Weishaupt, 2011, p.42), Schmidt (2011) writes, this school prefers to limit itself to the explanation of merely the ways this change happens by referring to displacement, layering, exhaustion, conversion and drift<sup>158</sup> and to bypass the questions concerning the reasons of change (Thelen, 2004, Streeck & Thelen, 2005), and thereby leave the latter to the scope of incrementalist DI which has a privilege of putting into effect its ideational mechanism emphasizing social agency. Again, this is not to say that ideational explanation is all and over exhaustive: once and again it appears to be over-demanding to look for clear ideas that guide actors’ action before change occurs but it is quite safe to claim that post-factum ideas about change or their ideas about what to change can help explain this change (both evolutionary and revolutionary) (Schmidt, 2010, 2011). This was, by the way, addressed by Van Kersbergen and Vis (2014, p.109) who altogether doubt that DI-type approaches are ever able to identify and explain policy drift that happens as the result of deliberate decision not to act in the face of failing policy and in the presence of effective solutions to fix the problems. Ladi (in Papanagnou, 2011, p.208) directly refers to Schmidt (2010) and thereby similarly draws attention to the DI’s weaknesses which pop up as soon as one recognizes that not all events are under actors’ control and that actions can lead to unintended consequences, and she then proposes to create a linkage between DI and HI for the purpose of offering better explanations of institutional change. Jacobsen (1995) once raised an important substantive question whether ideas can ever have independent impact on policy making. Gao (1997, p.290) in his analysis of the Japanese industrial policy between the 1930s-1960s gives a very attention-getting answer the first part of which says that if one takes the old definition of interests (separate from ideas) then, certainly, ideas have independent impact on policy due to the impossibility to explain political outcomes with interests only; whereas if one takes the new definition, then only corporate impact together with ideas seems possible, for no ideas can make difference without political actors. In the last sense, Gao (1997, p.290) resumes, success of ideas is weighed by the total amount of political support of actors who take them up.

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<sup>157</sup> See e.g. Weishaupt (2011).

<sup>158</sup> *Displacement* - replacement of dominant institutions with dormant or foreign institutions; *layering* – new institutions are added to the current ones; *drift* - deliberate neglect of external conditions which require institutional adaptation; *conversion* – adding new functions to old institutions or new way of using old institutions; *exhaustion* – gradual loss of operability of institutions due to decreasing productivity or over-extension (Weishaupt, 2011, p.42; Streeck & Thelen, 2005).

What are main advantages of DI compared to the other NIs with respect to change? DI-based approaches, in general, (1) do not accept the instrumentality of rationality and rather consider rationality to be *cognitively* perceived by actors who rely not only on interests but on a number of *reasons* including moral and norm-based ones in their action; (2) do not therefore agree with the objectivity and material nature of interests<sup>159</sup> separable from subjective ideas because in the cognitive system no split between interests and ideas exists, interests *are* ideas too (*ideas about interests* not limited to utilitarian concerns<sup>160</sup>) and therefore all of them are *subjective* not objective (Boudon's concept in Hamlin, 2002; Hay in Rhodes et al., 2006; Rothstein, 2005; Scharpf, 1997; Campbell, 2002). And by virtue of being subjective by nature, interests cannot serve as neutral incentive structures, i.e. subjective interests create subjective institutions (Schmidt, 2008). Accordingly, institutions as being founded upon ideas can never be 100% credible and fixed structures, "a common response on the part of all members of the community to a particular situation", as Mead (in Morris, 1934, p.261) calls institutions, can be trusted or mistrusted instead and be finally subject to *changes* made through another "common response" of agents whose ideas and discourse changed in certain way (Schmidt, 2008; Rothstein, 2005). Conditions of the "Knightian uncertainty" of the reality do not allow us being 100% sure of the proper ways of self-orientation within it by solely relying upon interest-based calculations which therefore prompts us to turn our heads to "cognitive mechanisms", ideas (Simon, 1957; Blyth, 2002, pp.31-32; Jones, 2003; Grunwald in Banse et al., 2005)<sup>161</sup>. Moreover, DI can do a good job both in expected (in

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<sup>159</sup> The overwhelming majority of DI-based approaches do recognize the existence of material reality but do not accept the recognition of material conditions by emphasizing material nature of interests which are only subjective responses to material reality (Blyth, 2002; Schmidt, 2006a, 2010, in Beland & Cox, 2011, p.58; Hay in Rhodes et al., 2006). The ways various DI specialists characterize material reality range from Wendt's (1999) "rump materialism" to Hay's (in Rhodes et al., 2006) and Blyth's (2002; see also Abdelal et al., 2010) mainly socially constructed world viewpoints (Schmidt, 2008, 2012). Here Blyth (2002) refers to Wittgenstein's (1972) differentiation made between language games based on everyday experiences and those based on (social) scientific pictures with numerous uncertainties of the latter, when he explains the risks rationalists prove to be entrapped in for attaching their predictions to mainly "directly observable world" which is not the case with social systems which are not directly observable (similar point made by Taleb & Pilpel, 2003). Schmidt (2012) relies on Searle's (1995) elucidation between "brute facts" (independent of sentient agents) and "social facts" (dependent on sentient agents) and concludes that institutions are real, have causal effects even if not material, not directly observable but socially constructed.

<sup>160</sup> See Jabko (2006), Seabrooke (2006 in Schmidt, 2008). See also Rothstein's (2005) thought-provoking discussion on the so-called "universal institutions".

<sup>161</sup> In terms of the object of study within this Thesis which concerns international issues it is pleasant to know the fact pointed out by Gouin (2012) who reports that until the 1990s most part of the so-called cognitive studies were dedicated

terms of RI-based explanations<sup>162</sup>) and unexpected cases in each case benefiting from the background information provided by rationalists (Schmidt, 2008). And, as was described, compared to static path-dependent HI discursive institutionalism offers more dynamic explanations of institutional change across time which rests on social agents' consciously produced ideas and discourses (Schmidt, 2011).

In the paragraphs above it has already been touched upon ideational power based on the so-called *qua* position which is often pointed out by a variety of scholars studying the concept of power (Boulding, 1990; Russell, 2004; Lukes, 2005 and others). This presupposes that the sole fact that there is a collective action undertaken by sentient agents is not sufficient for boosting certain change, it is necessary for institutional change but not sufficient, since those sentient agents which form formal authority of a political system do also take part in the process of the effects of this collective action (Schmidt, 2012; see also Bromley, 2006, p.220).

By referring to the set of basic focal points privileged by DI in the version of Mehta (in Beland & Cox, 2011, p.35) and especially “power and resources of claimants” and “choice of venue” “in which debate is heard”, Givens and Case (2014, p.20) stress the strategizing goal of DI with regard to political communication which is inherent in rationalist institutionalism too. As Peters (2012, p.116) notes that the understanding of an institution equally as a structure, as a process, and, finally, as a recognizable social pattern unequivocally implies the undeniable and unprecedented for institutionalism (and more importantly – new institutionalism) significance of individuals or sentient agents who carry ideas and communicate them through discourse. This demonstrates that DI framework is an approach that achieved the best results in rebuffing the chief criticism of behaviorists regarding the role of individuals in social-political interaction. Again, as repeatedly described above, paramount importance of policy actors in the version DI is a full-scale importance as opposed to the other NIs due to the DI's conceptual recognition of the two-way relationship between institutions and ideas. Ideas, as Peters (2012, p.136) argues are of a great importance to both historical and discursive institutionalists, but only HI is focused on “equilibrium conditions” to which earlier preferred ideas led, while DI is not.

Each level of ideas has different rates of change ranging from incremental to crisis-driven modes of change, and this aspect as well as the speed (fast or slow) of ideational change are organically bound to the aforementioned three-level structure of ideas (Schmidt, 2010).

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to foreign policy decision-making (Holsti, 1962, pp.244-252; Snyder et al., 1962; Rosati, 1995; Sylvan & Strathman, 2006, pp.12-34), and only minority of studies to public administration studies (March & Simon, 1958).

<sup>162</sup> Schmidt (2008) admits the possibility of certain sufficiency of utility-based argumentation within certain “expected” situations.

When examining basic policy ideas/arguments it is widely recognized multiple streams theory offered by Kingdon<sup>163</sup> (1984 cited in Heikkila et al., 2014) is usually addressed that considers them to be changing most rapidly, especially at times when “windows of opportunity” open in the face of new events, new data and altering strategic perceptions (intersection of 3 factors: recognized problems, existing solutions, political will), and this is combined by impotence of old policies to solve problems<sup>164</sup>. As the result, social systems now require policy alternatives to replace the older ones (Sabatier & Jenkins-Smith, 1999 in Watanabe, 2011). “Windows of opportunity” scenario implies both (1) idea-free influence of events, crises, external factors, and (2) idea-triggered new opportunities (Schmidt, 2011). Policy change, Schmidt (2011) underscores, is a very complicated process which is conditioned by multiple factors including policy problems, current legacies, preferences of actors, political institutional capacity of actors, and discourse, but, more importantly any change in at policy ideas level happens within the more general framework of programmatic change.

In turn, by searching for theoretical parallels with Kuhn’s (1970) scientific “paradigms” or “research programs” of Lakatos (in Lakatos & Musgrave, 1970), they tend to address programmatic ideas as relatively long-term beliefs originating from “great transformations” under the conditions of uncertainty that, in general, change *more slowly* than policies (Blyth, 2002; Schmidt, 2012; Schmidt & Thatcher, 2013, p.21). In fact, by drawing analogy between Kuhn’s seminal “normal science” and policymaking, the first level (policies) of policymaking can be imagined as a process subject to the so-called first and second order change, i.e. a process that does not challenge “the overall terms of a given policy paradigm” (Kuhn, 1970; Hall, 1993). Dobbin (1993), P.Hall (1993), Hay (2001) argue that paradigm shifts occur when policy makers come across a situation when the current paradigm does not work out any more.

There are basically three versions of change in programmatic ideas, in most of which events, as in the case of change in policy ideas, play important role, especially in radical change version (Schmidt & Thatcher, 2013, p.21; Schmidt, 2011). On the one hand, programmatic beliefs are said to be subject to rare, in crisis times but radical, revolutionary “third order” change or Kuhnian “paradigm-shift”s (*gestalt-switch*) leading to the deep alterations in prioritization of policy goals,

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<sup>163</sup> Later elaborated by Porter (1995 cited in Teodorovic, 2008)

<sup>164</sup> Heikkila et al. (2014) specify that explanation of policy change was not targeted by Kingdon (if events drive ideational change or vice versa which is a thought-provoking question) but rather setting the agenda and search for policy alternatives.

policy instruments and instrument settings as well as of the discourse employed by policymakers<sup>165</sup> (Kuhn, 1970; Majone, 1989; Jobert, 1989; Hall, 1993<sup>166</sup>; Schmidt, 2002). Yet, as Callaghan and Hoepner (2012) reported, programmatic ideas may “change abruptly” but “in rare situations”. The paradigm-shift approach with its emphasis upon abrupt ideational change, in fact, it does not provide an answer to the questions of how, when, why this change occurs; moreover, at the end of the day, it excludes both evolutionary change as well as revolutionary but not abrupt change (including the one without a clear intention behind it, e.g. based on layering of new policies onto the old one)<sup>167</sup> (Skogstad & Schmidt in Skogstad, 2011; Schmidt, 2012; Blyth, 1997). On the other hand, change in paradigms or programs takes place in rare cases but slowly that results in Blyth’s (2002) mentioned “Great Transformation” (Schmidt & Thatcher, 2013, p.21). Last but not least, the third group of scholars (e.g. Berman, 2006; Hayer, 2002) prefer viewing change in programs as a gradual and incremental process brought about by discursive struggles among policy actors (Schmidt & Thatcher, 2013, p.21). Again, in all versions an important question remains unanswered: how, why and *when* exactly programmatic change occurs or what are the *signs* that it occurred? (Schmidt, 2011; Saint-Martin & Dobrowolsky in Lecours, 2005). Does paradigm change coincides with the moment when problems are recognized, when new solutions are proposed, when

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<sup>165</sup> It must be noted that some authors such as Wentzel (2011, p.29) match the Kuhnian three order changes differently: he attributes the second order change to programs and the third order change – to philosophical ideas.

<sup>166</sup> Hall’s (1993 in Ladi, 2014; 1993, p.279) SI-based institutional change concept (this also involves DI specialists working in SI tradition), in fact, comprises (1) first-order change or instrument-settings change, overall goals and policy instruments remain as they are; (2) second-order change when policy instruments and their settings change, policy goals remain; (3) third-order or paradigmatic change which is rare but radical accompanied by transformations in „framework of ideas and standards that specifies not only the goals of policy and the kind of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing“.

<sup>167</sup> These highly contentious problems with change analyses brought about a specific variety of mixed at first sight explanations proposed, for instance, by Palier (2005) who puts together HI and DI (in mainly HI tradition) by arguing that Hall’s (1993) paradigm-shift approach towards ideational change does not hold criticism in case certain reform (he speaks about the French case) undergoes revolutionary institutional change without any abrupt goal transformations thank to simple layering of new ideas; or by Quack and Djelic (2005) who tries to reconcile HI and DI (in the SI manner), and show how path dependency works out if (he takes the German-American example) the previous political authority can more easily put forward and get their new ideas be implemented by facilitating the access to power for the new political groups who have alike visions of reform (Schmidt, 2010). Another thought-provoking example of HI-DI linkage is Ladi (in Papanagnou, 2011) with her case study of think-tanks. Delicate questions like these various types of incremental and radical change with diverse inner specificities lead to the problem of the boundaries which might prevent scholars from mixing DI with other NIs (Schmidt, 2010).



agents implement those solutions, when the public accepts them or when the opposition who comes into power accept them too?<sup>168</sup> (Schmidt, 2011).

This problem opens up some further important questions. The time-bound question of the problematic identification of borderlines between incremental<sup>169</sup> and punctuated-equilibrium-based transformative processes which bring about paradigmatic change in the end, and the question of a single dominant *référentiel* (Jobert, 1989) within a political system (Saint-Martin in Lecours, 2005, pp.250-251; Schmidt, 2011). In general, real political systems are marked by the multiplicity of *référentiels* which are themselves embedded by various competitive/conflicting ideas and those dominant *référentiels* (which are provisionally and/or partially dominant) are, as a rule, the results of collective compromises of social actors made upon those conflicting ideas (Schmidt, 2002, 2011; Risse, 2000<sup>170</sup>). As soon as policy-makers proceed to policy implementation, they almost inevitably stumble across the mentioned obvious contradictions and complexities which lead to further ideational discrepancies over measures and methods of conversing agreed policies into practice (Knill & Tosun in Caramani, 2014, pp.341-342). This, in fact, serves as one of the Achilles heels of DI in the SI circles the adherents of which in addition to the criticism targeting too autonomous, in their view, role of norms in DI which puts social dimension under shade it underscore that actors are far too conflictive for getting a consensus upon common language (Kauppi, 2003, p.777; Jenson, 2007).

Last but not least, public philosophies which go beyond policy sphere and form a broader system of political sphere are normally regarded as the most steadfast perceptions and changes in ideologies tend to be very slow and sometimes even unnoticeable. Overlap of philosophical and programmatic levels which is the case in practice makes things extremely complicated: programmatic ideas can be largely accepted by the public that they automatically turn into deep core or similar to the term of “Keynesianism” various scholars refer to certain concepts by attaching them to confusingly different levels of ideas (Schmidt, 2011)<sup>171</sup>. This is a very serious problem about deep core and puts

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<sup>168</sup> Some useful thoughts on this can be found in Burns & Carson (in Hollingsworth et al., 2005).

<sup>169</sup> Regarding the topic of „continuity through change“ which proved to be helpful in offering a more dynamic way of considering various ways a paradigmatic shift may occurs, Schmidt (2011) suggests reviewing „l’empreinte des origines“ („imprints of the past“) by Merrien (1997), „collective memories“ by Rothstein (2005), political traditions by Bevir and Rhodes (2003), practices of memory by Leach and Lowndes (2007).

<sup>170</sup> Pollack (in Jorgensen, 2007, p.32) refers to Risse’s (2000) „logic of arguing“ when compares this „truth-seeking deliberation, accepting „the power of the better argument“ with rationalists’ „calculating the utility of alternative courses of action for themselves“.

<sup>171</sup> E.g. Sharp’s (1999) thought-stimulating work on the interconnectedness between public opinions and social policy sheds light on important aspects of philosophical-programmatic interrelationship.

many findings undertaken in this regard under question. This level of broad concepts tied to moral values and principles of the *masses*, Schmidt (2008, 2011) argues, are often said to almost never change<sup>172</sup>, yet, social scientists who focus on the processes of creation and recreation of deep core ideas from rather a historical, political-philosophical or political-scientific vantage points confirm that they do albeit not rapidly: to the Schmidt's list of authors, i.e. Berman (1998), Hunt (1984), Nora (1989), Skinner (1988), Moran (2003), one can add Zhou (2003), Rao & Walton (2004), Midford (2011) and others as well as the works dedicated to global public sentiments, e.g. Frost (2009), Datta (2014) and others<sup>173</sup>. Hall (1993), for instance, in his comparison attached to the British case study between the 1<sup>st</sup> together with the 2<sup>nd</sup> order change (policy and programmatic) and the 3<sup>rd</sup> order change identifies that in the first two cases actors primarily involved in policy change are experts and social learning takes place within the state itself, while in the deep core change politicians rather than experts played crucial role in driving change which went beyond the state to include the media, outside interests and competing political parties. Interestingly, similar to Scharpf (e.g. 2000) Schmidt (2002, 2005) demonstrates that the vulnerability due to the influence of globalization as one of the global third order change triggers can be somewhat softened by the policy legacy.

Beyond various levels of ideas scholars studying discursive interactions offer further interpretations of institutional change. When talking about institutional change, Schmidt and Radaelli (2004) remind that discourse as the mediator between structure and agency must also take into account the existence of interests, material factors as well as hard economic aspects. Murphy (2008) relies on Schmidt's (2000) coordinative-communicative discourse concept and informs about two kinds of change: (1) coordinative-level change effectuated by a closed group of policy elites in the form of problem solving/lesson drawing possibly leading to incremental reforms, and (2) communicative-level change "capable of promoting social learning" that may lead to deeper transformations in public values, attitudinal change and a more fundamental restructuring of policies and programs. Change in ideas in the interpretation of Sabatier and Jenkins-Smith is reflected within their ACF (advocacy coalition framework) where the authors distinguish (frequent) *minor* policy change (policy ideas) evoked by the dynamics of policy-oriented learning within advocacy coalitions with

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<sup>172</sup> "*Plus ça change, plus ça reste la même chose*": „The more it changes, the more it's the same thing" (Jean-Baptiste Alphonse Karr in „Les Guêpes" ("The Wasps"), January 1849), citation by Schmidt (2011).

<sup>173</sup> Considerable confusion and complexity to the question of the change in philosophical ideas is brought by the blurring borderlines between state and public philosophies and ideologies, which must be taken into account when one refers to these works.

(rare) *major* policy change (core ideas) normally caused by larger external factors and struggles for power (Sabatier & Jenkins-Smith, 1993 in De Lovinfosse, 2008, p.24)<sup>174</sup>.

Background and foreground ideational capabilities do also influence institutional change. Campbell (2004, p.94) highlights the fact that foreground ideas tend to be actively debated in public sphere and therefore are more inclined to facilitate change, whereas background ideas for the reason of being taken for granted in many cases, rather constrain change. Givens and Case (2014, p.20) refer to a similar scientific observation when arguing that DI makes one of the differentiations between ideas and institutions by pointing out relatively laggard nature of the “broader political environment” with regard to change versus framing of new policies.

The problem mentioned above regarding the image of programmatic success within the social science versus within the real society applies in all cases of institutional change/continuity at all levels: society is not a deaf and blind absorbent that hastily gorges new ideas that once crossed politicians’ minds, and if in the social science old programs automatically wither because they simply stop explaining social processes, then for society it does not happen so immediately but requires social readiness and receptivity for change. Butler (2015) refers to E.Lusito’s concept according to which any propaganda or collective ideas establish themselves only when it rests on another, more secure and steadfast ideational grounding and not blunt drumming of the new ideas into humans’ heads<sup>175</sup>. Indeed, Sorensen and Torfing (in Columbus, 2002, p.11) review Hajer’s 1995 critical study of M.Foucault’s power analytics, and thereby show that even one of the classical discursive concepts elaborated by Foucault (1991) which was built up upon his genealogical methods was later on supplemented with a more dynamic notion of governmentality that more vividly recognized the importance of discursive interactions and the role of agents in the construction and transformation of discourse.

For a variety of reasons in many cases policy-makers find it to be very difficult to immediately switch from an old paradigm to a new one which offers better solutions to the problems addressed (Kingdon, 1984), and in most cases this happens due to the need to test new ideas according to many criteria, e.g. good argumentation in comparison with the old ideas, appropriate project planning, ability to create group solidarity etc. (see e.g. Woods, 1995). For giving a real impetus for

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<sup>174</sup> For more scientific pieces see: Hay (2001), Bevir (1999), Bevir & Rhodes (2003), Yu (2009), Dobbin et al. (2007), Stiller (2010), Howarth et al. (2000), Capano & Howlett (2009) and many others.

<sup>175</sup> The same mechanism works the other way around: Conrad and Stumm (2004) describe the post-WWII evolution of the German national identity whereby they show: “Since German traditions were instrumentalised by the NSDAP during the Third Reich the young German democracy rejected them and struggled to develop a new and democratic national identity”.

new ideas, Schmidt (2006, p.57) writes, first of all, it is important to pay equal attention to both cognitive and normative arguments - compatibility with commonly accepted technical standards and scientific principles as well as liberal-democratic values and political principles. As Cook and Lewandowsky (2011 in Graves, 2015) demonstrated, one can no way overturn a myth and leave vacuum instead: vacuum ought to be filled with another convincing story. Furthermore, coordinative and communicative discourses, as Schmidt (in Skogstad, 2011, p.51) repeatedly shows, reflect close interconnectedness that exists between policy construction and policy legitimization. Success of ideas intimately associated with paradigm change requires not only well-developed coordinative and communicative discourse but the ones that are develop *successively* in regard to ideas: “narrow policy solutions” generated in the policy sphere must be possibly fully promoted within the general public in a language accessible for ordinary people carrying “broad public philosophies” (Schmidt, 2006; Givens & Case, 2014, p.19). As Hall (1993) puts it, in order to have a capability of resisting societal interests they need to have a “coherent policy paradigm”. Yet, critics such as Van Kersbergen and Vis (2014, p.109) question the feasibility to identify the right audience, the right time and the right ways of targeting discourse for making it successful as was suggested by Schmidt (2008). DI is also criticized for little attention paid towards analysis of popular vs. unpopular, radical and other kinds of reforms as well as various strategies for reform implementation (e.g. blame avoidance) (Van Kersbergen & Vis, 2014, p.109).

Indeed, DI recognizes the fact that institutional change in the comprehensive meaning of the word is not so easily attainable. Miller (1994, p.234) writes: “To change the world required changing our selves, our bodies, our souls, and all of our old ways of “knowing,” in addition to changing the economy and society”; to “seize” and exercise a dictatorial kind of power might thus simply reproduce the old patterns of subjectification under a new name”. In order to genuinely change certain set of ideas penetrating society, Drew et al. (2010, p.193) argues, one must change the very mechanisms, the very practices of discourse through which this certain set has been communicated, reproduced and maintained hitherto. Roughly speaking, small alterations may be set into motion through policy-level corrections, medium changes through programmatic corrections, huge transformations can be achieved through long-term targeted systemic work upon public-wide worldviews. Hall (1993) explains the particularity of the third order change with the anomalous events which gave rise to policy failures and discredited the old paradigm, this led to the active search for policy alternatives, experimentation and change in the locus of authority.

Thus, within the given sub-Chapter the author of the Thesis summed up the conceptual background of discursive institutionalism as a part of a larger new institutionalist framework, its basic

characteristics and key terms, its advantages compared to other new institutionalist schools and main criticisms levelled at DI from different schools.

Logic which underlies the problems highlighted in the subsequent sub-Chapters and Chapters lies in the DI-based levels of analysis component. NATO-CSDP dialogue as a part of the EU's role, communication and operation within *above-EU* global political arena (NATO under spotlight) represents the highest philosophical level of the EU's ideational framework, while civilian-military integration within the CSDP being an important dimension in the NATO-CSDP relationship also fulfils moderating function in the smooth transition from global (philosophical) level to *EU-level* (CSDP under spotlight) of programmatic ideas, norms and values. Programmatic level will be addressed both in theoretical and empirical terms. And, finally, the policy ideas level will be addressed within the final Chapter analyzing two specific civilian CSDP missions: one in Kosovo and one in Afghanistan.

### **1.3. NATO-CSDP Dialogue as a Part of the EU-NATO/US Relationship**

Studying EU-NATO relationship is a must for any sort of explorations on EU's development as a security actor and global player, in the widest sense. NATO had a fundamental impact on the EU's Common Security and Defense Policy's (CSDP) institutional and legal design, policy-making and operational experience (Varwick & Koops in Jorgensen, 2009; Blockmans in Wessel & Blockmans, 2013, p.245). Starting from the Cologne Summit of 1999 that set long-awaited ESDP/CSDP<sup>176</sup> machine in motion the Policy's relationship to NATO has been the object of discussions and relevant decisions *on equal basis* with the new institutional developments and reforms of the ESDP/CSDP, and this fact tells its own tale (see Hofmann, 2013). More importantly, the very institutional design of political and military bodies of the ESDP *resembles* NATO (Hofmann, 2013, p.189). Whether future CSDP will be within NATO or independent from it, all of the CSDP operations and actions will always be intimately connected with NATO, and the EU's own personality as a collective security actor can be best of all identified and further developed namely within her relationship with NATO/US. This is required by the very history of foreign policy and security cooperation in the EC/EU that was and is at every step intimately connected with the EC/EU-NATO/US relations<sup>177</sup>. It must be immediately underscored that any analysis of CSDP-NATO relationship has to be viewed by taking into consideration a more deeply entrenched

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<sup>176</sup> Prior to the Lisbon Treaty (2007) the CSDP was called ESDP – European Security and Defense Policy.

<sup>177</sup> In the closing part of this Chapter EU's global actorhood problem will inevitably closely connected to this discussion of EU-NATO dialogue.

bilateral (including security) cooperation agreements established directly between the US and single EU states, for EU-level commitments are ultimately placed “between or alongside these domestic and transatlantic commitments” (Gross, 2009a, p.xiii).

The idea(s) behind the given sub-Chapter have much in common with the approach offered by Simon (2014) in his book on EU-NATO conundrum. Simon (2014) points out the lack of profound analysis of CSDP-NATO relations with respect to better understanding of national policies, specific missions, specific CSDP and NATO institutions as well as their interaction, and finds them even more disappointing for the reason that namely these “low” level interactions form what one then globally calls CSDP-NATO dialogue. Gross (2009a) similarly calls for focusing more attention to the study of the interconnections between domestic, European and transatlantic pressures in shaping European choice of a specific EU state. In this regard, Simon’s (2014) high interest in the roles of the UK, France and Germany as major CSDP decision-makers in the CSDP-NATO dialogue favorably dovetails with the importance of sentient agents that comes so dear to DI, and in the next sub-Chapters further attempts will be made to somehow redound scholarly efforts to fill these gaps<sup>178</sup>. Special attention to namely the roles of the UK, France and Germany also ensures availability of strikingly different pictures and roles in construction, communication and further development of the ESDP (Howorth, 2004). What makes special attention to sentient actors paid by the IR constructivist approaches different from centrality of nation-states in IR realism is the key dimensions accentuated within each of schools: realists are interested in strategic priorities, whereas constructivists in ideational frameworks.

According to Hunter (2002), European “pillar” in mutual EU-US security framework is, in fact, in the Americans’ projection of European security “pillar” “within NATO”. Some experts question the very legitimacy and foresight of the hysterical amount of analytical attention paid to the discussion of the EU-NATO-dialogue’s role in combating modern complex challenges posed by post-1989 conflicts: they would prefer to focus on the direct cooperation with the US which, in their view, is so often mistakenly moderated and even replaced by NATO (Howorth, interview 2013). And, in fact, it is quite visible in the Chapter that NATO-CSDP dialogue is presented as a part of the wider EU-NATO security cooperation, and this is how it is in reality: one cannot separate those two cooperation frameworks (see Wagnsson et al., 2009). There are basically two approaches to the study of CSDP-NATO relationship: (1) complementarity-based approach that is focused on the NATO-driven start-off of the CSDP and their current mutual usefulness; (2) antagonistic approach

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<sup>178</sup> On the importance of the EU member states’ roles see Bulmer and Lequesne (2013), Dicken (2015), Bickerton (2012).

which shows that accentuates relative autonomy of the CSDP from NATO as two completely different separate organizations (Horafas in Gouliamos & Kassimeris, 2012, p.129).

“NATO is a political alliance, first and foremost – not a military alliance” (Clark in Alexander & Prosen, 2015, p.xv). Alexander and Prosen (2015) divide NATO evolution into three distinct periods: (1) 1949-1989 NATO’s key role in Europe in the confrontation with the Soviet Union; (2) 1989-1994 transition period, disappearance of the USSR and NATO’s shift outside Europe; (3) 1994-2014 enlargement, reoriented strategies and active operations. The US post-WWII political doctrine of containment developed in 1946-1947 had far-reaching consequences, i.e in the form of NATO (Rynning in Merand et al., 2011, p.178). North Atlantic Treaty Organization, better known as NATO, was established in the aftermath of the WWII in accordance with the Washington Treaty of 4 April 1949<sup>179</sup> not simply as a conventional alliance of sovereign states (as it was the case with US-UK-USSR alliance against Hitler and his allies) against freshly realized Soviet military threat, but also as an institution preventing potential *inside* risks of losing Western liberal-democratic values and norms within the Euro-Atlantic area (Gheciu, 2005, p.34). Two-dimensional inside-outside-type approach to NATO applied by Gheciu (2005) favorably mirrors the internal dimension of institutional frameworks and background and foreground ideational abilities problematized in DI-based approaches. In addition to an external factor as the danger of military confrontation with the Soviet Union, there was also internal demand for securing the world of the Western liberal democracy (collective memory in shaping) against threat of Communist ideology. Two-way impact existing between ideas and institutions – institutions’ constitutive impact on ideas and ideas’ constructive effect on institutions – can be also clearly observed here. Not only need for maintaining liberal values has influenced the formation of NATO as an international institution, but also NATO as a strategic response to the spread of Communist ideas had a major impact on further development and evolution of those ideas and values. Along many other political scientists Nau (in Anderson et al., 2008, pp.82-111) shows by the Iraqi example that common threat (Communism) plays an important role in shaping Euro-Atlantic community responses, and as Ikenberry (in Anderson et al., 2008, p.16) briefly explains, NATO which was “unconceivable” without the Communist threat<sup>180</sup> has somewhat weakened after the disappearance of the common threat in terms of perception of common values but accumulated experience of more effectively cooperating within NATO institutional framework strengthens hopes that it will all come out in the wash.

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<sup>179</sup> 12 states - Belgium, Canada, Denmark, France, Britain, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal and the US – sign the document.

<sup>180</sup> Cottey’s (in Smith, 2006, p.6) reference to NATO as „a single threat, single role organization“ seems to be very relevant here.

During the Cold War NATO has proven to be a powerful collective defense force ensuring stability, security and peace in the Euro-Atlantic area<sup>181</sup>, and for the EC it was not only the main guarantee of security in the face of the Communist regimes on the Eastern flank but also specific institutional framework based on common Western values, norms and understandings that played one of the decisive roles in maintaining/developing EU relations with the US. Paradoxically but the nature of ideas and values that stand behind EU's subsequent security and defense policy has been "unconceivable" without NATO as much as NATO's original ideology without the Communist threat. Paradoxically because NATO was born out of the opposition to a specific ideology of different kind, while ESDP/CSDP and NATO belong to the same Western common security framework. As Webber (2007) favorably confirms, despite various existential disagreements among NATO allies during the Cold War including France's withdrawal from NATO defense planning and integrated military command in the 1960es, Vietnam, détente and burden sharing in the 1979es, nuclear strategy and missile defense in Europe and Reagan's "Star Wars" projects in the 1980es, "an underlying consensus on both sides of the Atlantic on the need for NATO and on its central purpose" has eventually dotted the i's and cross the t's (Cottey in Smith, 2006, p.6). Against the background of the EC's initial steps undertaken in the direction of one of the most contentious spheres of cooperation - political cooperation, namely in the form of the European Political Cooperation (EPC), - genuine defense cooperation was still the prerogative of, first of all, NATO and also Western European Union (WEU)<sup>182</sup>, the relationship of which proved to reveal many contradictions, and of numerous bilateral agreements between states (Smith, 2004; Wallace & Wallace in Jorgensen et al., 2007, p.353). Quite naturally, strategic culture during the Cold War was also intimately connected with the NATO framework (Smith, 2004). However, constant endeavors to revitalize the discussions about the EC's own political cooperation in the 1950es, 1960es and 1970es demonstrates that *not* everything even before 1989 has been decided only in strict accordance with NATO's ideational framework. Balance-of-threat theory offered by Walt (1988) perhaps provides a better explanation of alliance formation as compared to the classic IR realist balance-of-power concepts due to consideration of wider external threats perception and related factors than merely distribution of capabilities, but as one reads in Smith (2004, pp.18-19), external threat motivation and evolution in the US-USSR relationship during the Cold War cannot sufficiently explain progressive development of EC foreign policy cooperation. Smith (2004, p.19) provides a very favorable for the given DI-based overview explanation based on the idea that

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<sup>181</sup> Ensuring favorable context for post-WWII reconstruction and reintegration of West Germany into the international community were also included in the long-term NATO objectives (Cottey in Smith, 2006).

<sup>182</sup> A more detailed outlook of the WEU and its functions see Chapter 2.



sentient actors responsible for EU foreign policy cooperation on a daily basis have managed to codify EPC and then CFSP progressive changes namely through their “existing habits and procedures” even in the face of resistance of the US and some EU states. This explanation perfectly fits within sociological-type DI approach.

The Vietnam War and Nixon Shock measures of 1971 that led the unilateral cancellation of the direct convertibility of the US dollars to gold have challenged the US-EU relationship immensely, and another EU “whimsey” in the form of the EPC could not be received by the American side without hostility (Smith, 2004, p.88). Apart from raising a large variety of apprehensions regarding the consequences of a more independent EC of the then Nine<sup>183</sup>, while the US wanted a more subordinate and NATO-led cooperation, these difficulties, peaked with the adoption of the Declaration on European identity by the Nine, have also led to the ultimate suspension of H.Kissinger’s “Atlantic Charter” (“Year of Europe” initiative) projects for US-EU relations by 1973, but it (external factor) also ensured EPC further development in a more loosened up fashion (Moeckli, 2009, p.360).

The aforementioned Declaration on European Identity embodies a collective announcement of great ambitions, targeted both at EC coordinative and communicative discourses, that lacks any specific strategic plan but a good starting point for establishing common ideational foundations of the EC states to develop a conceptual framework for future common foreign policy<sup>184</sup> (Moeckli, 2009, p.363). This temporary success of the EPC has been put under big question in the spring of 1974 especially against the background of the European positions toward the Arab-Israeli conflict followed by the first oil crisis: establishment of bilateral European-American relations has been in the best case postponed until indeterminate time, while the Gymnich Agreement consolidated the impossibility of putting forward Europe’s own positions within the EPC against US’ interests (Moeckli, 2009, p.363; Barschdorff, 2001, pp.22-23). Hence, Gymnich Agreement (1974) stipulated that the country holding the EC presidency was expected to inform the American side about the EPC discussions, while in practice the US afforded itself to supply this country with its own positions even prior to the EPC debates (Nuttall, 1992). By the 1980es the EPC’s activity could be characterized as “quiet, long-term, preventive diplomacy” with respect to the relations with the Eastern neighbors, the Middle East and Southern Europe (Hill, 1992, p.136 in Stewart, 2006, p.45).

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<sup>183</sup> As of 1 January 1973, the six original members of the then Community became nine with the joining of Denmark, Ireland and the UK.

<sup>184</sup> A more recent document that was designed for similar common ideational grounding was European Security Strategy (ESS) of 2003 (Moeckli, 2009, p.363).

The role of „Kissinger factor“ in strengthened political fragmentation in the EC was detected by several observers in the form of rather sceptic position of the US Secretary of State that he prefer to take right from the start (Moeckli, 2009, p.365). Thus, the EPC was making an impression of rather being a “gentlemen’s dining club” (Wallace & Allen, 1977, p.237) operating in a largely *reactive* manner (Allen in Allen et al., 1982, p.69), yet, Smith (2004, pp.88-89) refers to Wessels (in Allen et al., 1982, p.15) when he does not recommend to limit analysis of the EPC to intergovernmentalist overview, for the EPC facilitated forum for exchange of views instead of classic bargaining, most importantly, it laid the foundations of more advanced foreign policy cooperation mechanisms and prompted states to think of their national interests in a new manner, regardless the absence of resources and binding commitments. In fact, this exemplifies two-way causality that always exists between institutions and sentient agents: (1) sentient actors – here EC member states, first of all, and, secondly, EC – have laid the foundations of/ constructed an informal institution (remember that for DI both formal and informal institutions matter), and (2) this informal institution has then had a constitutive effect on actors by changing their basic ideational framework and prompting them to deepen their cooperation this time in the form of a formalized institution with binding commitments. If one takes the EC for a collective actor that ultimately has acted modestly with her EPC, then it makes sense to take a glance at the roles of major EC state actors in this story: rising national power FRG was tied by its dependence on NATO and also Nazi past that strongly diminished its contribution to a stronger EC, while France has been still seeking for a balance between strengthened Europe and its own national interests, and, more importantly, France, UK and FRG have been ardent supporters of transatlantic ties even sometimes at the expense of the EPC, whereas their visions of the EPC’s future were highly divergent (Moeckli, 2009, p.368). In other words, the pre-1992 era of the EC foreign policy cooperation personalized by the EPC was marked by the launch of an inceptive mechanism for developing a European vision of political processes that did not always coincide with the one of the US but, nevertheless, did not essentially challenge the Euro-Atlantic bond (Stewart, 2006; Hill, 1992 in Stewart, 2006, p.47).

Much water has flown under the bridges since the establishment of NATO in 1949, but even today, when the most serious existential threat posed by the USSR disappeared, nobody can seriously talk about dissolution of NATO today<sup>185</sup> (Czulda & Los, 2013, p.15). Historical decision to rearrange

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<sup>185</sup> In the earliest years of the 1990es IR realism, Mearsheimer (1990) in its avant-garde, strained its voice when was predicting immediate scale-back of NATO as soon as the bipolar confrontation ends, but later when it did not, Mearsheimer (2001), for instance, explained it with the aim of further taming of Germany. Rynning (in Merand et al., 2011, p.173) also mentions Layne (2006) with his ideas on the role of the imperialist US policy-makers in the

NATO and widen its geographic scope through Eastern enlargement were, in Rupp's (in Carpenter, 2001) view, the most important decision of the 1990s, "if not the past 50 years". Thus, if one speaks in Rynning's (in Merand et al., 2011) geopolitical terms, NATO's post-Cold War rebirth was marked by the shift from clearly Spykman's (1942) concept of control over coastal areas to a hegemonic combination of both Spykman's (1942) *rimland* (control over EU operational capacity/autonomy) and Mackinder's (1904) *heartland* (Germany and Russia). Far-reaching transformation of NATO during the Clinton's presidential term from the indispensable Western collective defense organization into a collective security organization crowned the redirection of NATO's operation from defense functions against specific state as a source of existential threat to addressing a large variety of modern fragmented threats in many diverse countries (Rupp in Carpenter, 2001; Sloan, 2009, p.89). Instrumental arsenal of NATO has already underwent essential modifications: in 1994 NATO decided to introduce a new command-and-control concept (C<sup>2</sup>) in the form of the Combined Joint Tasks Forces (CJTF) that was already tested in the 1991 Gulf War (Barry in Gordon, 1997, p.203). Thus, the disappearance of the USSR and Warsaw Pact with their common ideological stances did not at all secure the Western liberal democracy from potential threats which this time have multiplied, and this itself has provided NATO with new geostrategic impetus to proceed, and the new NATO strategy has reflected and especially accentuated namely this internal dimension as a cornerstone for pursuing international security (Gheciu, 2005). As it will be repeated on the next pages, the problem of this internal dimension, also studied by Barschdorff (2001) within the "acquis atlantique" debate, most vividly shows that the internal-external nexus immanent in both European political cooperation and EU-NATO/US relations must be considered in any discursive-ideational type of institutionalist analysis. All borderlines between external and internal factors have to be kept ultimately conditional.

Barschdorff's (2001) "acquis atlantique" concept would suggest a thought-provoking set of ideas for those interested in looking at NATO-EU relationship from the DI-based institutionalist vantage point. By proceeding from Krasner's regime theory, Barschdorff (2001) define this *acquis* "as a comprehensive transatlantic regime", more precisely, "comprehensive set of formal and informal practices and routines underlying transatlantic relations" that facilitate transatlantic cooperation; more specifically, *not* in one single area (as conventional regimes theory implies), but numerous areas, thus, he calls his version "comprehensive". He proposes his transatlantic version of regime with the aim of offering a cogent explanation for a reasoned question raised by Nye and Keohane (in Keohane et al., 1993) regarding endurance of transatlantic cooperation after the Cold War even

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maintenance of NATO, but shows that, in general, all realists consider the modern changes in international balance of power undermine NATO and contribute to its failures in various regions of the world.

in the face of the absence of a common external threat. Although Barschdorff (2001, pp.33-35) admits that the legal foundation of a more conventional *acquis communautaire*<sup>186</sup> that covers a “comprehensive set of primary and secondary EC legislation” including the jurisdiction of the European Court of Justice does not allow for its direct equation with *acquis transatlantique*, because there is no comparable transatlantic legal jurisdiction; yet, in his view, the fact that today one sees EU as a “increasingly diffused and fragmented patchwork of agreements and treaties, rather than an ever-closer union” makes it looser similar to *acquis transatlantique*. With regard to DI, reference to regimes theory is relevant namely on this stage of the EU foreign policy evolution due to two reasons for which it would be, in Smith’s (2004, pp.23-24) view, inappropriate with respect to the EPC: after 1992 (1) there were obvious developments towards shaping convergent philosophical and programmatic ideas about EU foreign policy cooperation, moreover, (2) as compared to the informal EPC, CFSP was a formal arrangement with binding commitments, and both of these conditions are important for regime studies. Yet, regime theory is static, for even Nadelmann’s (1990) multistage evolutionary pattern is capable of facilitating explanations only to negative integration (prohibition of regimes) but not to EU’s positive integration (Smith, 2004, p.24); nonetheless, for filling the gaps with structural change by the example of positive integration one has constructivist approaches at hand and certain gaps in each approach do not prevent scholars from mutually benefiting from their diversity.

Maastricht has not only fully institutionalized EU’s foreign policy cooperation by transforming the EPC into the Common Foreign and Security Policy (CFSP) but it finally extended this sensitive area of cooperation to an even more sensitive *security* and defense field tabooed for long years before 1992. European political “deep core” has not been simply allowed for associating European security cooperation outside NATO and also WEU for a very long period of time. Core ideas and orientations that underpinned NATO’s *raison de’être* as the only remaining military alliance underwent dramatic reconsideration, and new post-1989 realities in world politics, especially on the Eastern flank of the EU required revision of relations with the US and NATO (Smith, 2013, pp.45-46). The Maastricht TEU’s Title V on CFSP (art.J.4.4) contains direct references to EU-NATO relationship in the light of the newly established EU Policy by stipulating that the CFSP had to respect the obligations of other member states under NATO and be compatible with the common security and defense policy established within this framework (Blockmans in Wessel & Blockmans, 2013, p.245). Par.5 of this article says that: “The provisions of this Article shall not prevent the

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<sup>186</sup> Barschdorff (2001, p.33) makes a remark that *Acquis Communautaire* (capital letters) is normally used as a reference to the old EC system, whereas *acquis communautaire* (small letters) is associated with the modern more comprehensive EU.

development of closer cooperation between two or more member states on a bilateral level, in the framework of the WEU and the Atlantic Alliance, provided such cooperation does not run counter to or impede that provided for in this Title” (TEU, 1992, art.J.4.5).

The post-1992 period of transatlantic security cooperation until the emergence of the ESDP basically relied upon the “variable geometry” of the NATO-EU-WEU triangle that was at that time mutually beneficial to various categories of involved states: NATO (1949) and EU (1973) member Denmark preferred to be only in observer status in the WEU (rule-out in 1993), while NATO (1952) and EU (1981) member Greece joined also the WEU as a full member in 1995 (Smith, 2013, pp.46-47). WEU revitalized in the late 1980es has been playing twofold role being both defense component of the EU and an instrument for strengthening the European pillar of the Atlantic Alliance – European Security and Defense Identity or ESDI (stipulated in TEU), which together ensured complementarity of ESDI and NATO instead of potential rivalry (Brussels Summit Declaration, 1994; Rohan, 2014, p.221).

The adoption of the Petersberg Declaration in 1992 followed by a number of new relevant institutions in the WEU in the mid-1990es proved not so helpful during the Yugoslav crisis, because of limited experience of the freshly established CFSP as well as limited resources and capabilities of the WEU (Rohan, 2014).

Redefined agency for the post-Cold-War NATO originally codified in 1991 Strategic Concept rested upon an extended geographic scope of NATO’s operation beyond the borders of its origin (“from whatever direction”) and also on enriched functional scope (“the global context”) from traditional territorial defense to “other risks of a wider nature, including proliferation of weapons of mass destruction, disruption of the flow of vital resources and actions of terrorism and sabotage” (NATO, 1991). This reorientation perfectly fits within argumentation of those schools of thought that emphasize NATO’s role as an important component of international effort for facilitating some sort of order within globalization (see e.g. Calleo, 2003, 2007). Gordon (1998) refers to the diminished “absolute need” (for American security support to Europe) and enhanced “relative need” (after the Cold War). Although the Strategic Concept adopted in 1991 has already signaled about the “global gaze” declared in the 1999 Concept, the Yugoslav crisis that occurred not somewhere at the edge of the world but right at NATO’s doorstep has raised only verbal condemnations/support of the Alliance in the early years of its outbreak (Behnke, 2013, p.136). This contradictions exemplify frequently rough relationship that exists between communicative discourse (principles declared for the public) and coordinative discourse (collective action decided by NATO leaders with respect to the crisis) that was addressed in the sub-Chapter 1.2.

Official declarations made in Washington in the early 1990s in the very wake of the Yugoslav crisis and conveying unwillingness to be engaged in the clearly European problem amplified disunity between EU member states, while Clinton's decision to participate in the resolution of the conflict in 1993-1994 plunged this time NATO into harsh elucidation and scrimmage (Smith, 2013, p.7). Relative impotence of the European mechanisms in the Yugoslav crisis, however, breathed a new life into NATO who found an opportunity to train its peace-enforcing "muscles" in the Western Balkans and to find a new strategic role for now considerably strengthened NATO that implied also replacement of the UN with NATO in worldwide military interventions (Gritsch in Gruber, 2014, p.58) as a part of a wider US foreign policy orientations based on *democratic peace ideas* determined by Clinton's administration (Rynning in Merand et al., 2011, pp.181-182), on the one hand, and, on the other hand, strengthened the conviction of EU-NATO linkage in any foreseeable European security system (that also reanimated French-NATO relationship<sup>187</sup>) as well as the WEU's usefulness, in particular (Rohan, 2014, p.216). The Yugoslav wars were a major challenge for NATO's unity (Simon & Spero in Wolchik & Curry, 2011, p.146; Behnke, 2013, p.145; Smith, 2013, p.7).

The structural change in the Western philosophical level ideas regarding the involvement into regional armed conflicts was reflected in the ever-growing support for humanitarian interventions that were explained with the overall moral responsibility for human rights and good governance across the world, responsibility expressed in action that can be exercised with or even without UNSC mandate (Rynning in Merand et al., 2011, p.182). Kosovo has vividly demonstrated by Euro-Atlantic security cooperation example that possessing an ambitious collective security concept and having real capacity and sufficiently united vision of methodology for its realization are two different things (Yost in Howorth & Keeler, 2003; Simpson, 2004; Rynning, 2005; Hadzic in Siani-Davies, 2003). Transatlantic relations in the 1980-1990s were generally contradictory, Bindi (in Buonanno et al., 2015, p.47) resumes, at one moment accompanied by mutual assurances of the importance of closer cooperation, at the next – disputes, threats, economic (counter-)retaliations.

In the aftermath of the fall of the Berlin wall Transatlantic Alliance embarked on active measures on the Eastern flank of the European continent by creating the North Atlantic Cooperation Council (NACC), "consultation forum", WEU-offered "associate partner" status etc., and this all correspondingly led to the historical CEEC<sup>188</sup> enlargement in 1999 (the Czech Republic, Hungary and Poland) (Bindi in Buonanno et al., 2015, p.46). In the meantime, the Europeans' *relatively* own security cooperation processes have been launched – ESDI, which was designed in strict accordance

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<sup>187</sup> France returned to NATO's military structures in 2009 (Blockmans in Wessel & Blockmans, 2013, p.244).

<sup>188</sup> Central and Eastern European Countries.

with NATO-held preferences (“separable from but not separate”). An “episodic irritant and distraction for NATO” (Clark in Alexander & Prosen, 2015, p.xvii) ESDI was not honored with considerable attention from the American side that, however, cannot be told about the consequences of Saint Malo.

The crisis in Kosovo has brought about far-reaching consequences for international politics and the EU security and defense cooperation, in particular (Moens in Howorth & Keeler, 2003, p.26). Saint Malo French-British Agreement of 1998 embodied the moment when the EU “started off on the path towards becoming a military power” (Andreani et al., 2001, p.7; see Merand, 2008). The new British-French agreement was barely approved by the US but with the renowned “three Ds” articulated by the then US Secretary of State M.Albright: (1) no *Decoupling* (European security and defense project from NATO); (2) no *Duplication* (of the two institutions’ capabilities), and (3) no *Discrimination* (against non-NATO members) (Albright, 1998 in Rutten, 2001). Following the 50<sup>th</sup> anniversary summit of NATO, at the Cologne Summit in June 1999 Europeans made historical decisions on what they for the first time called European Security and Defense Policy (ESDP) that absorbed the WEU (Aybet in Stivachtis, 2007, p.23). NATO was no longer the sole multilateral security actor in Europe (Hofmann, 2013, p.188).

In the meantime, NATO and WEU were launching new mechanisms and adopted new strategic aims: in April 1999 at the famous Washington Summit, with its new Strategic Concept NATO finalized the transition from the original nuclear and conventional defense to crisis management in accordance with the art.7 of the Washington Treaty (Hofmann, 2013, p.182; Leggold, 1998). The Washington Summit Communique (1999), on the one hand, says that NATO acknowledges “the resolve of the European Union to have the capacity for autonomous action so that it can take decisions and approve military action where the Alliance as a whole is not engaged” (par.9.1), while the text of the NATO Strategic Concept (1999), on the other hand, reconfirms that the ESDI “will continue to be developed within NATO”<sup>189</sup> (par.30). The phrase “where the Alliance as a whole is not engaged” seemed to sound politically correct but naturally required further clarification (which was not provided): for the French side demanding maximum possible autonomy for ESDP this part of the text carried geographical meaning, while for the British and German governments it unequivocally meant the Alliance’s first decision right whether it wants to get involved or not, and only after that the EU would decide on a possible operation (Hofmann, 2013, p.190).

Nevertheless, Saint Malo breakthrough can be called the first promising EU security and defense project that made the US to pay attention to and to at least officially take into account in a wider

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<sup>189</sup> Strengthening the involvement of non-EU NATO members to crisis response operations was boosted by Turkey being an associate member of the WEU (Hofmann, 2013, p.182).

distribution of Euro-Atlantic security and defense efforts. Officials from Washington have underlined in their speeches that Defense Capabilities Initiative (DCI<sup>190</sup>) launched in 1999 by NATO and ESDP can make complementary contributions to the EU's crisis management activities (Moens in Howorth & Keeler, 2003, p.29; Schuwirth, 2002). For NATO an EU security and defense system completely autonomous from NATO has been totally unacceptable from the outset – only “separable but not separate” (Bretherton & Vogler, 2006, p.203). The British, French and German sides were emphasizing the term “separable” as an important start for a united European voice (Robertson, 1999; Scharping, 1999), subsequent abandonment of the WEU by the EU has opened new ways for a direct relationship between EU and NATO not moderated through WEU (see Hofmann, 2013). In fact, for the UK ESDP “was an Alliance project involving European instruments”, while for France “it was a European project embracing Alliance capabilities” (Howorth, 2004a). Nonetheless, being, in fact, torn by the need for a more autonomy and for maintaining close relationship with the US/NATO without whom this autonomy even partially could not be attained, Europeans, on the one hand, promised that non-NATO EU members will have opportunity to participate in operations requiring NATO assets, whereas non-EU NATO members will have access to Petersberg missions and that the EU will consult NATO in any of cases; while, on the other hand, the EU openly expressed the need for “political control and strategic direction of EU-led operations” as well as “the capacity for analysis of situations, sources of intelligence, and capacity for relevant strategic planning” (Jopp, 1999) in the case of EU-led operations without recourse to NATO assets and capabilities – the second category of EU-led operations along with those with recourse to NATO assets and capabilities – and thereby showing her aspirations for more autonomy (Hofmann, 2013, pp.186-187). In order to delineate the contours of autonomy for EU military missions with respect to NATO defense package adopted by the Council in December 2003 recognizes NATO's significant role as a forum for discussions and making choice on launching missions involving Euro-Atlantic allies, it sanctions autonomous EU military operations (European Council, 2003; Norheim-Martinsen, 2013, p.88).

As soon as the Yugoslav war took place and gave the US a unique opportunity to test “collective democracy” strategy launched by Clinton back in 1994, NATO went through Eastern Enlargement which, in turn, opened the doors for ensuring NATO's primary role in EU security system through NATO-EU accords in the early 2000s (Rynning in Merand et al., 2011, p.183). The two

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<sup>190</sup> The objective of the DCI „is to ensure the effectiveness of future multinational operations across the full spectrum of Alliance missions in the present and foreseeable security environment with a special focus on improving interoperability among Alliance forces (and where applicable also between Alliance and Partner forces)“ (NATO, 1999).



organizations started institutionalized relations in 2001 which consequently led up to a Joint EU-NATO Declaration of 2002 which outlined “political principles underlying the relationship” (NATO, 2010). NATO and CSDP established a sufficiently elaborate set of coordination agreements: regular meetings of NATO Secretary General (SG) and the EU’s High Representative (HR-VP) who are regularly invited to participate at ministerial meetings, between the North Atlantic Council (NAC) and PSC, between NATO’s and CSDP’s Military Committees, EUMS and NATO’s International Staff as well as other various staff-to-staff contacts including EDA<sup>191</sup>; there are also NATO-EU Capability Group (created in May 2003) for coordinating capability development both in NATO and CSDP, NATO Permanent Liaison Team at the EUMS and EU Cell in SHAPE (Biscop & Coelmont, 2012, p.103; Graeger & Haugevik in Oberthuer et al., 2013; EUISS YES, 2014). Sharing information mechanism (beyond some aspects mentioned in “Berlin Plus”, see below) is still one of the “Achilles heel”s of CSDP-NATO cooperation (EUISS YES, 2014). EU and NATO’s institutional designs remain not only separate but sometimes competitive, especially what concerns military and defense planning bodies, separate partly overlapping military and civilian capabilities, military education aggravated by weak synchronization of expertise and capabilities at strategic levels (Graeger & Haugevik in Oberthuer et al., 2013).

As the result of the EU-NATO negotiations held in December of 2002, in March 2003 the so-called “Berlin Plus” arrangements were concluded through an exchange of letters between HR-VP and NATO SG (ESDP Newsletter, 2009; EUISS YES, 2014) which lay the foundations of the NATO-EU cooperation in crisis management and peace-keeping by facilitating an access for the EU to NATO's collective assets and capabilities for EU-led operations (NATO, 2010), namely (1) access to NATO planning capabilities; (2) “identification of a range of European command options for EU-led operations”; (3) improvement of adaptation of NATO’s defence planning system; (4) agreement on “the exchange of classified information under reciprocal security protection rules”; (5) release, monitoring, return and recall procedures of NATO assets and capabilities; (6) NATO-EU consultation arrangements (WEU, 2009; Bindi in Buonanno et al., 2015, p.46). NATO assets sound quite impressive, but as Lagadec (2012, p.119) reminds, the assets meant by the agreements are, in fact, American assets such as strategic lift, command and control, space-based intelligence<sup>192</sup>. In practice, these arrangements have demonstrated numerous weaknesses, which is

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<sup>191</sup> Cooperation mechanism between EDA’s Pooling and Sharing initiative and NATO’s Smart Defence initiative (EUISS YES, 2014).

<sup>192</sup> Only by October 2008 the EU managed to establish a multinational EU air transport fleet as well as upgrade European helicopters, and in 2010 – to finalize long-awaited Airbus A400M contract, as well as Galileo project revived again in 2014 (Lagadec, 2012, p.119).

easily observable in the light of the agreements' practical relevance that lasted less than 20 months, and although on-ground cooperation, nonetheless, works, cooperation on strategic level does not flow smoothly despite impressive overlap of membership in both organizations (Lagadec, 2012, p.118; Biscop & Coelmont, 2012, p.103). "Berlin Plus" arrangements have been applied only twice: in the case of Concordia mission in FYROM and Althea in BiH<sup>193</sup>, while by 2005 the EU and NATO have finally realized that these agreements will not turn into conventional mechanism of the two organizations' cooperation, and currently they are not a working instrument anymore (Lagadec, 2012, pp.118-119). As Lagadec (2012, pp.118-119) shows, "Berlin Plus" gave ESDP a brilliant opportunity to start off, to learn from NATO and to overcome certain fears connected to the French prevalence behind the ESDP project, but despite being a well-thought mechanism of preventing or resolving conflicts in the European neighborhood similar to Bosnian crisis, "Berlin Plus"-based missions were not so different from NATO predecessors in terms of methodology and, more importantly, did not demonstrate *potential* to operate sufficiently independent in mitigating crises, i.e. in this respect this mechanism did not prove promising.

The Copenhagen European Council stated that "Berlin Plus" arrangements could no longer be used by EU states who are not members of both organizations (at least party to NATO's Partnership for Peace), which transformed "Berlin Plus" into numerous bilateral security agreements; thus, the Union refuses to improve cooperation without the full participation of her member states (EUISS YES, 2014). The Union, yet, also did not miss the opportunity to demonstrate her independence from NATO by launching *Operation Artemis* without prior consultation with NATO/US which caused dissatisfaction from the other side of the Atlantic, (and then EUFOR RD Congo and EUFOR Chad/RCA) that had a spillover effect on the newly born British-French-German idea to create EU Battlegroups in 2002 (Blockmans in Wessel & Blockmans, 2013, pp.259-260) that, by the way, happened parallel to NATO's Response Force launched in 2003 (Graeger & Haugevik in Oberthuer et al., 2013, p.149).

If, as discussed above, prior to the creation of the ESDP triangular relationship between EU, WEU and NATO was being exploited in a way that only benefited from partial overlap of members that gave sufficient flexibility to each of the organizations, then in the case of the ESDP/CSDP unclear situation with Turkey's potential EU membership as well as Cyprus' joining the EU before the Cypriot problem was solved have led to major difficulties in NATO-CSDP cooperation (Biscop & Coelmont, 2012, pp.103-104; Graeger & Haugevik in Oberthuer et al., 2013; Blockmans in Wessel & Blockmans, 2013, p.244). Having been an associate member of the currently non-existing WEU Turkey can participate in CSDP operation with recourse to NATO assets (also in specific projects

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<sup>193</sup> EUNAVFOR Atalanta is also added to this list but only by some sources (EUISS YES, 2014).

through EDA) but not in political decision-making of the CSDP, and this all will not be possible without joining the EU (Biscop & Coelmont, 2012, p.103). Cyprus' accession to the Union in 2004 prior to the full resolution of the conflict Greece-Cyprus and Turkey also strongly hinders the CSDP-NATO cooperation, not to mention that Cyprus is neither NATO member, nor member of NATO's Partnership for Peace (Biscop & Coelmont, 2012, pp.103-104). Both issues harm cooperation between the two organizations also due to their permanent instrumentalization by various interested actors (Biscop & Coelmont, 2012, p.104). Not only formal but also informal contacts between the CSDP and NATO are constantly challenged by the "red lines" imposed by Cyprus-Turkey problem: from putting flags on the informal meetings' tables to the exchange of official documents or writing reports on the joint informal meetings (Drent in Drieskens & Van Schaik, 2014, p.131). NATO's former SG Rasmussen's initiative on solving the deadlock did not work out, as well as the new NATO 2010 Strategic Concept's part of text dedicated to the relationship with the EU did not please the Turkish side (Drent in Drieskens & Van Schaik, 2014, p.131). Thus, formal and informal achievements in CSDP-NATO cooperation described above can be called a major breakthrough in itself.

The described long-awaited institutionalization of the EU-NATO relationship was taking place against the background of reinforced unilateralism in the US foreign policy peaked in Afghanistan that caused a lot of controversies between the Western allies, while Iraq has challenged these relations even more (Crenshaw in Cronin & Ludes, 2004, p.88; Cimbala & Forster, 2010, p.149; Clark in Alexander & Prosen, 2015). "The Franco-German response was not "anti-Americanism" in the sense of reflexive and unremitting hostility to whatever the United States does, but a refusal to accept U.S. leadership simply because America is the sole superpower, as well as a desire to underscore Europe's own right to be a key player in world affairs" (Gordon & Shapiro, 2004, p.80). Rise of neo-conservatism within G.W.Bush's administration coupled with Wilsonianist connotation of the global "war on terror" have considerably strengthened the US long-term prevalence in NATO reflected in the "Americanization" of ISAF in Afghanistan<sup>194</sup> (Heywood, 2012, p.93; Rynning in Merand et al., 2011; Morelli & Belkin, 2009). Since 2004-2005 the US turned out to be more multilateral, in Afghanistan, in particular: Berlin (2004), London (2006), Paris (2008) etc. declarations; strategic command and operational control more and more under NATO institutions, increased number of ISAF commanders of European origin etc. (Webber et al., 2012, p.85). Yet,

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<sup>194</sup> This followed the logics of the Operation Enduring Freedom (OEF), conducted right in the aftermath of 9/11 attacks, where, in fact, no collective NATO assets were exploited in the battlefield and the execution of the campaign was largely done not through SHAPE but through the US Central Command (CENTCOM) and the CIA (see Webber et al., 2012, p.85).

despite certain touches of multilateralism, ISAF's command arrangement has been still largely designed in accordance with the US international interests (see Webber et al., 2012). Europeans have attempted to somewhat compensate for remaining marginalization of the European NATO pillar due to objective (Europe's limited capacity and resources) and subjective (US national interests) reasons by starting the launch of ESDP civilian and military missions since 2003. By this moment the EU managed to develop a large variety of crisis response types allowing for the implementation of policing, rule of law and other civil protection missions concurrently with the deployment of forces (Bretherton & Vogler, 2006, p.201).

Experts also point out significant infringements EU constantly commits with regard to the second "D" – no Duplication (especially fearful in the UK's view, see Biscop & Coelmont, 2012, p.104), e.g. US Global Positioning System (GPS) and the EU's Galileo, while Howorth (2012), for instance, has performed as a dissenter to the "sterile quarrels over duplication in general and HQs in particular". Merand (2008, p.120) in support to the last position confirms that "ESDP structure is an amalgamation of two existing templates: NATO and CFSP". COPS equals to the North Atlantic Council, EMC – to NATO Military Committee, EUMS – to NATO's International Military Staff (Merand, 2008, p.120), with the exception of NATO's SHAPE<sup>195</sup>, a full-scale operational headquarters, which is still absent in the CSDP. This perception was at very least inherent in the foreign policy of many German governments whose ideational framework has allowed for *no* contradiction in supporting both transatlantic Alliance and European security initiatives (Dumoulin et al., 2003). The newly established ESDP owed its highly intertwined relationship with NATO to the ESDI project, essential aspects of inter-institutional cooperation of which were also introduced into the "Berlin+" agreements (see Bretherton & Vogler, 2006 p.243). Apparent parallels between the institutional structures of the ESDP and NATO are the result of the deliberate choice of European states, as Reynolds (in De Bievre & Neuhold, 2007, pp.64-65) shows, and, indeed the fact that the basic outline of the political-military decision-making body (NATO's North Atlantic Council) advised by the Military Committee (NATO's Military Committee) and Military Staff (NATO's International Staff) share commonalities with those of NATO cannot be a coincidence.

If one puts the formal institutional matters shortly aside, the first decade of the XXI century with its new security challenges has tested Euro-Atlantic relationship in a large variety of respects: environmental issues, ballistic missile defense, domestic tariffs, international law, various regional

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<sup>195</sup> Supreme Headquarters Allied Powers Europe (SHAPE): the Headquarters of Allied Command Operations (ACO), one of NATO's two strategic military commands; located in Casteau (north of the Belgian city of Mons). ACO is commanded by the Supreme Allied Commander Europe (SACEUR), and is responsible for all Alliance military operations (NATO, 2015).

crises across the globe, relations with Russia and the Balkans (Peterson & Pollack, 2003; Jabko & Parsons, 2005). “War on terror” challenged the relationship further, while Iraq proved to be “one of the most serious transatlantic ruptures” having continuation in a more serious rupture *within* the EU (Bindi in Buonanno et al., 2015, p.47; Peterson & Pollack, 2003, p.2). The election of G.W.Bush, Afghanistan and Iraq have caused “genuine, durable changes in transatlantic relations” (Peterson & Pollack, 2003, p.2).

Despite these ever-existing difficulties, the US–EU dyad has proved to remain a model of the most comprehensive peaceful relationship in international politics (Hamilton & Quinlan, 2005) with NATO being a sort of “consensus engine” (Clark in Alexander & Prosen, 2015, p.xviii). Original social, cultural, economic commonalities and deep-entrenched multi-faceted relations have strengthened transatlantic linkages, while reinforced cooperation has, in turn, boosted further convergence and growing interdependence. Throughout the 2000s existing tensions between transatlantic and European commitments, according to Gross (2009a) have been most palpable with regard to military crisis management under ESDP/CSDP as well as implicit/explicit competition with NATO, and also in specific geographical areas where the US claims a political leadership, e.g. Afghanistan or the Middle East. Up until 2009 when France returned to NATO’s military structures it considerably hindered fruitful cooperation between the two (Blockmans in Wessel & Blockmans, 2013, p.244).

And even here one must focus his/her study on more specific contexts of EU-NATO cooperation in order to have a more complete portrayal of the real state-of-the-art. Promising positive trends in establishing better cooperation between the US and EU in Afghanistan, for instance, have clearly demonstrated how a specific crisis situation in a specific crisis-hit region can make security actors not only work but also *work together*: Afghanistan has been an important stage where the US and EU have developed further habits, norms and values of working in a coordinated way also in response to non-traditional security challenges, have realized how important partnership and NATO are (Cavendish in Alexander & Prosen, 2015, p.204).

Matlary and Petersson (2013) start their edited book by making reference to the speech delivered by the former US Defense Secretary R.Gates at the National Defense University in Washington, DC in February 2010. Speaking about demilitarization of Europe and NATO as gradually becoming a “two-tiered alliance”: “members who specialize in “soft” humanitarian, development, peacekeeping, and talking tasks, and those conducting the “hard” combat missions”, and “those willing and able to pay the price and bear the burdens of alliance commitments, and those who enjoy the benefits of NATO membership – be they security guarantees or headquarters billets – but don’t want to share the risks and the costs” (Gates, 2010). Europe’s persistent reluctance to take

responsibility for its own security, reflected in continuous cuts in defense budgets, withdrawals from and/or unwillingness to join NATO-led missions etc., has become a widely-known object of discussion (Stevens, 2011 in Jovanovic, 2013, p.56). In 2010 EU and NATO's national representatives were in high-level formal contact only once regarding Althea BiH mission (Daalder, 2010). In this period NATO was involved in the maritime operations in the Mediterranean and Indian Ocean as well as in the air operation in Libya 2011. Events of the last five years have disclosed limitations of NATO's traditionally *reactive* instruments in the face of addressing Russian invasion of the Crimea, the Arab Spring in the North Africa and Middle East, armed conflict in Syria and rise of ISIL (Alexander & Prosen, 2015).

Simoni (2013, p.33) rightly shows that neorealist and neoliberalist approaches' predisposition towards statism do not facilitate sufficiently objective explanatory apparatus for studying ever-evolving Euro-Atlantic relationship. IR constructivism is able of favorably using neorealist and neoliberalist analyses of the US/NATO and EU/CSDP's behavior by digging deeper into the praxis of their relationship and provide more insightful visions of the future developments in this field (Simoni, 2013, p.33). If IR constructivism suggests new ideas about the role of national and collective identities or perceptions of identities in political behavior in a specific context, then DI establishes necessary linkages between ideational underpinning and formal/informal institutions, provides ground for a multi-level ideational and two-dimensional discursive analysis of political behaviors of sentient agents acting in a specific context. Relationship with NATO as a number-one relationship framework within global context represents a "deep core" level of ideational exchange: this is where EU as a collective actor finds where she stands and what she is. EU level field of interaction marked by intertwined intergovernmental and supranational intra-EU relationships represents the programmatic level embodied by the CFSP/CSDP. Policy ideas level incorporates the sum of all specific missions – the specific deeds of the EU being the results of the EU's collective action. The problem of EU/CSDP-US/NATO cooperation through the lens of the EU coordinative discourse will be further addressed throughout the (sub-)Chapters within the historically established relationships between EU-member states and US/NATO elites (both bilateral and multilateral); here it makes sense to address the EU communicative discourse and EU-NATO relationship topic.

As it will be further shown in the subsequent Chapters, what general public in the EU can generally do about the CSDP's real work is to guess what happens behind the Council's and now EEAS' closed doors and then simply observe what this or that CSDP mission does on the ground, also from the corner of their eyes. Brummer (2007) insists on the importance of conducting a more enhanced public diplomacy so that to better inform and reinforce the involvement of European publics into ESDP's future development. Since March 2003 EU and NATO have a permanent agreement on the

exchange in the field of security of information; thus, through NATO EU have learnt how to deal with sensitive security-related information closed for general public (Reichard, 2006, p.311). Extremely limited influence of EU public on the formulation and implementation of the CSDP-based collective action and also CSDP-NATO cooperation is also confirmed in critically little amount of fundamental research and thereby literature on this topic. Yet, there are a lot of materials on public perceptions of various security-related problems.

Sojka and Vazquez-Garcia (in Boening et al., 2013) present extremely thought-provoking statistics on the elite, mass media and public perceptions in new and old EU states regarding European security, EU and NATO. 62.3% of political elites, 67.8% of mass media elites, 75.9% of trade union elites and 56.8% of national publics in the old EU member states as well as 44.9% of political elites, 49% of mass media elites, 71.9% of trade union elites and 44.9% of national publics in the new EU member states, i.e. the *majority* of the EU elites consider the EU as the most appropriate authority to deal with European security; while only 15.3% of old EU states' public and 27.4% of new EU states' public prefer NATO, and another 19.9% of old EU state's public and 22.7% of new EU states' public think that national governments are better equipped for this role (IntUne Database, 2009 in Sojka & Vazquez-Garcia, Boening et al., 2013, p.63). This shows that by 2009 for the new EU member states NATO and EU were considered more or less as equal alternatives for providing European security (Sojka & Vazquez-Garcia in Boening et al., 2013, p.63). In the states like Poland and the Czech Republic political elites give slightly more preference to NATO in preserving safety in the face of the Russian domination in the East (Sojka & Vazquez-Garcia in Boening et al., 2013, p.63). Equally high rates of respondents preferring the EU over NATO national governments are observed in all national publics which is quite impressive (Sojka & Vazquez-Garcia in Boening et al., 2013, p.63). Studies have shown that the EU and American publics generally share similar perceptions of threats, domestic priorities, of friends/allies, distribution of power, relative importance of economic versus military power, importance of multilateralism and transatlanticism (despite being affected by Iraq 2003 but not significantly changed) (Everts & Isernia, 2015, pp.107-108). The US and EU public ideational frameworks, yet, currently diverge from each other on the suitability and acceptability of the use of military force: the Europeans changed their mind in favor of soft tools since 2002 due to the observed failures of hard measures in Afghanistan and Iraq which they from then on considered *ultima ratio* instrument (Everts & Isernia, 2015, p.108). And this smoothly brings the reader to the problem of civilian-military balance in the CSDP.

#### **1.4. Civilian-Military Integration within the CSDP**

The problem of ESDP-NATO relationship does logically raise the questions of civ-mil integration also known as a comprehensive approach (see Gross, 2008). What is a comprehensive approach? EU Council Conclusions in May 2014 stressed: “[...] the comprehensive approach is both a general working method and a set of concrete measures and processes to improve how the EU, based on a common strategic vision and drawing on its wide array of existing tools and instruments, collectively can develop, embed and deliver more coherent and more effective policies, working practices, actions and results. Its fundamental principles are relevant for the broad spectrum of EU external action. The need for such a comprehensive approach is most acute in crisis and conflict situations and in fragile states, enabling a rapid and effective EU response, including through conflict prevention”. Thus, this approach goes beyond the CSDP scope of operation by incorporating a wider scope of EU external action, in general. Civil-military interface within the CSDP is a part of it. As Menon (2011) argues, the two main headaches of the CSDP are the lack of coherence and of proper capabilities. And civil-military interface is an area that definitely needs more coherence.

Bitter experiences made in the Balkans in the 1990s proved to be decisive triggers for military minded states and international organizations to reconsider their own basic concepts (Hunter et al., 2008). Although “Berlin Plus” agreements have essentially helped the EU to start with the ESDP’s operability militarily since 2003, it has in many ways hindered the development of an integrated civil-military organization within the ESDP, because physical and conceptual separation pushed the coordination to PSC-NAC level which was constantly impeded by Turkish-Cyprus problem (Norheim-Martinsen, 2013, p.86). Yet, most EU military officers usually have also Alliance experience that reinforces NATO’s positive impact on EU’s civ-mil interface (Bono, 2004). The Union has been attaching much attention towards civil-military coordination right from the start: in 2003 Civil-Military Coordination (CMCO) process was launched that laid the foundations for civ-mil coordination within the whole spectrum of levels (from operational and tactical to strategic); Civil-Military Planning Cell (CivMilCell) was set up after lengthy negotiations (since 2003) in 2005; in 2006 a Framework Paper on civil-military coordination was adopted (European Council, 2006; Schroeder, 2011). Civilian-military ESDP/CSDP operations are practical examples of ever-growing attention to civ-mil integration within the ESDP/CSDP, and some experts regard them as one of the most visible outcomes of future advancements in civ-mil coordination (Cross, 2011, p.226). In fact, some CSDP missions labeled as clearly civilian are implemented by the military staff in civilian dress but for political reasons were titled as civilian, and therefore Biscop and Colemont (2010) divide all CSDP missions into military and civilian-military missions. A classic



example of a mixed- civ-mil CSDP operation is Support to AMIS II in Sudan/Darfur (2005-2006) that provided advice, training and transport-training of African troops (Biscop & Coelmont, 2010). The EU official documents prescribe that all of the EU foreign policy actions including those of crisis management have to be planned and undertaken within the principles of general international law. According to Art.10A.2 of the post-Lisbon TEU (amended Art.11.1 of the Nice TEU), the EU with her common policies and actions related to the field of international relations must *inter alia* “preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external borders”. This means that *no* CSDP operation/mission including those bound to certain degree of use of force can be conducted without cautiously taking into account internationally recognized norms and principles currently regulating international politics (ESS, 2003; Biscop & Coelmont, 2011)<sup>196</sup>. In this manner, the Union is a part of the so-called global-regional security partnership the idea of which dates back to the 1992 UN agenda (Hettne & Söderbaum, 2006). As mentioned above and what is obvious from the whole ESDP/CSDP experience, the Petersberg tasks taken up by the EU through the CSDP mechanism are considered to be conducted without any *geographical* limitation: this concerns the provisions of both the EU’s and the former WEU’s official documents and makes these two organically different from other regional organizations and even until 2001 from NATO (Pagani, 1998).

Kaldor’s (2006) celebrated work on “new wars” characterized by asymmetric division of forces in a very complex context proved to change traditional convictions about the interaction between the character of a conflict and the utility of force. This new security era requires renewed deliberation and communication on the substantial question of the reasonability of the use of force in conflict situations. The truth is most probably somewhere in-between, at least for the EU: between the German Foreign Affairs Minister F.-W.Steinmeyer’s (2014) *ultima ratio* idea of military intervention, and 2014 Munich Security Conference’s Chairman W.Ischinger’s declared impossibility of “pure pacifism” (Spiegel Online, 2014).

Some (especially IR realists) prefer to ascribe the so-called “broadening” and “deepening” of the notion of security in the post-Cold War era referred to in the introduction part to the ultimate manifestation of the concept as something too loose and unspecified (Merand et al., 2011). What Merand et al. (2011), in fact, reminds of is that the twofold evolution of the security debate nevertheless takes place on a full scale and this is undeniable.

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<sup>196</sup> Very interesting fresh analysis on the interaction between the Union and international law in the post-Lisbon period can be found in Wessel’s SIEPS (Swedish Institute for European Policy Studies) article of 2013 (see List of Literature).

Even though there was (and is, albeit less), especially in the early 2000s, a large amount of literature addressing the construction of the ESDP/CSDP as “Europe’s military revolution” (Andreani et al., 2001; Deighton, 2002) admittedly marking the end of the purely civilian nature of the EU, the CCM arsenal owned by today’s CSDP testifies this definition as extreme simplification of the matters. The Amsterdam Treaty attached the military dimension of the Petersberg tasks exclusively to the WEU as well as the arrangements agreed with NATO (Pagani, 1998). Whereas again the political control of any operation of this kind would belong to the Council which through the WEU Council of Ministers will set, modify and terminate the mandate (Pagani, 1998). Institutions and mechanisms having military connotation have been under special focus from the outset of the ESDP’s formation traditionally raising two types of counter-arguments: potential duplication of NATO institutions and even more frequently possible militarization of the EU (Hofmann, 2013, p.187). More importantly, these two arguments are interconnected, for the EU owed original separation of civilian and military instruments in the ESDP framework, that led to the permanent lack of civ-mil integration within the Policy, to the Policy designers who were inspired by NATO (see Hofmann, 2013, p.190).

Proceeding from the extremely negative experiences made with fragile or failed states in the Balkans, Afghanistan, Somalia, Libya or elsewhere modern states and international organizations increasingly insist upon the vital importance of applying civilian instruments and methods for sustainable and comprehensive crisis management and resolution as opposed to the limited military approach traditionally referred in conflictive situations (Major & Bail in Gross et al., 2011). The CSDP’s civilian crisis management arsenal addresses the political, economic and social dimensions of conflicts and thereby facilitates capacities for the implementation of the key goals codified in the ESS of improve mechanisms for resisting security threats to the Union, contributing to the security environment in the neighborhood as well as strengthening effective multilateralism (Major & Bail in Gross et al., 2011).

Availability of well-qualified civilian personnel has become as important as the presence of appropriate military resources in modern conflict management (Pagani, 1998). So, the problem with the exclusively civilian response (humanitarian assistance and civilian protection) to the Libyan crisis does not lie, as Brattberg (2011) specifies, in the civilian nature of the reaction but that this was done without involvement of the CSDP at all. In fact, for the general success of the EU external action with respect to conflict situations beyond the EU borders, as it will be more clearly shown in the next sub-Chapter and Chapter 2, has not be confined to the CSDP only: the Union needs better coordination of the civilian CSDP instruments and other relevant set of instruments at the EU’s

disposal, paying special attention to the coordination with the Commission's external action competences.

According to Chivvis (2010), the Union's peculiar multidimensional character serving as one of the chief factors generating her sufficiently tenable concentration upon the development of, in the first instance, civilian capabilities allow for the very reasons for the EU to be comparatively more advantageous to undertake civilian tasks in dealing with asymmetrical threats. This argument specifically favoring the US' active encouragement for the EU's civilian efforts leading to a mutually beneficial complementarity of the two organizations can be noticeably strengthened by the EU's quite apparent improbability to develop the same military weight as NATO has (Chivvis, 2010).

Again the question remains: "how well suited is the EU, in reality, to civilian work?" (Chivvis, 2010). The very multidimensional nature of the EU mentioned above as an advantage also results in and is coupled with "institutional complexity, insufficient coordination between different actors and policies, lack of political leadership at the EU level, and fragmented and limited defence budgets") which *per se* are the shortcomings of the EU in addressing "Emerging Security Challenges" (ESCs) (Hatzigeorgopoulos, 2012). The key value of the Union is "in aggregating and coordinating European national resources" but natural advantages over NATO are exaggerated (Chivvis, 2010). In opposition to the above mentioned complexities and even contentious advantages of the EU system the one fact remains rather indisputable: the vital importance of Europe as a security partner for the US. What also remains basically irrecusable and was recently summarized by the above mentioned German Foreign Minister Steinmeyer (2014) – summarized in the face of the NSA spying claims in the Fall of 2013, to be underscored, is that he called North Atlantic Alliance "indispensable reinsurance in a restless world" for Europe.

As mentioned, it is important not to forget about the non-CSDP civilian measures to foster peace and stability in various troubled regions in the world. Burgess and Spence (in Bailes & Frommelt, 2004, p.94) identify specific EU foreign policy instruments which also can have certain security-building effects on respective societies: promotion of social-economic development, creating opportunities for mutually profitable international economic cooperation, educational and cultural programs, improvement of transparency, support for democratic progress and good governance. Pre-accession process especially actively exercised in the late 1990s-early 2000s amongst the post-Communist states is a vivid example.

The problem with NATO's assistance in this field has been very easy to understand: until very recent time NATO had no civilian capabilities with which EU could coordinate her civil crisis management activities and NATO's Civil-Military Co-operation (CIMIC) capability pursued the

only aim to put civil sector into military missions' service (Gordon in Wheeler & Harmer, 2006). In the light of the Afghan and Iraqi challenges scholars J. Smith and M. Flournoy (2005) put forward a concept of "Berlin Plus in reverse" that would facilitate NATO's access to the EU's civil crisis management capabilities; yet, the project was difficult to implement due to deep-entrenched old-fashioned civ-mil thinking that placed civil aspects rather to the background, especially in such a "militarized" organization like the Alliance, coupled with the obvious limitations of EU's real capacities (Lagadec, 2012, pp.120-121). NATO decided to act from its own side: NATO has recently announced in its new Strategic Concept the creation of its own civilian capacity mainly for training NATO staff for facilitating better coordination with other security providers, EU included, as well as contribute to NATO's "comprehensive approach" (NATO, 2010; Graeger & Haugevik in Oberthuer et al., 2013, p.150). How this new for NATO capacity will be coordinated or integrated with the one of the CSDP is unclear, and here one has to be cautious of potential duplication (Graeger & Haugevik in Oberthuer et al., 2013, p.150).

CSDP's both civilian and military resources and capabilities directly come from EU member states, i.e. CMCO is largely "bottom-up" process which necessitates more careful elaboration of national comprehensive approaches and development of coordination culture among members in this field if extremely important (Gross, 2008). Problems the EU faces, regardless a very balanced staffing (in civil and military terms) of EU Operations Centre (OpCen, activated in 2012<sup>197</sup>) and CivMilCell, are bound to a highly traditional civil-military thinking within which civilians are invited to participate in military planning, but, in fact, they play a military support role (Smith, 2007, pp.396-397; EEAS, 2015). Naturally, more general problems the CSDP continuously faces including capabilities, staffing and procurement significantly affect civ-mil integration (Gross, 2008).

As a strategic security actor the EU needs to further develop her institutional capacity for integrated civ-mil planning (Norheim-Martinsen, 2013, p.99). Despite the timely launch of CMCO process in 2003, the real state-of-the-art has demonstrated that military component was merely "added to the civil structure as a separate limb" (Mueller-Wille, 2002) which made two components basically detached from each other (Norheim-Martinsen, 2013, p.99). With the HG 2010 and CHG 2008 the EU located civilian and military components on "separate parallel tracks" where the civilian process was expected to reach the end goal of its defined mission two years earlier than the military one. CHG 2008 stresses the importance of intimate cooperation and coordination between CHG 2008

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<sup>197</sup> OpCen was for the first time activated only in 2012 (set up in 2007) in order to reinforce civ-mil coordination between the three African CSDP missions – military EUNAVFOR Operation ATALANTA, civil EU training mission in Somalia and EUCAP NESTOR in the Horn of Africa and the Western Indian Ocean (Blockmans in Wessel & Blockmans, 2013, p.260).

and HG 2010 as well as close coordination of civilian efforts at every phase of the operation with the parallel military measures undertaken in the same region (CHG 2008, 2004). “When necessary, civilian crisis management missions must be able to draw on military enabling capabilities”, CHG 2008 (2004) says. The question of balanced combination of civilian and military components basically incorporates two dimensions: civil-military integration within the CSDP (EU civilian and military capabilities) and between EU civilian capacity and military efforts undertaken by other international actors. The boundaries seem to be often blurred. The budgetary aspects of the CSDP missions basically reflect the distinction made between military and non-military operations. In the Lisbon TEU expenditures for missions/operations with military and/or defence implications are categorized as those covered directly by member states’ budgets calculated on GNP-based scale unless the Council takes a different unanimous decision, while expenses for the so-called civilian missions the nature of which is usually hard to ascertain will be assigned to the EU budget (TEU post-Lisbon, 2007, art.J.18).

As Gordon (in Wheeler & Harmer, 2006, p.340) shows, the military could find their place in the forthcoming civ-mil interface first, since they have already had institutional structures which the civil side has been only establishing, e.g. CPCC, Civilian Force Commander (see Norheim-Martinsen, 2013). Intra-EU divisions over either complete autonomy of EU military missions from NATO or avoidance of duplication coupled with the creation of separate civil structures have aggravated situation (Norheim-Martinsen, 2013, p.100). Thus, also institutional cleavages within the Union impede better cooperation between NATO and CSDP/EU, but also ever-remaining reliance on doctrinally separate NATO-SHAPE negatively affect intra-EU civ-mil coordination, and for gradual overcoming of these obstacles the EU will need to be in constant dialogue with various civil, military, state and non-state actors (Norheim-Martinsen, 2013, p.100). Furthermore, the EU will need to adopt a civilian-military strategy for the CSDP which would ensure proper connection between the European Security Strategy (ESS), the general mission statement of the Union as an international actor and the CFSP (Biscop & Coelmont, 2011). Thank to the Lisbon Treaty there is a Crisis Management Planning Directorate (CMPD) created in 2009 which lies at the heart of integrated civilian-military planning within the EEAS and works under the political control and strategic direction of the PSC (EEAS, 2015). Among other numerous tasks it is in charge for coordinating the development of civilian and military capabilities (EEAS, 2015). The HR-VP for Foreign Affairs and Security Policy, acting under the authority of the Council and in close and permanent contact with the PSC, shall ensure coordination of the civilian and military aspects of the CSDP missions/operations within the comprehensive approach (Wosolsobe, 2015).

Howorth (2014) in his analysis of Engberg's assessment of CSDP missions' effectiveness concludes that among other factors the practice shows that the EU is more likely to be involved in a specific conflict with her CSDP mission in cases where this mission may play a complementary role to other regional security actors, e.g. UN (especially in Africa), or as a follow-on mission to NATO (Concordia and Althea), that provides evidence for the fact that CSDP missions are rather not highly ambitious, limited in scope, very dependent on positive outcomes and in most cases partly bound on other regional security actors, which makes future perspectives for undertaking CSDP *military* missions somewhat controversial. Merand and Angers (in Genschel & Jachtenfuchs, 2014, p.62) show that military integration will continuously develop at a moderate pace due to the unavoidable multinational legitimacy of any national military involvement and remaining high public support for European defense. In any scenario, NATO-CSDP cooperation is not only an option but a necessity, and, first of all, necessity for CSDP. Beyond the sheer competition, the ultimate objectives of the CSDP were and are to strengthen the EU crisis management capabilities both for EU-led autonomous as well as for contributing to peacemaking, peacekeeping and similar international operations led by any other global security actor including NATO. Moreover, practical experiences the Union made until today revealed that it is simply naive to think of an effective and efficient implementation of the whole range of crisis management tasks the EU has put before herself – from conflict prevention to post-conflict stabilization – without proper and coherent use of both civilian and military arsenal the CSDP offers. As Hunter (2002) repeatedly emphasizes that the idea of the strengthened European “pillar” in the North Atlantic security system implies for not only military but also ever-growing political and economic power of Europe along with the States.

Since the very beginning EU-NATO cooperation in the context of shaping CSDP was not stable at times resembling either a “beauty contest” (Wanninger, 2005) or even a “frozen conflict” (De Hoop Scheffer, 2007). However, although the Alliance was as such the greatest obstacle for the development of the EC's own foreign and security policy throughout the Cold War period, changed role and impact of the new post-1989 NATO that was accompanied by changed philosophical set of ideas about European security on the both sides of the Atlantic have transformed NATO into key facilitator of the EU's emerging civil and military crisis management policy (Blockmans in Wessel & Blockmans, 2013, p.244), and this also made/makes them closer to each other in the long-term in terms of their security threat, prioritization of various instruments, geographic-political etc. perceptions and relevant values and principles. Ever-developing cooperation with NATO helped ESDP in its operational maturation and enriched programmatic scope of ideas, norms and understandings of the EU regarding establishment of relevant institutions, planning, organizing and implementing civil and military operations as well as encouraged the Union to think of the

importance of civ-mil coordination from new angles. Although it did not last long “Berlin Plus” framework has considerably amplified the EU’s practical experiences on the ground within a specific mission, and this also broadened EU knowledge and capacity on policy ideas level. Coordinative discourse within EU/CSDP-NATO/US security dialogue that, nevertheless, has good perspectives with a well-developed initial infrastructure and willingness to cooperate in informal and formal types of communication, is still impeded by numerous problems like Turkey-Cyprus problem, EU’s internal cleavages and institutional imperfections, NATO’s own divergent principles and methodologies etc. Communicative discourse is even more problematic due to higher sensitivity of information exchanged through NATO being a clearly military organization.

By 2014-2015 NATO has significantly diminished its active military presence in Afghanistan as well as was somewhat revived as a political organization in the light of the Crimean invasion (Duke & Haar in Tiersky & Jones, 2015, p.417). The US’ strategic shift from Europe to a currently very vibrant Asia-Pacific region has challenged the Union during the last years which was even exacerbated by reduced defense expenditures in EU states especially tangible in the global economic and financial crisis (Duke & Haar in Tiersky & Jones, 2015, p.417). The current portrayal of the EU/CSDP-NATO/US cooperation includes: NATO and EU found their *modus vivendi* of formal and informal cooperation in the headquarters and on the ground; incompatibility of EU and NATO is not discussed anymore, for they are in many respect complementary (although they have no explicit division of labor) and have a significant “normative overlap” except for the use of force, range and type of missions/operations and resources for them; they share common challenges including defense cuts; sharp distinction between hard-only NATO and soft-only EU was surmounted in Libya<sup>198</sup>; Afghanistan and Iraq experiences made disparate selfish strategies like either NATO or EU or something else unreasonable which makes development of coordinated common action vital and this involves the question of leadership (Duke & Haar in Tiersky & Jones, 2015, p.418; EUISS YES, 2014; see also Jovanovic, 2013).

Throughout the two sub-Chapters it has been tried to justify remaining problems in NATO-CSDP cooperation by bringing a large variety of objective and subjective reasons. Today, as Blockmans (in Wessel & Blockmans, 2013, p.245) concludes, despite common work in Afghanistan, Kosovo and off the coast of Somalia, “a substantive partnership at the strategic level has not emerged”. Biscop and Coelmont (2012, p.104) are convinced that the genuine impediment for really effective cooperation between the CSDP and NATO lies in the transcendental “autonomy of the EU as a strategic actor”, in what the EU is, what she wants to be and what she will be in the future. For this

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<sup>198</sup> Again, Libyan operation was conducted largely by the UK and France but it was not through CSDP, so the last point can be contested, if one takes EU as an actor and not single EU states.

one needs to look forward to the existing models of the EU's actorhood and this is what will be done in the next sub-Chapter.

### **1.5. EU as a Regional and Global Security Actor? CSDP through the Lens of Discursive Institutionalism**

In this sub-Chapter the discussion centers on the problem of the EU's current role as a still shaping collective security actor and her future perspectives for facilitating a more coherent, innovative and effective crisis management solutions offered through the CSDP as a part of a broader EU external action. What possible scenarios for EU's current and future actorship does literature offer? Which concepts about EU's role as a collective security provider do scholars propose? How does the EU's future as a global security actor look like? These are questions that are usually asked and the sub-Chapter will be an attempt to establish new links among these questions and to look up which answers to which of these questions can be drawn from political science literature.

Serious profound studies in the field of European integration have underwent serious transformations throughout the years and decades. From the very start it became apparent that scholars would have continuous problems with the allegedly *sui generis* nature of the EC/EU, on the one hand, and urgent need for comparative research, on the other hand: it was all about excessive amount of variables weakly supported by limited number of cases also known as "n=1 problem" (Lynggaard et al., 2015, p.4; Hix, 2005). Considerable amount of research was undertaken in the field of comparative analysis on EC/EU economic integration (especially European Steel and Coal Community phase) and Central American integration models (Schmitter, 1969, 1970), EEC and the United Arab Republic, the Federation of the West Indies, the Nordic Association (Etzioni, 1965, 2001), later with ASEAN (Welfens et al., 2006), the Americas, Africa, Asia-Pacific (Laursen, 2010) (see Saurugger, 2014, p.43; Lynggaard et al., 2015, pp.4-5). To comparative studies on EU treating her as an international organization scholars have returned only by the mid-2000s, since throughout the 1990es in the light of the Maastricht-bound growing expectations the Union was most frequently compared with nation-state systems (Lynggaard et al., 2015). European integration studies are considered to be an innovative and highly interdisciplinary research agenda (Telo, 2009, p.170; Murray in Rumford, 2009, p.241).

As for the external dimension of the EC/EU policies, both external dimension and internal-external linkage in the EC/EU policies have been largely ignored for many years prior to Maastricht (Telo in Telo & Ponjaert, 2013, p.4; see also Jorgensen et al., 2015). „It is because foreign policy is widely associated with nation states that the EU is overlooked as an international political actor by many who study international relations“ (Ginsberg, 2001, p.12). Some authors like Sjoestedt (1977)



argued that as early as in the 1960-1970es the EC could be referred as a „real“ actor that under certain conditions had real impact in the relations with other international actors. Galtung (1973) was even referring to the EC of the 1970es as an emerging superpower. Mally (1974) once forecasted that „united Europe“ would become central actor in international economic arena and the 3rd strongest military power in the world. As real studies in this field emerged in the 1980-1990es, they have constantly suffered from two problems that led to apparent underestimation of the EU as a regional and global actor, in principle: (1) state-centrism inherent in conventional IR approaches, and (2) over-accentuation of largely „high politics“-related (foreign ministries, military) component of external action, and in both cases the EU inevitably looks insufficiently satisfactory in traditional sense of the word (Bretherton & Vogler, 2006, p.26). Early research on the EU external activities fell on the period of the US-led unipolarity abounded with the portrayals of the EU as a *sui generis* „post-modern“ entity delivering peace and democratic values to the Westphalian non-EU world, within which concepts of federalism and of normative power<sup>199</sup> were under spotlight (Telo in Telo & Ponjaert, 2013). Throughout the early period of the EU’s getting on her feets as an international actor there have been also scholars who were arguing that the Union is not yet an actor at all (Bull, 1983; Hill, 1993; Zielonka, 1998). In the late 1990es and especially early 2000s IR’s traditional state-centrism<sup>200</sup>, focus on formal institutions and policy outcomes of the CFSP/CSDP have been in many ways surmounted<sup>201</sup> (Bretherton & Vogler, 2006, p.26), and DI is one of those freshly gazing approaches. Thus, what has, in fact, characterized EU external action and EU actorhood problem is permanent dancing between two maximalist viewpoints: EU as an unprecedented, almost „nonearthly“ power and state-centrism claiming that EU is not an actor at all.

Narrow definitions of European foreign policy do not match with the modern regionalization processes and Ginsberg (2001, pp.277-279) finds deep-rooted characterization of the EU as a „economic giant - political pygmy“ inappropriate. Smith (1998, pp.154-157) who represents institutionalist school reports that narrow definition of European foreign policy which ultimately cuts off all the EU-specific external action instruments (Smith, 2002, p.9), mentioned above, has been established at the level of the EU institutions themselves. This would be also confirmed by DI-

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<sup>199</sup> This and other most popular academic concepts of EU as a regional and international power will be addressed below in more detail.

<sup>200</sup> State-centric realist approach to the EU foreign policy perspectives coincides with the third category of scholars who deny the existence of the EU foreign policy, in principle, and think that it should not exist at all (White in Tonra & Christiansen, 2004, p.52). The other two views correspondingly support the ideas that the EU foreign policy exists as an integral part the TEU-based framework and that it does not yet exist (the Balkans are considered as evidence) but should be (White in Tonra & Christiansen, 2004, p.52).

<sup>201</sup> Ruggie (1993a) was among those who already in the early 1990es argued in favor of serious revision of traditional state-centric Westphalian-type definitions of diplomacy conditioned by the concept of territoriality.

based explanation which compared to other discourse analytical approaches can „connect the role of discourse [coordinative discourse on the European foreign policy at the EU level – *S.I.*] to specific institutional settings [EU institutions]“ (Crespy in Lynggaard et al., 2015, p.105; Rayroux in Carta & Morin, 2014, p.246). Today the Union possesses a large variety of external action instruments for undertaking collective action that influences global politics, Smith (2003, p.2) demonstrates, and this includes „promotion of regional cooperation, human rights, and democracy/good governance; conflict prevention and the fight against international crime“. Still many others are not satisfied with the prevalence of political and security aspects in EU foreign policy studies which do not comprehend a large variety of other fields like energy, environmental issues etc. (Smith, 2003; see Bretherton & Vogler, p.11). What is of special interest for the given Thesis is the role of the CSDP as a part of the CFSP and ultimately of the EU external action which itself is a part of the EU’s global role and actorhood. So, when one talks about the EU as a regional and global actor one cannot limit the analysis to the CSDP research only, but in order to understand what was the CSDP, what it is today, what it will be tomorrow and which role it plays within the EU-as-an-actor system one inevitably needs to address the question of actorhood and this is what is done in this sub-Chapter. A more exhaustive overview of the history and institutional framework of the CSDP and civilian CSDP, in particular, will be portrayed in the forthcoming Chapter, but this sub-Chapter will be a good starting point to establish linkage between the CSDP and the problem of the EU’s actorhood. In order to better understand the modern CFSP/CSDP and its real achievements it is very important to deeply feel the point from where the EU has started, to perceive what she was/ what she wanted to be, and this will help to understand what she is now and what the future perspectives are. In the aftermath of the 1950es failure with the European Defense Community and European Political Community and of Fouchet Plans of the 1960es, there were other attempts to revive the debate about possible political cooperation especially urged by J.Monnet’s Action Committee for the United States of Europe<sup>202</sup> as a part of its overall support for “*relance européenne*” (Smith, 2004; Lane & Ersson, 1996, p.68). What the Union initially had, could hardly be called a real system of political cooperation: it was totally outside the Treaty’s competence, lacked any legal framework except for the Hague Summit Communiqué’s text<sup>203</sup> or any intermediary plan; it had no definite

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<sup>202</sup> The former Prime Minister of the UK W.Churchill used this word combination in September 1946 in Zurich (Kaplan, 1984, p.55).

<sup>203</sup> The Hague Summit Declaration’s (1969) text, in fact, does not provide much information on the future political cooperation perspectives. Art.15 of the Declaration is the only pretext here: „They [EC Members’ Heads of State and Government] agreed to instruct the Ministers of Foreign Affairs to study the best way of achieving progress in the matter of political unification, within the context of enlargement. The Ministers would be expected to report before the end of July 1970“ (Hague Summit Declaration, 1969, art.15 in Hill & Smith, 2000).

institutional basis, no secretariat and no fixed place of meeting; its links with other EC institutions were inappreciable (Allen & Wallace in Allen et., 1982, p.21; Smith, 2004).

Institutional estrangement of the then European Political Cooperation (EPC) made it a clearly intergovernmental – *much more intergovernmental* with respect to the *participants* of this “club” as compared to today’s CFSP/CSDP – mechanism in the form of a forum of discussions on various aspects of foreign policy and security in connection to the current events in Europe and beyond. EPC, established in the 1970es, embodied European endeavors to institutionalize intergovernmental foreign policy cooperation through balancing between EU states’ fears about potential threat to national sovereignty and fears about risking Community institutions (Nuttall, 1992, pp.48-76). In other words, both “supranationalization” of the EPC and “intergovernmentalization” of painfully achieved Community mechanisms were unacceptable, and what in the result the EC had was *reductio ad absurdum* of the minimal agreement on further unclear political cooperation, and it naturally excluded security and defense components (Allen & Wallace in Allen et al., 1982, p.21; Smith, 2004). By the moment the Single European Act (SEA, 1986) granted the EPC with the full legal and institutional status within the EC, it has been already equipped with a sufficiently complex (if not very rational) set of working groups and procedures thank to Copenhagen (1973) and London (1981) Reports: in other words, the EPC was a full-speed preparation for future TEU arrangements that led to the CFSP (Bonvicini in Pijpers et al., 1988, p.52; Nuttall, 1992, p.17; Stewart, 2006). In the 1970-1980es the EPC represented a pan-European opportunity “develop a collective European position outside the Atlantic Alliance”; and the stronger the linkage between political (EPC) and economic (Community) policy was established, the more effective this position was put forward (Nuttall, 1992, p.57; Bonvicini in Pijpers et al., 1988, p.62). “Simply having a common position does not make an influential international actor”, therefore the EU has spent decades to create institutional framework (Brattberg, 2011).

Complexity of the Western ideational distinctiveness with regard to the post-Maastricht EU lies in the nature of emerging European security community as a part of it but also attaining some specifically European parameters. The Maastricht Treaty of 1992 has officially established the Common Foreign and Security Policy (CFSP) as well as has given the go-ahead to the consideration of or future perspectives for security and defense cooperation which was confirmed and strengthened in the Amsterdam Treaty of 1997. In Saint Malo 1998 the UK and France have announced their willingness to work on the elaboration of the future European Security and Defence Policy (ESDP) and Cologne as well as Helsinki summits have built up the basic institutional and legal framework for this Policy. After the failure of the Constitutional Treaty in 2005 the Lisbon

Treaty (2007) has revived hopes for maintenance of CSDP achievements and its very gradual but still preserved development.

During the pre-Cologne 1999 period of European debates on the future ESDP framework along with the possible absorption of the WEU<sup>204</sup> by the EU a lot of contentions were raised due to the creation of ESDP institutions with allegedly military connotation such as Military Committee (Hofmann, 2013, p.187). IR realists argue that it was namely distribution of military capabilities (“hard balancing” against the US) explains the ESDP’s creation which was most vividly evidenced in the trilateral approach of the EU military powers – UK, France and Germany – underlying the birth of the Policy (Hofmann, 2013, p.196; Schmidt, 1999).

IR realists suggest two visions of the ESDP’s establishment: the UK and France’s soft counter-balancing strategy vis-à-vis the US (Posen, 2004; Pape, 2005; Paul, 2005; Walt, 2005) and the EU’s desire to increase her influence within the Alliance (Art, 2006). Relatively stable political behavior and power of the US accompanied by the varying EU security cooperation developments do not bring enough evidence to the correctness of the first vision, whereas ESDP’s outside-NATO nature (as opposed to the ESDI) does not provide support for the second vision (Hofmann, 2013, pp.195-196). Constructivists explain the creation of the ESDP as the logical consequence of convergence of nation-states’ identities around the EU’s security and defense cooperation project (Merand & Angers in Genschel & Jachtenfuchs, 2014, p.61).

What Hoffmann (1966) called „constructive ambiguity“ as one of the key characteristics of the European integration as a „Sisyphus“– process accompanied by persistent ambiguity around the next enterprise that ends up with radical moment of lifting of this ambiguity facing with rather deadlock than resolution – was taken up by Howorth (2004a) in the analysis of the Saint Malo agreement of 1998 (Hoffmann, 1995, p.131; see Rayroux in Carta & Morin, 2014, p.244). „Constructive ambiguity“ has much in common with Wallace’s (1996) famous „disjointed incrementalism“ characteristic for the EU of the 1990es when the Union was switching from one half-commitment to another without much worrying about justifying her actions within a wider public (weak communicative discourse) (Hill in Petersen & Sjørusen, 1998, p.186). Howorth (2004, 2004a) was probably the first to apply DI to ESDP by scrutinizing the roles of the British, French and German<sup>205</sup> epistemic communities in the construction and communication of the ESDP discourse and archetype: while in France and Germany coordinative and communicative discourses

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<sup>204</sup> Hofmann (2013, p.188) here refers to one of his interviewees who identified this measure as not a merger or integration but putting “the WEU to sleep” or “*Dornroeschenschlaf*”.

<sup>205</sup> E.g., Hofmann (2013, pp.180-181) proposes an interesting analysis of the role played by the Christian-Democrat and Christian-Social Unions as prominent German political parties in the materialization of Saint Malo.

on the new EU Policy were sufficiently coherent, this was not the case in the UK having weak communicative discourse on the ESDP, and the latter is important for analyzing the establishment and development of the ESDP (Rayroux in Carta & Morin, 2014, p.247). Despite the initial constructive ambiguity, the ESDP was born (Rayroux in Carta & Morin, 2014, p.244).

Since the EC have been established together with them there were two diametrically opposite ideational frames that have constantly divided EC/EU member states not only with respect to political but also economic, social, justice and other spheres of cooperation from the outset: one of them required more integration on EU-level, the other more sovereignty left for EU nation-states. These ideational frames as well as their sub-types have been long studied by IR and EU scholars and nowadays they have been theorized into sufficiently conventional set of EU studies theories and concepts. Chrysochoou (2009) in his book covers a number of the most well-known intellectual tools EU integration theorists basically apply: functionalism, neo-functionalism, federalism, transactionalism, confederalism, international regimes theory, inter-dependence school as well as concordance systems theorists. Rosamond (2000 in Hoffmann, 2000) sheds light on intergovernmentalism, functionalism, transnationalism, neoinstitutionalism and others. Rosamond (2000 in Hoffmann, 2000) vividly shows that complex integration reality can barely fit theories made on its nature. Special attention here deserves the so-called „great debate“ between intergovernmentalism and neofunctionalism that dates back to Hoffmann’s (1966) criticism targeted at Haas’ (1958) neofunctionalism in the 1960es that led to Moravcsik’s (1998) „liberal intergovernmentalism“ (Rosamond in Lynggaard et al., 2015, pp.24-25).

Having played a paramount role in the establishment of EU studies as an integral part of IR Haas’ (1958) neofunctionalism, as mentioned above, represented an alternative approach to dominant IR realism with its power-centred logic by accentuating feasibility of creating of an international legal order, stressing regional character of institution-building and communication-based logic of political interactions (Rosamond in Boerzel, 2006, pp.23-24). Modern DI-based approaches with recourse to RI have borrowed a large variety of characteristics from neofunctionalist school. Regarding neofunctionalism applied to European integration, it represents an incrementalist, pragmatic, soft rational approach accentuating „spillover effect“ (integration in one area leading to „unintended“ integration in other fields) and „low politics“ (economy, trade, employment etc.) (Sweeney, 2005, p.156). Intergovernmentalists viewed EU integration from harder rational angles by emphasizing states’ privileges, cost-benefit consideration as well as cooperation instead of integration (Sweeney, 2005, p.156). Rosamond (in Lynggaard, 2015, p.25) refers to Wendt (1999) when shows that ultimately both approaches disagree only on „first order“ questions – variables, processes and hypothesised importance of actors/institutions in integration outcomes, but have

shared visions on „second order“ questions such as ontology, epistemology and methodology which make their conflict largely exaggerated. Following Smith (2004) it must be admitted that at a very early informal and germinal stage of the EC foreign policy cooperation application of both intergovernmentalist and neofunctionalist approaches of study was equally inappropriate, for almost until the very signing of the SEA in 1986 there was basically nothing really tangible to study in accordance with traditional instruments of European integration. The problem with the modern CFSP/CSDP is that traditional reliance upon „low politics“ and „high politics“ (diplomacy, security and defense) in the discussion of possible overcoming of nation-states‘ sovereignty is largely obsolete (Bickerton, 2012, p.28; see Hoffmann, 1995). Despite the strong involvement of national representation in decision-making as well as limited role of the Commission in the most sensitive questions CFSP/CSDP do not fit into classical bargain-based forum of nations (Dijkstra, 2008 in Bickerton, 2012, p.28) but they do not satisfy neofunctionalist pan-European claims (see e.g. Setter, 2004), and instead of being embodied by the originally forecasted „European army“<sup>206</sup> of federal EU state, ESDP is rather a „field“ „where hundreds of actors interact frequently, social practices are produced and power structures are reproduced“ (Merand, 2008, p.42; Bickerton, 2012, p.28).

CSDP cannot be separated from the general image and capabilities of the EU as a regional and global actor. This makes the discussion about EU’s actorhood unavoidable, for actorhood is the very capability of being an actor. Actorhood or actorship<sup>207</sup> can be defined as „general phenomenon of being able to act towards the outside world more or less effectively“ (Hettne in Telo, 2007, p.110). Scientific literature is quite rich various characterizations and categorizations of EU actorhood. Albert and Stetter (in Hellmann & Jorgensen, 2015, pp.90-92), for instance, placed actorhood problem within sociological institutionalist framework emphasizing specificity of modern actorhood inherent in collective actors and their interconnections with social interaction, and thereby they identified three new forms of actorhood: (1) EU’s-specific *sui generis* actorhood, (2) „world statehoods“ embodied by regional integration organizations, and (3) „deviant“ forms of actorhood represented by „rogue“ or „failed“ statestribal clans, terrorist networks etc.

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<sup>206</sup> The idea of a „European army“ has very old origins back to the Duke of Sully (1559-1641) who put forward a visionary idea of a whole-European army of 100000 infantrymen, 25000 cavalry, 120 cannon; the idea of corporate army for Europe was then revived in its certain version in May 1944 among some resistance leaders (Salmon & Shepherd, 2003, pp.19-20). The UK’s former Prime Minister Churchill’s speech in the Council of Europe celebrated the reation of the modern idea of European army then taken up by one of the EU fathers J.Monnet (Salmon & Shepherd, 2003, pp.20-21).

<sup>207</sup> Bretherton and Vogler (2006) use the term „actorness“.

It is proposed to take a look at the problem of the EU's regional and global actorness by applying the concept elaborated by Bretherton and Vogler (2006). Actorness<sup>208</sup> concept under scrutiny contains three key components which can be co-matched with the basic discursive-institutional notions: (1) *opportunity* (or *historical-institutional context*) which builds upon ideas and processes having constraining or enabling effect on actorness; (2) *presence* (underpinned by *foreground discursive abilities*) embodies the actor's ability to generate influence on other (regional and global) actors which comprises actor's identity, self-identity and often unintended consequences of the actor's internal policies; (3) *capability* (underpinned by *background discursive abilities*) represents internal dimension of the actor's external action which presupposes possession of relevant policy instruments and understandings for using these instruments (Bretherton & Vogler, 2006, p.22). The greatest advantage of this well-constructed scheme from the DI vantage point lies in its all-inclusive, systemic character which rests upon not only on the analysis of the general institutional context within which the actor exists and operates, but also shows internal and external dimension of actorhood closely and mutually interconnected. Now it seems reasonable to go through the listed three components of actorness co-matched with DI terms with respect to the EU.

The (1) opportunity component or historical-institutional context in DI terms have been under spotlight in the NATO-CSDP sub-Chapter and will be further addressed in the Chapter 2. The (3) capability component contains institutional and policy-making framework of the EU external action as well as the discursive-ideational framework that underlies this (in the given case CSDP) apparatus or, taken in general, all background set of material and non-material resources for undertaking external action, while (2) presence component represents not the potential ability (embodied by the capability component) but actual, foreground ability to generate influence through undertaken external action, i.e. all the actions, missions etc. generated by the EU, in the given case through the CSDP. Important to note that in the (3) capability component philosophical level of ideas lies at the heart of the framework, whereas in the (2) presence component – first and second level ideas are especially under focus, since according to the logic of the DI's author V.A.Schmidt (2008) 3rd level of ideas rather coincide with background discursive abilities as being relatively

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<sup>208</sup> It must be admitted that there is certain confusion with the terms „actorhood“ and „actorness“ in the works of various scholars. Bretherton and Vogler (2006) build up their concept under „actorness“ title, whereas Telo (2007), for instance, who shapes his regionalist version of capability of being an actor upon Bretherton and Vogler's model but in a slightly different manner: he uses the term „actorhood“ with regard to the whole concept, and „actorness“ as one of its three components representing dynamic external behavior (certain analogy to foreground discursive abilities). Thus, in each case one or another term will be addressed as it was originally used by corresponding scholar him/herself, while in the situations of misunderstanding clarification will be provided.

stable and out of open discussion, and the 1st and 2nd levels of ideas emblemize foreground discursive abilities being more adaptable and actively debated.

The (3) capability component (area of background discursive abilities) will be more profoundly reviewed in the Chapter 2 within the historical background and institutional overview of the CSDP. But as a part of the DI-based analysis it would be useful to briefly discuss the problem of strategic culture. Buzan and Waever (2003, p.44) once characterized the nascent European security community as “a sets of units whose major processes of securitisation, desecuritization, or both are so interlinked that their security problems cannot reasonably be analysed or resolved apart from one another”, and here strategic cultures of single EU Members are mutually constitutive. What means strategic culture in the EU/CSDP context? This is one of those widely studied academic terms (communicative discourse) that entered the EU coordinative discourse and was ultimately introduced in a highly strategic EU document ESS (2003) (Norheim-Martinsen in Schmidt & Zyla, 2013). The definition of strategic culture was formulated by Snyder (1977) in his report on the Soviet and US nuclear strategies as “the sum total of ideals, conditional emotional responses, and patterns of habitual behaviour that members of the national strategic community have acquired through instruction or imitation and share with each other with regard to strategy”. Gray (1999) prefers to refer strategic culture more broadly as “modes of thought and action with respect to [force – Toje, 2008, p.15], derived from perception of national historical experience, aspiration for self-characterization, and from state-distinctive experiences”. Having been the result of historical, geopolitical, ideational factors embodied in actor’s attitudes, behaviors and values strategic culture (Toje, 2008, p.15) is intimately connected to the „deep core“ ideational framework that one knows from DI. EU strategic culture „is based on a shared understanding of the values, ideas, and the interests of the member states, all reflected in specific policies and operations“ (Ginsberg & Penksa, 2012, p.235). This is in theory. Although the Union has not yet developed her own strategic culture in practice, „it is operating in the world of strategic actors“ (Ginsberg & Penksa, 2012, p.236). But for the development of common EU strategic culture simply being a sum of numerous strategic cultures of strategic actors is not enough: ever-growing convergence of those cultures is indispensable (Howorth, 2002; Matlary, 2006; Jonas & Von Ordanza, 2010 in Bendiek et al., 2011). What is even more important, strategic culture, as Toje (2008, pp.15-16) specifies, rests upon not only behavioral (actual policy conduct) and cultural (expressed/implicit ideas, values, norms)<sup>209</sup>, but on credible real-world *capabilities* of the actor possessing this culture as well.

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<sup>209</sup> Process and ideational set aspects inherent in strategic culture, if one remembers, can be traced in the DI approach as well: discursive interactions as a process of policy conduct by various actors and implicit (background) and expressed (foreground) ideas.



It seems reasonable to have a look at the problem of EU power concepts as an area of research that integrates both the internal capability and external presence of the Union. The connection between the presence component underpinned primarily by foreground discursive abilities and the capability component underpinned largely by background discursive abilities within Bretherton and Vogler's (2006) actorship concept, can be best analyzed upon the notion of *power* as a specific capability of the EU to pursue her goals in international politics (see Smith & Wolfish, 2001, p.6). One must also stress the word „specific“ because similar to the case with national power, the EU's power as a collective actor is not a power for its own sake, but it carries specific character, and various political scientists ascribe different characters to the EU's power. Scientific literature on EU's regional and global role today has a sufficiently well-developed set of basic concepts of EU power. The mainstream ones were originally produced with respect to nation-states, some others have been subsequently developed specifically within EU studies. Some scholars question the very appropriateness of addressing the term „power“ with regard to the EU, which is not referred as a power in the ESS too (Whitman, 2006). During the Cold War it was useless to apply the term with respect to the EC, and even today, as Biscop (in Merand et al., 2011, p.132) shows, implicit references to power, in turn, express rather a great desire than the reality of being a power. There is, nonetheless, general consensus that the modern EU is a novel kind of power in international relations (Whitman, 1998; Diez, 2013) generating ever-growing influence upon regional and global affairs (Elgstrom & Smith, 2006; Orbie, 2009): not a federal state but not a conventional international organization, rather „an institutionally sophisticated regional entity“ (Telo in Telo & Ponjaert, 2013, p.48). Academic literature is rich in power concepts: some of them are more controversial than the others, but in order to understand what key perceptions of the EU as an international actor stand on, there is urgent necessity to review first the most widely known ones of them: civilian, military, normative power concepts<sup>210</sup>. Alternative concepts of EU power will be simultaneously addressed within this review when appropriate.

Civilian power concept that emphasizes mostly civilian nature of the emerging EC/EU power was originally developed by Duchene in the 1970s who explained reasonableness with the post-WWII European peace and democratic values, growing interdependence on global scale, the lack of consensus on any military integration and availability of a chance to demonstrate a really modern civilian type of communication to other global actors (Duchene, 1972, 1973 in Stivachtis, 2007, p.42). Duchene did not believe in a greater future role of the EC marked by development of her collective nuclear power (Juncos, 2005). As opposed to Duchene who never described civilian

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<sup>210</sup> As it will clear below, addressing them namely in the given sequence was not a random choice: they have been emerging in evolutionary manner, very often grounding their arguments upon the criticism of their forerunners.

power precisely (Tuominen in Boening et al., 2013, p.202), subsequent adherents<sup>211</sup> of this approach specified that in order to be a „civilian power“ an actor<sup>212</sup> must refrain from using military instruments („instruments used“) and rely on economic power<sup>213</sup> in its internal and external relations, apply diplomatic tools in solving international conflicts<sup>214</sup>, and rely on states‘ preparedness to delegate certain part of national sovereignty to supranational institutions for achieving common progress („ends pursued“) (Juncos, 2005; Twitchett, 1976, pp.1-2; Maull, 1990<sup>215</sup>; Stivachtis, 2007, p.42). This approach has had an immense impact on both academic and policy-making circles in the sense of delineating certain frames for possible EC/EU external action, especially controversial in the times of the Balkan crisis (Juncos, 2005). Among other more or less adjacent concepts/terms of the EU power one might mention transformative power for exporting EU model, „Candide“ Europe (Telo, 2006), tranquil power („puissance tranquille“) not willing to project the power, „world’s Scandinavia“ (Therborn in Telo, 2014) and normative power (Biscop, 2005 in Biscop & Coelmont, 2012) which will be described below.

Another well-known concept - „soft power“ - elaborated by Nye (1990, 2004; Keohane & Nye, 2011) with respect to the US rests upon achieving foreign policy goals through attraction, agenda-setting and attractiveness as opposed to „hard power“ which relies on military means, and Schwok (in Telo, 2013, p.97) recommends to treat this approach very cautiously with regard to the EU, better exercising it on some EU external policies and influences and avoiding its use as a distinctive approach expressing general image of the EU as a power.

An alternative viewpoint on the EC/EU’s future actorship was proposed by Bull (1982) who did not seem happy with civilian capabilities only which, according to him, were ineffective alone: defense and security of Europe would be based on the availability of nuclear deterrent forces, improved conventional forces, more active West Germany and France, the UK’s improved approach, careful coexistence with the USSR and the US (Bull, 1982). It is easy to identify that the reason for „military power Europe“ approach’s special popularity namely since the 1980es coincides with the general conceptual growth of realist approaches (Tuominen in Boening et al., 2013, p.202), as

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<sup>211</sup> Tuominen (in Boening et al., 2013, p.202) reports about three waves - in the 1970es, 1980es, 1990es - in the evolution of the civilian power Europe concept as the result of which it became overgrown with various versions.

<sup>212</sup> Naturally, first civilian power concepts were dedicated primarily to traditional international actors – states, e.g. Maull (1990) were writing about Germany and Japan.

<sup>213</sup> Especially applicable for the EU due the lack of real military capabilities (Schwok in Telo, 2013, p.97).

<sup>214</sup> This category of tools also includes certain degree of well-grounded coercion – e.g. economic and trade sanctions (Telo in Telo & Ponjaert, 2013, p.51).

<sup>215</sup> Maull’s (1990) definition of „civilian power is sometimes considered interlinked with Feuer’s (1986 in Behr & Stivachtis, 2016) „progressive imperialism“ (see Behr & Stivachtis, 2016).

described above in the first sub-Chapter. The second great wave of military power Europe concept, also easily recognizable, fell on the post-1999 ESDP-related developments. Despite all the deficiencies Bull's approach has generated great impact on subsequent scholars such as Buzan and Harvard's International Security review, and thereby contributed to the progressive expansion of the European IR research in the inbetween of IR neorealism and post-modern theories (Telo, 2009, p.93).

If one puts together the above-mentioned conditions and Bull's (1982) conviction that „Europe is not an actor in international affairs, and does not seem likely to become one“, then one can conclude that similar to Duchene's civilian power Europe concept military concept's early versions both have been rather oriented at state-centric considerations of Europe being imagined most likely as the sum of member states than a really EC-level cooperation which cannot be confined to a simple sum of states. The institution phenomenon within the DI approach is a vibrant organism that is being constructed by actors but also itself has constitutive influence upon them. In fact, treating Europe in the way Duchene's and Bull's original concepts did it was quite understandable for that period (1970-1980es) of the EC development. As soon as the CFSP and later ESDP came into being, more and more academic research has been refocused on the EU as ever-developing collective actor distinct from simple sum of national foreign and security policies.

Different national perceptions of core CFSP/CSDP concepts such as „autonomy“, „Petersberg tasks“ and „effective multilateralism“ identified in the research by Rayroux (in Carta & Morin, 2014) are part of thought-provoking material for analyzing both the characteristics and roles of EU states as sentient agents and the outcomes of their joint action within the CFSP/CSDP of the Union as a collective actor and a unifying institution in one entity. Here, in the military power Europe concept's context, it makes sense to have a look at discursive struggles around the famous notion of „pan-European army“ as a part EU as a military power debate. The very fact of introducing the military component into the ESDP framework as an integral „last resort“<sup>216</sup> part of the Policy framework has forced EU top representatives Solana, Prodi and Patten to constantly reject all accusations regarding EU's alleged intentions to create her own army (Gariup, 2009, p.166). Basically, discursive struggles over „army“ notion basically involve establishment of parallels between conventional national armies and CSDP's military component which certainly plays an important role in shaping international prestige of the Union as a regional and global actor in realist terms, while obvious ambiguity in the definitions of force that may also include police/judicial enforcement staff considerably limits the applicability of IR realism (Gariup, 2009, pp.165-167). As it was shown in the previous sub-Chapter, the EU, despite all discursive controversies, does not

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<sup>216</sup> Yet, not properly clarified in the European Security Strategy (ESS) of 2003, for instance (Gariup, 2009, p.166).

possess her own military forces today: CSDP military operations are organized by mobilizing *multi-national forces on ad hoc basis* (Gariup, 2009, p.208). Today in 2015 the reality of the EU/CSDP's capability and resources arsenal conditional upon political willingness of the member states as well as the global political (global powers like the US, China etc.) and economic (economic crisis) context does not allow the Union to be/become a military actor: Telo (in Telo & Ponjaert, 2013, pp.48-49) instead mentions „a very partial military actor“ characterization which involves limited focus on Petersberg tasks, high degree of dependence on NATO and the US, strong reliance on the UN and very weak record of the CSDP military missions in military terms (rather backing for EU civilian staffs).

Clearly civilian approaches seem to reject the idea of backing of force and willingness to use it which is dangerous in the modern world based on „the law of the jungle“ (Cooper, 2000); yet, as it will be apparent below (especially see the Afghan case in the Chapter 3), the backing of military force proved to be vital in those regions which represent a hotspot at the time of the operation of relevant CSDP missions. and in the first instance for providing basic security of civilian personnel. During the Seville European Council one of issues discussed regarding the use of civilian ESDP capabilities was the identification of proper military capabilities required to protect deployed forces for EU-led crisis management operations/missions against terror attacks (Burgess & Spence in Bailes & Frommelt, 2004, p.96). The second vital issue was contemplation about the use of military or civilian EU capabilities with the purpose of providing protection to civilian populations against terrorist threats/attacks (Burgess & Spence in Bailes & Frommelt, 2004, p.96). The very original idea to create both civilian and military components of the ESDP lied not only on the use of those instruments separately, but, as it was described in one of the previous sub-Chapters, to ensure their mutual coordination and future integration.

As it frequently happens, civilian and military power Europe approaches could not float in the air without decent competitors for a long time: time requires a „softer“ Europe too (Tuominen in Boeing et al., 2013, p.203). Manners (2002, in Sjurssen, 2005) worked out<sup>217</sup> the classic version of normative power<sup>218</sup> following original ideas of Rosecrance (1998) who expressed his amazement with the fact that the European continent<sup>219</sup> having been rested upon military physical power for

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<sup>217</sup> He „deepened“ the concept, Schwok (in Telo, 2013, p.97) specifies.

<sup>218</sup> In fact, Stivachtis (2007) remind that original thoughts on normative power have older roots: Carr (1962) mentioned in the second edition of his classic book of 1939 economic power, military power and *power over opinion*. Duchene (1973) referred to the EC as an „idee force“ and Galtung (1973) was pointing out ideological power („power of ideas“).

<sup>219</sup> Diez (2005), yet, demonstrated that the EU direction in normative power studies are no way the earliest ones, since originally it has been actively tested upon the US foreign policy.

many centuries at the end of the XX century seemed to switch to normative methods of influencing the world issues. Being interested rather in ideational impact of the EU rather than in civilian or military aspects of the shaping CFSP/ESDP, Manners (2002) found that those two cannot properly address the post-Cold War realities and saw the future of Europe in the strategy of spreading „normal“ (liberal<sup>220</sup>) values of peace, liberty, human rights, rule of law and democracy<sup>221</sup> through norm diffusion mechanisms, as stipulated in the Lisbon Treaty (2007) (see Whitman, 2013; Stivachtis, 2007; Diez & Manners in Berenskoetter & Williams, 2007; Bjoerkdahl et al., 2015). In this respect normative power concept stands very close to the notions of „ideational“ and „civilizing“ power proposed by constructivists<sup>222</sup> (Manners, 2002; see Lenz, 2013). Other adjacent definitions include „model power Europe“ (Zielonka, 2008) and „ethical power Europe“ (Nunes, 2011). Normative power Europe and similar concepts favorably reflect the official EU positions baptizing the Union „a value-driven global actor“ (Murray in Bindi & Angelescu, 2012, p.275). Wagner (in Sjursen, 2005) shows that the very Europeanization of national defense policies undermines „civilian power“ Europe concept. Maull (1990), yet, argues that civilian power is the one „whose conception of its foreign policy role and behavior is bound to particular aims, values, principles, as well as forms of influence and instruments of power in the name of a civilization of international relations“ (Maull, 1990), so, ideational aspects are shared by both approaches<sup>223</sup>. The distinction of normative power Europe (also referred as NPE) concept compared to civilian power approach lies in the former's main idea of ideational *projection* or *diffusion* of the internal constitution to the external world (Rosamond in Carta & Morin, 2014, pp.227-228).

Regarding possible dialogue between the above-listed approaches, Youngs (2004) points out the importance of joint application of rationalist and constructivist approaches due to the mutually penetrating character of both interests and norms (on this last problem see Blyth, 2003; Dodier, 1993; Laffey & Weldes, 1997; Hay in Beland & Cox, 2011). As it was said in the opening sub-

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<sup>220</sup> On liberal nature of normative power argumentation see also Ferrera (2009), Schimmelfennig (2001), Garton Ash (1998), Magnette (2009).

<sup>221</sup> As well as 4 minor principles: social solidarity, good governance, non-discrimination/equality and sustainable development (Manners, 2002).

<sup>222</sup> Last developments in ever-expanding research on DI being applied to the EU foreign policy and actorship lead to the availability of serious literature which was unimaginable just few years ago. Within the current discussion of EU power concepts it would be simply unprudent not to mention Rosamond's (in Carta & Morin, 2014) chapter on the linkage between the EU's normative power and DI-based approaches. Due to specificity of liberalist analysis characteristic for this article closer review of this material does not appear appropriate in the given sub-Chapter.

<sup>223</sup> More on the comparisons of civilian, normative and military concepts see Stivachtis (2007).

Chapter, DI takes into account this and many other aspects which make closer dialogue between all of the NIs vital.

Real state-of-the-art marked by institutional complexity of the EU as a set of numerous strategic state actors, all operating within a complex national, intergovernmental, supranational and global political contexts only roughly allows for very generalized and simplified definitions and explanations of the nature of the EU's actorhood. A large number of objective and subjective, internal and external factors have not yet allowed the EU to be a fully-fledged strategic actor<sup>224</sup> or to become one in the foreseeable future (Biscop & Coelmont, 2012), which gave a reason to Telo (in Telo & Ponjaert, 2013, p.49) to address the Union as „a fragmented actor“ with ever-remaining need for better coordination between supranational and intergovernmental levels of policy-making. Telo (in Telo & Ponjaert, 2013, p.50) provides further HI-based explanations for the objective difficulties the EU is confronted with by showing „path-dependence“ traps EU states suffer from due to being defeated both in the WWII and colonial wars. Sir Michael Howard (1990 in Howorth, 2004) once noted about the Cold War ideas: „We became so accustomed to the prison that history had built for us that, like recidivists or long-term hospital patients, we became almost incapable of visualising any other kind of existence. No other world, it seemed, could exist“. Yet, despite all the difficulties events and processes that took place in the world and in Europe, in particular, in response to the new post-Cold War realities have demonstrated that the new ideas and discourses, new institutional and policy-making designs, new type of international communication is to emerge: if one remembers how the 2055 world has changed after Bradbury's Eckels randomly stepped on a butterfly, then it is not so difficult to realize how world has become different after ideological-political system of the half of it once simply dissapeared. The very creation of the CFSP/CSDP despite all the failures to establish proper political and security cooperation just few decades before 1999 presents evidence that HI can explain why it had not worked before but is largely silent when it is needed to explain when it worked leading to such a brilliant structural change. In the light of further developments and the most recent Libyan case and the current migrant crisis historical „path-dependencies“ seem to explain certain part of the CSDP's modern picture, and probably has to be taken into account by DI analysts.

Clear difference between being a security actor and showing actual presence in global security matters is also highlighted by Smith (2005) albeit from to certain extent different perspective, who argues that at the moment there is an urgent need for looking what the Union practically does to contribute to global security and not only for her regional charisma in the near neighbourhood. As

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<sup>224</sup> See also a fresh book by Koops and Macaj (2015) about difficulties upon the road to becoming a fully-fledged diplomatic actor.

for the regional charisma, many interlocutors do not regard the Union as an effective regional actor not only due to remaining lack of horizontal and vertical coherence within the EU and proper coordination between internal and external EU policies as well as insufficient interregional cooperation between the EU and other regional actors in Asia, Latin America etc., lack of sufficient involvement of non-state actors (bottom-up discursive interaction), but also due to inconsistency between global (sometimes state-like) ambitions and regional nature of the EU polity (Murray in Bindi & Angelescu, 2012, p.275; Telo in Telo & Ponjaert, 2013, pp.50-51). Practice shows that the areas where the Union could and can best demonstrate herself as a decent regional actor traditionally were and are the so-called „low politics“ areas of finance, trade, the environment and development, in other words, external continuation of internal policies (Farrell, 2005; Zaru & Geurts in Wouters et al., 2012, p.53; Telo in Telo & Ponjaert, 2013, p.51).

Finally, as a part of the presence component of the EU external action within the modern multilateral world it is time to address the concept of relational (diplomatic actorness included) and structural foreign policy and the role of the CSDP within these foreign policy frameworks. EU's peculiar nature and exceptional model of integration coupled with the values of human rights, democracy, rule of law have equipped the Union with a very special instrument for „structural transformation of the international context as well as leverage over other political entities“ (Labastida in Mahncke et al., 2004, p.365). In the late 1990s Keukeleire (1998 in Mahncke et al., 2004, p.366, 2003, 2004) developed the concept of structural foreign policy with respect to the EU. Keukeleire and Delreux (2014) rely in their arguments on the idea that the EU foreign policy pursues not only *relational* component of shaping/managing her the Union's relations with other actors, but also have a higher-level ambition of influencing *structures* that determine the ways other actors behave. This aspect makes structural foreign policy debate very special for the DI in terms of placing *structural change* phenomenon within the EU external action of which the CSDP is also a part. If the more straight-forward relational foreign policy „seeks to influence the attitude and behaviour of other actors as well as the relations with and between other actors“, then structural foreign policy is a more indirect but long-term foreign policy aimed „at sustainably influencing or shaping political, legal, economic, social, security or other structures in a given space“ (Keukeleire, 2003; Keukeleire & Delreux, 2014, pp.27-28).

In the first sub-Chapter it was said that thinking and speaking agents can not only maintain but also change institutions (or start using them differently than intended before) at the level of the mobilization of foreground discursive abilities through a collective action (doing actors). Deliberative mechanism of discourse operates at two levels: regular level of daily communication about institutions (maintaining institutions) and meta-level of critical communication about

institution as a basis for further reform arrangements (changing institutions) (Schmidt, 2008). Thus, these two levels/modes of deliberative mechanism's operation can basically express the key difference between relational and structural foreign policies. Keukeleire and Delreux (2014, p.27) argue that relational foreign policy tools vary upon the context of their use, and conflicts and crises are central to its area of operation. Keukeleire and Delreux (2014) show that regular unilateral, bilateral and multilateral communication between various actors rests upon diplomatic tools of negotiation, discussion and mediation (see Littlejohn & Foss, 2009, p.733), economic-financial instruments of support, reward and sanctions (e.g. Sebastian-Aparicio, 2014, p.28), as well as civilian and military crisis management tools addressed in the given Thesis. Thus, by the EU's CSDP example one can easily see how relational foreign policy *normally* works in the context of a conflict situation outside the Union, if not as a traditional foreign policy, then upon a complex supranational-intergovernmental format. What structural foreign policy<sup>225</sup> offers is *a more advanced*, long-term and even more effective type of modern foreign policy able to promote structural changes and reforms (in the form of incremental change as opposed to radical change, both addresses by DI), deal with structural problems and maintain existing structures (Keukeleire & Delreux, 2014, p.28). Structural crisis management by means of the wide range of civilian and military instruments of the CSDP cannot be undertaken without conducting general structural foreign policy which incorporates all EU external action instruments and mechanisms (Keukeleire & Raube in Bindi & Angelescu, 2012). Structural crisis management capabilities under the CSDP which require improved horizontal, vertical, institutional and civilian-military consistency and coherence within this Policy form an integral part of the EU's structural foreign policy based on consistency and coherence between the internal and external policies, sustainability and long-term approach, democratic values supported by constant dialogue and social learning with other actors, advanced involvement of various domestic actors and external partners as well as better multilevel governance (solidarism, multilateralism and partnership) (Keukeleire & Raube in Bindi & Angelescu, 2012; Telo in Telo & Ponjaert, 2013; Lucarelli & Manners, 2006, pp.206-207).

DI-based examination requires that not only coordinative discourse that underpins EU external action and the CSDP as a part of it is reviewed, but also communicative discourse and the balance between the two are to be analyzed. As it has already been and will be further emphasized, the CSDP does not count as an area sufficiently transparent and publicly legitimate as supranational

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<sup>225</sup> The initial idea behind the concept lies in Waltz's „structure“ within global politics reworked by Gilpin (1981), Keohane (1984) and others (Neack in Hook & Jones, 2012; Terhalle, 2015; Wendt, 1999; Telo in Telo & Ponjaert, 2013) which brought about the „structural power“ concept on multilateral institutionalized cooperation even in the absence of global hegemonic power (Strange, 1994; Guzzini, 1993; Holsti, 2009).



policies of the EU, and when one says that one of the long-term problematic areas for the EU is legitimacy and transparency, the CSDP is probably heading the list of policies with almost atrophied communicative discourse<sup>226</sup>. Yet, the problem of insufficient public legitimacy and mutual dialogue between the EU and EU public is no way confined to the CSDP area that represents clearly „high politics“ sphere, and, in general, is not so accessible for wider public also in nation-states (Chaban et al. In Bjoerkdahl et al., 2015, p.62). It was, for instance, observed that certain forms of public influence<sup>227</sup> on the EU policy-making such as political protest plays a much smaller role at the EU level than at the member states level (Imig & Tarrow, 2001). Princen and Rhinhard (2006) go further questioning the existence of the EU „public sphere“ that conditions the existence of an EU public agenda. Regular surveys conducted by the Commission’s Eurobarometer indicate high rates of public support for the ESDP/CSDP, but as Brummer (2007) argues, they do not provide an objective portrayal of the public opinion, since no one can speak of a single EU public support for this Policy, global focus of the Policy does not rank very high on EU priorities agenda, and the Policy’s military component goes against perceptions of legitimacy of the most of the publics. Brummer (2007) is convinced that these aspects will inevitably influence the future evolution of the Policy, and he recommends policy-makers to be more active in mobilizing more public attention to the advantages of the ESDP/CSDP.

Sojka and Velasquez (in Boening et al., 2013, pp.61-62) present thought-provoking statistics produced by IntUne (2009) on the differences between the public<sup>228</sup> and elite perceptions on various aspects of the EU foreign policy: although EU elites (with some problems in the UK<sup>229</sup>) strongly support single EU foreign policy in the future, only in Spain and Portugal public support reaches 50% and in other EU states (even older ones) accounts for approx. 30%. Regarding the above-mentioned „pan-European army“ concept, interestingly, in the new EU states‘ elite and public opinion together generally favors the combination of National and European armies (ca.45%) than one of them, whereas in the old EU states inclination in their elites and publics toward having only a Euroarmy is detected as being more comparable with the one toward the combined armies (IntUne, 2009 in Sojka & Velasquez, Boening et al., 2013, p.64). Although general trend in elite and public attitudes in various EU member states toward perspectives of the EU to become a

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<sup>226</sup> See e.g. Keohane et al. (2009).

<sup>227</sup> The role of the European Parliament (EP) as an EU institution representing the EU citizens will be portrayed in the Chapter 2.

<sup>228</sup> Ever-growing amount of academic literature of the external public perceptions of the EU as an actor in global politics signalizes about positive trends in expanded scope of research dedicated to the public knowledge of the EU not only within her borders but also beyond (see Lucarelli & Fioramonti, 2010; Jorgensen et al., 2015).

<sup>229</sup> See e.g. Gifford (2008).

stronger international actor appears to be rather positive and supportive, there are country-driven heterogeneity with less apparent support by EU citizens compared to elites (Sojka & Velaquez in Boening et al., 2013).

Serrano's findings (2013) on the long-term impact of European public and mass media on CSDP have offered very interesting and useful amount of information for analyzing EU communicative discourse. Having arrived at the conclusion that the famous Almond-Lippmann consensus "which suggested that mass attitudes towards foreign policy were inconstant, irrational, and ill-considered" (Drezner, 2008) does not work out in the EU case as it was in the US case (for the reason that they proved to be more structured and consistent than was thought before), Serrano (2013), however, reports that in Europe public impact upon EU policies is not so direct as it is in the US (also because they are less visible than the American ones). Serrano (2013) observed parallels between public opinions and respective governmental positions with regard to civil-military aspects of the EU involvement: reflecting some aspects mentioned with regard to "transatlanticism" and "Europeanism", France as being officially supportive of the CSDP found the reflection of this position in the French public and has been active in military, civilian and mixed EU missions; the UK's US-oriented policy found its way into the Euroscepticism on the one hand and US-based approach toward crisis management methods; Germany's historically entrenched aptitude for civilian crisis resolution overlaps with the German public propensities which is also reflected in strong support for civilian CSDP.

Today the EU as a largest trading bloc with over 490 million population represents one of the central economic powers on global scale (Andersson & Biscop in Biscop & Andersson, 2008, p.166). The Union's global economic and social contribution includes 1/5 of the world trade in goods, over half of global development aid and the 2nd largest role in providing humanitarian aid (Keukeleire & Delreux, 2014, p.3). As an international political and diplomatic actor the EU has diplomatic delegations in over 130 countries, deployed approx. 30 CSDP missions since 2003, established cooperation with leading international organizations such as NATO, UN and African regional organizations (Keukeleire & Delreux, 2014, p.3). However, current global economic and financial crisis especially palpable on the European continent has like never before disclosed profound differences in national prioritizations in addressing security problems. But namely these factors coupled with the extreme complexity of modern security challenges as well as the redirection of the US strategic interests towards Asia and the Pacific away from Europe in the last decade all make ever-deepening cooperation of the EU states in the fields of security and defense absolutely essential in the long-term. Wide-spread accusations targeted at the EU's lame reaction at the recent Arab spring chaos followed by obvious gaps of the European policy towards Russia in

the light of the ongoing Ukrainian crisis<sup>230</sup>, last but not least, deep divisions within the EU in the light of the current migrant crisis cannot be overcome with the steady reluctance of many EU states to delegate more competences to the Union's common CFSP and CSDP and/or persisting tendency to place more trust in bilateral format of security cooperation as in the case of the 2010 UK-French defense cooperation treaty (Biehl et al., 2013, p.7).

Christiansen (in Biondi et al., 2012, p.246) does not seem very optimistic about overcoming deep-seated divisions within the Union even if institutional framework of the EU becomes more effective, and recommends to refocus from the desire to build up a comprehensively elaborated European collective identity to the creation of „analytical and policy-planning capacities“ at the specific EU level that visibly transcends national foreign policy capacities and enrich their collective potential. Similarly Wouters and Ramopoulos (in Rossi et al., 2014, p.216, 2013) advice to take lessons from the fate of the Constitutional Treaty and to take further advantage from the existing constitutional framework of the EU external action and its strong potential of „non-negligible improvements“ than to think of the total recarving of it for the sake of uncertain results that can hardly be argumentative against the overall resistance.

After the Bosnian and Kosovo wars the Union could restore her leading role in nation-building, the revival of civil society and the facilitation of economic security, although ever-observed expansion of drug trafficking and social, economic and political instability in the Balkans (including e.g. the assassination of the Serbian Prime Minister Djindjic in 2003) testify a rather inconclusive success (Marsh & Mackenstein, 2005). The unilateral policies pursued by member states along with many actors' preference of the involvement of the UN, NATO and the Contact Group have demonstrated the Community's limitations “as a civilian power and as a collective entity” (Marsh & Mackenstein, 2005). “At the same time, Washington is increasingly bent on stepping back from its Cold War commitment to European security. In a famous address in Brussels, US Secretary of Defence, Robert Gates lamented the European allies' poor defence spending and military capabilities, cautioning against a "dim, if not dismal future for the transatlantic alliance" (Brattberg, 2011). After many years since Hill (in Tassinari & Friis, 2015) first wrote on “capability-expectations gap” this problem still chases the Union never allowing her for acquiring desired global reach, and even the idea of creating a famous single telephone number of the EU<sup>231</sup> has always been replaced with redirection of calls to Washington (Tassinari & Friis, 2015). The financial and economic crisis experienced in Europe and far beyond its territories in combination with the symptoms of

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<sup>230</sup> The crisis in the Ukraine has prompted Brattberg (2011) among some other scholars to raise a question of a potential need for a new EU security strategy.

<sup>231</sup> „Who do I call if I want to speak to Europe?“ (Kissinger in Austermann, 2014, p.1).

Eurosceptic mood inherent in the governments and/or public of some EU member states, e.g. the UK, must not distract the Union from consciously evaluating the real state-of-the-art in world politics characterized by the shift of strategic interest of main global actors towards the East-Asian region and the Pacific (Helwig et al., 2013). Moreover, this will turn out a decisive factor encouraging Europe to address the current developments in the Arab world, Iran, Caucasus and other regions closely related to the European continent in a more independent and determined manner even in the face of eurozone crisis (Keohane, 2013). Irrespective of this support, as Keohane (2013) summarizes, there are and are still expected to sustain deep strategic divisions among various EU members and even among the top three, where Germany remains quite reluctant to refer to military force, the UK hesitates to use the CSDP mechanism and France is somewhere inbetween.

When describing the abiding problems of the CSDP in the policy's first ten years Menon (2011) named two trouble spots - coherence and capabilities, two troubles still typical for the CSDP. The EU's crisis in Libya, if one may call it this way, has clearly demonstrated that the Union needs better competence allocation (1) between the EEAS and the rest of EU institutions, (2) between Brussels and the national capitals, (3) a more common strategic direction, more specifically, stronger linkages between neighbourhood policy and the general foreign policy objectives in order to prove more rapid, effective and efficient in her response to the future crises on her doorsteps and beyond (Brattberg, 2011; Wouters & Ramopoulos in Rossi & Casolari, 2014; Christiansen in Biondi et al., 2012). Wouters and Ramopoulos (in Rossi et al., 2014, p.217) confirm that the drafter of the Lisbon Treaty could not overcome "the legal and procedural duality between the CFSP" together with the CSDP and "the other external policies and internal policies with an external dimension". „What seems to be emerging is a consensus-based system, more effective at stalling decisions rather than facilitating them, and at encouraging deferral and (unavoidably small-scale) compromise solutions, rather than ensuring promptness of action and the prevalence of European interests“ (Tosato, 2009). Younger generations who did not experience the immediate post-WWII period seem to be less ambitious in developing the EU foreign policy than their grandfathers used to be about the EC's future single market (Jabko & Parsons, 2005, p.2).

Global political processes which made the US turn its face to the Asia and the Pacific where China is perceived the only global competitor to the American power, Washington expects the EU to more actively provide security, stability and prosperity to her broad neighborhood (see Lesage & Van de Graaf, 2015). The EU has tended to do best in terms of her foreign policy when it had a comparative advantage as opposed to other actors (Labastida in Mahncke et al., 2004, p.365; see also Ginsberg, 2001, p.3). Special focus on the EU's neighborhood including the Balkans, the North African part of Mediterranean and Eastern Europe is explicitly accentuated in the ESS which

confirms the need to „promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean“. Howorth (2013<sup>232</sup>) sees the future of effective CSDP-based common action in focusing on the regions located in the direct neighborhood of the EU. Le Touquet Declaration signed by J.Chirac and T.Blair in 2003 clearly says that namely neighbourhood regions, such as the Balkans must be under special focus of the CSDP activities, in the first instance, “where Europe speaks with a single voice, where it already plays a crucial political and financial role and where its interests and values are clearly at stake”. The common principle of close attention and further specialization basically applies to the other neighbouring regions sharing borders with the EU.

The next Chapter will be concerned with the issue of the general background of the CSDP as an integral part of the CFSP, its institutional portray, set of instruments and policy-making mechanisms. Various aspects highlighted in the Chapter will under theoretical spotlight of the DI approach.

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<sup>232</sup> Personal communication, see the List of Literature.

## CHAPTER 2

### A Long Story of a Young CSDP: European “*puissance*” in Practice

*"A journey from war to sustainable peace is not possible in the absence of stronger civilian capacity (...) Without this capacity, there may be breaks in the fighting, but resilient institutions will not take root and the risk of renewed violence will remain."*  
(Jean-Marie Guéhenno<sup>233</sup>)

#### 2.1. The First Steps. 1970-1989: Toward the End of the Bipolar System

Since the ESDP/CSDP became fully operational in deed in early 2003 the EU conducted/-s 32 civilian and military crisis management missions in various parts of the globe<sup>234</sup> (EEAS, 2015). The nature of dealing with the “second pillar” of the EU or the CFSP and CSDP mostly from the political viewpoint rather than by using legal approaches analyzing precise competences of the EU institutions involved was interpreted by Jürgens (1995, p.33) as the prevailing perception of this field of activity as a special form of cooperation standing “between law and politics”.

Despite great attention attached to namely “military muscles” of the Community both by political and academic circles, “it is a serious mistake to see this as the most important component of ESDP” (Howorth, 2007, p.93), especially after the US’ experiences in Afghanistan and Iraq, and even already in Kosovo which have shown that in case even such a really global actor applies military power *only* he will be back to square one (Howorth, 2007, p.93; Berndt, 2007, p.14). As Siedschlag (2006) once suggested, “military is rather part of the problem than of the solution”. In light of immense transformations caused by technical development, growing interdependence between all fields within and between states, emergence of non-state actors, spread of universal values and overall modernization of social structure emanating from all this urge states to introduce a wide range of flexible instruments non-military crisis management (police forces, judges, civil administrators, lawyers, penitentiary officers, disaster relief agents, demobilization specialists etc.)

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<sup>233</sup> The former UN Under-Secretary General for Peacekeeping Operations; epigraph was borrowed from OPEN (2011).

<sup>234</sup> 16 military and civilian missions and operations *ongoing*, 16 military and civilian missions and operations *completed* (March 2015 - EEAS, 2015). EU CSDP has not been involved in the Americas and Asia with neither its civilian nor military missions, the only exception is Aceh monitoring mission implemented also for the elimination of the tragical consequences of the 2004 Asian tsunami (Bjurner in Wallensteen & Bjurner, 2015, pp.95-96).

into their security strategies and set them in motion *along* and *in tune with* all purely military operations conducted in uneasy regions (Tuomioja, 2001 cite in Herd & Huru, 2001).

As noted above, in contrast to a good deal of attention drawn to military component of the CSDP, “this policy area’s most serious challenge” (Marquina, 2005 cited in Howorth, 2007, p.125), i.e. the civilian aspects of EU crisis management capabilities have been neglected within the scholarship for many years, except for probably Duke (2002). Lately the number of academic publications rich in content has undoubtedly risen, albeit remaining still left behind by “*art de la guerre*” of the Union.

Now it is time to look at the historical background of the CDSP machine. Although the actual institutional-legal establishment of the policy only has started only by the late 1990s, there has been a long way gone through in order to make it finally happen.

The contemporary European peace and relative stability has undergone an extremely long way from centuries of exhaustive wars, mutual attrition and unimaginable today hostility to a massive Project of a peaceful and unified Europe launched in 1950s (Radtke in Laursen, 2012, p.41). This Project that has been started with manifestly economic cooperation was then successfully extrapolated on other fields of public management and still needs to be consciously developed further. Piecemeal and progressive extension of peaceful cooperation among the Community members has led to a situation when the original objective of peacekeeping and sustainable conciliation on the continent has been gradually renewed and transformed into the EU’s far-reaching advancement toward being a really influential global actor, up-and-coming and actively participating in the construction of the globalized world (Kuehnhardt, 2010, p.3). Overcoming the widely referred EU image of an “economic giant” and “political pygmy” are completely unimaginable without the development of CFSP and CSDP as an integral part of it.

If one assumes that the most part of the “military cooperation” between European states in the pre-WWII period resembled formation of transient military alliances created in the face of common danger rather than genuine cooperation in the modern sense of the term, then he might logically attribute this cooperative culture to quite recent past – almost *de notre jours*. Indeed, European collaboration in the field of defense dates back to the Dunkirk Mutual Assistance Pact signed on 4 March 1947 by France and the UK, followed by the conclusion of the Brussels Treaty of 1948 which turned into the Western European Union (WEU), launch of the European Defence Community (EDC) in 1952 which did not materialize, and two Plans on Political Union proposed by the Commission chaired by C.Fouchet (1961-62) implying the establishment of a European federation (“had disappeared from the agenda” - Branitsky, 2003).

During the mentioned historical period the then European Community (EC) was largely occupied with the establishment of common internal market (free movement of goods, capital, services and people), while external interests were limited to external trade, development as well as assistance (Duke & Haar in Tiersky & Jones, 2015, p.425). Despite earlier debates and even failed attempts made in the 1950es, the direct predecessor of the CFSP/CSDP - European Political Cooperation (EPC) - has become a reality only in 1970 in accordance with Luxemburg Report after French President De Gaulle resigned, for he opposed deeper political cooperation on supranational level but encouraged it on national level what was resisted by other EEC members as jeopardizing EC and NATO alliance (Allan & Wallace, 1982, pp.22-23; Smith, 2004). It was a specific format of regular informal meetings of EC's national foreign ministers, and thereby exemplified a phenomenon that could hardly be called foreign policy body (Miskimmon in Webber, 2001, p.85; Duke & Haar in Tiersky & Jones, 2015, p.425). Initial idea behind the creation of the EPC to merely coordinate national foreign policies was soon supplemented with the political aspects of security stipulated in the EPC-report of the London meeting (Fritzler & Unser, 2001, p.118). Conclusions made as the result of certain political discussions were then announced in the form of e.g. Venice Declaration on the Arab-Israeli conflict or support to "Contadora Group" in Central America (Rummel in Pijpers et al., 1988, p.121). European defense was naturally the prerogative of NATO and discussion board for defense issues was facilitated by the Western European Union (WEU) established in 1955 on the basis of a mutual defense agreement (Stewart, 2006, p.44). This has led to the emergence of two political camps among the EU member states, the first of whom preferred a more intergovernmental EU external action not limiting national foreign policies too strictly, and the second group was in favor of a more integrated and unified external action on EU level (Wouters & Ramopoulos in Rossi et al., 2014, p.217).

The revival of long withered WEU fostered by France and Germany took place in the 1980s (Rome Declaration of 1984 and the Hague Platform of 1987 – WEU, 2010) (Wouters & Ramopoulos in Rossi et al., 2014; Theiler, 2001 in Conrad & Stumm, 2004). Against the background of the French and the German demands for revitalization of the WEU the latter was recruited as a defense-related "occasional forum" for NATO members from West Europe as well as art.5 collective defense guarantee (Archer in in Steinmetz & Wivell, 2010, p.47).

As for the EC's own institutional framework, a fresh *essai* was to be made in the early 1990s in light of advances made through the Single European Act (SEA) of 1986. The SEA added "political and economic dimensions of security" to the EPC, and stressed the EC's expectations that "closer co-operation on questions of European security would contribute in an essential way to the



development of a European identity in external relations” (SEA, 1986, art.30, 69a). European identity has proven to be a long way to walk.

## **2.2. 1989-1999: Maastricht and the Road toward the Modern ESDP/CSDP**

In the early 1990s the UN’s unique role in international conflict management (see UN Report, 2004) underwent considerable changes due to overload pressing the central peacekeeping/peacemaking organization and ever since a number of regional organizations started actively investing into global peace (Wulf, 2009). According to Hettne and Söderbaum (2006), since 1994 numerous regional organizations have participated in peace-related operations, including NATO, Commonwealth of Independent States (CIS), Economic Community of West African States (ECOWAS), South African Development Council (SADC), League of Arab States, OSCE, Association of Southeast Asian Nations (ASEAN), African Union (AU) and Organization of American States (OAS). In June 1992 NATO Foreign Ministers, at the Oslo Ministerial Meeting, announced that the defense organization plans to support peace-related operations (Pagani, 1998). Regional security organizations felt more relaxed to offer further instruments for conflict management, peace-keeping and similar in the early 1990s whereas namely the UN used to be the actor number one in this field for many decades: the authors usually explain this by pointing out the ever-growing demand for new conflict management mechanisms (external factor) as well as the new actors’ intention to breathe new life into these organizations in the post-Cold War environment (Pagani, 1998). In the early 1990s NATO showed a brilliantly fast manner of reacting upon the new horizons opened by the fall of Communist regimes in the Central and Eastern Europe (Bindi in Buonanno et al., 2015, p.46). A month later the then Conference on Security and Cooperation in Europe (CSCE) in its Helsinki Document “a comprehensive programme of co-ordinated action” for mitigating and preventing international crises (Helsinki Document, 1992).

After experiencing the Community failure in the first Iraqi campaign in 1991 (after Iraq invaded Kuwait) that involved some 550 000 international troops from 30 countries including France, the UK, Spain, Italy, Greece, the Netherlands, Denmark, Norway and Belgium, the EU member states witnessed terrible continuation of bloody confrontations but this time within the European borders: “real war” “only a two-hour flight away from Brussels” (Gnesotto, 1994) in the territory of the already Former Republic of Yugoslavia followed by thousands of refugees fleeing into the EU (Peters & Deshong, 1995; Howorth, 2007, pp.6, 55; Duke & Haar in Tiersky & Jones, 2015, p.425). The then EC’s main goal in this period was to further strengthen cohesion within the Community

and to demonstrate that she can properly deal with foreign policy crises on the continent<sup>235</sup>, and namely the EC, not the UN or someone else, must deal with the Yugoslav crisis, even though in practice actions taken by the Community in this regard were marked by deep divergence among member states, lack of appropriate crisis management competences, and “a pull toward moral equivalence” (Williams & Scharf, 2002, p.80; Rupnik, 2011).

As early as in the 1920es (right after the WWI which started with the Balkan crisis) Toynbee (1922 in Rupnik, 2011) wrote that it became obvious: “Eastern question” was, in fact, a “Western question”. In the early 1990es this was like never before the case. The former Federal Republic of Yugoslavia’s (FRY) geographical location that makes potential threats to security of Europe undeniable as well as the close relations with the EC in terms of trade, aid and cooperation agreements forced the Community to react immediately to the emerging tensions that were gradually leading to a “civil conflict -less caustic to international law” as compared to the 1990-1991 Gulf War, which cannot yet diminish its significance and complexity (Aksoy, 1995; Andreatta, 1997). And, in fact, the early phase of the Yugoslav conflict the EC took a series of crisis management measures “*avant la lettre*” which were absolutely innovative for the Union and only later were formally introduced into the Maastricht Treaty (Jopp & Diederichs in Kuhnhardt, 2011, p.96). In the initial phase of the conflict the EC “has switched on” her “civilian power” arsenal of economic aid combined with opportunities for association and possibly membership in the EC, but all of these soft methods arrived too late when the crisis was irreversible<sup>236</sup> (Juncos, 2005; Woodward, 1995).

Following the severe economic crisis experienced by Yugoslav Federation in the late 1980s, the newly elected non-communist governments in Slovenia and Croatia held referenda that showed strong support for secession (Jopp & Diederichs in Kuhnhardt, 2011, p.96). The adoption of independence declarations by Slovenia and Croatia have urged upon the EC (not single EC states),

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<sup>235</sup> The then president of the Council Jacques Poos: "This is the hour of Europe, not the hour of the Americans" (Poos, 1991 in Coughlin, 2009 and in Rupnik, 2011; Capussela, 2015, p.2).

<sup>236</sup> In 1991 the EC signaled that Yugoslavia’s chances are high for the possible association and perhaps membership in the Community once it remains as one state (Williams & Scharf, 2002, p.81). Bennett (1995, p.175) additionally reports that during his visit to the region the then President of the European Commission J.Delors in May 1991 promised to the Yugoslav Prime Minister Markovic to provide considerable financial aid (ca.1 billion EUR according to Williams & Scharf, 2002, p.81) on condition that Yugoslavia remains united. The negotiations proceeded in the summer 1991 but, in fact, the Federation has already collapsed under the pressure of Slovenia and Croatia as early as in June 1991 (Juncos, 2005).

which before the referenda did not bat an eye<sup>237</sup> in the face of an impending political storm, yet, was ideally in favor of maintaining the territorial integrity of the former Yugoslavia<sup>238</sup>, to launch a number of concerted measures (the effect they had is a different question): dispatch of the EC Troika to the region, mediating of the Accord of Brioni (July 1991) that stopped battles in Slovenia, launch of a European Community Monitoring Mission (ECMM) of 200 monitors and EC special representatives, convocation of the Hague Peace Conference (September 1991) with the representatives of all the Yugoslav republics, setup of an Arbitration Commission to work out the rules for possible recognition of newly formed republics<sup>239</sup> (Aksoy, 1995; Jopp & Diederichs in Kuhnhardt, 2011, p.96; Cameron, 1999, p.29).

Yet, after the Yugoslav National Army (YNA) initiated massive military action in the summer of 1991 in response to the declarations of independence, especially after the Vukovar attack in November 1991, the Community has realized the real necessity of using the instruments of recognizing new republics worked out by the Arbitration Commission, also the Community imposed an embargo on armaments and military equipment (monitoring by the WEU) on all of Yugoslavia and has suspended cooperation agreements with Yugoslavia<sup>240</sup> (Jopp & Diederichs in Kuhnhardt, 2011, pp.96-97; Marolov, 2012). The crowning phase of the EC's ambiguously wholesome involvement in the crisis was the practical application of the newly established recognition rules when Germany was literally compelled to move toward the recognition of Slovenia and Croatia's independence which caused displeasure of the UK and France traditionally being in good relations with the FRY, yet, did not prevent them from following Germany's example in January 1992 (Cameron, 1999, pp.29-30), in April 1992 Bosnia-Herzegovina was diplomatically recognized (Aksoy, 1995; Williams & Scharf, 2002, p.81).

Too radical changes in the Community's position toward the crisis first in favor of integrity, then in favor of democratic secession as such added more stubbornness to the conflicting parties (Aksoy, 1995). So, basically what happened *inter alia* is the change in the EC discourse about the

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<sup>237</sup> „The strategy or approach chosen by the national government to achieve its goals in its relations with external entities. This includes decisions to do nothing“ (Hudson in Smith et al., 2008, p.12).

<sup>238</sup> The so-called „united“ EC position was highly conditional against the background of very strong divergence in internal positions among the major states – France, the UK and Germany.

<sup>239</sup> The 23rd of June 1991 voting in the EC (2 days before the Slovenian and Croatia declarations of independence) showed that the Community's Member States unanimously decide not to recognize the independence of Slovenia and Croatia if they do it in a unilateral way (Marolov, 2012).

<sup>240</sup> The effectiveness of the earlier and following measures, yet, leaved much to be desired: as Jopp and Diederichs (in Kuhnhardt, 2011, p.97) report, the Hague conference largely failed and the arms embargo had a reversed effect, advantageous for the Serbian forces and disadvantageous for the other parties.

characterization of federal authorities and seceding actors. Thus, despite all the doubts about the level of democracy exercised in the then Croatia, for instance, the perception of the Yugoslav war has transformed from malignant efforts to disintegrate a sovereign state causing destabilization in the Southwest Europe (and perhaps in the EC states too) into a just war of small democratic republics against cruel communist regime in order to gradually step into market economy<sup>241</sup> (Aksoy, 1995; Marolov, 2012). If one again takes into account the conditional nature of the EC discourse then one can basically describe this change as transformation from a more UK-French type perception<sup>242</sup> to a more German one.

Despite all the deficiencies of the EC's role in the early stage of the Yugoslav crisis management, it opened the doors for the gradual recognition of the new republics' independence and for (a more adequate compared to the EC) UN's involvement through UNPROFOR mission (Jopp & Diederichs in Kuhnhardt, 2011, p.97). This fact of the UN's taking a lead role in a peace process with its mission while the EC is indulged in the multi-voiced contemplations about whether to launch or not a WEU-led military intervention<sup>243</sup> was largely considered as a failure of the EC (Aksoy, 1995). Eyal (1993) argues that the EC must have provided her protection to the breakaway republics if she intended to play a special role in their recognition. Cameron (1999, pp.28-29), Juncos (2006) and Pond (2006) refrain from evaluating the EC's role in this crisis simplified to the notion of a "failure"<sup>244</sup>, by arguing that the crisis in the Balkans was a part of a larger problem of the gradual collapse of Communism experienced by the Union very painfully in general; the Community had to deal with the consequences of the German unification, the new Intergovernmental Conference (IGC) as well as with the then Persian Gulf war 1990-1991, and moreover the US and, thus, NATO were not first even considering any involvement into the Balkan crisis at that moment.

Griffiths (1993) argues that the Community has then made contribution to the escalation of crisis and to the catastrophe faced by Bosnia and Herzegovina (BiH) in April 1992. Pursuant of the generally ineffectual tripartite BiH round table negotiations organized by the EC in February 1991 the results of which were declined by the Muslim side and by the US, the Community's hopes for a lead role in resolving the Yugoslav crisis ran out with the Geneva Conference (September 1992)

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<sup>241</sup> References made by some Western European states to the concept of ethnic conflict can be added to the entire picture of changing crisis perception (Aksoy, 1995; Marolov, 2012).

<sup>242</sup> See Lukic and Lynch (1996).

<sup>243</sup> As for the military involvement of single EC states, France and the UK were reluctant to intervene, Germany could not yet afford this due to the post-WWII Constitution, other EC states had no proper capacity to do so (Marolov, 2012).

<sup>244</sup> His article about the Bosnian war Andreatta (1997) starts with the word combination of „the failure of the „international community“ to put an end to it for three long years“.

held under the auspices of the UN and the EC where Vans-Oven peace plan for BiH was drafted but ultimately not ratified by the Republic of Srpska (Marolov, 2012). The UN Security Council (UNSC) then adopted next Resolutions prescribing new sanctions on the regime; the EC proved to be very helpful in providing humanitarian aid from the outset plus her member states were supplying the UNPROFOR mission with troops<sup>245</sup> (Juncos, 2005). In the last period of the crisis the newly created Contact Group (US, Russia, France, the UK and Germany) and also the US were actively working for stabilization of the regional situation, at the moment when a consensus was shaped for the necessity of military intervention by NATO (Juncos, 2005). In April 1994 NATO carries out first airstrikes in its history - against Bosnian Serbs in order to defend "safe areas" for the protection of Bosnian Muslims (FRONTLINE, 2014).

The EC's role as a collective actor has been diminished in the final phase of the conflict resolution<sup>246</sup> (probably with the exception of the mission with the Mostar city administration), but was again revitalized in its *civilian* aspects in the post-conflict reconstruction period after the Dayton Accords were reached in November 1995<sup>247</sup> (Juncos, 2005). The Dayton Agreement has finally put an end to the Yugoslav war between 1992 and 1995, which was marked by ethnic cleansing, concentration camps and over tens of thousands deaths<sup>248</sup> (Ikani, 2011).

The EU's role during post-conflict reconstruction of the region relied upon diplomatic and economic methods, in other words, on an apparently *civilian-normative* approach: humanitarian assistance provided by ECHO since 1996, trade preferences and the PHARE and OBNOVA Programmes for BiH since 1997 (Juncos, 2005). Due to unpreparedness of the EU to offer a

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<sup>245</sup> Ca. 1/3 troops of UNPROFOR were supplied by France and the UK. They provided 8700 men (6200 French) out of total 24000 blue helmets from 34 countries (Gnesotto, 1994).

<sup>246</sup> Additional discrediting aspect to the weakening position of the EU was provided by unilateral activities of certain member states, e.g. the visit of the Foreign Minister of Greece (holding at that moment rotating Presidency of the EU) to Belgrade on 15 February 1994 and his public speech made together with Milosevic that emphasized the damaging effect of the air strike threat to the ongoing negotiations: on 9 February in response to the massacre at Sarajevo marketplace NATO declared its readiness to apply air strikes if the massacre does not stop (Williams & Scharf, 2002, p.81).

<sup>247</sup> Signed on 14 December 1995.

<sup>248</sup> According to the Agreement, a confederation consisting of the Republika Srpska and the Federation of Bosnia and Herzegovina (decentralized into several cantons) was established, each part with its own constitution, president and government, parliament, judiciary and police force (Ikani, 2011). The Brcko district, as a neutral area under joint Bosniak, Croat and Serb authority was added to these entities in 1999 (Ikani, 2011). Bosnia's political organization is based on a tripartite rotating presidency with a Council of Ministers, a bicameral Assembly and also judicial branch, while the central state institutions' real power is very limited, mainly responsible for trade and foreign policy (Kasapovic, 2005).

membership to the newly established Balkan states (Friis & Murphy, 2000) as well as the relegation to the second-order role by the US and NATO has resulted in the absence of a clear long-term strategy of the EU toward the Balkans in post-conflict reconstruction process (Juncos, 2005). Kosovo war and Saint Malo have altered the EU's role substantially (Robertson, 2001).

In this period of the painful global changes brought about by the fall of Communist regimes, the new Strategic Concept of NATO adopted in 1991 a fundamental goal reflecting “the need to transform the Atlantic Alliance to reflect the new, more promising, era in Europe” (NATO, 2010) “was doctrinal rather than programmatic” (Howorth, 2007, p.97): Kagan (2002) points out the “Manichean” character of the US which manifested itself throughout the 1990s by resorting to traditional force. “Substantial intra-European divergences in the conflict perception, in the risk assessment” which thereafter led up to the fragmentation of the Community as regards her crisis management activities required a fresh look to be given at the CFSP (Lang, 2007, p.64).

At that time serious American displeasure was observed about the Europeans', especially the Germans' “unauthorized” actions with regard to the debate of military intervention in the Yugoslav conflict and recognition of Croatia and Slovenia in 1991 (Bono, 2003, p.49). Yet, the creation of the CFSP owed much to the American political benevolence towards expected developments in strengthening the European wing of the transatlantic security (Hunter, 2002). In other words, the American ever-developing reluctance to actively participate in solving security problems in Europe after the collapse of the Soviet Union (which dates back to conflict in the Western Balkans in the early 1990s) as well as the deepening divergence between the US and the European security interests the Union decided to equip herself with her own peacemaking/keeping instruments (Jun in Pempel & Lee, 2012, p.93).

With the entry into force of the Treaty of Maastricht (Treaty on European Union, TEU) on 1 November 1993, the Common Foreign and Security Policy<sup>249</sup>, circuits of which were finally designated “as the second Pillar”<sup>250</sup> by the newly created European Union<sup>251</sup>, replaced European Political Cooperation<sup>252</sup> (TEU Maastricht, Title V, 1992; Lang, 2007, p.9). CFSP as a vivid

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<sup>249</sup> CFSP and also an area for Police and Judicial Cooperation on Criminal Matters were two areas that supplemented the original economic dimension of the European Community (Duke & Haar in Tiersky & Jones, 2015, p.425).

<sup>250</sup> The newly created “tripartite constitutional structure” (term by Koutrakos, 2013, p.1) also contained I Pillar – European Communities and III Pillar – Justice and Home Affairs (JHA). This three-pillar structure was in place until Lisbon Treaty 2009.

<sup>251</sup> Until 1992 the official title sounded as “European Community” of the “EC”.

<sup>252</sup> Very useful and interesting academic conclusions on the questionable legal parameters of agreements reached within the Political Cooperation framework can be found in Th.Juergen's dissertation/book titled “Die Gemeinsame

expression of ever-lasting economic-political struggle in the EEC/EU sought to channelize a more unified European voice in diplomacy, foreign aid as well as economic sanctions including those applicable in conflict prevention and resolution in the post-Cold War era (Jun in Pempel & Lee, 2012, p.93; Wessel in Ehrhart et al., 2007, p.302). The very allocation of the CFSP to the second pillar separate (in the legal and procedural senses) from the other external policies and internal policies with an external dimension contained in the first pillar was the result of the long-standing tradition to somehow relax the disagreement between the intergovernmentalists and federalists among the members of the EU (Wouters and Ramopoulos in Rossi et al., 2014). The entire process of the negotiations about the establishment of the CFSP and its turn into the European primary law have been conducted in the stressful atmosphere of the then Yugoslav crisis which substantially conditioned the highly minimalist instrumental and strictly intergovernmental nature of the future policy (Jopp & Diederichs in Kuhnhardt, 2011, p.98). In turn, the critical pre-Maastricht moment experienced by the EC has as such prevented her from “adequately grasping the nature of the Yugoslav conflict” (Williams & Scharf, 2002, p.80). And in order to prevent possible contradictions caused by duality in the application of EU external action the principle of coherence<sup>253</sup>, first spelt out in the SEA<sup>254</sup> (1986, art. 30.2(d), 30.5), was to be added to the EU’s armory (Wouters and Ramopoulos in Rossi et al., 2014, p.218).

Thank to the Maastricht Treaty the newly renamed EU has for the first time obtained her own defense and security policy mechanism while prior to 1992 all the issues related to this sensitive field of activity in Western Europe used to be basically dealt with by national governments and/or NATO only (Archer in Steinmetz & Wivell, 2010, p.47). If original ground for establishing the then ESDP was to equip the EU with a sustainable mechanism of dealing with the post-Cold War security environment, then after the outbreak of the Yugoslav war followed by the US Secretary of State Baker’s speech which emphasized that “we don’t have a dog in that fight” (though the US

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Europäische Außenpolitik und Sicherheitspolitik” (“The Common European Foreign Policy and Security Policy”), 1995.

<sup>253</sup> Gauttier (2004) in his article refers to namely horizontal or inter-pillar coherence as a guiding principle of the EU/EC in regard to her foreign policy instruments for overcoming the contradictions between the EC external policies and the CFSP and facilitating synergies between these policies, which despite the application of „an integrated approach (conflict prevention) as well as the institutional adaptations of the Treaty of Amsterdam“ are still victims of the old divisions between intergovernmentalism and federalism. Wouters and Ramopoulos (in Rossi et al., 2014, p.218) add that this principle can be equally instrumental if applied to non-CFSP policies. For further authors analyzing principle of coherence are Neuwahl (1994), Wessel (1999), Hillion (2008).

<sup>254</sup> In addition to the horizontal or inter-pillar coherence, Gauttier (2004) argues, there is a vertical coherence responsible for the adjustment the relationship between the CFSP and national external action.

proved to reverse this by contributing immensely into reaching an agreement for BiH and Kosovo), the EU realized that security problems in her own neighborhood pose even more real motivation for developing as a security actor (Duke & Haar in Tiersky & Jones, 2015, pp.425-426). This fundamental process of establishing this mechanism relied on both cognitive and normative types of arguments/justifications which we described earlier in the Chapter 1.

One must not forget that DI coordinative as well as communicative discourses ought to be applied very carefully as regards the EU in the CSDP context since as it was repeatedly underscored a traditional democratic nation-state system of main public institutions and EU main institutions do not share the same status within their frameworks. Even though the European Commission is very often informally regarded as “EU’s executive power” its role is far more limited, as shown in the previous chapters, than the one of a national government. The application of DI theoretical framework to the EU, especially in crisis management context, therefore remarkably complicates the task of the Thesis as well as makes it more interesting and potentially illuminative.

In terms of cognitive aspect of the problem, it led to the advancement of a “common intellectual interpretative framework” (Jobert’s term, 1989) more or less shared as a *sine qua non* for an enduring external security policy: operational scope and boundaries of future policy were defined. The Maastricht Treaty has only *referred* to a common defense policy by that moment: the final “Yes” came in due time – five years later (Aybet, 2004). Until then namely the WEU as “an integral part of the development of the Union” was kindly asked “to elaborate and implement decisions and actions of the Union which have defence implications” and for the first by not the last time emphasized the indispensable significance of the security commitments under NATO (TEU Maastricht, art.J.4, 1992). Yet, purely intergovernmental character of the new policy, very cautious formulation of relevant provisions as well as constant procrastination in implementing the proclaimed targets (“constructive ambiguity”, Hoffmann, 1966) strongly impeded the actual realization of the CFSP framework (Koutrakos, 2013).

Even so, gradual construction of national/public convictions/cognition about urgent necessity related to this kind of policy was underway. Pagani (1998) reminds that the WEU was amongst the first regional organizations which took up certain part of conflict management as well as peacekeeping in the early 1990s whereas before this sphere was a full prerogative of the UN. The so-called Atlanticist European NATO members – the UK, Denmark and the Netherlands – had appeared to be reluctant for many years to support any EU-led activity to establish her own security and defense policy (Archer in in Steinmetz & Wivell, 2010, p.47). Schmidt (2000) brings an extra argument of for choosing namely the WEU as an EU-NATO security “bridge” 4 of the then 15 EU members (Austria, Finland, Ireland, Sweden) were not signatories to NATO, whereas all the WEU



members were NATO members too. Within the process of establishing more effective conflict management instruments for the EU the WEU Foreign and Defense Ministers adopt the renowned “Petersberg Declaration” in June 1992 at WEU Bonn summit (Petersberg Declaration, 1992; Bono, 2003, p.57). Military troops of the WEU member states were expected to be employed for the planning and implementation of the following peace-related operations (decided by the WEU Council of Ministers in accordance with the UN Charter): “humanitarian and rescue tasks [e.g. “evacuation of nationals” – *Aybet, 2004*]; peace-keeping tasks; tasks of combat forces in crisis management, including peacemaking” (Petersberg Declaration, 1992, art.II, p.4). Elaboration of a specific list enumerating the planned types of activities exemplifies a classic version of cognitive mapping proposed by Axelrod (1976). In the Declaration the signatories repeatedly welcome the former and current developments in the CSCE, UN, NATO and EU as well as provide for certain adjustment of the relations between the WEU members and non-members (Petersberg Declaration, 1992, art.I, III). What is vitally important to remember is that all the decisions on Petersberg operations had to be taken “in relation to the new CFSP set of acts” which means that the conflict management tasks, regulated today under the CSDP mechanism, until 1999 used to be decided, planned and executed under the CFSP mechanism (Pagani, 1998).

In this manner, with the freshly shaping CFSP “the Union moved from an internally- to an externally-oriented security power” (Meiers in Ehrhart et al., 2007, p.134). The Union was expected to “assert its identity on the international scene, in particular through the implementation of a common foreign and security policy, including the eventual framing of a common defence policy, which might in time lead to a common defence” (TEU Maastricht, art.B, 1992). From the theoretical vantage point of DI the new era established with and by the Maastricht was a real structural change.

In parallel with the huge transformation taking place in NATO itself with the launch of the Combined Joint Task Forces (CJTF)<sup>255</sup> in 1994 (Barry in Gordon, 1997), in the same year at the Brussels summit the EU and the US started the process of the establishment of the European Security and Defense Identity (ESDI) *within* NATO which would inevitably bring to the reinforcement of the WEU as “an arm of the EU” and the “European support of NATO” (Lang,

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<sup>255</sup> Known as 1991 Alliance Strategic Concept the idea was successfully probated in the 1991 Gulf War; thereby the command and control structure of NATO since long time focused upon collective territorial defense was now expected to be given more mobility and flexibility in the face of new post-1989 crisis situations; in short, it implies permanent institutionalization of the multinational task-force concept by rapidly organizing highly trained multinational and multiservice forces for short-term specific peacemaking, peacekeeping and similar including collective defense operations, for the first time, even *beyond* NATO borders (Barry in Gordon, 1997).

2007, p.65). During NATO's Berlin ministerial meeting in June 1996 negotiations on framework agreements took place between NATO and the WEU where for the first time the European access to the Alliance's military capabilities – “separable from but not separate” from NATO – could potentially be provided (Schmidt, 2000). The WEU's use of certain NATO assets such as staff officers, military equipment, the Alliance's new CJTF headquarters and the Deputy Supreme Allied Commander Europe would be allowed (Hunter, 2002). For the WEU this would help undertake conceivably small-sized limited scope of common actions under the Petersberg heading which was expected to diminish the worries from the Western side of the Atlantic where NATO, to be more precise, the States chose not to participate (Lachowski, 2002). The conclusions made at the Madrid summit of July 1997 as well as the Washington summit in 1999 reaffirmed the Allies' plans related to the development of the ESDI (NATO Handbook, 2001).

The key ESDI principles summarized by the Alliance Heads of State and Government at the Washington summit (1999) were, hence, (1) the Alliance's acknowledgement of *autonomous* EU common military actions where the Alliance is not thoroughly engaged<sup>256</sup>; (2) all-inclusive *cooperation* between the EU and NATO through the WEU; (3) raising European (EU and non-EU Allies) defense capabilities<sup>257</sup> but without “*unnecessary duplication*” (italics added); (4) guaranteeing “the fullest possible involvement of *non-EU* European allies” (italics added) in EU-led crisis management operations relying upon the WEU-based mechanisms plus Canada to be engaged; (5) development of “*separable but not separate*” (italics added) NATO assets and capabilities for WEU-led military actions (NATO Handbook, 2001)<sup>258</sup>. To sum up, the ESDI project basically embodied the core ideas of strengthening the second of the two celebrated transatlantic security pillars – the European pillar<sup>259</sup> - within the great Alliance by making use of the WEU potential<sup>260</sup>.

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<sup>256</sup> The Union's assured access to NATO's defense planning capabilities and the latter's further adaptation for easing this access must be firmly underscored too (NATO Handbook, 2001).

<sup>257</sup> The Defense Capabilities Initiative (DCI) set in motion in Washington was expected to contribute to this process (NATO Handbook, 2001), whereas General Schuwirth (2002) draws attention to the various speculations about possible unhealthy competition between the DCI and shaping ESDI.

<sup>258</sup> These principles apparently incorporated the celebrated “Three Ds” which the then US Secretary of State M.K. Albright suggested to avoid in her article “Financial Times” (1998 in Rutten, 2001): decoupling (“separable but not separate”), duplication (military capabilities) and discrimination (non-EU Allies).

<sup>259</sup> The two celebrated “twin pillar”s - “North American” and “European” - are traditionally ascribed to President Kennedy as having been referred to in his 1962 Declaration of Interdependence (Larik, 2009; Hürsoy, 2002, p.426) which forms part of his “Grand design” vision (Pierre in Paxton & Wahl, 1994).

<sup>260</sup> Keeping the European security integration processes under control was a *sine qua non* for the US (Bindi in Buonanno et al., 2015, p.46).

The EU's access to NATO's operational capability via the WEU was subsequently envisaged by the Treaty of Amsterdam signed in 1997. Title V of the Treaty (art.J.1-J.18) covers the provisions on the CFSP whereas art.J.17 guarantees full association of the European Commission with the work undertaken in the EU foreign policy. The Treaty refers to the "progressive framing of a common defence policy" which lays the foundations for the future fully-fledged European Security and Defense Policy (ESDP) which "shall include all questions related to the security of the Union" and operate as an integral part of CFSP<sup>261</sup> (TEU, 1997, art.17.1; Grevi, 2009 cited in Grevi et al., 2009). One of the general innovations thought to give more visibility and clout to the EU's foreign policy was the creation of the post of High Representative for CFSP (also Secretary General of the European Council): his/her chief function was to coordinate among EU member states for shaping and exercising more or less unified diplomacy (Jun in Pempel & Lee, 2012, p.93). The first person appointed for this "Mr.CFSP" position (as well as the WEU's Secretary-General as appointed in 1999) was Spain's widely known politician and NATO's former General Secretary Javier Solana (Müftüler-Baç in Stivachtis, 2007, p.10; Bindi in Buonanno et al., 2015, p.47). At that time (prior to the Lisbon Treaty), the Foreign Affairs Council which aggregates the foreign ministers of the member states was chaired by the foreign minister of the EU's rotating presidency, and the High Representative for CFSP, i.e. Javier Solana exercised leading execution functions (Mix, 2013). Furthermore, the Treaty introduced the concept of "constructive abstention" in the decision-making allowing for not unanimous, partial support for the EU/WEU-led crisis management operations where those who do not want to participate (not more than 1/3 of the votes according to art 148.2 of the Treaty establishing the European Community, TEC) may opt-out without impeding the decision taken by other member states and without using the veto power (art.J.13). General opt-out possibility was granted to Denmark with regard to defense-related operations (Danish Parliament, 2008). The Amsterdam Treaty provided for the constructive abstention, enhanced cooperation and an "opt-out" mechanisms so as to make decision-making in the CFSP more flexible, *pro tanto* differentiated (Lang, 2007, p.64), which actually was not in urgent demand since the security and defense policy "was still little more than a gleam in the eye of a handful of defence planners" (Howorth, 2007, p.78).

Common positions setting out an approach to a specific problem and joint actions addressing particular situations in the field of foreign policy adopted by the Maastricht Treaty were

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<sup>261</sup> This aspect sometimes served and still serves as an obstacle on the way to perceiving the real distinction of the ESDP and CFSP competences, yet, as soon as the ESDP was launched as a project it was deemed to own "a distinctive sub-set of institutions primarily charged with the planning and conduct of crisis management operations" (Grevi, 2009 cited in Grevi et al., 2009).

supplemented with two more CFSP main instruments – (1) principles and general guidelines (“general political direction”) and (2) common strategies (“objectives and means”) (TEU, 1997, art.J.2; Mix, 2013). Moreover, now the whole range of Petersberg tasks was now incorporated into the EU field of operation (TEU, 1997, art.J.7.2). One of the respective tasks, namely use of combat forces in crisis management, including peacemaking manifestly portrayed the Yugoslav lesson taken by the Union shortly before that when peacekeeping proved to be insufficient in a severe situation with difficult adherence to any peace settlements (Archer in Steinmetz & Wivell, 2010, p.48). The category of peace enforcement operations was obviously ruled out from the art.J.7 list of peace-related tasks<sup>262</sup>. A Policy Planning and Early Warning Unit (PPEWU) or shortly Policy Unit was created under the responsibility of the HR for CFSP in order to strengthen its conflict detection and rapid preparation capabilities (Trifunovska, 2010, p.132). What is more important and self-speaking is that the provision on common defense - art.V of the Washington Treaty and art.V of the Brussels Treaty - was explicitly omitted due to the special attitudes of the Finnish and Swedish who are not NATO members (Archer in Steinmetz & Wivell, 2010, pp.47-48). Altogether, this marked partial transfer of the “WEU acquis” into the Union’s legal framework<sup>263</sup> (Pagani, 1998).

Burgess and Spence (in Bailes & Frommelt, 2004, p.95) defined the novelties brought about by the Amsterdam Treaty as the initial steps which were decisive for the creation of the ESDP and introduction/adjustment of necessary mechanisms for its implementation. Pagani (1998) reminds of the Union’s unique role in codification of the “peacekeeping” notion and peace-related operations<sup>264</sup> “in the constituent treaty of an international organization”<sup>265</sup>. No other treaty of this important level

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<sup>262</sup> Peace enforcement “involves the application, with the authorization of the Security Council, of a range of coercive measures, including the use of military force ... to restore international peace and security in situations where the Security Council has determined” “breach of peace or act of aggression” (UN Peacekeeping Operations: Principles and Guidelines, 2008; UN Charter, Chapter VII, art.47).

<sup>263</sup> Regarding the relationship between the EU and the WEU initially there were three strategic options discussed during the Intergovernmental Conference (IGC) of 1996: (1) maintenance of the existing division of functions between the two without introducing substantial alterations (strongly supported by the UK); (2) gradual merger of the two (promoted by France, Germany, Spain, Italy plus the Commission and the Parliament); (3) insertion of a part of the WEU functions into the Amsterdam Treaty (White Paper on the IGC, 1996). On the British position see e.g. Whitman (1999).

<sup>264</sup> Various, at times contradictory legal/political interpretations of peacemaking and peacekeeping in the Amsterdam Treaty’s version of codification is a separate subject for discussion (Pagani, 1998). Along with many authors coming up with diverse arguments on this topic, a very informative overview and definition of peace and security operations is offered in the UN documents (e.g. UN Peacekeeping Operations: Principles and Guidelines, 2008).

<sup>265</sup> Wouters and Odermatt (in Wessel & Blockmans, 2013, p.52) in their debate on the norms generated by international organizations, refer to the so-called “hard law” “such as treaty provisions or Chapter VII-based UN Security Council

– neither UN Charter (no explicit definition/provisions for peacekeeping; also Osmanchavushoglu, 1999-2000), nor NATO and WEU constituent instruments make so clear direct reference to this type of international activity (Pagani, 1998). CSCE/OSCE documents including those on peacekeeping hold the legal status of “Non-Binding Agreements” and *not* of international treaties according to art.102 of the UN Charter just with a couple of exceptions (Fastenrath & Weigelt, 2010). In other words, the Amsterdam Treaty’s provisions substantially enhanced the Union’s overall visibility in international crisis management amongst the other prominent regional organizations (Pagani, 1998). As Burgess and Spence (in Bailes & Frommelt, 2004, p.95) for many years prior to the actual operation of the ESDP with the only foreign policy lever CFSP the Union provided more “foreign” than “security”.

A more critical view was offered by Müftüleri-Baç (in Stivachtis, 2007, p.10) who reports that (1) these proved to be largely institutional reforms not solving substantial CFSP problems rooted in the latter’s intergovernmental nature; (2) defense component of the 2<sup>nd</sup> Pillar of the EU framework was still missing in the Amsterdam Treaty in the same manner as it was in the Maastricht TEU. Even in terms of institutional reforms the takeover of the part of “WEU acquis” into the EU legal framework did not mean the institutional integration or “legal interweave” between the EU and the WEU which naturally complicates the effectiveness and timing of relevant actions (Pagani, 1998) but rather “enhanced cooperation” (Trifunovska, 2010, p.132). It should be recalled that, the willful neglect of collective security provision from the new TEU contributed to the situation when with the Amsterdam Treaty the “softer” (“less war-fighting” aspects of security) security actor – the EU – remained largely dependent on the operational capacities of “harder” security provider - NATO - under the WEU with respect to practical missions (Archer in Steinmetz & Wivell, 2010, p.48; Trifunovska, 2010, p.133).

The Amsterdam Treaty provides one of the examples of the actual difficulties the EU faced in the translation of decisions on conducting Petersberg tasks into operational commitments. Amongst provided new set of procedures for the implementation of the CFSP “common strategies” and “joint actions” seem to have unequal legal status: to be more precise, “common strategies” (TEU, 1997, art.J.3.2) adopted by the European Council (defining objectives, duration and means for the operation) formally (in the Amsterdam Treaty) and even informally do not have binding effect for member states while “joint actions” adopted by the Council do have this effect (*ibid.*, art.J.4.3) (Pagani, 1998). Therefore, as Pagani (1998) demonstrates, the “possible interpretation” would be to attach the binding effect of the former to the Council only (not for member states) which is

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resolutions” which are different from “guidelines and recommendations adopted by a variety of international organisations and bodies”.

expected to implement them through “joint actions” and “common positions” (TEU, 1997, art.J.3.3). Yet, almost indistinguishable composition of both EU institutions in combination with the non-identical functions as well as decision-making mechanisms of the European Council and the Council of Ministers could serve as a value-added to the binding character of common strategies in the situations when the Council faces decision-making deadlock brought about by the unanimity rule (Pagani, 1998).

### **2.3. 1998/1999: The Creation of the ESDP**

The informal Pörschach Council held in October 1998 and marked by a memorable speech of the new British Prime minister T.Blair on the unacceptability of the EU’s current foreign and security policy, especially obvious after the Bosnian crisis (Jopp, 1999), was followed by the historical Joint British-French Declaration signed on 3-4 December 1998 in Saint Malo (Grevi, *et al.*, 2009; Tardy, 2009, p.18). Saint Malo signed by the two European nuclear powers was “a triple crossing of the Rubicon” in the sense of (1) directly granting the political decision-making powers to the Union (from the Western European Union or WEU); (2) enabling the Union to own “the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises” (Saint Malo, 1998, art.2); and it (3) set up a new relationship between the EU and the NATO described as “a modernized Atlantic Alliance” (Saint Malo, 1998, art.2; Howorth, 2007, pp.102-103). In other words, for the first time in the EU’s history a workable possibility was officially declared that allowed for the Western Europeans to bypass NATO mechanism in providing international crisis management (Archer in Steinmetz & Wivell, 2010, pp.48)<sup>266</sup>. According to the Declaration, namely European Council, General Affairs Council and meetings of Defense Ministers would constitute the European institutional framework on the ESDP (the term of the latter was proposed in June 1999), and the relevant policy should be conducted in the “framework of the CFSP” with Council taking decisions “on an intergovernmental basis” (Saint Malo, 1998, P.1-2). The role allocated for the European Commission and the European Parliament was rather marginal (Jopp, 1999; Lang, 2007).

Saint Malo breakthrough can be cited as one of the brilliant examples of sentient agents’ ability to invest power into their ideas and thereby macro-structures they lay foundations of. British and French leaders were able to boost new ideas and have new social constructs adopted by setting new agenda as “policy entrepreneurs” by building initial coalition for future collective EU reforms in

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<sup>266</sup> Bindi (in Buonanno et al., 2015, p.46) stresses the “within NATO” character of the new agreement.

security policy area (Kingdon, 1984; Baumgartner & Jones, 1993)<sup>267</sup>. As Gross (in Merand et al., 2011, p.264) rightly shows, armed conflicts in the Western Balkans as part of the global changes in political processes after 1989 have significantly influenced the EU to reconsider her security identity along with the role of military aspects in this identity: the UK's "deep core" of strategic mindset has accepted the need for European defense capability, i.e. the creation of the ESDP, as well as made Germany revise its attitudes toward military component of security. Moreover, subsequent developments which took place in the next years obviously showed that not only reformist-actors' formal positions in policy-making system make difference in exercising power with their ideas but also actors' ideas and discourse about the way they could best exercise their positions could make difference thank to these formal power<sup>268</sup>: both leaders new very well strategic importance of their countries in the discussed area and were perfectly aware of the most appropriate methods to make use of this importance.

Expectations regarding the possibility to reinforce the UK's EU positions in the face of the non-participation in Monetary Union, post-Kosovo message sent by the US as regards the unacceptability of the EU's inability to act, and the British displeasure over complex EU-WEU-NATO decision-making were those driving forces which induced the UK to agree to the *merger* of the WEU and the EU (Blair's perception of the ESDP) which he did not agree to a year before that (Jopp, 1999). Parsons (2003), in turn, sheds light on a very challenging for other than DI approaches issue related to the French leadership's gradually shaping ideas and discourse about ever-deepening European integration turned into institutionalized ideas that proved to constrain the ideas and discourse of the subsequent French policy-makers<sup>269</sup>. He shows, in particular, how strong support to the Maastricht Treaty demonstrated by Mitterand later was also taken up by the Gaullists despite their critical political cleavages; this continuity gave birth to the notion of "*la pensée unique*" or "uniform thinking" (Parsons, 2003, p.220). However, as it will be shown below, it took certain time until the ESDP process set in motion in 1998-1999 won a place under the sun as regards the relationship with the Alliance that was by that time experiencing major Eastern enlargements.

The German Presidency in the EU (and the WEU) was marked by systematical attempts to fit the new security and defense project in the framework of the EU-NATO partnership, to arrange its

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<sup>267</sup> Howorth (2004) in his captivating article on discourse and ideas with regard to the establishment of the ESDP vividly shows how gradual ideational shift toward ESDP worked relatively smoothly in France, sufficiently unproblematic in Germany and considerably painful in the UK.

<sup>268</sup> Ideas borrowed from Schmidt, 2012.

<sup>269</sup> It is "not that ideas cause actors to make certain choices, but that the institutionalization of certain ideas gradually reconstructs the interests of powerful actors" (Parsons, 2003, p.6).

institutional and operational sides, to solve the problem of the WEU's involvement, yet, not in favor of the latter, which might be explained by an inherent unfavorable attitude of Germany toward the WEU (what totally contrasted with the French vision) and privileging the EU (Jopp, 1999). "The German Presidency laid out the basic institutional architecture of what was not yet known as ESDP" (Merand, 2008, p.119), which was successfully displayed by the Reinhardtshausen proposals in January-May 1999 (Jopp, 1999). Thus, despite certain nuances which raised displeasure from the EU's side, the Community seemed to be determined to acquire an access "to the collective assets and capabilities of the Alliance" (Jopp, 1999) in the framework of the process once and for all launched in Berlin (1996, CJTF).

The EU (distinct from single EU states) showed dangerous helplessness and unpreparedness during the Bosnian conflict in the mid-1990s and the Kosovo crisis which broke out in 1999 reminded the Europeans of the importance to introduce serious reforms in her foreign policy arsenal putting special emphasize upon security-building mechanisms and played a crucial role in the emergence of the ESDP (Burgess & Spence in Bailes & Frommelt, 2004, p.95; Rupnik, 2011).

Since the Union got involved into the post-conflict reconstruction process in the Balkans, she could remarkably enhance her strategic influence upon the region by using possibly the widest range of civilian instruments including huge humanitarian aid<sup>270</sup> as well as long-term structural projects - Stability Pact followed by Stabilization and Association Process or SAp, economic assistance through CARDS – aimed at effective institution building, overall social-economic reconstruction, sustainability and closer regional cooperation which would prepare the Balkan countries for future membership in the EU<sup>271</sup> (Juncos, 2005; Friis & Murphy, 2000; Rupnik, 2011).

The bloody breakup of the FRY which resulted in the declarations of independence in Slovenia, Croatia, Macedonia and BiH, did also touch Kosovo whose provincial autonomy enjoyed since 1974 was largely reduced in 1987 by Milosevic and despite the ethnic Albanians announced their own republic in 1991, nobody really, the US on top, did not recognize it (FRONTLINE, 2014). Intensive mutual armed attacks between the Kosovo Liberation Army (KLA) chaired by the

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<sup>270</sup> This amounts to approx.2.5 billion EUR of the EC/EU funds invested in BiH 1991-2004, and additional 1.8 billion EUR from the EC/EU member states (Commission, 2004).

<sup>271</sup> The official endorsement of the future prospects for EU membership of the Western Balkans took place at Feira European Council 2000 and reaffirmed in Thessaloniki in 2003, while the criteria applied includes the ownership and conditionality principles (Juncos, 2005; Rupnik, 2011), the general 1993 Copenhagen set of criteria plus specifically for the region - full co-operation with the International Criminal Tribunal for the former Yugoslavia (ICTY), respect for human and minority rights, improved policy for refugees and displaced persons, internally displaced persons to return, real commitment to regional cooperation (Commission, 2003).



Rugova's shadow government formed in 1996 and the Serbian forces of Milosevic between 1996 and the beginning of 1999 created an immediate international resonance in the form of the UN Resolutions no.1160 and no.1199 (including economic sanctions on Belgrade), separate talks with the parties, threats of airstrikes, dispatch of observers missions, preparations for NATO air attack on Belgrade (ACTWARN, ACTORD), and finally Rambouillet peace talks in February 1999 right after the Raczek massacre (25 Kosovar civilians killed), but the results were declined by Milosevic in March (FRONTLINE, 2014; Marsh & Rees, 2012, p.123). NATO-led air bombing campaign "Operation Allied Force" started on March 24 1999 in which the EU states including France, Germany, the UK, Portugal, Italy, Spain, the Netherlands, Norway, Denmark and Belgium were actively participating militarily had an immensely huge impact on the regional tensions also causing great civil casualties, and was finalized on 20 June 1999 with the UN Resolution no.1244, according to which international civil and military forces (ca.20000) were deployed in Kosovo (Atkins, 2000, p.108; FRONTLINE, 2014; Grant, 1999). Against the backdrop of the unilateral declaration of independence of Kosovo in February 2008 the EU launched possibly the largest civilian rule-of-law mission in her history in Kosovo – EULEX Kosovo (Spernbauer, 2014, p.219; EEAS, 2015; Pohl, 2014; Soder, 2009), which will be analyzed in the Chapter 3.

The war in Kosovo as the whole Yugoslav war has again revealed all of the deficiencies of the EU as a collective strategic actor (Van Ham in Mahncke et al., 2004, pp.209-210). Kosovo was the moment when the leading politicians representing EU member states had to undertake concrete actions in order to make the EU "be in position to play its full role on the international stage" (Saint Malo, 1998), and for this they finally decided to build up permanent system of respective institutions and to elaborate necessary capabilities arsenal: a philosophical level of general loud and immense ideas has been slowly transforming into a programmatic phase of the establishment of the CSDP framework which, in turn, would be containing more specific policy level of daily business and the implementation of assigned tasks.

The Cologne Presidency Report of 4-5 June 1999 was an obvious attempt to reconcile contrasting opinions on the quick EU-WEU merger expressed by France together with post-neutrals (certain displeasure) and Germany along with the UK (assent) by managing with an unassuming statement regarding the article J.7 of TEU which provided for the integration of "the WEU into the EU, should the European Council so decide" (TEU Amsterdam, 1997, art.J.7). The contentious art. V "will in any event be preserved for the Member States" without prejudice to Denmark and neutral/non-aligned states (Jopp, 1999). The Cologne propositions confirmed the determination to attach the future ESDP to the CFSP (the UK proposed creation of a special IV Pillar), decision-making under the art.23, opt-out right for certain states (Petersberg formula), as well as projected

the organization of regular meetings of the General Affairs Council (GAC), the establishment of the Political and Security Committee (COPS), the EU Military Committee and the Military Staff (Jopp, 1999). The establishment of the latter three was confirmed in December in Helsinki (Merand, 2008, pp.119-120). Two types of ESDP operations – (1) “EU-led operations using NATO assets and capabilities” and (2) EU-led missions without NATO assets were provided for under Cologne proposals (Council of the EU, 1999). Hynek (2011) underscores that the main focus of the Cologne declaration contained the creation and deployment of “credible military forces”.

Helsinki European Council of 10-11 December 1999 which proved highly crucial as regards the entire ESDP project led up to a famous Helsinki Headline Goal (HHG)<sup>272</sup> – the so-called “Force Catalogue” (Brussels, 2001 cited in Britz & Eriksson, 2005) providing for up to 50000-60000 troops (or 15 brigades), 100 ships and 400 aircraft, deployable in 60 days and operating up to one year (German Defense Ministry, 2009). Extra forces for possible replacements of the rapid response troops deployable at lower readiness must be at hand too (The policy-makers were planning to start carrying out Petersberg tasks with the help of these rapid reaction forces by 2003 (Deighton, 2002). Parallel with this key outcome of the Council Summit, as Lindstrom (2007) strictly stresses, the Helsinki Presidency Conclusions lay specific attention to the original outline of “smaller rapid response elements available and deployable at very high readiness”<sup>273</sup> (Helsinki Presidency Conclusions, 1999). HHG also required further improvements in the fields of command and control (C<sup>2</sup>), logistics, intelligence and other combat support services including air and naval components were required (Helsinki Presidency Conclusions, 1999). General Schuwirth (2002) who examined EU efforts in achieving Helsinki Headline Goal (HHG) 1999 emphasizes the importance of the European decision-makers “to think and act "European" for enhancing their crisis management capabilities.

The Union’s Headline Goals adopted during these years have caused a series of various interpretations to various related terms, e.g. the so-called “European army”. Weak connection between various spheres of discourse in the EU is a normal phenomenon (Schmidt, 2006). One and the same term “army” with regard to the EU is usually regarded differently from country to country which results in a quite unpredictable interpretation within EU supranational “meaning context”. This discursive problem of the EU is aggravated by contradictory contents of communicative and coordinative discourses very frequently exploited by the EU member states’ leaders, as in the case with the “army” label essentially accepted by the former UK Prime Minister Blair in the EU

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<sup>272</sup> or Headline Goal 2003 (Lindstrom, 2007)

<sup>273</sup> The future battlegroup concept relied upon this outline, Lindstrom (2007) argues.

coordinative discourse but denied in national communicative discourse (Howorth, 2004; Schmidt in Carta & Morin, 2014, p.262).

In general, with regard to *ad hoc* international negotiations scholars usually refer to Toulmin's (1958) definition of discourse as a "forum of argumentation"<sup>274</sup> within which actors who even have not been cooperating with each other before establish a common set of understandings (see also Zarefsky, 2014). However, for international organizations including the EU as well as, of course, nation-states the usual procedure of establishing common discourse requires more interaction which goes far beyond negotiating context (Laue, 1986 in Laue, 1992; Stein, 1989). The so-called *référentiel* school argues that discourse based on deliberative mechanisms is more open than the one which relies on bargaining (Jobert, 1989). The problem was and is that the specificity of the CFSP and ESDP has since their establishment required confidential approach based on unanimous intergovernmentalism which obviously implies namely bargaining methods of negotiations.

*Civilian Crisis Management.* The term "Civilian Crisis Management" was introduced into the CSDP-related literature after the Helsinki European Council (10-11.12.1999; Howorth, 2007, p.124) which followed the decisions made at Cologne Council in June 1999 by the EU heads of governments (HOGs) (Herd & Huru, 2001) and was heavily influenced by the situation which arose in Kosovo (Schuyer, 2008 cited in Blockmans, 2009). In addition to expressing the Union's firm determination to project and conduct military operations led by the Union the Annex IV contains special Presidency Report on the non-military crisis management", where NATO's role in the whole process is again keynoted (European Parliament, 1999). The Action Plan adopted in Helsinki emphasized the necessity for mobilizing all internal resources, providing more flexibility in crisis situations and closer cooperation with the UN and OSCE and within the EU itself (Rutten, 2001). Upon a Finnish-Swedish initiative (Tiomioja 2001 cited in Herd & Huru, 2001), the Amsterdam Treaty which came into force in May 1999, as we have already mentioned, provided for the conduct of "humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking", thus, clearly facilitating non-military along with military EU tasks (TEU Nice, 2002, art.17.2).

As Hunter (2002) summarizes, the processes of 2000-2001 bore witness to the clear absorption of the first post-1945 Western security organization – the WEU – within the European Union. Symbolically baptized in its own time "Alice's Cheshire Cat" by Colchester (1997) thanks to its at that time strategically promising role "in the evolving security "layering"" in the transatlantic area

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<sup>274</sup> MacRae (in Fischer & Forester, 1993, p.294) expresses certain criticism with regard to Toulmin's "fields of argument" (1958) and "forums of argumentation" (Toulmin et al., 1979) which seem to imply "a relativism that does not aid the development of better guidelines for policy discourse".

the WEU has gradually appeared as a security organization with limited practical capabilities. As Pagani (1998) reports its whole empirical story is confined to the WEU-led civilian police exercises, e.g. Mostar mission within the EU Administration of Mostar and Albanian Multinational Advisory Police Element. Implementation of the TEU provisions regarding the CFSP (with the general reference to common defense) proved to be unsatisfactory too. The integration of the WEU into the EU framework was also avowedly enshrined in the Amsterdam Treaty, namely in the article J.7.1 foreseeing “the possibility of the integration of the WEU into the Union, should the European Council so decide”.

Changing global security conditions deriving from the end of the Cold War were further seriously shaken in the 9/11 attacks in the USA. Steps taken by the EU since then deeply reflect manifold ubiquitous security risks which have arisen from uncertain international environment (Müftüleri-Bağcı in Stivachtis, 2007, p.11). A comprehensive long-term war on terror zealously launched by the United States put several global questions before the EU: is the Union able to establish a concerted CFSP and whether she can properly safeguard human rights (Wouters & Ramopoulos, 2013). Immediately after the terror attacks most of the EU states lent their full support to the American-British military action “Operation Enduring Freedom (OEF)” against al Qaeda and the Taliban regime in Afghanistan (Gordon & Shapiro, 2004; Flanagan et al in IAI et al., 2011). The highly intense fighting in December followed by a major runaway of many al Qaeda and Taliban leaders to Pakistan have opened the door to the UN-hosted peace talks which arrived at the Bonn Agreement (Flanagan et al in IAI et al., 2011). A provisional government under the president Karzai in Kabul supported by the UN-mandated security force was replaced by the International Security Assistance Force (ISAF) over which NATO, strongly encouraged by the US and the European leaders, took control in August 2003; by the way, it was NATO’s first mission outside Europe (Frederking, 2007, pp.167-168). In 2007 the EU launched one of the major civilian missions ever outside Europe in Afghanistan – EUPOL Afghanistan<sup>275</sup> (EEAS, 2015; Brattberg, 2014; Pohl, 2014; Morelli & Belkin, 2009; Gross in Gross & Juncos, 2011).

It was not only the 9/11 as such that forced and still forces the EU to strengthen her capacity in ensuring better resistance to the modern terror but also those real and potential security threats which target Europe herself, including terror threats which repeatedly turned into reality since 2001: 11 March 2004 Madrid explosions resulted in 191 people killed and 1800 injured (Clarke, 2005), suicide bombings in London on July 7 2005 (52 deaths, 700 injured), Oslo attacks in June 2011 which led to 77 people being killed, May 2014 Brussels terror attack (Intelligence and Security

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<sup>275</sup> Chapter 3 contains a detailed information on this mission.

Committee, 2006; Onyanga-Omara, 2015), and the most recent Charlie Hebdo attack in Paris in January 2015 and this is not a full list<sup>276</sup>.

Thus, the Laeken Declaration adopted in December 2001 which stands at the origins of the constitutional reform of the EU's foreign and security policy, which ultimately led to the Lisbon Treaty, states: "Now that the Cold War is over and we are living in a globalized, yet also highly fragmented world, Europe needs to shoulder its responsibilities in the governance of globalization" (Laeken Declaration, 2001). The given Declaration stated that the EU is "now able to conduct some crisis-management operations", i.e. is operational (Laeken Declaration, Annex II, 2001). In June 2002 the Seville European Council adopted a new position as regards the CFSP "embracing all Union policies, included by developing the Common Foreign and Security Policy-CFSP" as well as emphasized the CFSP's and shaping ESDP's potential "important role in countering this [terrorist – *S.I.*] threat to our security" (Seville Presidency Conclusions, 2002). It was the first EU document identifying terrorism as one of the basic components within the CFSP (Müftüler-Baç in Stivachtis, 2007, p.11)<sup>277</sup>.

At the Lisbon Council in March 2000 leaders of member states decided to create a Committee for Civilian Crisis Management (CIVCOM) which was established in May (European Parliament, 2000). Consisting of staff seconded by member states, officials from both the Commission and the Council Secretariat, this Committee was expected to facilitate intra-European Union coherence as well as better coordination between EU members (Howorth, 2007, p.126). In order to promote inter-agency coordination an interim Situation Centre/Crisis Cell was set up by HR CFSP and Secretary General (European Parliament, 2000).

The process accelerated during the Portuguese Presidency led to significant decisions made at Santa Maria da Feira Council on 19-20 June 2000 following the seminar on civilian crisis management held in Lisbon in April defining four priority areas covered by non-military component of EU crisis management: police; strengthening the rule of law, strengthening civilian administration and civil protection (European Council, 2000). Civilian Crisis Management (CCM) involving police forces

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<sup>276</sup> The dangers related to terrorism look even more impressive if one considers the numbers of victims of the earlier pre-2001 acts, e.g. between 1950 and 1995 some 2777 people were killed as the result of terrorist attacks in Western Europe (Bowden & Davis, 2007).

<sup>277</sup> E.g. in the field of international trade and development assistance the Seville European Council reached an agreement on including "anti-terrorism clause" in the Association and Cooperation Agreements between the Union and other parties albeit not leading to suspension of respective agreements and applicable to only those parties who signed respective UN conventions (Burgess & Spence in Bailes & Frommelt, 2004, pp.92-93). Brussels "non-proliferation clause" or "WMD clause" (November 2003), however, provides for suspension of cooperation under certain conditions (Grip, 2009).

was substantially upgraded under the ESDP since police capabilities counts to the most important priority area here, whereas *intra*-Union police cooperation had already been provided for under Title VI of the Nice EC Treaty of 2000 (Title V of the TEU post-Lisbon, 2007). This first Civilian Headline Goal agreed in Feira in 2000 set target number of deployable for overseas missions police officers as 5000 (1000 “rapidly deployable” within 30 days) to be available by 2003 (EEAS, 2015; Tardy, 2009, p.20; Herd & Huru, 2001). The second priority area aimed at assisting in recovery of a judicial-penal system involves (1) organizing national mechanisms (by EU member states) of selection, deployment and training of judges, prosecutors, penal experts and further adjacent specialists; (2) promoting elaboration of EU guidelines for the establishment of such mechanisms in cooperation with the UN, the Council of Europe and the OSCE; (3) providing EU support to the establishment or refurbishment of local courts’ infrastructure and prisons as well as recruitment of local court personnel as well as prison officers (European Parliament, 2000). Commitments under the third priority area involve upgrading of selection, training and deployment of civil administration specialists for civil tasks of recovery required in disrupted administrative systems and of offering training of local officials in transition societies (European Parliament, 2000). A number of key tasks for civilian policing were also identified in Feira: monitoring, advising and training local police, prevention or mitigation of internal crises and conflicts, post-conflict stabilization, supporting local police in safeguarding human rights (EEAS, 2015).

Following the first Capabilities Commitments Conference (CCC) held in November 2000, EU representatives adopted European Capabilities Action Plan (ECAP) which was expected to eliminate the coordination problems with certain military capabilities through 15 “project groups” (German Defense Ministry, 2009). They also set 2003 deadline in the Headline Goal Task Force (HGTF) for acquiring at least minimal results in given tasks (Howorth, 2000).

Similar to HHG, in civilian crisis management targets were expected to be first defined and only then fulfilled through the commitments pledging conferences (Nowak, 2006). On the whole not so prominent second half of 2000 in the sense of impetuosity of the field’s development given the occupancy of the French Presidency with the revision of the Treaty, nonetheless, was marked by further measures in police resources promotion and a seminar on the strengthening the rule of law was held (Howorth, 2007, p.126). Another specificity of this period would be probably the conceptualization of *conflict prevention* (Hill, 2001& Duke, 2003 cited in Stewart, 2006, p.234) juxtaposed to more traditional for the EU *responsive* character of her civil-military missions, yet, even by 2006 it “found no natural home in the EU institutional set-up” (Stewart, 2006, p.236) due to three commonly typical for the ESDP general disadvantages: (1) “inter-agency competition” (Commission vs. Council); (2) complexity of relations between the EU and her member states -

heterogeneity; (3) complexity of decision-making stemming from the previous two problems (Howorth, 2007, pp. 90-91). The World Health Organization (WHO) officer T.Emmerling characterized this decision-making process as the process as a rule taking 5-6 years for an average decision (Emmerling, 2010). Even so, it did not prevent the Commission from funding conflict prevention activities in 24 countries - from Burundi to Indonesia, and regional projects in the Horn of Africa and Central Asia (Korski, 2010).

The first brilliant time namely for CCM fell on the Swedish Presidency (first half of 2001) resulted in a Presidency Report primarily devoted to civilian aspects of the ESDP project (Rutten, 2002 cited in Howorth, 2007, p.126). Gothenburg Council (June 2001) endorsed the EU Program on “The Prevention of Violent Conflicts” as well as adopted a Police Action Plan approving of deployment of police forces (originating from non-EU member states as well; European Commission, 2001) in operations carried out under the aegis of the UN, the OSCE or the EU herself (Galaski & Kaim, 2010 cited in Leisse, 2010, p.299). Three tasks were identified: to facilitate 200 judges and prosecutors fully prepared for rule-of-law crisis management operations/missions (deployable within 30 days); to create a pool of experts in civilian administration (including general administrative, social and infrastructure functions) and civil protection teams<sup>278</sup> 2,000 people (rapidly deployable) (EEAS, 2015). Police Unit was created at the Council Secretariat (Howorth, 2007, p.127). In November the first Police Capabilities Commitment Conference was held, where the plans for the projection of deployment of 5.000 police officials by 2003 was confirmed (Council of the EU, 2001).

The first Rule of Law Commitment Conference took place in Brussels on 16 May 2002 where precise target numbers (282 by 2003) were set, training modules were composed and guidelines for relevant criminal procedures were debated (Howorth, 2007, pp.127-128). On one of the less prioritized two remaining areas, i.e. civil administration Basic Guidelines were worked out by the Council Secretariat by May 2002, including procedure for generating experts in “property, elections, taxation, social and medical services and infrastructure” (Howorth, 2007, p.128). As for the civil protection, by 2002 target aimed at generating (1) 2-3 coordination teams, (2) intervention teams of up to 2000 specialists and (3) additional means was set and fulfilled (Council Secretariat, 2009). A specific Community Civilian Protection Mechanism the establishment of which was initiated by the Council in January 2002 provided for the EU interference both through the mechanisms of member states and of the Union (Council of the EU, 2002). Further Presidency Report focused namely on the upgrading of the implementation as well as deployability (Haine,

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<sup>278</sup> Civilian protection teams comprised 2-3 assessment/coordination teams made of 10 experts (dispatchable within 3-7 hours) (EEAS, 2015).

2003). The Laeken Summit (December 2001) set the 2003 deadline for most of above mentioned commitments (Haine, 2003). In a word, the shift from quantity to quality was prioritized as regards CCM as it was as regards purely military EU capacities. Approximately at the time one can talk about the gradual start of institutionalized relationships between EU and NATO especially important for the security field.

The first Civilian Crisis Management Capability Conference held in November 2002 praised the rapid accomplishment of Gothenburg targets and further upgrading of the coherence was considered to be essential (Nowak, 2006). In light of events taking place around the Iraq crisis and of the launch of the EU's first overseas missions the above mentioned European Security Strategy (ESS) finally adopted by the European Council in 2003 stressed the significance of CCM (ESS, 2003). If monitoring missions considered high-priority issue on the agenda of the Greek Presidency (January-June), the next Italian Presidency focused on promoting cooperation with the OSCE in conflict prevention and CCM and facilitating CCM training programs; moreover, interoperability of Integrated Police Units was examined via a Police exercise (Howorth, 2007, p.129).

As for the general development of the ESDP, prior to the "Berlin+" arrangements at the joint Franco-British Summit at Le Touquet on the 4th of February 2003 two countries reaffirm their true allegiance to the mutual cooperation first announced in Saint Malo, praise the then achievements and welcomed both national endeavors in improving military capabilities and the expected EU-NATO agreement providing for the Union's access to the planning, command as well as military capabilities of the North Atlantic Alliance (Le Touquet Declaration, 2003). Three major priorities for the cooperation between France and the UK in security and defense field – the Union's role in crisis management, solidarity of member states in common security sphere, active enhancement of their military capabilities – were named (Le Touquet Declaration, 2003).

The first-ever ESDP *police* mission (EUPM) in Bosnia and Herzegovina (BiH) which was started up in January 2003 for building local capacities of police enforcement. In December 2003 EUPOL Proxima mission pursuing similar strategic aims plus border management in the Former Yugoslav Republic of Macedonia (FYROM) was launched. On 31 March 2003 NATO transferred also the "Allied Harmony" *military* mission in the FYROM to the Union under the codename (EUFOR) Concordia (ESDP Newsletter, 2009). In June-September 2003 military operation ARTEMIS in the DRC according to the UN Security Council (SC) Resolution 1484 (2003) for stabilizing the security environment plus to provide humanitarian assistance in the north-east territory of the DRC (Schmidt in Cardwell, 2012, p.165). In November 2004 the UN authorized the EU to launch a new mission in Bosnia and Herzegovina in place of SFOR mission brought to a close in summer, which became known as EUFOR ALTHEA (WEU, 2009; Quille, 2003 cited in Lang, 2007, p.66). To sum up, this



was the period of the so-called “mission-shopping” which reached its apogee by 2007-2008 (the so-called “maturity test” as said by Blockmans, 2008) and then gradually declined (Missiroli, 2013).

Howorth (2007, p.104) named three major problems on the way of HHG: (1) shortage in *genuinely deployable* troops: according to Venusberg (2004 cited in Howorth, 2005), out of 1.7 million European troops (2004-5) *only* 15000-20000 were “genuinely usable at any given time in serious military missions”; (2) lacking coordination in procurement; (3) uncertainty about the character and nature of EU military operations: Kosovo-type EU ground troops, expensive US-type “network-enabled” capacity or something that would fit into fight against terrorism (now art.43 of the TEU post-Lisbon) (Howorth, 2007, p.105). All these shortcomings were detected at the third Rome Capabilities Conference in May 2003 and ten priority areas for procurement coordination were set: air-to-air refueling; combat search and rescue; headquarters; nuclear, biological and chemical defenses; special operation forces; theater ballistic missile defense; unmanned aerial vehicles; strategic air lift; space; interoperability (Missiroli, 2003 cited in Howorth, 2007, p.104). As for the institutional upgrading endeavors made to elaborate a possibly comprehensive approach to crisis management between 2003 and 2005 were superseded by a stronger accent upon the strengthening CSDP crisis management bodies and capabilities between 2006 and 2008, and consequently led up to a third trend to better locate the CSDP within the entire EU political system, the Commission’s resources and the CFSP, in particular (Grevi, 2009 cited in Grevi *et al.*, 2009).

At the Le Touquet Franco-British Summit two countries emphasized the importance to introduce a “Solidarity Clause” into the Draft Constitutional Treaty “in order to cope effectively with the threats we face together” and the threat of terrorism was underscored in particular way (Le Touquet Declaration, 2003).

Clearly realizing the still lacking interoperability and standardization emanating from substantial differences in national training capabilities, in June 2003 in Thessaloniki the European Council affirmed the fact that the Union needs improvement in this regard (EU Council, 2003). In July 2005 the Council blessed the establishment of a European Security and Defense College (ESDC) – a network of “institutes, colleges, academies and universities dealing with security and defence policy issues [and] responsible for providing training to civilian and military personnel in the field of” ESDP and “promoting a common understanding of that policy and disseminating best practice in this area” (in 2008 a new decision on ESDC was adopted - European Commission, 2008). It offers three types of training: the High-Level Course, the Orientation Course and special courses (EU Council, 2007).

The war in Iraq which broke out in March 2003<sup>279</sup> provoked "the biggest crisis across the Atlantic since the end of the Cold War"<sup>280</sup> (Toje, 2008, p.115)<sup>281</sup>. 17 months before the Iraq crisis, as one knows, both France and Germany supported the American operation held in Afghanistan which was backed by 73% and 65% of their respective populations (Stahl, 2008). The famous UNSC call (November 2002) for Saddam's government to cooperate with the UN's weapon inspectors has caused divergent reactions regarding the nature of measures to be taken in the next month towards Iraq: the US together with UK, Spain, Italy, Portugal found Iraq's behavior in response to this UN call inadequate and useless to continue with the inspections, while France, Germany which actively participated in the Kosovo intervention as well as Russia were in favor of the extension of inspections (Young & Crawford, 2011; Stahl, 2008). Bozo (in Lundestad, 2008, p.107) digs deeper when he underscores that the European dispute was "not primarily over how the Iraqi crisis should be dealt with in principle", but about the relationship with America.

The US in this situation of the risk to come across the French and Russian veto in the UNSC where it in any case did not win the majority support, acted single-handedly without the "second" UNSC Resolution<sup>282</sup> and without bringing any evidence for self-defense<sup>283</sup> have been adopted and undertook a military mission with their allies (especially the UK) which main goal was organizing regime change in Iraq (Stahl, 2008). Thus, the strong political support by the EU states and uncontested legal authority that underpinned the 1991 Gulf War were not there in the Iraqi campaign of 2003 (Stromseth et al., 2006, p.49). The US' determination to use force beyond Afghanistan After few weeks of harsh attacks on the Iraqi defense which irrevocably cracked it down, the US and their allies managed to occupy the country and have started with the follow-on mission of stabilization and democratic transition (Stahl, 2008). Spain, Poland, Italy *inter alia*

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<sup>279</sup> Yet, was inevitable as early as since Afghanistan as alluded in official declarations of 2001-2002 made by the then US President George W. Bush (2001 in Gordon & Shapiro, 2004, p.95; 2001 in Daalder & Lindsay, 2003, p.105).

<sup>280</sup> Howorth (in Hay & Menon, 2007, p.414) cited Kissinger's words referring to the Iraq war as the „most serious crisis in transatlantic relations since the end of World War Two“.

<sup>281</sup> Toje (2008) in her book argues that this biggest crisis did not at all mean permanent or temporary breakup between the US and Europe but it, just the opposite, brought up the overall revision of the transatlantic relationship, its refreshment and an important lesson for the EU in terms of her perspectives to create common strategic culture.

<sup>282</sup> The „second resolution“ was ultimately withdrawn by the US, the UK and Spain due to the high risk of veto especially by France and the overall lack of support: this document contained no clear authorization of force, but would assert the failure of Iraq to seize the final chance for disarmament as afforded by the Res.1441 (Stromseth et al., 2006, p.49).

<sup>283</sup> The US and the UK were relying upon the Res.678 which, as they declared, granted them continuing authority of force in the cases when Iraq did not comply with its disarmament obligations (Stromseth et al., 2006, p.49).

proved to be active in stabilization missions close to the end of major combat<sup>284</sup> (Stromseth et al., 2006, p.49). One finds this aspect crucial in the post-war situation in Iraq, since even those countries (such as India, Pakistan, France, Germany, Turkey, Arab countries, Russia) who theoretically were ready to contribute to post-conflict stabilization demanded a UN mandate which would be more explicit than the UNSC document adopted in May 2003 which confirmed the authority of the occupying powers in Iraq and welcomed other states to participate in the post-war tasks, and even when the mandate was later there, the weak role of the UN, instability in Iraq and indecisiveness about (non-)participation in the collective action deprived the US organizing greater international involvement (Stromseth et al., 2006).

Kienzle (2013) in his article analyzes the influence of cognitive and normative ideas in the formulation of EU concerted position and action in international crises, namely in the Iraqi crisis and the Iranian nuclear crisis (since 2002). By proceeding from the thesis that in crisis situations ideas (perception of crisis, appropriate solutions, adjacent problems) serve as leading guides for any action, Kienzle (2013) summarizes that convergence of these interpretations among the EU member states leads to higher probability of agreement on a common position (Iranian case), while divergence – rather to dissonance (Iraq).

The Iraqi crisis highlighted the weaknesses of the CFSP, triggered heated discussions on the multilateralism vs unilateralism, and prompted the Union to undertake a common threat assessment and create her shared foreign policy objectives for the first time ever in the form of a new major document (Brattberg, 2011; Tardy, 2009, p.22; Wouters & Ramopoulos in Rossi et al., 2014, p.216). On 12-13 December 2003 EU adopted its aforementioned ESS which long-range goal is to usher a secure Europe into a better world (ESS, 2003). This rather conceptual document attempts to (a) ascertain major contemporary challenges facing the EU (terrorism, proliferation of WMD, regional conflicts, state failure, organized crime, drug trafficking), (b) set its strategic objectives (addressing the threats, building security in its neighborhood, fostering an international order based on effective multilateralism) and (c) detect “the political implications for Europe” (European Commission, 2006; ESS, 2003). EU defines the latter as an impetus for being more active, more capable, more coherent and working with partners (ESS, 2003). The potential benefits of integrating

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<sup>284</sup> Gordon and Shapiro (2004) and Salmberg et al. (in Malley-Morrison, 2013, p.17) point to the fact strong opposition against the Iraqi campaign were observable in all major countries across Europe, including France, Germany, the UK, Spain, Italy, Poland, and in the states who nevertheless participated in the follow-up mission in the occupied Iraq this opposition created a lot of further poignant national tensions. Cortright (in Chiba & Schoenbaum, 2008, p.201) starts his chapter in the book by indicating the number of some 10 million (!) people who demonstrated against the Iraq war in hundreds of cities across the world on February 15, 2003, the largest ever single day anti-war demonstration in the history.

neighboring European states into the EU family for the EU's security environment do not also exclude certain threats of making the Union come closer to troubled areas (Solana, 2003). Promoting "a ring of well-governed countries" on the Eastern and Southern borders of the EU is the only way out (Solana, 2003).

Biscop and Coelmont (2011) define the ESS as an important and useful albeit "incomplete strategic document" very favorably focused on the enumeration of threats and description of the basic EU approach ("preventive, holistic, and multilateral") albeit remarkably weak in addressing potential opposing actors, interests as well as objectives and priorities in the field of the EU's external action. With a mission to realize EU capability development in accordance with the ambition defined in the ESS of 2003 the European Council endorsed a military Headline Goal 2010 (HG 2010) in June 2004 and a Civilian Headline Goal 2008 (CHG 2008)<sup>285</sup> in December 2004 (EU, 2015).

Far-reaching undertakings taking place in this period of time must be viewed through the lenses of the next, strikingly large phase of the European enlargement of 2004 (with continuation in 2007) when an impressive number of predominantly Eastern European states were declared EU members: the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia, Cyprus and Malta or the so-called the A10 countries (2004) plus Bulgaria and Romania or the A12 states altogether (2007) (Galgóczy et al., 2011). In this vein, not only all of the EU policies, programs, structures needed to be revisited and refreshed and in many ways they were, but also the academic study occupied with policy change in Europe has experienced visible transformations: the "first generation" studies mainly accentuating the European integration *per se*, its nature from the intergovernmental or neo-functionalist viewpoints as well as EU policies and institutions, was now complemented by the "second generation" studies learning the Europeanisation – the impact of the European integration upon member states' policy practices and institutions and the latter's adjustment to the EU standards (Schmidt & Radaelli, 2004). Thus, it is not at all surprising that Aspinwall and Schneider (2000, p.1) start their article on the "institutionalist turn" in European studies with an interesting and very memorable phrase: "We are all institutionalists now". With regard to the adjustment to the EU scholars consider diverse factors potentially providing explanations to policy change such as external pressures, members' ability to solve problems in a given institutional context, concordance between EU policies and national legal systems, and, last but not least, ideas and discourse (Schmidt & Radaelli, 2004). In other words, as mentioned earlier, interest-based logic, historical path dependency, socially binding cultural norms as well as ideas and discourse can offer a wide range of explanations to the events which took place in this period.

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<sup>285</sup> CHG 2008 will be analyzed later on within the civilian crisis management milieu.

On 17 June 2004 at the Brussels Council following grand May Enlargement ceremony the Union adopted a new Headline Goal 2010 (HG 2010). Introducing “battle-groups” concept<sup>286</sup>, projecting the establishment of the EDA and of the “legendary” Civil-Military Planning Cell (CMPC), which caused so many disputes and was eventually approved of by the UK, “Member States have decided to commit themselves to be able by 2010 to respond with rapid and decisive action applying a fully coherent approach to the whole spectrum of crisis management operations covered by the Treaty on the European Union” (HG 2010). Interoperability, deployability and sustainability were paid special attention within HG 2010 (HG 2010). Specific HG 2010 milestones include: the creation of the European Defense Agency (EDA) and Civil-Military Planning Cell (CMPC) by the end of 2004; “the implementation by 2005 of EU Strategic lift joint coordination”; in the field of airlift cooperation the transformation of the European Airlift Command and Control (EACC) into the European Airlift Command (EAC) by 2004; readiness to rapidly deploy battle-groups by 2007 in accordance with the EU standards; “the availability of an aircraft carrier with its associated air wing and escort by 2008”; facilitating proper compatibility “and network linkage of all communications equipment and assets both terrestrial and space based by 2010”; elaboration of relevant “quantitative benchmarks and criteria” (HG 2010). One of the relative successes of HG 2010 was certain mitigation brought to the debate on the main character of EU military operations: the new type of battle-groups could be used for both Kosovo-style operations and missions built up for “war on terrorism” (Howorth, 2007, p.107). This achievement alternates with the fact that “the civilian dimensions of the Headline Goal and institutional planning capacities have been neglected” (Bailes, Herolf & Sundelius, 2006, p.138).

“Battle-groups” concept implies deployment of units made up by professionally trained 1.500 (normally multinational) militants within 15 days and sustainable for 30, maximum 120 days for standalone operations or for conducting the initial phase of larger operations (“Food for Thought” Paper, 2003 cited in Lindstrom, 2007; EP, 2015). At the Council of Defense Ministers in November 2004 the launch of 13 first such units by 2007 was projected, two more were added to the list in November 2005 (Lindstrom, 2007). The problem is that more specific conditions for deployment have been left without explanation, and, more importantly, the original idea of establishing 60000-strong forces has been abandoned (Jovanovic, 2013, p.59). A number of member states participate at facilitating so-called niche capabilities, e.g. Cyprus – medical group; Greece – the Athens Sealift Coordination Centre, France – headquarters for the forces deployed (Declaration on European Military Capabilities, 2004). EU Battle-groups have not been deployed yet (EP, 2015).

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<sup>286</sup> The ideational foundation for the EU Battlegroup (EU BG) concept reflected in rapid response objectives was laid as early as at the Helsinki Summit of the Union in December 1999 (Lindstrom, 2007)

An Action Plan for CCM approved at Brussels Council on 17 June 2004 aimed at mobilizing all relevant EU resources, broadening the composition of trained staff, fostering of synergies between EU agencies and between various training programs, improvement of planning and mission support measures, upgrading of deployment, procurement, financing and interoperability (Howorth, 2007, pp.129-130). The prospective elaboration of a Civilian Headline Goal was named as another priority (Schuyer, 2008 cited in Blockmans, 2009, p.136). Within the overview carried out on the Civilian Capabilities Commitment Conference held on 22 November 2004 in Brussels Ministers declared not only new - revised on the occasion of the Enlargement – figures, but also discussed qualitative aspects of CMM (Council, 2004).

This Brussels Conference declared the tasks set in the previous Civilian Headline Goal (CHG) to have been implemented (and even exceeded) (EEAS, 2015). CHG 2008, closely linked to military Headline Goal (HG) 2010 (Schuyer, 2008 cited in Blockmans, 2009, p.136), was finally elaborated by December 2004, and its implementation was overseen by COPS, assisted by CIVCOM (isis Europe, 2005). General Secretariat of the Council of Ministers was running the so-called CHG 2008 process where experts from EU member states and European Commission were also engaged. CHG 2008 is basically a first program document of CCM which defines key ESDP (namely) civilian ambitions and, what is more important, a general layout of measures to be taken for planning and developing corresponding civilian capabilities for the realization of these ambitions (EU, 2015). A number of its targets, including elaboration of key planning projections as regards stabilization, reconstruction, conflict prevention; preparation of quantitative-qualitative Capabilities Requirements List, assessment of contributions made by EU member states to this List were already put in place by the end of 2005 (Final Report CHG 2008, 2007).

A red thread running through the document's content contains the idea of coherent deployment of full range of Community and ESDP civilian instruments involving advising, training, monitoring as well as performing executive functions according to specific needs for effectively conducting the entire spectrum of Petersberg tasks including conflict prevention, peacemaking and post-conflict stabilization (CHG 2008, 2004). Special attention is drawn to the importance of conducting several different civilian missions (“deployed autonomously, jointly or in close cooperation with military operations”) concurrently with “at least one large civilian substitution mission<sup>287</sup> at short notice in a non-benign environment” while not excluding possible sustainability “over a longer period of time” (CHG 2008, 2004). Short-notice deployment gains special importance namely in the face of the renowned clumsiness of the EU decision-making procedures and, thus, rapid reaction is particularly

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<sup>287</sup> Within these missions EU professionals replace the local government for a certain period of time (Chivvis, 2010, p.6). This task is usually referred as “executive functions” (CHG 2008).

stressed in the document: it also seeks to bring down timeframes of decisions of launching a civilian mission to 5 days of the Council's approval of the respective concept while diverse civilian capabilities are expected to be ready within 30 days of the decision to launch a mission (CHG 2008, 2004). CHG 2008 also gives much credit to improved coordination between the Council - *leading* EU institution in the field of EU crisis management - and the Commission. Various measures aimed at ensuring relevant personnel for the ESDP civilian missions are given much space amongst CHG 2008 recommendations (CHG, 2008). CHG 2008 highlighted the importance of two more areas of concern: security sector reform (SSR) and disarmament, demobilization, and reintegration (DDR) (EEAS, 2015).

The document, *inter alia*, attaches special importance to the practical magnitude of proper cooperation between CCM actors of the 2<sup>nd</sup> pillar and relevant actors of the 1<sup>st</sup> and 3<sup>rd</sup> pillars. CHG 2008 also stressed the value of collaboration with the UN given two successful experiences of EUPM in Bosnia Herzegovina and "Artemis" (military) mission in DRC (both since 2003; Galaski & Kaim, 2010 cited in Leisse, 2010, pp.301-302). Cooperation with the UN is deemed to be vital in the sense of legitimacy as well as regarding possible ways of legitimization of this sort of EU crisis management interventions in non-EU states (Herd & Huru, 2001). This was reiterated in all EU documents, including ESS of 2003.

The CHG 2008 provided for the establishment of Civilian Response Teams (CRTs)<sup>288</sup> a detailed discussion on which was conducted in the framework of a Civilian Capabilities Improvement Conference of 21 November 2005 (the issue of parallels drawn between UN tool UNDAC<sup>289</sup> and EU CRTs is another interesting topic – Schuyer, 2008 cited in Blockmans, 2009). On the Conference the scope of expertise fields was broadened, covering since then also border policing, sexual and violent crime, human trafficking, human rights etc. (Howorth, 2007, p.131). Thus, CHG 2008 envisaged development of CRTs as well as police rapid response capabilities namely Integrated Police Units and Formed Police Units (IPU and FPU) (CHG, 2008). *En masse*, the CHG 2008 (2005-07) process triggered the *quantitative* and *qualitative* reevaluation of the existing EU civil capabilities arsenal; further facilitated *new* civilian mechanisms; seriously addressed such areas as training, recruitment, deployment of civilian crisis management personnel; reinforced *civil-military and inter-agency coherence* and cooperation with other global security actors and institutions, including non-EU states (Canada, Croatia, Iceland, Norway, Russia, Turkey etc.) and

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<sup>288</sup> A 100-person strong pool of rapidly deployable experts (EEAS, 2015).

<sup>289</sup> United Nations Disaster Assessment and Coordination: created in 1993, designed for assisting the UN and governments of countries hit by a disaster during the first phase of emergency and also for coordinating international assistance resources at national level and/or at the place of disaster (UNDAC Handbook, 2006).

NGOs (Schuyer, 2008 cited in Blockmans, 2009, pp.135, 141; Tardy, 2009, p.20). In particular, CHG 2008 provided for two new priorities to those declared at Feira: monitoring missions and also “support for EU Special Representatives” (EEAS, 2013). Security sector reform as well as support for disarmament, demobilization or reintegration processes also belong to the EU contributions (CHG 2008). Furthermore, overall awareness of civilian ESDP capacity as part of the Union’s overall approach based on integrated civil-military capacity must be further raised not only in member states but among other international contributors and partners such as non-EU states international organizations (IOs), NGOs, and civil society organizations (CSOs), CHG 2008 says.

While acknowledging significance of the CHG 2008 process as “a sound basis” for sustained efforts in working up necessary civilian aptitude of the ESDP as a part of the mission expressed in the ESS, the final report on CHG 2008 considers quantitative dimension of CHG’s “large-scale approach” to be “very ambitious in 2005” (Final Report CHG 2008, 2007).

One of the key tasks denoted in the CHG 2008 concerns namely the question of proper coordination and “a clear and functional division of labour” between the Council and the European Commission reflected in the balanced use of the Community instruments and the ESDP arsenal (CHG 2008, 2004). As mentioned in the Introduction One of the reflections of this balanced cooperation was the CHG Project Team to be organized within the Council Secretariat with which the Commission had to be “fully associated” (CHG 2008, 2004). The very practical tasks attached to the ESDP/CSDP civilian missions require close coordination of the supranational and intergovernmental mechanisms involved in a given region.

Art.III-309 of the Constitutional Treaty (2004) broadened the scope of Petersberg tasks adding four new, including “joint disarmament operations”, “military advice and assistance tasks”, “conflict prevention” (thus, officially given place in EU basic law) and “post-conflict stabilization”, hence, widening non-military EU crisis management arsenal (TEU post-Lisbon, art.43.1, 2007). Even though the EU Constitution was rejected after two referenda held in France and Netherlands in May-June 2005, the extended content of “rich toolbox of civilian instruments” (Herd & Huru, 2001) of EU was maintained within art.43 of the Lisbon Treaty (TEU post-Lisbon, 2007). In addition to this, art.42.1 (EU’s “operational capacity drawing on civilian and military assets”) and art.42.3 (availability of “civilian and military capabilities” provided by member states) contain general provisions on CCM (TEU post-Lisbon, 2007).

EU’s civilian missions relatively small-scale and ancillary (Chivvis, 2010). Their most common problems include staffing, logistical, planning problems (Chivvis, 2010). EU countries continue to invest therefore there is a hope for better future of the CSDP.



One of the reflections of an attempt to foster crucial for EU crisis management harmonious complementarity between military and civilian components would be the introduction of similar “illustrative scenarios” methodology in CHG 2008 and HG 2010 (Schuyer, 2008 cited in Blockmans, 2009, p. 140). art.43.2 of the Treaty of Lisbon prescribes that with respect to “Petersberg + 4 Tasks” (four added tasks) enshrined in art.43.1 the new High Representative “acting under the authority of the Council and in close and constant contact with” COPS provides coordination of both civilian and military aspects of these tasks (TEU post-Lisbon, art.43, 2007). Appropriate coordination of different aspects of non-military crisis management as such had urged the EU to work out certain specialization for the Council with a competence in civilian crisis management, and for the Commission - for structural conflict prevention as well as post-conflict reconstruction scenarios (Duke, 2005). EUFOR Althea (EU military operation in Bosnia and Herzegovina) launched in 2004 proved to be a good example: the operation was observed to propose momentous civil-military concepts within the Comprehensive Policy towards Bosnia and Herzegovina, and also build-up of “a new integrated police unit within the military operation” which strengthens “the integration of civil and military planning” along with the CMPC (Bailes, Herolf & Sundelius, 2006, p.138).

According to Siedschlag (2006), one of the most remarkable features of civil operations is their predominantly “follow-up task” nature conditional upon the military component (Siedschlag, 2006). In other words, one can observe a smooth transmission “from military to non-military” (Herd & Huru, 2001). Laakso (2001 cited in Herd & Huru, 2001) considers CCM necessary as regards intricate political crises involving the very survival of a political unit/entity and which are likely to give rise to violence within the boundaries of a state; this is likely to influence the situation in EU states negatively (influx of migrants, economic losses etc.). According to Siedschlag (2006), civil part relies on decentralized organization, humanity/individual approach principles and endogenous standards of success, whilst military part is based on hierarchical organization, professionalism/universal culture and exogenous standards of success.

In 2007 a new EU instrument was designed within the Commissions competence area to reinforce the Rapid Reaction Mechanism – Instrument for Stability (IfS) – was launched (European Commission, 2009). This instrument comprises a wide range of components, e.g. “support to mediation, confidence building, interim administrations, strengthening Rule of Law, transitional Justice or the role of natural resources in conflict”; innovative Peace-building Partnership is a part of IfS fostering cooperation between civil society organizations, think-tanks, international organizations (IOs) and the EU institutions (European Commission, 2009).

In November 2007 the Civilian Crisis Management Capability Conference resulted in the adoption of a Civilian Headline Goal 2010 (ESDP Newsletter, 2009) the objectives of which were declared improving quality, enhancing availability, developing instruments, and achieving synergies of civilian crisis management capabilities of the Union so as to provide (1) the availability of a well-qualified personnel; (2) the improvement of the EU capabilities, as planning and conduct capabilities, equipment, procedures, training and concepts; (3) mobilization of all relevant EU resources; (4) enhancement of political significance on the European scale and also in the national contexts of member states; (5) better co-ordination and cooperation with other actors, and, finally, (6) better synchronization with the Military Headline Goal 2010 (CHG 2010, 2007; EEAS, 2015). Along with the necessity to work on the already existing capabilities further (such as CRT), the CHG 2010 projected to facilitate 285 extra experts on transitional justice, dialogue and conflict analysis (EEAS, 2015).

#### **2.4. Treaty of Lisbon and CSDP (2007): Successor of the Rich Heritage of the EU Constitution**

The key novelties of the Draft Constitutional Treaty introduced into the EU legal-institutional framework were formalization of the term “Union” instead of confusing “Union” and “Community”; upgrade of the European Council as an official institution within the Union with its Permanent President; introducing a position of a Union Minister for Foreign Affairs; granting new powers to the European Parliament (e.g. budget); was rejected in French and Dutch national referendums in 2005.

The Draft Constitutional Treaty of the Union brought two more institutional issues on the Community agenda: structured cooperation (Draft EU Constitution, 2004, art.III-213) and Union Minister for Foreign Affairs (art.I-28). Given the Lisbon Treaty which finally established in December 2009 one might witness that nothing revolutionary happened in this regard, except for the very notion “Union Minister”. Moreover, one of the remarkable innovations of the Treaty of Lisbon in contrast to preceding Treaties is the introduction of a special section on “Provisions on the Common Security and Defence Policy” under Section 2 of the Chapter 2 which is devoted to the CFSP (TEU post-Lisbon, ch.2, 2007). Thus, the work upon the main contours of reforms of the Union’s institutional structure and decision-making mechanisms for enhancing her effectiveness which started in 2002 has finally brought some fruits with the adoption of the Treaty of Lisbon (Archick, 2015).

December 1, 2009 was the day when the Treaty of Lisbon (signed on December 13, 2007) which, as experts say, preserved ca. 90% of the substantive content (if one uses DI terminology) of the previous Draft Treaty rejected, in particular, in the French and Dutch referenda (Archick & Mix,

2010), came into force as a result of the finalization of the ratification process in all 27 member states. The way the new Treaty came into force exemplifies a classical discursive institutionalist programmatic change which takes place as a result of an ideational compromise achieved between various sentient agents, here between the opponents and supporters of the Constitutional Treaty: as Tosato (2009) favorably argues the opponents won the form<sup>290</sup>, the supporters the content; the content and the number of novelties offered was sufficient to make a profound effect on the previous treaties. Prior to arriving at the Lisbon the Union has experienced global consequences of the “war on terror”, the mentioned failure of the Constitution, the next huge surge of EU enlargement from 15 to 27 member states, global economic and financial crisis combined by not the best changes in the international balance of power (Wouters & Ramopoulos in Rossi et al., 2014, p.216). In general, Lisbon managed to encourage EU member states to spend their diminishing defense budgets in a more prudent fashion, e.g. contribute more funds to joint research, development, procurement as well as production (Duke & Haar in Tiersky & Jones, 2015, p.417). Unlike the Constitutional Treaty designed to replace all existing treaties with a single new one, the Lisbon Treaty as a “Reform Treaty” followed the method adopted in previous Intergovernmental Conferences based on the introduction of amendments to the treaties (both Treaty on the European Union or TEU and the renamed Treaty Establishing the European Community – Treaty on the Functioning of the European Union or TFEU<sup>291</sup>) without replacing them completely (Menon, 2011; Tosato, 2009).

Of the 62 amendments made by the Treaty to the earlier Treaty of Rome and Treaty of Maastricht 25 address the foreign and security policy provisions (Menon, 2011) which is of special importance for the given Thesis. The change of the title of the preceding ESDP to the Common Security and Defense Policy (CSDP)<sup>292</sup> did not confine itself to the label change. The Petersberg tasks as main types of ESDP/CSDP operations originally incorporated into the Amsterdam Treaty under art.17 in the Lisbon version of the TEU were tangibly expanded: humanitarian and rescue tasks; conflict prevention and peace-keeping tasks; tasks of combat forces in crisis management, including

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<sup>290</sup> The terms “constitution”, „Union foreign minister“, „law“, „framework law“, the symbols of the Union (flag, anthem and motto) as well as the explicit indication of the primacy of the Union law are discarded, i.e. in this respect the Treaty of Lisbon was *damnatio memoriae* to the European Constitution (Tosato, 2009).

<sup>291</sup> The „dual“ legal system of the Union law and the Community law as well as the three-pillar categorization of policies (2-Union, 1-Community) which were present since Maastricht were substantially amended. Two Treaties remained, but now there is only one single entity, the Union, a single system and set of institutions, and the distinctions between the pillars have been almost removed (Tosato, 2009).

<sup>292</sup> This name change was reflected in the dedication of a new section in the founding Treaties to this policy in the Lisbon Treaty (EU, 2010).

peacemaking; joint disarmament operations<sup>293</sup>; military advice and assistance tasks; post-conflict stabilisation tasks (TEU post-Lisbon, art.42.1, 2007).

These are the key CSDP-related provisions contained in the Treaty of Lisbon (Kaski, 2011):

*Permanent Structured cooperation (PESCO)*. “Those Member States whose military capabilities fulfil higher criteria and which have made more binding commitments to one another in this area with a view to the most demanding missions shall establish permanent structured cooperation within the Union framework” (TEU, 2007, art.42.6), Protocol 10). Suggestion to launch structured cooperation implemented by a “core group” (Biscop, 2008 cited in Biscop & Algieri, 2008) caused a plenty of controversies, suspicions and disagreements from the side of the UK, “post neutrals” Ireland, Finland, Sweden and East European Latvia and Estonia (Howorth, 2007, p.80) especially sharpened in light of the Quadripartite Brussels summit of France, Germany, Belgium and Luxemburg on 29 April 2003 held in the heat of the Iraq crisis (Diederichs & Jopp, 2004 cited in Jopp & Matl, 2005, pp.343-366). At the summit participating states the Final Declaration of which was notable for its sufficiently (at least in official terms) neutral and respecting the EU’s enduring devotion to NATO, yet, put forward the idea of creation of a “European Union of Security and Defence” (UESD) which implied the establishment of EU “operational planning cell” at Tervuren, Brussels (Diederichs & Jopp, 2004 cited in *ibid.*). Another potentially “seditious” proposal would probably be an enhanced military cooperation and coordination based on “mutual defence pact” concluded by the UESD parties (Howorth, 2004). Under the PESCO framework participating EU member states commit to a more active development of their defense capacities and to supplying combat units for collective missions, while all of these activities are regularly assessed by EDA (EU, 2010).

Yet, despite all these difficulties the UK eventually approved of structured cooperation and proposal on planning cell at Berlin summit in September 2003 and even agreeing to QMV (PESCO is authorized by the Council) except for as regards *military* operations, however, insisting on making it as inclusive as possible (no listing the participating states in the Protocol; eradication of “higher military capability criteria” requirement which again was introduced within the TEU post-Lisbon, art.42.6, 2007; freedom of joining and leaving; Howorth, 2007, p.82) and introduction of a clear statement that “commitments and cooperation in this area shall be consistent with commitments under” NATO (TEU post-Lisbon, art.42.7, 2007). This case with, of the UK which framed its position by making it accept permanent structured cooperation despite the earlier disagreements

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<sup>293</sup> This type of CSDP tasks is a part of “a wider spectrum of missions” for a “more capable” EU as enshrined in the ESS: “This might include joint disarmament operations, support for third countries in combating terrorism and security sector reform” (ESS, 2003).

very favorably exemplifies the effect of the above-mentioned social “entrapment”, if one uses Schimmelfenig’s (2001) terminology. Simon (2014, p.212) demonstrates that the Brown’s government accepted the debate on both structured cooperation and military planning (albeit conditional upon separate consideration) given the strong Franco-British pressures also being eager to extenuate tensions around these questions.

Structured cooperation as many other Lisbon-related and other CSDP notions represents a narrowly technical concept limited in use to the intergovernmental EU structures, and, hence, a typically cognitive argument exploited within policy sphere: the European citizens in most cases get aware of the fact of the adoption of certain policy instrument or similar only post factum in the form of ethics-based explanations which emphasize general usefulness of adopted instrument for member states’ ever-improving cooperation within the CSDP.

*Mutual Assistance Clause.* For the first time in her history the Union introduced a mutual defense clause (EU, 2010). “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 in their power, in accordance with article 51 of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States. Commitments 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” (TEU post-Lisbon, art.42.7, 2007).

*Solidarity Clause.* “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” (TFEU, art.222, 2007).

*Possibility to entrust a task to a group of member states.* “The Council may entrust the execution of a task, within the Union framework, to a group of Member States in order to protect the Union’s values and serve its interests.” “Council may entrust the implementation of a task to a group of Member States which are willing and have the necessary capability for such a task” (TEU post-Lisbon, art.42.5, 44.1, 2007).

*Enhanced Co-operation.* “Member States which wish to establish enhanced cooperation between themselves within the framework of the Union’s non-exclusive competences may make use of its institutions and exercise those competences...” “Enhanced cooperation shall aim to further the objectives of the Union, protect its interests and reinforce its integration process. Such cooperation shall be open at any time to all Member States...” “The decision authorising enhanced cooperation shall be adopted by the Council as a last resort...” (TEU post-Lisbon, art.20, 2007; TFEU, art.326-334, 2007).

The Lisbon Treaty also re-conceptualized the four basic CFSP instruments into four types of Decisions: (1) on the Union's "strategic objectives and interests"; (2) "on common positions"; (3) "on joint actions" and (4) "on the implementing arrangements for common positions and actions" (Mix, 2013). Namely for this reason CFSP elements put forward from December 2009 on are officially referred to as Decisions (Mix, 2013).

Ever-increasing complexity of the EU structure and mechanisms only deepens the gap between coordinative and communicative discourse within European political sphere: the Union owes her „democratic deficit“ partly to the contradictory politics held by member states' leaders who very often formulate their opinion on certain problem originally approved within coordinative discourse in the Council of Ministers in a totally different manner within communicative discourse due to the fears of being criticized by the public (European Commission, 2001; Beyers & Trondal, 2003 in Andreev, 2007; Schmidt, 2010).

Union Minister for Foreign Affairs of the buried EU Constitution has become what today given the reality of the Treaty of Lisbon we call *High Representative for Foreign Affairs and Security Policy*. Despite many apprehensions about the outcomes of the meeting, on 19 November 2009 member states' leaders agreed on the candidacies of both President of the European Council and new High Representative (Council, Press Release, 2009). Main functions attached to the High Representative appointed by the European Council by Qualified Majority Voting (QMV), "with the agreement of the President of the Commission" (TEU post-Lisbon, art.18.1, 2007) and aggregating "the six-monthly rotating Presidency, the High Representative for CFSP and the Commissioner for External Relations" (Council Secretariat, 2009) cover:

- Conducting "the Union's common foreign and security policy", contributing "by his proposals to the development of that policy [including CSDP], which he shall carry out as mandated by the Council" (and ensuring "implementation of the decisions adopted in this field" – Council Secretariat, 2009, referring to art.24), presiding "over the Foreign Affairs Council" (and being entitled to "convene an extraordinary Council meeting within 48 hours" or even sooner when needed – art.30.2), being "one of the Vice-Presidents of the Commission" accounting for external relations (TEU post-Lisbon, art.18, 2007)<sup>294</sup>;
- Representing the Union for the CFSP matters and conducting "political dialogue with third parties on the Union's behalf and" expressing "the Union's position in international organisations and at international conferences" (TEU post-Lisbon, art.27, 2007), exercising "authority over the

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<sup>294</sup> "The Union shall ensure consistency between the different areas of its external action and between these and its other policies. The Council and the Commission, assisted by the High Representative of the Union for Foreign Affairs and Security Policy, shall ensure that consistency and shall cooperate to that effect" (art.21.3).

European External Action Service and over the Union delegations in third countries and at international organizations” (Council Secretariat, 2009). It seems to be worth mentioning, given the Parliament’s growing role facilitated by the new Treaty the EP is supposed to exercise its influence over the High Representative namely *via* the latter’s membership of the Commission (see TEU post-Lisbon, art.17.7, 17.8, 2007 and TFEU, art.234, 2007). Again exactly as it was the case with the Union Foreign Minister, High Representative is expected to preside over an assisting European External Action Service (EEAS) which was finally established on 26 July 2010 (EU Council, 2010).

The European External Action Service or EEAS (TEU post-Lisbon, art.27.3, 2007; created<sup>295</sup> by the Lisbon Treaty in 2009 on the basis of the GAC/GAERC’s decision “on a proposal from the High Representative after consulting” the EP and with the Commission’s consent) shall comprise officials from relevant departments of the Council General Secretariat and of the Commission as well as of the member states’ diplomatic services all of whom can serve up to eight years (TEU post-Lisbon, art.27.3, 2007, former art.III-296.3 of the Draft Constitution; Del Biondo et al. in Biscop & Whitman, 2013, p.131). The EEAS ensures the consistency and coordination of the EU's external action (UK Stabilisation Unit, 2014). This structure is not a fully-fledged EU institution as e.g. the Commission or the Council, but an autonomous service assisting the HR (Stross, 2014, p.70)<sup>296</sup>. The EEAS’ structure consists of the HR-VP on top sided by an executive “Secretariat”, then it comprises policy board (including managing directors); regional crisis platforms (for Syria, the DRC etc.) set up by coordinative crisis management board; regular meetings of directorates and units in the context of topical task forces; planning teams and technical assessment missions especially important with regard to the security policy and, of course, informal consultations (EEAS, 2013; Stross, 2014, p.71). In addition to the CMPD, CPCC, EUMS and EU Situation Centre (SITCEN), which will be reviewed below separately, amongst the most prominent departments of the EEAS the following can be especially emphasized: Conflict Prevention, Peacebuilding and Mediation Division, Security Policy Division, Conflict Prevention Group (CPG). The EEAS also coordinates the functioning of the overseas delegations (EUDELs, more privileged than the previous Commission delegations) who implement CFSP policies on the ground (representation and coordination) and of the EU Special Representatives (EUSRs) who are emissaries of the Union with specific transversal and/or geographically determined tasks abroad

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<sup>295</sup> By February 2012 the EEAS staff finally moved into the building (Stross, 2014, p.71).

<sup>296</sup> Yet, it is treated as an „institution“ within the meaning of Staff Regulations and of Financial Regulation (Curtin & Dekker in Craig & De Burca, 2011, p.184). Sus (in Wilga et al., 2014, p.59) mentions Batora (2010, 2011), Barton & Quinn (2011), Hemra et al. (2011) who treat the EEAS due to this fact as an institutiona and she does likewise.

(EPLO, 2012; CSDP Map, 2013). CSDP's respective structures within the EEAS are divided into military (the European Union Military Staff or EUMS), and civilian<sup>297</sup> (the Crisis Management and Planning Directorate or CMPD, and the Civilian Planning and Conduct Capability, CPCC)<sup>298</sup>, all of them report directly to the HR-VP (UK Stabilisation Unit, 2014).

Carta (in Jorgensen & Laatikainen, 2013, p.46) refers to the EEAS as a *sui generis* body within the EU autonomous both from the Commission and the Council Secretariat. A very complex economic and political context (especially acute due to the Libyan crisis in 2011) of the EEAS' launch has immediately led to a challenging situation of the stressful coordination of the part of the CFSP external action functions concentrated in the EEAS and the external action tasks attached to the Commission<sup>299</sup>, not to mention the necessity to establish the EEAS as a real value-added by implementing its direct role as an information hub on EU foreign policy within an anfractuous networks among the Council, the European Council, the rotating Presidency of the Council, and, naturally, member states (especially the largest ones) (Helwig et al., 2013; Major & Bail in Gross et al., 2011)<sup>300</sup>. Even though it still seems quite early to judge objectively and in the face of all existing negative aspects mentioned above, many authors (Christiansen in Biondi et al., 2012; Burke, 2012; Edwards in Biscop & Whitman, 2013, p.76; Sus in Wilga & Karolewski, 2014; Balfour et al., 2015) estimate its operation rather positive in terms of its future perspectives within the limited scope of competences and general lack of coherence within the EU.

Precisely as Howorth (2007, p.85) predicted, these two Constitution babies were once again introduced this time into the Treaty of Lisbon and this time were given the go-ahead with the Treaty itself, as we as two other Constitutional proposals – Solidarity Clause and the European Defense Agency (EDA).

As for the establishment and functioning of *the European Defense Agency (EDA)*, this was dictated by the urgent necessity of making national “civilian and military capabilities available to the Union

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<sup>297</sup> The EEAS has taken up all of the crisis management structures previously operating within the Council Secretariat (Post, 2015, p.190).

<sup>298</sup> Brief description of the tasks and specificities of these structures is to be found at the end of this Chapter in the overview of the CSDP structures.

<sup>299</sup> Close coordination was a condition no.1 for letting the EEAS be autonomous after the HR-VP won unanimous support from the Foreign Affairs Council (27 states) following incredible struggle with the Commission for the sake of the establishment of the EEAS (Howorth, 2011).

<sup>300</sup> Martin (2013) additionally reminds of the fact that the budget of the EEAS leaves much to desire if compared with the administrative budgets of national foreign ministries in Europe: the table of Balfour and Raik (2013) indicates that its budget (489 million EUR) more or less equals the Belgian foreign policy budget and stands far behind those of the largest EU states.



for the implementation” of the CFSP enshrined within art.42.3 of the TEU (2007). Given “the relative failure of previous attempts to coordinate procurement and armaments cooperation” and emerging reality of the ESDP project (Howorth, 2007, p.109) this body operating “in the field of defence capabilities development, research, acquisition and armaments” was created in July 2004 (TEU, 2007, art.42.3; NATO, 2010) focuses on (a) contributing “to identifying the Member States’ military capability objectives and evaluating observance of” their relevant commitments; (b) promoting “harmonisation of operational needs and adoption of effective, compatible procurement methods”; (c) proposing relevant “multilateral projects”, ensuring “coordination of the programmes by the Member States and management of specific cooperation programmes”; (d) supporting “defence technology research”, coordinating and planning “joint research activities and the study of technical solutions meeting future operational needs”; (e) contributing “to identifying” and when needed “implementing any measure needed to strengthen the industrial and technological base of the defence sector” as well as rationalizing military expenditure (TEU, 2007, art.45.1). Prior to this namely the Commission and two working groups (PolArm and CoArm) were dealing with all armament issues as regards the CFSP and Community competences, the coordination of which seemed to be vital especially in the fields of satellites and strategic lift capacities (Jopp, 1999). The “statute, seat and operational rules” of the EDA, which is open to any member state, are adopted by the Council’s QMV procedure (TEU, 2007, art.45.2). Chief body of the Agency is her Steering Board consisting of national Defense Ministers (MODs), but sometimes it meets as the national armaments directors, sometimes as research directors, sometimes as military capabilities directors etc., captained formerly by HP-CFSP (Whitney, 2005) and now by the HR-VP (EDA, 2010). There are five Directorates in the Board: Capabilities; R&T; Armaments, Industry and Market; Corporate Services (EDA, 2010).

According to the former Chief Executive N. Whitney the EDA’s activity since 2004 resulted in two major developments: (1) Emergence of the first common European Defense Equipment Market (EDEM) with its special Code of Conduct brought to “a voluntary, non-binding intergovernmental regime that aims to inject transparency and competition into defence procurement” according to the EDA’s November 2005 decision (European Commission, 2007). Key principles of this Code of Conduct are: “a voluntary, non-binding approach”, “fair and equal treatment of suppliers”, “mutual transparency and accountability”, “mutual support”, “mutual benefit” (European Commission, 2007). As Howorth (2007, p.111) outlined, “for the first time, European governments committed themselves to purchase defence equipment from each other if the tender was the best available”. (2) Release of the first comprehensive publication on R&T expenditure of member states which

revealed serious shortages (Jopp, 1999) compared to, for instance, United States (6:1 difference – Howorth, 2007, p.111).

The main declared goal of the Treaty of Lisbon was to make the EU external action (*inter alia*) work more effectively, i.e. to improve coherence, capabilities and continuity, even though there are still persisting problems with its implementation (Menon, 2011; Wouters & Ramopoulos in Rossi et al., 2014, p.215). The Treaty of Lisbon is perhaps the most brilliant example of the modern prevailing understanding of the EU: the EU law is “an autonomous legal order” which differs from both constitutional/national law and international law (Wyrozumska in Blanke & Mangiameli, 2013, p.1393). What is also obvious, “the Lisbon Treaty left CFSP intergovernmental and therefore subject to unanimity” achieved within the European Council (TEU post-Lisbon, art.26.1, 2007; Horsak, 2011; Radtke in Laursen, 2012, p.41; EEAS Review, 2013). Corbett’s (in Biondi et al., 2012, p.248) formulation comes very opportunely: the Treaty has not made a radical paradigmatic change to the field of competence of the EU, but it has proceeded with the process of change to the ways the existing competences are exercised.

In the first years after the Treaty’s coming into force the lion’s share of the attention was attached to personalities than on institutional dimension of changes (Christiansen in Biondi et al., 2012, p.246)<sup>301</sup>. The choice fallen upon the personalities who would correspondingly occupy the newly established positions has caused a series of questions as well. The very fact of appointing an “invisible” H.Van Rompuy (twice – in 2009 and in 2012) immediately (baptized as “Mr.Nobody” in the British mass media) instead of charismatic and well-known former British Prime Minister T.Blair and politically unexperienced (by the way, British) baroness C.Ashton as an HR-VP was about to put under question the desire to give a fresh air to the EU foreign and security policy (Toth, 2012; Howorth, 2014).

As for the financial dimension of the conduct of the CSDP civilian and military missions, then it is different for these two types of missions. The TEU art.41.2 says that “the Operating expenditure to which the implementation of this Chapter<sup>302</sup> gives rise shall also be charged to the Union budget, except for such expenditure arising from operations having military or defence implications and cases where the Council acting unanimously decides otherwise”. Civilian operations are financed directly by the EU budget, to be more precise Commission-managed<sup>303</sup> CFSP budget (as well as by

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<sup>301</sup> Menon (2011), in turn, does not recommend to attach the entire attention to the institutional dimension and its ever-continuing improvement by explaining it as a counterproductive approach in the long term.

<sup>302</sup> Chapter 2 „Specific provisions on the common foreign and security policy“.

<sup>303</sup> The CFSP budget is administered by the Foreign Policy Instrument (FPI) of the European Commission (UK Stabilisation Unit, 2014).

member states through seconded personnel, i.e. up to 50% of the costs), and in the Council's official decision on launching specific civilian mission contains all the necessary financial references which can be exposed to revision if there are recommendations on expanding the mission (EUISS YES, 2013; Tardy, 2013).

Between 2007 and 2013 the Financial Framework out of the 864 billion EUR of total commitment appropriations 49 billion EUR were allocated to the EU external action the main part of which is attached to the Commission-led instruments (Sautter in Blanke & Mangiameli, 2012, p.574). The CFSP's foreseen budget in the Financial Framework for 2014-2020 is ca.2 billion EUR (0.2% of the total EU budget) (European Commission, 2015). In 2012 for the 11 civilian CSDP mission an amount of only 290 million EUR was allocated (Keukeleire & Delreux, 2014, p.112)<sup>304</sup>. In 2014 CFSP budget amounted to some 314 million EUR, i.e. 0.22% of the total EU budget (396 million EUR in 2013), for 2015 it is projected as ca.321 million EUR with an increasing tendency up to the foreseen 354 million EUR in 2020 or 0.21% of the total EU budget (European Commission, 2014; EUISS YES, 2014).

As regards the internal civilian CSDP budget, it has gradually risen since 2004, yet, still remains unpretentious: in 2013 it amounted to ca.300 million EUR, while European Development Fund's budget was 22.7 billion EUR for 2008-2013) and ECHO budget of 1.1 billion EUR for 2010) (Ballester, 2013). The amounts of budget allocated for the two EU missions especially interesting for the Thesis – EUPOL Afghanistan (since 2007) and EULEX Kosovo (since 2008) - have decreased between 2011 and 2014: from 50 million EUR to 40 million EUR and from over 155 million EUR to around 100 million EUR respectively (EUISS YES, 2014).

In turn, the financing mechanism for CSDP military operations, especially rapid response operations, since 2004 is ATHENA<sup>305</sup> (TEU post-Lisbon, art.41.3, 2007) to which all the states-participants<sup>306</sup> contribute proportionately to their GNP; whereas the mechanism covers only 10-15%

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<sup>304</sup> Interestingly, compared to other missions the amounts allocated for the EUPOL Afghanistan - 57 million EUR and EULEX Kosovo's 111 million EUR were more substantial, even though the Afghan mission's budget looked, nevertheless, very small beside the Western military expenditures in Afghanistan, in general, and in the face of the remaining huge security problems in that region (Council, 2013; Keukeleire & Delreux, 2014, p.112; FPI Annual Activity Report, 2012).

<sup>305</sup> Previous CSDP operations financed through Athena: AMIS 2 (Sudan) (2005-2007); EUFOR RD CONGO (2006); EUFOR TCHAD RCA (2008-2009); EUFOR Libya (2011); EUFOR RCA (2014-2015) (Council, 2015). Current CSDP operations financed through Athena: EUFOR ALTHEA (Bosnia Herzegovina); EUNAVFOR ATALANTA (Horn of Africa); EUTM SOMALIA; EUTM MALI; EUMAM RCA (Council, 2015).

<sup>306</sup> 27 EU states contribute to the financing of the CSDP military operations, only Denmark decided to opt out of CSDP on military matters (Council, 2015).

of the expenses and the rest is paid by participating states based on the “costs lie where they fall“ principle (similar to NATO), i.e. states which provide forces and capacities pay for them<sup>307</sup> (EUISS YES, 2014; Council, 2015; Horsak, 2011).

Libyan war exemplifies probably the most contentious case of the recent past for all participants and also some non-participants of the crisis. The winter-spring of 2011 was marked by a major crisis in the neighboring Libya brought by the huge civil war between the rebels and the Gaddafi government forces, following upon the revolutions in Tunisia and Egypt. Pursuant to the Haiti earthquake in 2010 and Fukushima nuclear disaster in 2011 which clearly disclosed deep-seated disintegrative propensities within the Union, Libya as a “perfect storm” (Brattberg’s term, 2011) has most seriously put the Union on trial in the political sense of the word with some observers being even convinced that the CSDP is now dead (Christiansen in Biondi et al., 2012, p.246; Menon, 2011).

Several authors are convinced that instead of being a brilliant example of Europe performing as a unified power substantially contributing to the stop of violence and the restoration of peace and order on the Union’s doorstep (which was desired by the US), it became a vivid example of highly fragmented reactions of various kinds within the scope of common foreign policy and opposingly swift humanitarian reaction (Brattberg, 2011; Keonig, 2011; Howorth, 2012; Lagadec, 2012, p.166; Larrabee & Wilson, 2014). Biscop and Coelmont (2011, p.7) argue that there were too many reasons to perform as a *doing* actor in addition to the key reason which emanates from the collective long-term importance posed for all member states to address this problem: the UNSC Resolution permitting the use of force; the unprecedented request for intervention from the Arab League (regional support); the US’ clearly formulated decision to opt out<sup>308</sup>. Extremely protracted debates preceding the emergency meeting in Brussels, long-drawn wrangling on measures to be taken, finally consensus found on regime change in Libya and again divisions of France, the UK and Germany in the UNSC similar to those once on Iraq (yet, expectations of a more coherent EU have now become much higher than in 2003) – that is how it looked, Brattberg (2011) argues. In Libya it

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<sup>307</sup> ATHENA is managed by an administrator, an operation commander and an accounting officer, whose activities lie under responsibility of a special committee composed of one representative from each state-participant, and the representatives of the EEAS and of the EC (EUISS YES, 2013). There are two different types of costs under ATHENA – common and operational costs, while all of the costs not explicitly ascribed to ATHENA shall remain under the responsibility of the participating EU states (EUISS YES, 2013). There is an activated permanent revision procedure and each Presidency has at least one meeting on discussing certain changes to be applicable to the ATHENA mechanism (EUISS YES, 2013).

<sup>308</sup> Menon (2011 in Boin et al., 2013, p.77) goes further in showing that the EU did not deploy a Battle Group in the Libyan civil war.

became obvious that national leaders' inclination towards debate strategy in crisis situations was even reinforced after the creation of the HR-VP position (Brattberg, 2011).

While the then HR K.Ashton, President of the Commission J.M.Barroso and President of the European Council H.V.Rompuy were making official (“seemingly uncoordinated”, Brattberg, 2011) communiques on issue<sup>309</sup>, France and the UK after many debates came forward with the suggestion to actively participate within a broad coalition of North American, European (EU states including Belgium, Italy, Denmark, Spain, the Netherlands, Sweden) and Arab countries (18 states) in NATO-overseen combat operations in Libya legitimized by the “groundbreaking” (compared to the Resolution no.1970) UNSC Res.1973<sup>310</sup> (Biscop & Coelmont, 2011; Zifcak, 2012; Martin, 2013). The US officially abstained, but nevertheless, the US forces dominated the operation from the start including facilitation of supportive functions, e.g. assisting in the breakdown of the Libyan integrated air defense system, providing intelligence information (Zifcak, 2012). Germany stayed away, and there were no debates conducted regarding any military CSDP operation under the Petersberg tasks, and even quite belated “face saving” military-civilian (to alleviate humanitarian situation in Misrata) EUFOR Libya (decided on April 1) was not realized<sup>311</sup> (Biscop & Coelmont, 2011; Menon, 2011; Brattberg, 2011). The problem was not of too huge expectations of the Lisbon “miracle” to change everything (Brattberg, 2011), but that the Libyan case apparently exemplified the reluctance of EU member states “of thinking strategically about CSDP” (Biscop & Coelmont, 2011, p.7; Menon, 2011). What was done was done through non-CSDP mechanisms: immediate suspension of negotiations on a framework agreement with Libya and of ongoing cooperation contracts; visa ban and assets freeze on the Libyan regime; sanctions on ports, facilitation of humanitarian assistance<sup>312</sup> to the Libyan refugees and civil protection for European citizens (Brattberg, 2011).

Despite all the criticism which fell on the CSDP head regarding the Libyan crisis, many scholars prefer to treat this question very carefully, not so adamantly and to be cautious in establishing direct

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<sup>309</sup> „Ms Ashton engages “civil society” in Benghazi“, wrote „The Economist“ (2011).

<sup>310</sup> In accordance with the UN's new „Responsibility to Protect“ („R2P“) concept for the first time (Zifcak, 2012; Campbell, 2012). Brazil, China, Germany, India and Russia were rather reserved about the new Resolution (UN Press Statement, 2011).

<sup>311</sup> Because ““the requesting power” UN OCHA did not allow it (for security reasons)” (Bjurner in Wallenstein & Bjurner, 2015, p.104).

<sup>312</sup> Brattberg (2011) indicates the following amount of humanitarian assistance facilitated by the EU and her member States through the IOM, the IFRC, and the UN-OCHA: over 125 million EUR in financial and in-kind aid (the Commission - around €75 million of this sum); plus evacuation of ca.5800 EU citizens (by member states through DG ECHO) and repatriation of 31000 third country nationals via the Monitoring and Information Centre (MIC).

linkage between the CSDP and Libya. Koutrakos (in Arnall & Chalmers, 2015, p.297) *inter alia* refers to the reports about serious capabilities shortfalls in the most militarily advanced EU states including the UK and France which were said to make further contributions simply unfeasible (see also Ambrosetti & Esmenjaud in Tardy & Wyss, 2014). While according to some sources, for the UK and France “there was never any question of framing the Libyan intervention operation as an EU crisis management mission under the CSDP” (Strategic Comments, 2011 in Larive, 2014, p.210), according the other sources explain the very fact of the UK’s and France’s turning to NATO for arranging military intervention, and not to the EU, reflected “both the need for US involvement and the view that only NATO (and not the EU) was capable of providing the necessary command and control structures” (Cottey, 2013, pp.113-114). So, literature offers very contradictory interpretations and explanations, and therefore the problem of the role of the CSDP in the Libyan crisis has to be treated very carefully, not emotionally. “The United States used Libya to test Europe’s security management within NATO, as for the first time the United States, consciously, did not lead” (Laity in Odgaard, 2014, p.96). Laity (in Odgaard, 2014) does not even mention CSDP. Did then CSDP have to do something in this debate?

By May 2011 the Western allies arrived at the conclusion that the protection of civilians in Libya could be ensured only by means of facilitating regime change in the country and lending comprehensive support to the anti-governmental forces on the ground which resulted in the UNSC’s Resolution no.2009 authorizing the mandate for a UN Support Mission in Libya (“UNSMIL”) (Zifcak, 2012). In May 2013 the EU launched EUBAM Libya border management assistance mission (EEAS, 2015; Pohl, 2014) (see below).

In 2013 despite all of the budget difficulties and political destabilization in Europe member states were still interested in the further options of reviving the common defense debates, pooling and sharing of capabilities or coordination of national reforms in defense sectors (Helwig et al., 2013). In 2013 there were two cases of the EU’s more or less adequate, albeit not equally fruitful engagement in internationally significant crises. During the Syrian crisis, which started in March 2011 with mass protests and bloody consequences of meeting with the police in Damascus, Baniyas and Deraa and developed into a full-scale civil war very soon, the HR-VP K.Ashton had to find a common denominator between Germany, the UK and France regarding the issue, and in the Vilnius meeting of the Foreign Affairs Council in September 2013 she did achieve certain consensus in terms of encouraging the UNSC for more discussion about the use of chemical weapons in Syria (Martin, 2012; Aljazeera, 2014).

The European defense has been placed under a huge challenge in 2014 due to the Ukrainian crisis as well as ever-escalating conflictive situation in the southern neighboring territories in Syria, Iraq

and Libya (EUISS YES, 2015). Of the total amount of 200.3 billion EUR spent by all 28 EU member states in 2014, the part of military expenses made in this year fell for the umpteenth time at an annual rate of 1.8% compared to 2013 and if taken totally by 13.6% since 2007 in real terms, which again was, in fact only on average, for the EU states with the biggest defense expenditures as the UK, Germany and France were still spending enough much, and also the Eastern European member states were forced to nevertheless channel substantial military resources due to the tough situation in the Ukraine<sup>313</sup> (EDA, 2014; SIPRI, 2014; NATO, 2014; IISS, 2014; EUISS YES, 2014).

The Ukrainian crisis has erupted with the mass “Euromaidan”<sup>314</sup> anti-government protests since the President Yanukovich’s last minute decision (on 30 November 2013) to suspend the signing of the Association Agreement proposed by the EU (Dearden, 2014). Bloody clashes between the popular protesters and the government forces peaked on 20 February 2014 and mass requirements to form a new government have led to the escape of the Ukrainian President on 22 February, the Crimea’s Anschluss to Russia in March, and the beginning of the secessionist activities of the Russian-backed rebels in the eastern cities of Donetsk, Luhansk (these two declare independence in May) and Kharkiv (Kharkiv regained by the Ukrainian army in April) (Dearden, 2014). Signing the EU Association Agreement in June by the new President Poroshenko was followed by the tragic shoot-down of the Malaysia Airlines civilian plane, imposition of economic sanctions on Russia by the US and the EU (accompanied by gas delivery controversies) and signing of a Minsk peace deal between the rebels, Russia, Ukraine and OSCE and the consequent ceasefire deal Minsk-2 in February 2015 which did not stop the war – the UN informed about 6000 victims (not to mention over 11000 wounded and over 0.5 million displaced) of the fights in eastern Ukraine by March 2015 (The Telegraph, March 2015; FPRI, 2015; Euronews, 2015). The newest (as of May 2015) civilian EU mission - EUAM Ukraine – was deployed in December 2014 in response to the proposals by the UK, Sweden and Poland, and provides support for civilian security sector reform

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<sup>313</sup> This reminds of a similar East European initiative undertaken even before the Ukrainian crisis: as early as in the aftermath of the Georgian-Russian war 2008 Visegrad Group of countries (the Czech Republic, Hungary, Slovakia, Poland) established a military group in 2011, which was expected to be operational by 2016 (Stevens in Jovanovic, 2013, p.57). Sojka and Vazquez-Garcia (in Boening et al., 2013, pp.62-63) present statistics that demonstrates that 52% of respondents among the publics of the East European states perceive the Russian interference as a threat to Europe (among political and trade union elites it is even higher – 60%, among mass media – approx.67%).

<sup>314</sup> The previous major Maidan protests also against Yanukovich, who was a pro-Russian presidential candidate at that time, ended in the famous Orange Revolution In 2004, reelections the winner of which became Yushchenko and Tymoshenko – the prime minister (Manni, 2014). The Orange Revolution’s achievements have been essentially debased ever since, Yanukovich was reelected in 2010, Tymoshenko was put in jail (Manni, 2014).

(EEAS, 2015; Rettman, 2014; UK Stabilisation Unit, 2014). Against the backdrop of the Russian armed forces deployed near the border with Ukraine and air defense systems prepared, in April 2015 Poroshenko declared that Ukraine is expected to meet the criteria necessary to apply for a membership in the EU (The Associated Press, April 2015; Gordon, 2015).

Techau (2014) lists three major challenges for the politically divided EU with regard to the crisis in Ukraine torn by political-military unrest in the East and economic collapse, i.e. complex situation in Ukraine<sup>315</sup> and the EU's Eastern neighborhood, EU-Russian relationship, and reassurance within NATO (security and defense), and this are, in his opinion, makes this crisis "a test like none before".

If in the Yugoslav crisis in the 1990s the highly sophisticated economic and political toolkit often deployed by the Union was put into motion too late, then, as Tassinari & Friis (2015) argue, as opposed to the previous experiences in the Eastern Europe, for the Ukraine crisis it obviously proved to be insufficient to prevent it or to manage it. Tassinari & Friis (2015) namely specify the EU tactics with regard to the Putin's Russia as an essential, rarely observed overcoming of the "capability-expectations gap"<sup>316</sup> in the form of a considerably strengthened unified voice of the EU in the Ukraine crisis<sup>317</sup>, and furthermore they especially emphasize the ever-growing importance of Germany in channelizing EU foreign policy which will play a crucial role in the latter's future international influence as well. At the Munich Security Conference of 2015 the German Chancellor Merkel firmly declared that there is no military solution for the conflict in Ukraine (Parfitt & Huggler, 2015).

EU's role in the negotiations process of the freshly signed agreement between the P5+1 and Iran on the latter's uranium enrichment program, yet, draws contours for a more promising future of the European common foreign and security policy, at least in its EU3 *directoire* represented by the UK, France and Germany (Whitman in Balfour et al., 2015, p.25).

As of March 2015, there are currently sixteen civilian and military CSDP missions conducted by the EU: on the EU's eastern flank civilian in Georgia and Ukraine; southern flank civilian in Kosovo,

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<sup>315</sup> According to Techau (2014) those „foreign policy tools“ the Union exercised with respect to Ukraine „were mostly small-scale, technocratic ones designed to bring about incremental advances by means of trade liberalization and institutional reform“ which has always partially made an impression to maintain the status quo than „bring about real change“.

<sup>316</sup> Coined by Hill (1993) regarding Europe's international role.

<sup>317</sup> They demonstrate that the personalities occupying the positions of the HR-VP and of the permanent Presidency of the European Council respectively Mogherini and Tusk embody a very favorable counter-balance in the EU's foreign policy: the former's alleged Russophilia counterweighed by Tusk's past as the Polish Prime Minister who traditionally positioned himself very cautiously against Putin's politics (Tassinari & Friis, 2015).



Libya, Mali, military in BiH and Mali; elsewhere in Africa civilian in DR Congo, Niger, DSSTY area<sup>318</sup>, military in CAR, two military in Somali); two civilian in the Occupied Palestinian Territories; and one “out-of-area” civilian mission in Afghanistan (EEAS, 2015). General list of areas where these missions provide support to include security sector reform, especially policing and rule-of-law reform, border management, counter-terrorism, counter-piracy, the fight against organized crime (UK Stabilisation Unit, 2014).

The ongoing civilian CSDP missions are:

- *EUSEC RD CONGO* (launched in June 2005, 48 international experts, support for security sector reform, especially the Congolese army – CSDP Note, 2014; EEAS, 2015; Mays, 2011);
- *EUBAM Rafah* (launched in November 2005, ca.100 mostly EU staff and over 120 experts from Moldova and Ukraine as of October 2014, monitoring, verifying and evaluating the Palestinian Authority’s performance with regard to the Agreed Principles for Rafah Crossing plus capacity building border control and customs operation – CSDP Note, 2014; EEAS, 2015; Bouris, 2014);
- *EUPOL COPPS/Palestinian Territories* (launched in November 2005, 71 international and 41 local staff as of February 2015, support for state-building, especially policing and criminal justice – EEAS, 2015; Mays, 2011);
- *EUPOL Afghanistan* (launched in 2007, 206 international and 178 local staff as of February 2015, support for reforms of police forces and Interior Ministry and rule of law reforms - EEAS, 2015; Brattberg, 2014; Pohl, 2014; Morelli & Belkin, 2009; Gross in Gross & Juncos, 2011);
- *EULEX Kosovo*<sup>319</sup> (launched in 2008, large-scale rule of law mission of 800 international and 800 local staff, support for effective policing and rule-of-law, the EU’s only mission with an executive mandate - Spornbauer, 2014, p.219; EEAS, 2015; Pohl, 2014; Soder, 2009);
- *EUMM Georgia* (launched in September 2008, civilian monitoring mission of 200 EU monitors as of May 2015, support for peace and security on both sides of the Administrative Boundary Lines (ABL) with Abkhazia and South Ossetia as well as informing EU policy in Georgia and the region on the whole – EEAS, 2015, Soder, 2009; Koutrakos, 2013).
- *EUCAP Nestor* (launched in July 2012, 86 international and 18 local staff as of October 2014, enhancing maritime capacities, especially against piracy, of 5 countries in the Horn of Africa and the Western Indian Ocean, i.e. Djibouti, Kenya, Somalia, Seychelles and Tanzania – EEAS, 2015; Bundeswehr, 2015; PortNews, 2014);

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<sup>318</sup> Djibouti, Somali, Seychelles, Tanzania, Yemen – EUCAP Nestor (EEAS, 2015).

<sup>319</sup> Both EULEX Kosovo and EUPOL Afghanistan missions will be profoundly analyzed in the Chapter 3.

- *EUCAP Sahel Niger* (launched in August 2014, 56 international and 36 local experts, improving the capacities of security forces, especially with regard to terrorism and organize crime, and regional/international cooperation in security – EEAS, 2015; Aigner, 2014; Koutrakos, 2013);
- *EUBAM Libya* (launched in May 2013, border management assistance mission, 17 international staff as of October 2014, support for improvement in Libyan border security authorities (EEAS, 2015; Pohl, 2014);
- *EUCAP Sahel Mali* (launched in April 2014, 80 EU and 30 local staff as of March 2015, support for reforms of three internal security forces, i.e. the police, Gendarmerie and Garde nationale – EEAS, 2015);
- *EUAM Ukraine* (civilian advisory mission deployed on 1 December 2014, ca.80 international specialists, support for civilian security sector reform in policing and rule-of-law - EEAS, 2015; Rettman, 2014; UK Stabilisation Unit, 2014).

As for the completed civilian CSDP missions, these are namely: EUPM/BiH (2003-2012), EUPOL PROXIMA/FYROM (2004-2005), EUJUST THEMIS/Georgia (2004-2005), Aceh Monitoring Mission or AMM (2005-2006), EU Support to AMIS (Darfur, 2005-2006), EUPOL KINSHASA (in DRC<sup>320</sup>, 2005-2007), EUJUST LEX-Iraq (2005-2013), EUPAT (in the FYROM<sup>321</sup>, 2006), EUPOL RD CONGO (2007-2014), EU SSR Guinea-Bissau (2008-2010), EUAVSEC South Sudan (2012-2014) (EEAS, 2015).

Kuehnhardt (2010, p.3), and not only him, is convinced of the dependence of the European integration on “paradoxes and crises” the Union constantly undergoes since her establishment. Indeed, historians and many traditional political scientists rely on the idea that periods of stability in the EU integration are once and again “punctuated by abrupt, intense and rapid moments of profound transformation”, while the others base their accounts on the concept of incremental change accompanied by cognitive and normative mechanisms of social learning and compliance rather than directly top-down policy implementation (Coman & Crespy in Coman et al., 2014, p.64). According to punctuated equilibrium supporters the Lisbon Treaty, for instance, can be considered as a critical juncture for the CSDP in terms of having structural effects on the policy implementation without causing paradigm change (change in the policy’s or its institutional framework’s direction, e.g. a real supranational EU Foreign Minister), but by adding new instruments/rules for the acceleration of existing incremental trends (e.g. HR-VP, EEAS). Yet, Schmidt (in Anderson, 2009) approaches incremental processes of change also as dynamic processes as the path-dependence scholars approach only critical junctures; moreover, the political

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<sup>320</sup> Democratic Republic of Congo.

<sup>321</sup> The Former Yugoslav Republic of Macedonia.

processes (especially those concerning CFSP/CSDP) usually require impressively more complex solutions than “merely tinkering with or even overhauling existing EU institutional arrangements”.

## 2.5. CSDP: Structural Portrait

Since the theoretical focus of the given Thesis represents one of the new institutionalist schools certain space of this written work must be necessarily granted for the review of the ABC of the CSDP's<sup>322</sup> key institutions and bodies<sup>323</sup> including the EU's general structures that are directly involved or are considerably influential for this highly delicate EU policy sphere<sup>324</sup>:

*European Council.* This is the Union's “highest level of political authority“ (Mix, 2013). The basic definition of the European Council did not substantially change even after Lisbon: trimestrial “summit conferences of Heads of State or Government of the Community Member States” (plus its President and President of the European Commission) held regularly since 1974 (Paris) exercise a privilege of ultimate decision-making based on unanimous voting or consensus (Lang, 2007, pp.63-64) on the most important fields of intergovernmental pillar of the Community (Koenig-Archibugi, 2004 cited in Thomas, 2009), the integral part of which are CFSP and ESDP/CSDP (European Parliament, 2001). The European Council was first included in the Treaties within the Single European Act (SEA) in 1986, whereas its “role in the European Union's institutional process was ultimately formalized by the Maastricht Treaty” (European Parliament, 2001). But it was the Treaty of Amsterdam that “granted the European Council the role of initiator in the possible establishment of common defence within the ESDP competence” (Lang, 2007, p.63). And, finally, the Lisbon Treaty upgraded it to now having a full status of an EU institution (TEU post-Lisbon, art.13.1, 2007)<sup>325</sup>.

Serving in the capacity of “general political impetus” (European Parliament, 2001) which defines “the general political directions and priorities thereof” but not exercising legislative functions (TEU post-Lisbon, art.15.1, 2007), the competences of the European Council with respect to CFSP until 2009 used to be defining “the principles of and general guidelines for the common foreign and security policy, including for matters with defence implications” and deciding “on common strategies for its implementation [...] in areas where the Member States have important interests in

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<sup>322</sup> In all of the cases the CSDP is regarded as an integral part of the larger CFSP framework.

<sup>323</sup> The EDA and the EEAS will not be included, since they were presented above.

<sup>324</sup> See Annex 1 on the overview of the CSDP structures (CSDP map, 2013) at the end of the Thesis in the „Annexes“ section.

<sup>325</sup> „The trio has been converted into a quartet and the triangle into a rectangle. At the lower corners we find the European Parliament and the Council; at the upper corners, the Commission and the European Council“ (Tosato, 2009).

common” (TEU Nice, 2002, art.13). The Treaty of Lisbon assigned the following CFSP/ESDP-related responsibilities to the European Council – from then on a Community Institution enjoying full rights: it “shall identify the Union’s strategic interests, determine the objectives of and define general guidelines for the common foreign and security policy, including for matters with defence implications” and it adopts the necessary decisions on the respective issues (TEU post-Lisbon, art.13, 15, 2007; TFEU, art.235-236, 2007). According to the art.22.1 of the Lisbon Treaty, the European Council “shall act unanimously on a recommendation from the Council”.

If necessary the President of the European Council – the above-mentioned new post provided for by the Treaty – “shall convene an extraordinary meeting of the European Council” (TEU post-Lisbon, art.26.1, 2007). He/she shall be elected by qualified majority voting (QMV), for a term of 2.5 years, subject to maximum one renewal (TEU post-Lisbon, art.15.5, 2007). One must mention the following responsibilities of its President (who does not represent any specific nation): chairing and managing the European Council’s work, preparing the European Council summits<sup>326</sup>, supporting preparation and policy continuity, ensuring consensus, regular reporting to the European Parliament (EP), as well as “the external representation of the Union” on CFSP matters (“without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy”) (ibid., art.15)<sup>327</sup>. The High Representative and Vice President of the Commission is appointed by the European Council, “with the agreement of the President of the Commission” (ibid., art.18.1). According to Puetter (2014, pp.124-125), the former European Council President “guardian of the unity of the 27”<sup>328</sup> Van Rompuy could take advantage of his prerogative of deciding on agenda and thereby draw more attention to foreign policy matters lately left somewhat aside by the European Council in favor of the economic and financial issues. As for the rotating presidency, the Lisbon Treaty put substantial constraints on the “political” dimension of rotating presidency, the most difficult issues discussed in the European Council have now been take away from its competence and the main task is limited to negotiating ongoing legislation with regard to the Council and the EP (Kaczynski in Fabry, 2011, p.340).

*Council of the European Union (Council of Ministers).* With the Lisbon Treaty the rules of chairmanship in the Council in which representatives of the rotating Presidency (half-year period)

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<sup>326</sup> Since 2011 he also chairs the summits of the Eurozone countries (Toth, 2012).

<sup>327</sup> Toth (2012) points to the necessity of establishing balanced relationships between the European Council President and the Commission as well as with the HR-VP.

<sup>328</sup> Van Rompuy (2012) used this characterization of himself in his second Acceptance Speech (second mandate) in March 2012.

used to chair almost every Council formation and preparatory body have become more complicated (Helwig et al., 2013). The former General Affairs and External Relations Council (GAERC) into two formations: Foreign Affairs Council (FAC) (dealing with foreign policy, defense and development) chaired by the HR/VP and General Affairs Council (GAC), the latter still chaired by the rotating Council Presidency (Mix, 2013; Helwig et al., 2013).

On “the basis of the general guidelines and strategic lines defined by the European Council” the Council (foreign affairs ministers of the member states) is designed for framing “the common foreign and security policy and” taking “the decisions necessary for defining and implementing it” (TEU post-Lisbon, art.26.2, 2007) as well as defines the EU’s approach on thematic and geographical issues (ibid., art.29). Having originated from the EPC (Nuttall, 1992 cited in Howorth, 2007, p.64), the Foreign Ministerial Council composed by national Ministry of Foreign Affairs (MFA) leaders meets monthly and usually “discusses relevant external relations issues as well as institutional issues” (EU Council, 2009). The CSDP-related decisions “shall be adopted by the Council acting unanimously on a proposal from the High Representative for Foreign Affairs and Security Policy or an initiative from a Member State” (TEU post-Lisbon, art.42.4, 2007, italics added – *S.I.*), including the decisions which fall under the art.43 (widened Petersberg tasks, TEU post-Lisbon, art.43.2, 2007). The art.46 provides for the Council’s authority as regards the organization of structured cooperation (TEU post-Lisbon, art.46, 2007). Once the Council has adopted a CFSP decision, procedure of QMV is permitted to be used for agreeing on relevant implementing measures (Mix, 2013). The consensus method is highly preferable by the EU (Paul, 2008)<sup>329</sup>. Now with Lisbon, the Council “may henceforth delegate the implementation of a task to a group of Member States which are willing and have the necessary civil and military assets to carry out the task”, and they are obliged to regularly inform the Council about their progress (EU, 2010). Thus, as “the main decision-making body for CFSP and ESDP” (Missiroli, 2004, p.59) the GAERC used to be simply GAC – General Affairs Council prior to 2003 (Howorth, 2007, p.64). Divided now into two separate sessions, the GAERC is first discussing issues of predominantly general “internal” coordination nature, afterwards turning to the CFSP, foreign trade and development cooperation (EU Council, 2010). The Council's formal positions are published as "conclusions" or "statements" of the Council (EU Council, 2010). The High Representative chairs the Foreign Affairs Council and being in this position he/she, on the one side, strives for finding consensus among its members and, on the other hand, with the support of the European External Action

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<sup>329</sup> Discussions on certain changes to the calculation of majorities within the Council have been practically postponed until 2017 or even later because of the „Ioannina“ approach (Tosato, 2009).

Service (EEAS), this person is in charge for managing, carrying into effect and representing CFSP decisions (Mix, 2013).

Standing out of the Treaty (an old tradition of *primus inter pares* position of Foreign Ministers) but increasingly important Council of Defense Ministers format (Duke, 2005) was started to be held since February 2002 twice a year under the supervision of the GAC as well as in an informal way (Bjoerkdahl & Stroemvik, 2008) and which agenda is confined to purely military issues (Howorth, 2007, p.108). Defense Ministers of 28 EU members form the Steering Board of the EDA as well (Howorth, 2007, p.109). Today this body represents the CSDP's decision-making body (EP, 2015).

*The Permanent Representatives Committee (COREPER). Comité des représentants permanents* is “responsible for preparing the work of the Council and for carrying out the tasks assigned to it by the latter” (TFEU, art.240.1, 2007) and relies on ambassadorial representation and meets weekly in Brussels (Howorth, 2007, p.64). COREPER holds “a pivotal position in the Community decision-making system” in which it is “both a forum for dialogue” and “a means of political control” (European Commission, 2009). Institutional significance of this Committee is reflected in the fact that any agenda item unanimously agreed within COREPER usually is directly passed further to the GAERC for debate although after Saint Malo her influence somewhat decreased (Howorth, 2007, p.64). There are actually two different formats of COREPER: (1) COREPER I, comprising deputy permanent representatives, and dealing with primarily technical matters, and (2) COREPER II, consisting of the ambassadors, and dealing with political, commercial, economic or institutional matters (European Commission, 2009; Ginsberg, 2007, p.393; Bjoerkdahl & Stroemvik, 2008).

*Political Committee (PoCo)*. This structure “created by the Luxembourg report 1970” (Bjoerkdahl & Stroemvik, 2008) is one of those which prior to 2000 used to be an important operative political forum made up by Political Directors of Foreign Ministries of member states meeting monthly (Howorth, 2007, p.64). After Saint Malo the significant part of her security and defense agenda was handed over to the permanent Political and Security Committee (Duke, 2005).

*Council General Secretariat (CGS)*. Duties of this body comprising 2.500 officers which creation dates back to SEA in 1986 were first confined to “overseeing and servicing CFSP”, as well as preparing “agendas, reports, collect and circulate information, statements and proposals”, coordinating attendance of meetings and providing the infrastructure (Bjoerkdahl & Stroemvik, 2008) but gradually refocused on more juridical issues of foreign and security policy and currently serves as a consulting structure for the European Council, the GAERC and the High Representative for Foreign Affairs and Security Policy (Grevi, 2009 cited in Grevi et al., 2009). Prior to the Treaty of Lisbon the Secretary General (SG) of the Council Secretariat used to be also the High

Representative (HR) for CFSP (Bjoerkdahl & Stroemvik, 2008). As Christiansen (in Biondi et al., 2012, p.245) and Post (2015, p.190) show, with the establishment of the EEAS foreign and security policy component (including all crisis management structures) was largely taken from the Council Secretariat which has been only recently granted executive functions in this sphere, and, he also cites Christiansen and Vanhoonacker (2008) as well as Mangenot (in Mangenot & Rowell, 2010) when argues that this created certain tensions between the Secretariat's main legislative and institutional competences. Now given these shifts in tasks originating from the Lisbon Treaty allow for a better concentration of the Secretariat on its traditional role of lending support to the rotating Presidency in the legislative matters (Christiansen in Biondi et al., 2012, p.245). The rotating Presidency here is especially underscored for the reason that due to the Lisbon novelties the Council Secretariat "still prepares draft agendas and provides support", but the European Council President may consciously use his prerogative to make the final decision on the agenda (Puetter, 2014, p.124).

*Rotating Presidency of the EU.* Council Presidency represents "the execution of the function" for the duration of six months by one member state (in alphabetical order) accompanied by responsibility for the "overall functioning of the Council" and its working groups (Czech Education Ministry, 2006). Amidst main functions of the Presidency, namely administering and steering the Council's work, negotiation as well as the intra-Union and external representation of the Council; "identifying political priorities", including those related to CFSP/ESDP (CSDP) (Czech Education Ministry, 2006) seem to be more prominent in the sense of "Presidency Conclusions" and its "ESDP Annexes" presented at the final European Council every six months (Howorth, 2007, p.65). As it was indicated above, the Treaty of Lisbon has substantially diminished the role of rotating Presidency with the parallel complications of the relationship between the Presidency and the European Council President, the HR-VP (including vertical relationships between the representative of the Presidency chairing COREPER and the HR-VP) and the European Commission President (Christiansen in Biondi et al., 2012).

*European Commission.* This EU veteran embodies the supranational essence of the entire Community policy and just shortly before the Lisbon its main task as regards foreign and security policy was "delivery and implementation of CFSP via the Directorate General for External Relations (RELEX) and the Commissioner for External Relations" (Howorth, 2007, p.65). The Commission had then created a Conflict Prevention and Crisis Management Unit under its guidance which monitored emerging crises and thereby helps EU respond to them in a timely manner (Howorth, 2007, p.65). The Lisbon's main amendment to the Commission's role in CFSP was removal of the Maastricht principle of the Commission's full association with CFSP (EPLO, 2012).

After the Lisbon Treaty came into force, the Commission maintains its full power of initiative only *within its own* areas of competence: (1) “numerous external policy areas such as trade and sanctions regulations, and on certain issues pertaining to the areas of humanitarian aid, development assistance, rehabilitation, reconstruction, as well as neighborhood and enlargement it shares responsibility with the member states” as well as the budget management, which makes it, in principle, a sufficiently important internationally EU agency (Bjoerkdahl & Stroemvik, 2008); (2) “a role as external representative” of the EU “[w]ith the exception of the common foreign and security policy, and other cases provided for in the Treaties” (TEU, 2007, art.17.1); (3) the Commission-related part of the civilian crisis management instruments (Instrument for Stability or IfS<sup>330</sup>) (EU Commission, 2015;). If originally its role regarding the CSDP’s military aspects was “inevitably limited” (Bjoerkdahl & Stroemvik, 2008; Duke, 2006) somewhere in a grey area between civilian crisis management and development policy area (Duke, 2006), now with the creation of the EEAS DG RELEX has become part of it which will cause more institutional division between this part and DGs on enlargement, trade, humanitarian aid and development (Christiansen in Biondi et al., 2012, p.246). Also the Commission’s delegations have turned into the EU delegations coordinated by the EEAS.

Nonetheless, the President of the Commission is also a member of the European Council and takes part in the discussions concerning the CFSP/CSDP, and the Commission still has the right to jointly (with the HR-VP) submit to the Council proposals on both CFSP and non-CFSP external action (Mix, 2013; TEU, 2007, art.22.2). Moreover, it is responsible for drafting the Union budget (including CFSP) plus according to the provisions of the inter-service agreement signed on 13 January 2012 between the Commission and the EEAS they jointly plan overall expenditure strategies on the EU’s external action budget, the funding instruments are programmed together (with more remarkable role for one of them depending on the instrument) but shall be implemented only by the Commission, and, finally, the Commission oversees the way the how the EEAS internal budget of ca.500 million EUR per annum is spent by the HR-VP (EPLO, 2012).

*European Parliament.* It is the only EU (supranational) institution directly elected by the EU citizens every 5 years. At first sight the EP has been amongst one of the two big winners of the *a la*

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<sup>330</sup> The Commission retains the authority over the Service for Foreign Policy Instruments that carries responsibility for both the planning and financial administration of the IfS, but now the Service reports directly to the HR-VP due to the latter’s role as a Vice President of the Commission (EPLO, 2012).



Lisbon revision of the Treaties<sup>331</sup>. The Lisbon Treaty enhanced the EP's powers as a fully recognized co-legislator equipped with enlarged budgetary powers, and the EP now appoints the President of the Commission on the basis of a proposal from the European Council that takes into consideration the results of the last EP elections (EP, 2009)<sup>332</sup>. Servent (2015, p.4) analyzes the institutional and policy change in the EP in her book with reliance upon the rational choice and constructivist institutionalisms, and thereby she shows that these changes happen not due to external shocks but due to the changes made in Treaties.

With regard to the EP's relevant (still quite limited and not likely to expand remarkably in the near future) powers<sup>333</sup> art.36 of the TEU post-Lisbon (former art.21 of the Nice TEU, the only difference: the Presidency replaced by the HR for Foreign Affairs and Security Policy) guarantees that the HR-VP will "consult" and "inform" the EP and all its views regarding CFSP/CSDP will be "duly taken into consideration" (TEU post-Lisbon, art.36, 2007; Savashan, 2007). According to the art.36 the EP "may ask questions of the Council or make recommendations to it and to the High Representative" (TEU, 2007, art.36), which again confirms its predominantly supporting functions as regards the CFSP and, the CSDP, in particular (Savashan, 2007). Parliament participates in the Joint Consultation Meetings (JCMs) regularly held with the Council, the EEAS and the Commission, as well as in the NATO Parliamentary Assembly with a view to improve EU-NATO relationship in security and defense spheres (EP, 2015). The CSDP matters are usually discussed in the Foreign Affairs Committee (AFET) and in its subcommittee on Security and Defence (SEDE) as well as twice a year in the EP, in general, with the adoption of reports on the CFSP and the CSDP; the EP also has indirect limited influence on the CSDP through the Multiannual Financial Framework, i.e. through budgetary mechanism (art.41) upon some civilian missions but not military

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<sup>331</sup> As a part of the aim to enhance the Union's accountability and to make another step in overcoming the EU's democratic deficit, the Treaty upgraded the co-decision procedure (this time known as the "ordinary legislative procedure"), modified the consent (previous assent) procedure within the EP, and expanded law-making competences of the EP in setting the EU budget, agriculture policy and justice and home affairs (JHA) (Servent, 2015; EP, 2009). *Inter alia*, the Lisbon Treaty has also ushered national parliaments of the EU member States into the institutional framework (Tosato, 2009). Since the 1st April of 2012 the art.11-based European citizens' initiative (ECI) instrument started being used: "not less than one million citizens who are nationals of a significant number of member states may take the initiative of inviting the Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the treaties" (TEU post-Lisbon, art.11, 2007; EurActiv, 2012).

<sup>332</sup> The interest in the EP elections after Lisbon has still been decreasing within the process of growing skepticism towards the Union, despite ever-increasing competences of the EP (Horsak, 2011).

<sup>333</sup> There used to be a certain kind of inter-parliamentary scrutiny conducted by the Assembly of the WEU until almost 2011 (Horsak, 2011).

missions (Horsak, 2011), not to mention, that the HR-VP's role as a vice-president in the Commission is subject to a vote of consent by the EP (EPLO, 2012).

*High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission (HR/VP)*<sup>334</sup>. This position's predecessor was High Representative for CFSP (HR-CFSP or simply HR/SG) which was introduced by the Treaty of Amsterdam in June 1997 but remained vacant until 1999 (Grevi, 2009 cited in Grevi et al., 2009) due to French-British debates on candidacy served as an "external face of the EU" ("in conducting political dialogue with third parties" – Council Secretariat, 2009) and fostered coherence within the Council (Howorth, 2007, p.66). The new Lisbon-established HR-VP, in turn, has extended range of CFSP functions previously associated with the rotating Presidency, the Commissioner for External Relations and the High Representative for CFSP *per se* (EPLO, 2012). The new post of HR-VP assisted by the EEAS is responsible for reinforcing the consistency of the EU's external action (TEU, 2007, art.26).

His/her main task consisted of assisting "the Council in foreign policy matters, through contributing to the formulation, preparation and implementation of policy decisions" (Council Secretariat, 2009; TEU, 2007, art.18, 26). "Three tasks can therefore be extrapolated from Treaty provisions, namely (informal) policy proposal, policy implementation and external representation" (Grevi, 2009 cited in Grevi et al., 2009). The HR-VP occupies the central institutional role within the CFSP-CSDP framework, he/she chairs the Foreign Affairs Council also in its "Defence Ministers configuration" and directs the EDA (EP, 2015). The HR-VP takes part in the work of the European Council and he/she may submit CFSP proposals (Mix, 2013). The HR also contributes to the definition and implementation of the first-pillar EU competences as a VP and *mère de famille* of RELEX, diplomatic representation to all EU institutions (Carta in Jorgense & Laatikainen, 2013, p.46)<sup>335</sup>, and coordination of the civilian and military components of CSDP, under the aegis of the Council (EPLO, 2012). HR-CFSP used to be assisted by a 26-member Policy Planning and Early Warning Unit (PPEWU) or simply Policy Unit which was "divided into eight taskforces" (Cameron, 2007) and since 2003 is a part of the broader civil-military Joint Situation Centre (SITCEN) (Lang, 2007, p.65) implementing functions similar to the above-mentioned Commission's Unit (Howorth, 2007, p.66). Previously the relationships between the HR-SG (Secretary General) and COPS were quite

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<sup>334</sup> The structural composition and tasks of the EEAS have already been described above in the historical background overview.

<sup>335</sup> Federica Mogherini (former Italian Foreign Minister) replaced the UK's Catherine Ashton (the first occupying this new position) on November 1, 2014 as the new HR-VP and vice-president of the new European Commission led by Jean-Claude Juncker (UK Stabilisation Unit, 2014).

complicated due to the presence of a significant CFSP body of Presidency (Duke, 2005): after the Treaty of Lisbon, the problem of the chairmanship in COPS was alleviated.

Thus, as one can see, regardless the aspiration for creating an image of the post-Lisbon EU as an international actor with Kissinger-ascribed single EU phone number, the reality has shown that there is no exclusive representative of the EU in Brussels and the foreign policy representation has not been simplified by means of the Lisbon Treaty (which text itself seems to labyrinthine to read) but vice versa added another complexity (Carta in Jorgensen & Laatikainen, 2013, p.46; Toth, 2012; Brattberg, 2011).

Highly intergovernmental nature of all CSDP-related issues brings about a largely “restricted” coordinative discourse among the EU policy-makers (Schmidt, 2014). One of the best examples to demonstrate the distribution of functions within the coordinative discourse in motion is the difference in the representation duties of the President of the European Council and the High Representative for Foreign Affairs and Security Policy as assigned by the Lisbon Treaty. Although the Treaty defines it in an ambiguous manner, the former basically plays the role of the CFSP voice at the level of heads of state or government, while the latter is considered rather the CFSP voice at the ministerial level “on a daily basis” (Mix, 2013).

*Crisis Management and Planning Directorate (CMPD).* With the purpose to strengthen the comprehensive approach towards crisis management aimed at the better coordination of the civilians and the military from political-strategic planning to crisis management as such, including training and exercises the Council’s DGs Defence and Civil Crisis Management were merged in 2009-2010 into the Crisis Management Planning Directorate (CMPD) which is now, as it was mentioned above, a department of the EEAS (Post, 2015, p.190; Wendling, 2010). This was done in accordance with the European Council conclusions which encourage “the establishment of a new, single civilian-military strategic planning structure for EU peace-keeping and humanitarian operations and missions” (EEAS, 2015). The CMPD, led by a civil Deputy Director General and a military counterpart, works under the political control and strategic direction of the PSC, and ensures better coordination with other bodies, especially the EUMC, CIVCOM, the Commission and the member states (Post, 2015, p.190; EEAS, 2015). The key tasks of the CMPD comprise: strategic planning of CSDP missions and operations; strategic reviews of the existing CSDP missions and operations; developing CSDP partnerships; coordinating the development of civilian and military capabilities; developing CSDP policy and concepts; conducting exercises and developing CSDP training; ensuring the effectiveness of allocated resources and overcoming the

duplication with NATO and the UN (EEAS, 2015; Post, 2015, p.190). The CMPD also provides assistance and advice to the HR-VP and the relevant Council bodies (EEAS, 2015).

*The Civilian Planning and Conduct Capability (CPCC).* The CPCC forms a part of the EEAS (previously of the Council Secretariat) and as such is a permanent body created in June 2007, and facilitates an autonomous operational planning and conduct of CSDP's civilian operations (Bjoerkdahl & Stroemvik, 2008; EEAS, 2015). It accounts "for an autonomous operational conduct of civilian CSDP operations" (EU Council, 2010). Acting under the general political control as well as strategic direction of COPS and the overall authority of the High Representative, the CPCC "ensures the effective planning and conduct of civilian CSDP crisis management operations, as well as the proper implementation of all mission-related tasks" (EEAS, 2015; Bjoerkdahl & Stroemvik, 2008). Post (2015, p.190) report about certain competitive aspects in the relationships between the CPCC, CMDP and geographic and thematic desks which is explainable through close interconnectedness of their tasks.

*European Union Military Staff (EUMS).* This body comprising more than 150 senior officers seconded by member states as well as officials of the Council General Secretariat (EU Council, 2010), which embodies a truly "holistic approach to crisis management operations and integrates military and civilian expertise" and coordination functions within the EEAS (Bjoerkdahl & Stroemvik, 2008; EEAS, 2015) was established in June 2001, and is occupied with "military expertise and capacity" with regard to the EUMC and the SG/HR, "including for the conduct of EU-led military crisis management operations, early warning functions<sup>336</sup>, situation assessment and strategic planning" (Bjoerkdahl & Stroemvik, 2008) plus communications and information systems, training/education, concept development, support of partnerships through military-military relationships (EEAS, 2015), and advising "more civilian" external action bodies (Howorth, 2007, p.75)<sup>337</sup>. It works under the direction of the EUMC and under the authority of the HR/VP (EEAS, 2015). As in the case of the EUMC COPS is playing an important interlink role here (Howorth, 2007, pp.74-75). The Civil-Military Cell (Civ-Mil Cell), mentioned above, operates within the EUMS being tasked with assisting the EU's planning for crisis management operations and

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<sup>336</sup> Via the Single Intelligence Analysis Capacity – SIAC (EEAS, 2015).

<sup>337</sup> Moreover, one of the EUMS' tasks has been sustaining the EU OPSCEN and providing the latter's core staff (Council, 2012). The OPSCEN or the EU Operations Centre established in March 2012 by the Foreign Affairs Council for coordination and strengthening of civil-military components between the 3 CSDP missions in the Horn of Africa; last mandate extension was till 23 March 2015 (EEAS, 2015).

enhancing civil-military coherence<sup>338</sup> (Drent & Zandee, 2010; Bjoerkdahl & Stroemvik, 2008; Post, 2015, p.182).

*EU Joint Situation Centre (SITCEN)*. This “intelligence centre” of the Union is the central one amongst those in the member states and the third countries (EPLO, 2012). Established upon the conjunction of the civilian Policy Unit (PPEWU) and the military Situation Centre, SITCEN started functioning in the early 2003 together with the start of the EUPM Bosnia first mission (Cameron, 2007). Monitoring of international state-of-the-art with focus of specific geographic areas and thematic, especially terrorism and the proliferation of WMD accompanied by exchange of information with the foreign, security, intelligence, and defense bodies of EU member states are SITCEN’s key tasks (EPLO, 2012).

*Political and Security Committee (PSC or COPS)*. This body composed of member states’ ambassadors is in charge of the following basic tasks: (1) monitoring “the international situation in the areas covered by” the CFSP; (2) contributing into policies’ definition “by delivering opinions to the Council”; (3) monitoring “the implementation of agreed policies”, (4) exercising “under the responsibility of the Council and of the High Representative, the political control and strategic direction of the crisis management operations” listed in the art.43 (TEU post-Lisbon, art.38, 2007; Duke, 2005; EEAS, 2015). Algieri (2001 cited in Lang, 2007, p.73) adds a so-called “dialogue function” of COPS ensuring the “communication and information exchange with all actors involved to the CFSP and the ESDP” (Duke presents even a longer list – Duke 2005). Projected first within the “Presidency Report on ESDP” contained in the Nice Presidency Conclusions and eventually created in March 2000 COPS remained an interim body until 22 January 2001 (Duke, 2005; EEAS, 2015).

Described as a “work-horse in ESDP decision-shaping and control” (Meyer, 2006 cited in Howorth, 2007, p.68) and different from its successor PoCo due to its “visibility” (Duke, 2005) COPS is considered to be one of the key ESDP bodies meeting in (27) permanent representatives (Political Directors) format 2-3 times a week in Brussels (Duke, 2005; Bjoerkdahl & Stroemvik, 2008). In addition to inter-state disputes over the level of representation in COPS (Duke, 2005), there were certain controversies as regards functional differentiation between COPS and COREPER which was eventually solved by June 2000 (Seville Summit) by the upgrading of GAC which turned into GAERC (EU Council, 2010): (1) “internal” session’s agenda is prepared by COREPER, (2)

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<sup>338</sup> Crisis Response Coordinating Teams operating within the EEAS were also established to improve the crisis management coherence (Gordon, in Wheeler & Harmer, 2006; Post, 2015, p.182).

“external” – by COPS (in cooperation with the former; Howorth, 2007, p.71). COPS’s own agenda is usually agreed by the Presidency and the Council Secretariat; it is assisted by (1) “European correspondents” linking MFA seniors and COPS ambassadors, (2) Political-Military Working Group or PMG (officers from MFAs and MODs ), (3) the Foreign Relations Counselors Working Group (Relex), and (4) preparatory “Nicolaidis group” (Duke, 2005; Bjoerkdahl & Stroemvik, 2008). The PSC provides support to the HR/VP and the FAC (Mix, 2013). In addition to the EU Military Committee, the PSC is advised by a Committee for Civilian Aspects of Crisis Management (CIVCOM) (Ginsberg, 2007, p.395), which “provides information, drafts recommendations, and gives its opinion to the PSC on civilian aspects of crisis management” (EU Council, 2010; Bjoerkdahl & Stroemvik, 2008). Since the Lisbon Treaty was ratified, the work of the PSC is now strongly associated with the High Representative and the EEAS (Mix, 2013).

*European Union Military Committee (EUMC)*. This “highest military body set up within the Council” (EU Council, 2010) created in 1999 comprises 27 Chiefs of the Defense Staff (CHODs) meeting twice a year usually in the format of military representatives (MILREPs) meetings (Bjoerkdahl & Stroemvik, 2008) which are “double-hatted” with the NATO representatives (Howorth, 2007, p.74; Duke, 2005). This Committee advises the PSC as well as directs the EU Military Staff on all military matters within the Union (Bjoerkdahl & Stroemvik, 2008). Common opinion and recommendations regarding all military and political aspects of EU military operations agreed within the EUMC meetings serves as basis for the European Council to decide on each such operation, though the legal status of recommendations is “indeterminate” albeit very important especially in cases when there is “an absence of a clear UN Security Council mandate” for operation (Duke, 2005). The EUMC Chairman takes part at COPS, Council and NATO Military Committee meetings when needed (Howorth, 2007, p.75).

*EU Agencies*. EDA, EU Institute for Security Studies (EU ISS), EU Satellite Centre (SatCen).

*“Euroforces”*. Military alliances or *multinational forces* established between certain EU member states who combine their capacities, equipment and specialists are also part of the Lisbon Treaty now, and the Treaty acknowledges their potential intervention in the operation of the CSDP: (1) Eurofor, regrouping land forces - Spain, France, Italy, Portugal; (2) Eurocorps, regrouping land forces - Germany, Spain, France, Belgium, Luxembourg; (3) Euromarfor, regrouping maritime forces - Spain, Portugal, France, Italy; (4) European Air Group, regrouping air forces - Germany, Spain, France, Belgium, Italy, the Netherlands, the UK (EU, 2010).

*EU Entities.* European Police Office (EUROPOL), European Union's Judicial Cooperation Unit (EUROJUST), European Gendarmerie Force (Eurogendfor), Finabel, Training Providers (ESDC, CEPOL, ENTRI, EUPST, EDA-supported activities).

*EU Strategic Partners.* UN, NATO, AU, Third Countries.

Now after having looked at the general historical legacy of the CSDP as well as the description of the structural apparatus which it stands upon it is time to finally proceed to the two case studies – two CSDP rule-of-law missions - which were chosen to demonstrate how the policy works in practice and which characterization and explanations DI in Schmidt's interpretation can provide with regard to these specific policy (mission) construction cases.

## CHAPTER 3

### Case Studies: Theory under Test

*“Peace is not the absence of conflict but the presence of creative alternatives for responding to conflict - alternatives to passive or aggressive responses, alternatives to violence.”*  
(Dorothy Thompson)<sup>339</sup>

*“We find ourselves constantly in battle in the vast human theaters of conflict.”*  
(Bryant McGill)<sup>340</sup>

#### 3.1. Two Missions

The key advantageous aspects for choosing comparative DI analysis in respect to its policy ideas level of namely EU Rule of Law Mission in Kosovo (EULEX Kosovo) and EU Police Mission in Afghanistan (EUPOL Afghanistan/EUPOL-A) missions basically include:

- More than mere geographical comparison (especially against the background of the CSDP’s particular geographical focus on Europe) including geographical proximity to the EU playing crucial role in seconding staff by the member states, procurement, security matters etc. Kosovo and Afghanistan’s diametrically different types of roles for the EU, one of potential future membership and the other of important Central Asian security partner;
- Securitization aspects of EU discourse regarding these missions and its specificities in each two cases: move from military security to political security concerns in Kosovo and with remaining strong military (including physical) security concerns with ever-growing attention to political security in Afghanistan;
- Ambitious character of both missions reflected in financial, material, human etc. investments, goals both regarding the launch and organization of missions and expected contribution to regional rule-of-law and police reforms as well as to the coordination of international efforts;
- Technical problems including planning, staffing, procurement, logistics, coordination with other actors etc. as well as organizational aspects such as deployment positions; the Afghan mission’s limited size compared to other security actors’ forces present in the region and its lack of executive power;

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<sup>339</sup> Borrowed from: <http://www.brainyquote.com/quotes/quotes/d/dorothytho135066.html>.

<sup>340</sup> Borrowed from: <http://www.goodreads.com/quotes/tag/conflict?page=12>.



- Strategic interrelationship between rule of law and police components of the two missions as well as valuable experience of civil-military integration gained in the field by international actors; special cooperation/coordination with other operating international actors (NATO, UN), especially NATO;
- Continuing general inadequacy of the security state-of-the-art in both regions (even if to a different degree): from terror attacks to smuggling, high level of organized criminality, drug trafficking, corruption etc.; benchmark for evaluating these missions as a vivid example of all EU civilian missions: number of deployed civilians, number of trained people etc.;
- Fundamental question of the origins of the advantages and disadvantages of each mission: EU-dependent and region-dependent issues; analytical assessments of the effectiveness of the missions and their prospects of serving as future models.

On logical grounds, after having addressed the origins and evolution of the EU CSDP and having reviewed the DI framework and its basic assumptions one can do no better than test the DI analytic framework by applying it to the specific CSDP cases, to be more precise, two CSDP missions – two civilian CSDP missions, as the Thesis revolves around civilian CSDP.

The following case studies of two CSDP missions pursue the logic of extensive analysis of few (two) cases of *diachronic* character (over time or in historically developing perspective juxtaposed to *synchronic* or “fixed” temporal manner) if one uses the jargon of linguistics (Kay, 1975). The author here also intended to identify and explain main differences and similarities between the two CSDP rule-of-law missions by means of the analytical (or explanatory) comparative tradition<sup>341</sup>. The conduct of this small-N analysis relies upon qualitative data with certain amount of quantitative data relevant for the description, explanation and possible forecasts. Last but not least, the author will apply the already presented DI concept in order to *explain* the discursive-ideational underpinning of the discussion and decision-making phases of preceding the implementation of these missions.

Foucault et al. (in Merand et al.) give an overview of the so-called agenda-setting framework (Stone, 1989; Baumgartner & Jones, 1993; Schoen & Rein, 1994) for studying policymaking dynamics and expressed their hopes for its application to a sensitive policymaking sphere of security. According to them, by analyzing three interconnected entry points of European security dynamics (also called three blades) – *policy agenda, public opinion agenda and media agenda*<sup>342</sup> –

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<sup>341</sup> For a more detailed information on traditions in comparative politics see Biezen & Caramani (2006), Caramani (2014). Must not be confused with “research traditions” in comparative politics described by Lichbach & Zuckerman (1997).

<sup>342</sup> Kingdon (1984) makes distinction between political (i.e. policy) agenda and public agenda.

one obtains a brilliant opportunity to better understand how those who set agenda “prioritize security challenges and the ways (or policies) to address them” (Foucault et al. in Merand et al., 2011, p.303). The general direction of the way DI will be applied in this Chapter to the analysis of the two CSDP cases dovetails with the study of agenda-setting strategies; the latter is based on the analysis of decision-making process (institutional-cognitive aspects) and measures of attention (salience of problems in policy, media and public spheres) (Foucault et al. in Merand et al., 2011, p.304). More specifically, it is assumed to be useful to draw parallels between coordinative and communicative discourses offered by DI, on the one hand, and public agenda and policy agenda, on the other hand, by also adding media agenda as a value-added dimension into the discursive-ideational analysis of the two cases. The DI analysis presented below which benefits from agenda-setting framework elaborated for the EU by Princen (2007, 2011), thus, does not pretend for a comprehensive, all-inclusive overview of the ideational underpinning of the entire process of the launch and implementation of the two missions. Here the goal is to see the original way that led to the start of these missions, which is better in terms of avoidance of unnecessary dispersion of the case study analysis; will show how ideas work in practice and how they lead to the decision to undertake a common action; and will also bring new insights in the subsequent developments connected to the implementation of missions.

This Chapter’s main goal is to show by the example of two specific missions how common action within the CSDP framework works and for this what is studied here is the discursive-ideational aspects of the mechanism through which a common decision on conducting common mission is discussed and adopted and the which parties responsible for this decision are involved (coordinative discourse), the role of the EU citizens in the discussion and adoption of the decisions about these missions (communicative discourse and further thoughts on democratic legitimacy), mutual coherence and consistency between the communicative and coordinative discourses, institutional-historical context of deciding on these missions, and, last but not least, the place of these two missions within a wider portrait of the EU’s institutional change as an emerging global security actor.

Some aspects with regard to the DI terms and concepts applied to the EU CSDP need being clarified. The institutional levels of discursive-ideational analysis in this case include national (EU member states) and intergovernmental levels (the Council): CSDP relies upon intergovernmentalism, therefore supranational level aspect will be touched upon only in the situations when the relationship between the Commission’s external competences and the Council’s external competences is discussed. The Lisbon Treaty granted more points of involvement to the

EU supranational institutions like the Commission or the EP but, as it was said above, their real role and influence upon the CSDP decision-making are rather limited and will be referred as a second-order issue in this Chapter. As for the EU member states here, again, only those states will be addressed which played the biggest role in the decision-making of EUPOL-A and EULEX Kosovo. The substantive content of ideas and the interactive processes that led to the adoption of decisions on missions will be addressed. Coordinative and communicative discourses will be referred mainly within the EU context, discourses at the national contexts will be rather a second-order problem here. Other smaller actors playing role in the coordinative discourses e.g. think tanks, experts, interest groups etc. as well as mass media, opinion leaders, social movements etc. involved in communicative discourse mainly in the national context (but also the EU-wide) will be taken into consideration. Citizens' predominantly indirect influence upon the CSDP decision-making (EP elections, polls, surveys, manifestations etc.) will be considered. As for the three levels of ideas, the basic policy ideas level coincides with the EU's specific CSDP missions (or set of missions, if there would be several in one crisis-hit country), the programmatic ideas level dovetails with the EU's CSDP level as a general programmatic framework of the EU's foreign and security policy, and, finally, the third level of ideas deals with the EU's place in the wider set of global security actors (especially the relations with NATO) as well its role in the international community. Last but not least, any normal DI analysis requires the consideration of all these variables within the actual historical context, the logical chain of the external factors, other actors' positions and major events that led to the common EU action, and this important component will be taken up here as well. In this respect, both formal (EU and national institutions and actors) and informal institutions that strongly influenced the decisions about the two missions' launch will be revised.

### **3.1.1. EU's EUPOL Afghan mission (2007-2015): Narrative, Analysis and Key Conclusions**

*Historical Context and External (F)Actors.* Afghanistan will serve as a brilliant example of the so-called "out-of-area" mission of the EU (even though this term is usually associated with NATO and not the EU). How EU crisis management arsenal functions or, more importantly for this Chapter, what were EU *perceptions* about *how* they would work in Afghanistan? Was the EU confident about her *ability* to address at least certain scope of security problems Afghanistan faced? Or it was just a mission for the sake of a mission? This sub-Chapter will try to shed some light on these questions.

Starting with the Soviet invasion in 1979, the subsequent highly destructive war between the Western-supported Mujahedeen and the pro-Soviet Communists in the 1980s which ended up with

the rule of the Taliban, Afghanistan has undergone decades of upheaval, extreme insecurity and permanent instability. As the major terrorist attacks of 11 September 2001 on the US took place, the US-led military coalition has initiated Operation Enduring Freedom (OEF) to be directly conducted on the Afghan territories with a key goal of eliminating terrorist groups from Al-Qaeda and the Taliban located in the country. As soon as the Taliban government fell and an Afghan Transitional Authority (ATA) headed by H.Karzai was established in accordance with the Bonn agreement signed in December 2001, international community has launched far-reaching assistance missions of state-building in the country. It was the first and the only case in NATO's history that NATO allies have invoked the famous Article V of the Washington Treaty considering an armed attack on one of NATO members as an attack on all members – *casus foederis* principle<sup>343</sup> (Sloan, 2005; Abass, 2004, p.40). For the purpose of lending support to the newly agreed ATA UNSC Resolutions no. 1386 and 1401 granted mandates<sup>344</sup> to the International Security Assistance Force (ISAF) and a civilian Assistance Mission (UNAMA) (Fox in Stahn et al., 2014, p.250). At first, these missions had neither capability nor capacity to fulfil their tasks which is also reflected in the numbers of their staffs: in 2002 the UN's international staff in Afghanistan amounted to 300 (Larsen, 2010), while ISAF's deployed troops in the same year were 5000 in Kabul and another 5000 (mainly US troops under Combined Forces Command) for direct combat operations (Jones, 2008). By 2005 the US and NATO combat forces had increased to 20000 and 10000 correspondingly (Jones, 2008). For comparison, by 2013 there were approx. 130000 ISAF troops from 50 countries (Thakur in Cunningham & Maley, 2015, p.223).

Control over ISAF, initially led by several EU countries, was taken up by NATO since August 2003 that has gradually extended the former's area of operation from the original target area of Kabul to include entire Afghanistan by October 2006 (Larsen, 2013). NATO activated its celebrated Article V on collective defense for the first time in history (Brattberg, 2013). Most of the EU states has since contributed to the ISAF and some of them conducted the war aspects of the mission the most part of which is implemented by the US (Larive, 2014, p.206). After comparably successful operations held in Sierra Leone, Kosovo and Timor Leste, the Western states were somewhat convinced of the feasibility to swiftly establish "a highly centralized, functional, democratic state" in Afghanistan which did not work: total neutralization of the Taliban political leaders and warlords including those willing to join the new interim government went at full speed (Burke, 2014). This over-confidence was largely groundless, since Afghanistan is not Sierra Leone. Visser (in Potgieter

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<sup>343</sup> The debate about this article's consistency or inconsistency with the UN Charter's Art.52.1 is part of a wider debate about consistency of regional activities with the UN Charter (Abass, 2004, p.40).

<sup>344</sup> Peace enforcement mandate – Chapter VII of the UN Charter.

& Liebenberg, 2012, p.41) refers to the observation made by Herring that Afghanistan “could surpass Vietnam as the longest and most complex war in its [US] history”. ISAF’s security sector reform (SSR) plan was adopted at the Geneva G8 summit held in 2002 whereby the lead of each of the five main SSR pillars was attached to one state: Afghan National Army (US), Law Enforcement (Germany), Judiciary (Italy), Disarmament, Demobilization and Reintegration of the militia forces (Japan), Counter Narcotics (UK) (Metz & Millen, 2005; Wright & Dempsey, 2010, p.199). The degree to which these tasks were really matching with the leading countries’ capabilities was a different question, Burke (2014) reports, but this ultimately led to the revision of the list of tasks in 2004<sup>345</sup>. Among further problems ascribed to the operation of ISAF in Afghanistan observers usually mention constant shortage of finances and resources despite the unimaginably immense amounts of investments made by the West, lack of proper coordination of committed resources in the face of flagrant levels of corruption in the Afghan government (see Cordesman et al., 2010).

Beyond the importance of establishing peace and security by means of military (read ISAF) means, the situation in Afghanistan since the very beginning required, and the US leadership realized that from the outset, also political, economic and social stabilization, and it was quite natural to think of the EU at this point as an emerging civilian actor with a broad range of relevant instruments and capabilities<sup>346</sup> (Gross in Whitman & Wolff, 2012, p.115; Keohane in Grevi et al., 2009; Cohen-Tanugi, 2008). EU was and is one of the greatest donors who provides official development assistance (ODA) and humanitarian assistance to Afghanistan since 2001, managed by the Commission through the EU delegation in Kabul, and also through various NGOs and humanitarian agencies<sup>347</sup> (EEAS, 2015; Ruffa in Cebeci, 2011, p.94). By the end of 2013, the amount of financial contributions of the Union to the country accounted for over 2.5 billion EUR (81% of the 3 billion EUR it originally committed for the period 2002-2013), including 615 million EUR as humanitarian

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<sup>345</sup>Jones et al. (2006) report that in 2006 the US „seven times the resources to counter-narcotics activities provided by the United Kingdom (the lead nation for counter-narcotics), nearly 50 times the resources to the police provided by Germany (the lead nation for police reform), and virtually everything for training the Afghan military (for which the United States was responsible).“

<sup>346</sup> „The one institutions with the collective means, skills, resources, and — potentially — the leadership to relieve NATO and ISAF of burdens for which they are not suited“ (Hunter, 2006). For Europeans the time had arrived „this is the time to put up or shut up“ (Hunter, 2006).

<sup>347</sup> Even earlier in the early 1990s when the Soviet troops withdrew from the Afghan territories the EC/EU proved to be very active in facilitating both directly and indirectly aid to the country (Ruffa in Cebeci, 2011, p.94). European Commissions’ was quite successful in providing assistance to Afghanistan, even innovative e.g. concerning rural development projects (Marsden, 1998). What one also notices is that as the US has turned away from the region after the end of the Cold War looking for more strategically important regions, and thereby diminished its aid to Afghanistan, the political image of the EU rose (Ruffa in Cebeci, 2011, p.94).

assistance (EEAS, 2015)<sup>348</sup>. If one compares this amount with the one of the US via USAID<sup>349</sup> alone, for instance, between 2001 and 2009, namely 7.5 billion US Dollars, then it can show the EU's position as disappointing, but this, nevertheless, makes Afghanistan the largest recipient of the Commission aid in Asia (Buckley, 2010). Amongst 40 troop contributing nations who altogether allocated 43250 combat staff to ISAF in 2008 23 EU states' share accounted for approx. 2/3 of these forces (NATO, 2008; Burke, 2014). For feeling the difference, one can observe that in August 2013 this share has been reduced substantially: troop contribution of Europe, experiencing serious economic and financial downturn, spending and especially military spending cuts, amounted to ca.25% of the total 87207 military staff of NATO (NATO, 2013). EU member states established 11 Provincial Reconstruction Teams (PRTs) under ISAF auspices, which are also referred as "Donald Rumsfeld" tools "combining security, development, and governance" (Burke, 2014; Thakur in Cunningham & Maley, 2015, p.226).

Since December 2001 the EU was represented by EU delegation<sup>350</sup> in Kabul made of highly skilled professionals and by EUSR<sup>351</sup> (F.Vendrell until August 2008) – command that were expected to facilitate first-hand information about the country, make useful recommendations (including Afghan elections) as well as help coordinating various EU states' post-conflict stabilization activities (Burke, 2014; Buckley, 2010). Notwithstanding the improvements brought by the Treaty of Lisbon, there were and there are many difficulties remaining in the linkages between Kabul and Brussels as well as Brussels and EU member states with regard to Afghanistan which diminishes the effectiveness of not only internal EU coordination but also of the cooperation of the EU with other global actors in this Central Asian region (Gross in Whitman & Wolff, 2012). In order to strengthen coherence in the Union's external action towards Afghanistan the EU launched a CSDP civilian police mission EUPOL Afghanistan in mid-June 2007 which will be analyzed in detail below.

In fact, the 5<sup>th</sup> high level (war) of conflict the Conflict Barometer was pointing at in 2012 with regard to Afghanistan (FPI, 2012) is still the case even today. Along with the ever-remaining

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<sup>348</sup> However, the total amount of commitments made by the EU and her member states between 2002 and 2010 was 8 billion EUR (EU CSP for Afghanistan (2007-2013)).

<sup>349</sup> United States Agency for International Development.

<sup>350</sup> The name „EU delegations“ these delegations were granted by the Lisbon Treaty, even though later they continued to be called their traditional name of the „Commission delegations“ for quite a long time (Buckley, 2010).

<sup>351</sup> As the result of the newly ratified Lisbon Treaty's provisions on the so-called „double-hatting“ of the EUSR position with the position of the Head of the EU delegation for adding more coherence to the coordination of the EU's external action (Gross in Whitman & Wolff, 2012, p.11). V.Usackas appointed in 2010 was the first „double-hatted“ representative of the EU in Afghanistan (Buckley, 2010).

violent insurgency accompanied by permanent threat of terrorist actions across the country and beyond there are many other problems that pose additional impediments for reconstruction measures of international actors including the EU. In this regard, as it was stressed at the beginning of this Chapter, compared to Kosovo case the Afghan vector of the EU foreign and security policy relies on EU political discourse emphasizing ever-remaining high military insecurity with simultaneously strengthening political security concerns. If one *roughly* considers the current fight for the Afghan territories, which still keep largely beyond the control of the Afghan government and/or international security actors operating in the name of it but under the control of the Taliban and its affiliates, as fight for survival of the state and its integrity (although basic nature of the post-1989 wars has changed dramatically and it is hard to detect classical frontier line of war in Afghanistan), then one is allowed to talk about the traditional IR realist security concept – state security – as first existential characterization of the Afghan security state-of-the-art. But the author of the Thesis insists on the consideration of the more up-to-date versions of security concept to be applied to the Afghan case, also because despite still existing huge problems on the borders of Afghanistan, especially with Pakistan, the problem lies first of all within the Afghan borders and the Taliban and its affiliates are not another state's government forces. EU political discourse with respect to Afghanistan, thus, can be best explained by applying Buzan et al. (1998) wider concept of security, namely military, economic, societal and political security senses<sup>352</sup>. This conceptual problem will be again discussed in the second part of the Chapter dedicated to the EU's Kosovo mission.

Afghanistan nowadays represents not only highly unsafe but also one of the least developed in economic and social terms<sup>353</sup>, and of the poorest countries in the world (despite receiving approx. 36 billion US Dollars from the US in the period between 2004 and 2012<sup>354</sup>, for instance) which also means low life expectancy at birth (43.6 years- UN, 2009), very high adult illiteracy rates (28% - UN, 2009), high poverty rates, 35% unemployment (2008) and all of other difficulties related to them challenge the implementation of the SSR immensely (Gross in Whitman & Wolff, 2012, p.113; CIA World Factbook, 2015).

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<sup>352</sup> In the original version Buzan et al. (1998) refer to five types: the enumerated ones plus environmental.

<sup>353</sup> Including extremely low ranking according to the UN Human Development Index - 175 out of 186 in 2012 (Lamb & Conley, 2014).

<sup>354</sup> Burke (2014), yet, relies on the report by the Special Inspector General for Afghanistan Reconstruction in 2013 and indicates a different amount of aid: 96 billion US Dollars on development in Afghanistan from 2002 to 2013. Goodman and Sutton's (2015) numbers are – above 73 billion US Dollars in economic and military assistance between 2002 and 2012.

According to the IBRD/World Bank (2015<sup>355</sup>), the situation in Afghanistan as compared to other countries in South Asia remains “as a special case where the post-transition outlook remains highly contingent on a relatively stable political and security environment, as well as the successful management of the fiscal situation”. Afghanistan which economic growth<sup>356</sup> has slowed sharply since 2013: from an average of 9% 2003-2012 to 2% in 2014, and for 2015 the forecasted figure is 2.5%. In general, Afghanistan is said to have significantly recovered from the economic downturn since 2001 thank to international aid, agricultural sector’s recovery and service sector’s growth (CIA World Factbook, 2015). However, it is widely known that the overwhelming majority of the economic data on Afghanistan are based on “uncertain estimates” due to manifold instability in the country, and not in the last instance due to self-justification policy of the international actors (Cordesman & Lin, 2015, p.139). The Afghan government and foreign aid donors very often present exaggerated figures about economic progress in Afghanistan without considering the consequences of the US’ withdrawal and drastic cuts in foreign assistance<sup>357</sup> (Cordesman & Lin, 2015, p.139).

On the one hand, the huge amount of international aid delivered to Afghanistan since 2001<sup>358</sup> could bring a number of positive changes in the country destroyed by the perpetual war: 2.5 million refugees and 600000 internally displaced persons could get back to their homes; 6 million children (2.7 million female) enrolled in formal education in 2013-2014 compared to less than 1 million in 2002<sup>359</sup>; 8000 kilometers of roads were built; improvements in access to electricity – 250%; better access to primary healthcare<sup>360</sup> (Burke, 2014; Hogg et al., 2013). On the other hand, the Afghan

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<sup>355</sup> South Asia Economic Focus Spring 2015: Making the Most of Cheap Oil (Spring, 2015).

<sup>356</sup> Afghan GDP in 2013 – 45.3 billion US Dollars (CIA World Factbook, 2015).

<sup>357</sup> The Afghan national currency dropped to a 13-year low in September 2014 due to the populations’s lack of trust in the new government that immediately affected the public finances: for paying salaries to more than 500000 civil servants the Afghan Finance Ministry had to refer to the US who provided the country with 75 million US Dollars from the US Agency for International Development (USAID) (Freedom House, 2015).

<sup>358</sup> Robichaud (2006) made a comparative analysis whereby he concluded that the overall amounts of international aid committed to the reconstruction efforts in Afghanistan were lower than those invested in other post-conflict countries by 2006: the difference lied in the aid per capita numbers, for Afghanistan 57 US Dollars per capita, whereas Bosnia - 679 US Dollars, Kosovo - 526 US Dollars, East Timor - 233 US Dollars.

<sup>359</sup> Over 9000 vulnerable Afghan children got an access to non-formal education, vocational training, health and hygiene education as well as recreational activities, sports etc. (EEAS, 2015).

<sup>360</sup> EEAS (2015) reports namely about 65 % access to primary healthcare (compared to 9% in 2002) and also basic services ensured for over 5 million people in 10 different provinces of Afghanistan.



economic growth continues to decline<sup>361</sup> as international assistance gradually falls<sup>362</sup>; with the parallel exacerbation of the conflict that spreads beyond the Afghan borders as well and the long expected drawdown of international troops (followed by serious reductions in international military expenditures) which started in 2014, and the new Afghan National Unity Government (NUG) led by the President A.Ghani has to deal with all this (IRC, 2014; World Bank, 2015). Thus, more than the above-mentioned 650000 Afghans<sup>363</sup> remain displaced now within their own country because of the escalating conflict, millions of refugees still are forced to live in neighboring countries; there are high human trafficking rates; 9 million Afghans need humanitarian aid, 5 million of them need basic things like food, housing and medical care; 4 million out of the 9 million Afghans have long-term needs such as safety from conflict, permanent normal job and access to healthcare (IRC, 2014). In 2007 opium production in Afghanistan – world’s leading opium producer that cultivated 2/3 of the world opium production in 2010 - reached a record high, the UN reported (BBC, 2015; Gao in Liu et al., 2013, p.117). Asian Development Bank (ADB, 2015) reports that opium production grew by 17% in 2014 even though its farm gate value of 850 million US Dollars<sup>364</sup> was 10% less than in the earlier year; and while opium production is not counted in the official GDP estimates, they, nevertheless, play important role both in domestic and foreign demands. The former EUSR in Kabul V.Usackas (in Burke, 2014) predicted that the full government control would be likely spread only over largest Afghan cities, whereas rural areas would generally remain on slippery ground.

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<sup>361</sup> According to the calculations made by the World Bank (2015), in 2014 the fall in economic growth rates amounted to approx. 2% from 3.7% in 2013 and an average 9% between 2003-2012. Hogg et al. (2013) rely on the forecasts predicting that the real GDP growth may fall from 9% *per annum* in 2000–10 to 5–6% over 2011–18.

<sup>362</sup> If in 2011 Afghanistan’s biggest donor the US reduced its aid allocated for the country from 4 billion to 2 billion US Dollars, then in 2014 this budget was further reduced by no less than half, i.e. to 1.1 billion US Dollars (Nordland, 2011; Londoño & DeYoung, 2014). As for the UK’s and the EU’s multiyear development assistance, the former allocated only 15 million UK Pounds for a short-term humanitarian funding for 2014-2015, while the EU’s the European Community Humanitarian Office (ECHO) decreased her aid due to financial constraints to 28.5 million EUR 2014. This trend raises serious concerns in light of the fact that in 2010, for instance, foreign aid amounted to some 71% (!) of the Afghan GDP (Afghan Ministry of Finance, 2010). According to the World Bank (2012), foreign aid and spending by foreign troops amounted to 97% of Afghanistan’s GDP in 2012.

<sup>363</sup> The UN High Commissioner for Refugees (UNHCR) reports that from January through September 2014 an increase of over 38340 in the number of internally displaced people took place and now the total number accounts for over 755011 (HRW World Report Afghanistan, 2015).

<sup>364</sup> Which is estimated as 3.3% of the Afghan GDP (World Bank) or 4% (UN Office on Drugs and Crime), while high-priced opium exports – 7-8% (World Bank) or 15% (UN) (Cordesman & Lin, 2015, p.141).

What makes the things very complicated is that it is widely recognized that poor and landlocked Afghanistan is structurally dependent on international financial aid<sup>365</sup> and even the gradual reductions in international aid must be planned very carefully so that not to threaten the fragile achievements made by today but also not to threaten the whole future of Afghanistan altogether (see Hogg et al., 2013). HRW (2015) reports that while some donors pledged to proceed with their commitment towards Afghanistan, there is still growing number of those who tend to phase out their financial and other presence. Goodman and Sutton (2015) name two most persistent (and interconnected) threats to Afghanistan's future: Taliban insurgency (with no really successful negotiations between them and the Afghan government) in the South and East of the country and widespread corruption which irrevocably weaken the effect of undertaken reforms<sup>366</sup> (see also Waldman, 2013). International organizations, NGOs, media constantly raise the alarm about numerous cases of ill-treatment, torture, summary executions, forcible disappearances and other human rights abuses exercised by the official Afghan security forces which have been addressed by the international aid facilitators *insufficiently* so far (HRW World Report Afghanistan, 2015).

At the Strasbourg-Kehl Summit in April 2009 NATO leaders decided to create NATO Training Mission or NTM-A “to oversee higher-level training for the Afghan National Army (ANA), and training and mentoring for the Afghan National Police (ANP)” (NATO, 2009). Cooperation between EUPOL-A/EU and NTM-A/NATO as well as the Combined Security Transition Command–Afghanistan or CSTC-A have remained problematic (see below), i.e. the mission has two-fold training tasks – both military and police (Chivvis, 2010).

Afghanistan experiences crucial political, security and economic transitions since the beginning of 2013. As the result of the highly-contested presidential elections held in 2014 (natural consequences of deep political divisions and disagreements) the National Unity Government (NUG) of President Ghani and his chief executive officer (and also rival) Abdullah was finally installed but this only the beginning of the long way to a real democratic transfer hindered by a variety of huge problems (Felbab-Brown, 2015). As of January 2014, there were 57004 troops from 49 countries deployed in ISAF (NATO, 2014), and many observers generally agree on the fact that NATO/ISAF have managed to substantially reduced the Taliban influence in the South of Afghanistan (partially in

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<sup>365</sup> Ca.67 billion US Dollars between 2003-2010, and in July in Tokyo nine donors additionally pledged another16 billion US Dollars in civilian aid to Afghanistan in 2015 (CIA World Factbook, 2015).

<sup>366</sup> The former EUSR Usackas himself warned about extremely serious level of corruption when was leaving his post in 2013 (Usackas, 2013 in Burke, 2014). Or one might also take a look at Woodward's (2010) book where he refers to the words said by the US General Petraeus, who later would be appointed as the leader of NATO forces in Afghanistan, who called the then Afghan government „a criminal syndicate“ (for real-life examples see SIGAR audit reports; Transparency International's reports).

Kandahar) as well as the total number of insurgent *military*<sup>367</sup> attacks on NATO/ISAF in all provinces (Cordesman & Hess in Krause & Mallory IV, 2014, pp.70-71). In October 2014 Afghanistan and the US signed the Bilateral Security Agreement (BSA) which delineated the key provisions of the NATO's post-2014 presence in this South Asian country (HRW World Report Afghanistan, 2015). The formal end of the longstanding NATO combat mission in the country and also phase-out of the PRTs 2012-2014, which was planned long ago, and now replaced with the new Resolute Support mission<sup>368</sup>, takes place at the time when the Taliban and its insurgent groups - the Haqqani Network and Hezb-e-Islami – are still deep-rooted in Afghanistan (and 2015 extremely fighting season confirms this), which opens up wide range of opportunities for the establishment of further dangerous groups like the Islamic State of Iraq and Syria (ISIS) now controlling vast territories in Syria and Iraq, and there are many other questions left open (Felbab-Brown, 2015; Cordesman & Hess in Krause & Mallory IV, 2014, p.70; Farrell & Giustozzi, 2013; Brattberg, 2013). Acute trepidation and instability has grown in the first six months of 2014 with the considerable increase in violence against civilians and Afghan National Security Forces (ANSF) exacerbated by the acrimonious 8-month presidential election period (Freedom House, 2015). Perspectives and possible consequences of a negotiated settlement between the central Afghan government and the Taliban insurgents resemble the myth of the Pandora's box that create a large variety of risks including Taliban's disapproval of democratic aspects of problem solutions of even its possible attempts to capture power in Afghanistan by force (Cordesman & Hess in Krause & Mallory IV, 2014, p.70).

As Thakur (in Cunningham & Maley, 2015, p.220) puts it without remorse for international community involved in Afghanistan, “blessed by the United Nations, 100,000 US troops, at an annual cost of US\$100 billion and backed by European and Australasian allies have failed to defeat a mere 20,000-25,000 Taliban who fight for no pay but the cause”<sup>369</sup>. The Taliban and affiliated groups are predicted to take advantage of the NATO's withdrawal, even now having almost half of the country's territories under their control (Burke, 2014; Katzman, 2015; McNally & Bucala, 2015). Terrorist and organized crime networks in Afghanistan. As mentioned above, most of heroin entering the European borders originates in Afghanistan which export to Europe takes place through the routes from Central Asia to the Western Balkans (Burgess & Spence in Bailes & Frommelt,

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<sup>367</sup> Attacks on civilian people are still on the unacceptable level (HRW World Report, 2015).

<sup>368</sup> This mission will be carrying much narrower set of tasks, mainly training and advising the Afghan National Security Forces (ANSF) (Brattberg, 2013).

<sup>369</sup> An exaggerated statement if one takes into account all the financial, material etc. benefits for Taliban in the Afghan war including income from opium (see Maley, 2009; Gates & Roy, 2014).

2004, pp.93). This fact confirmed by many analysts who link the security situation in Kosovo with the one in Afghanistan (see Gladstone, 2001; Steinberg et al., 2004).

***Discursive-Ideational Background of the EUPOL-A's Launch.*** The EU's own "small mission" (Ruffa in Cebeci, 2011, p.94) has arrived only in 2007. The association that comes up first to the mind is the former US Ambassador R.Hunter's famous article (2006) the main idea of which is that the US (highly busy in Iraq since 2003) needed more attention of Europe to be paid to Afghanistan where the situation was ever worsening (Hunter, 2006)<sup>370</sup>. "Within NATO, any security action needs to follow the American leadership"<sup>371</sup> (Shulong & Songchuan in Van der Putten & Shulong, 2011), and the EU, in fact, has always had a quite limited say in the design of the US' Afghan strategy (Burke, 2014). The developments in the Afghan security in 2006-2009 strongly pushed the international coalition to commit more resources to the country as well as to better coordinate their use (Morelli & Belkin, 2009). At 2002 Tokyo Conference international community agreed on 4.5 billion US Dollars aid to Afghanistan over the next 5 years (largest - EU, Japan, Germany); at 2004 Berlin Conference 8.3 billion US Dollars was promised for 2004–2007; and at 2006 London Conference 10.5 billion US Dollars were pledged over 5 years to support a proposed Afghanistan National Development Strategy (ANDS) (Weinbaum in Binder, 2007, p.214).

Apart from the publication of a new Afghan Compact<sup>372</sup> signed between international donors and the Afghan government the year of 2006 saw the EU's *official*<sup>373</sup> transition from substantial

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<sup>370</sup> He wrote that „40000 foreign troops in Afghanistan are not enough“ (Hunter, 2006). 8000 out of 20000 US troops deployed in Afghanistan at that moment were fighting independently, others under the ISAF auspices (Hunter, 2006).

<sup>371</sup> The data gathered in the recent studies of the Pew Research Center's (Spring-Summer, 2015) suggests that in that this conviction is not only observable on the high politics level but also certain parameters on the public agenda level make an impression of a similar nature: while some 56% US respondents are in favor of the American potential military involvement (by means of NATO) in the case of a serious conflict of Russia with neighbours, the French, Italians and Germans approval of such an intervention on the public level seems much less promising: 58% of the Germans would oppose, only 38% would be in favor, which prompts to think that in the European public thought NATO is mainly associated with the US (see also Grunberg and Telos, 2015).

<sup>372</sup> "Afghanistan Compact" signed at the London Conference in 2006 was a 5-year reform plan for the Afghan government from then on main responsible side for the country's reconstruction; the Afghan National Development Strategy (ANDS) was expected to fulfil monitoring, regular verifying and coordinative functions (Italian Ministry of Foreign Affairs, 2015).

<sup>373</sup> In fact, the EU had started with governance projects long before this official statement: from 2002 to 2006 the Commission has spent not less than 212 million EUR for the development of the Afghan public sector (EU Country Strategy Paper Afghanistan 2007-2013), yet, the effect proved to be rather weak, with the exception of the Basic Package of Health Services (BPHS) programme (Burke, 2014).

infrastructure development aid<sup>374</sup> to institutional reform assistance in training and educating good governance (Burke, 2014). From 2002 to 2006 the EU had focused on rural livelihoods, health & social protection and public administration reform as the main areas of its assistance <sup>375</sup>(European Commission, 2005-2006<sup>376</sup>). 180.5 million EUR (38% of the trust's funding) were spent by the Commission on fielding the Afghan National Police (ANP) mainly through the UNDP<sup>377</sup> administered Law and Order Trust Fund-Afghanistan (LOTFA)<sup>378</sup> between 2002 and 2008 (ICG, 2008).

The application of Schmidt's (2012b) DI framework reveals that it was not only "apparent" reasons (read *external factors*) inherent in the then *historical context* such as insistence of the American side of transatlantic alliance, positive reaction of the Afghan government and other Western states, increased insecurity in terms of terrorism, human and drug trafficking, organized crime etc. as a challenge to the security in the West that persuaded the EU to get involved with her own police mission into the situation in Afghanistan. It was also because of security policy the Union *herself* was conducting at that moment as a sentient collective actor: the way Union's institutions and member states governments perceived the Afghan war and the way they communicated about possible solutions to other security actors and (contestably) to the public.

But it is better to follow certain consistency rules and start with the coordinative discourse. On the philosophical level of ideas even those EU member states involved in Afghanistan whose concerns are not significantly bound with Islamist terrorism have always thought of the Afghan case as reflecting the image of the entire West and of NATO and in this sense being responsible for Afghanistan where there were billions of money committed and huge human and material losses experienced since 2001 (Buckley, 2010). Solidarity with NATO, changed threat perceptions after 2004 Madrid and 2005 London bombings, strategic ambitions in crisis management and necessity of supporting human rights and democratic values in practice are main parts of this ideational puzzle (Brattberg, 2013). On the programmatic level of ideas, even if not the most advantageous one

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<sup>374</sup> EU's large partnered projects included namely Kabul-Jalalabad-Torkham road project with Sweden, the Kabul's electricity rehabilitation with Germany, co-financing of Civil Military Cooperation (CIMIC) operations with Finland and Sweden (Gross, 2008).

<sup>375</sup> These focal and non-focal areas were covered by the Country Strategy Paper Afghanistan (CSP) 2007-2013 adopted by the EU (see below). Non-focal' areas included demining, regional cooperation, refugees/returnees and counter-narcotics (EU CSP Afghanistan 2007-2013).

<sup>376</sup> National Indicative Programme of the EC Support 2005-2006: Afghanistan (see „Official Documents“ section of the List of Literature under this title).

<sup>377</sup> United Nations Development Programme.

<sup>378</sup> Through LOTFA the EC has provided ca.160 million US Dollars from 2003 through 2006 (Wilder, 2007).

Afghanistan, yet, obviously belonged and belongs to those foreign and security policy cases where EU (owing quite limited role in designing US/NATO's Afghan strategy) had to demonstrate herself as a decent collective actor able to contribute with the appropriate set of crisis management tools developed since the late 1990s<sup>379</sup> (Brattberg, 2013). Experts repeatedly reported that immense amounts of funds invested in Afghanistan through various EU channels, not to mention the contributions of single EU member states did not raise the weight of the EU as a strategic international actor properly (Wilder, 2007). On the policy ideas level, the Union participates in the Afghan reconstruction efforts with her own crisis management mission – EUPOL Afghanistan.

When one analyzes the programmatic level of ideas regarding the EU's and her member states' involvement in Afghanistan, one has to place this within the programmatic ideational framework of the state-building efforts program conducted in Afghanistan, in general. Gross (in Gross & Juncos, 2011) rightly resumes (which is also true for 2015) that international efforts in Afghanistan have always been perceived as largely fragmented, lacking official specified leadership with de facto American political-military lead.

Since the discussion here concerns the EU as an international collective actor different from a national state, one has to take a closer look at the leading EU member states and their positions on the philosophical and programmatic levels of analysis which are intimately interconnected. CFSP/CSDP are also today intergovernmental policies by essence and understanding the logic of decision-making within the EU with regard to a specific mission makes general review of the major states' viewpoints incommensurable.

Studies on triangular relationship between the UK, France and Germany emphasized as vital for the future European security and defense<sup>380</sup> by Pannier and Schmitt (2014)<sup>381</sup> will be of special importance in analyzing key strategic attitudes in Europe. The UK and Germany's roles in NATO and the relationships with the US (philosophical level) for different reasons has long impeded their active participation in shaping and ensuring a more dynamic and more independent role of the EU in Afghanistan starting from 2002 (Burke, 2014). This opens up the discussion about the two different forms of ideas and discourse within the EU that existed since the Treaty of Rome and have undergone evolutionary processes since then. Along with the intergovernmentalists and

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<sup>379</sup> Wilder (2007) points to serious underestimations of the hurdles EUPOL-A represents for fulfilling this global task as a significantly understaffed mission even relatively to the Kosovo mission not to mention other international actors' forces.

<sup>380</sup> Suffice it to recall the essential role of the Franco-German agenda in the adoption of the Maastricht Treaty in 1992 (Carr & Callan in Carr & Massey, 2006, p.139).

<sup>381</sup> See also Pflimlin's (2012) thoughts on „triple entente“. Jonas and Von Ondarza (2010) as well as Whitman (in Balfour et al., 2015) also offer good analysis of this triple security relationship.

functionalists mentioned in the Chapter 2 there are ideational-discursive frames of “transatlanticists” and “Europeanists” intimately connected to the previous two groups. Very often scholars work with these types of frames within the concept of “strategic culture”, and although this Chapter will make use of this concept, minor role attached by this concept to the problem of structural change (see Conrad & Stumm, 2004) might limit the scope of applicability of the concept for the two missions’ analysis presented here. According to Biehl et al. (2013, p.8), national strategic cultures are „respective cultural, normative and historical foundations as well as the nationally shared values and practices in security and defence policy“. The carriers of strategic culture in the concept’s modern version include both decision-makers/experts and the public (Biehl et al., 2013, p.12).

Discourse analyses with reliance on Foucault’s findings can provide insights into the examination of respective archeology that was inherent in certain discursive formation over time, see the evolution of episteme across periods by exploring networks of rules defining what is meaningful at specific time period (Pedersen, 2009). Discourse analyses that built on Laclau and Mouffe (1985) offer insights into different ways of the employment of various concepts – the so-called “nodal points” from which all other ideas obtain meanings in a given ideological system (Schmidt in Fischer Gottweis, 2012, p.90). The concept of the widely-known differentiation made between traditional supporters of the US- and NATO-oriented security policy called “transatlanticists” among the EU member states and the UK in their avant-garde and those promoting a more independent security and defense policy for the EU (“Europeanists”) is very often tested on the evolution of the German strategic culture after 1989 in the context of its relationship with NATO/US and the EU. It is suggested to undertake a brief DI-based analysis of turn in German strategic culture after 1989 proceeding from the principle that philosophical level of ideas coincides with Germany’s relationships both with NATO and EU<sup>382</sup>, programmatic level with German foreign and security policy, policy level with specific foreign policy actions. The classic German case will be described more exhaustively than the British and French just to show how the mechanism works. This basic review of the philosophical level of ideational underpinning of foreign policy will also be applicable to the Kosovo case.

Historical context of the post-Cold War period of global politics is marked by dramatic changes in the nature of security threats as the result of the end of the East-West antagonism followed by the

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<sup>382</sup> EU-level analysis would correspondingly imply philosophical level as the level of the Union’s role within wider international community, programmatic level – Union’s own role as an emerging collective security actor/CSDP level, and policy level – specific missions undertaken via CSDP. Thus, if one goes to a lower-level actor – member states – specificity of levels of analysis correspondingly changes.

removal of direct existential threat to West Germany strengthened by the reunification of the country. The end goals of Germany's sufficiently coherent and relatively balanced policy lines established in its security cooperation within both NATO and the EPC during the Cold War (multilateralism) included facilitating security guarantee in the face of the Eastern threat to West Germany, prevention of renationalization of foreign policy, restoration of Germany's role in international community as a reliable partner, achieving peace and democratic progress on the continent backed by mainly civilian methods of international communication (Conrad & Stumm, 2004). Study of the philosophical underpinning of the modern German security policy (Germany-NATO relations level) which today even allows for the military involvement in Afghanistan which is far not Europe and goes against German political principles supported in the early 1990s can shed light on many aspects of Germany's role and position in the adoption of decision on EUPOL-A. Having shown great resistance in supporting both NATO's (Gulf War 1991) and the EU's (Yugoslav crisis 1990-1992) initiatives of foreign deployments of armed forces, Germany has gradually transformed its position towards these previously insurmountable two principles of foreign policy - Europe only action and reliance on civilian methods - especially during the rule of the Social-Democrats (SPD) and Greens in late 1990s.

Gray's (1999) so-called first-generation concept of a strategic culture as a context within which state actors shape their foreign policy behaviors ("influencing, but not determining", Biehl et al., 2013, p.11) and themselves being constituents of this behavior best of all coincides with the DI-based analysis undertaken in this Chapter which rests upon the same principles<sup>383</sup>. Brand new strategy declared by NATO in the early 1990s and for the first time brilliantly demonstrated in the Gulf War in 1991 has originally come across German standoff, whereas very soon new realities of redefined role of the post-1989 NATO where Germany (subject to increased international role demands) had to reaffirm its credibility coupled with new asymmetric security threats that became visible already in Croatian and Slovenian case, and with which the weak WEU was not able to deal required general review of Germany's foreign policy principles (historical context as a general environment for shaping strategic culture) (Chappell, 2012, p.55). Strategic culture scholars would concentrate their attention on this set of basically external set of "crisis moments" that brought out the ultimate turn in policy, and it would be pretty enough for their argumentation. Yet, DI will add the internal dimension to the picture. Paradoxically for the IR neo-realists continuous impact of the

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<sup>383</sup> Biehl et al. (2013) highlight three main generations of strategic culture research that exist in political-scientific literature: (1) Gray's (1999) contextual concept, (2) Klein's (1988) focus on the differences between officially declared policies of security communities and their actual aims, (3) Johnston's (1988) positivist approach emphasizing independent nature of the impact of „grand strategic preferences“.



earlier convictions laid the foundations of the post-1989 version of the German “*Stunde Null*”<sup>384</sup> “deep core” which, in essence, stayed the same. If one looks at the external dimension of the “deep core” formation, Germany had to proceed with supporting transatlantic cooperation<sup>385</sup> and European security cooperation (adjacent WEU) for ensuring full economic and political integration of the now reunited country into the Western world<sup>386</sup>, remove European keeping fears of the renationalization of the German foreign policy and better tackle new security challenges especially obvious in the Yugoslav war<sup>387</sup>; while internal dimension implied German aspirations to strengthen its political and economic positions and influence in Europe and NATO (define new role and image for Germany) and to make use of transatlantic cooperation for reinforcing democratic developments (West associated with democratic values and norms) in reunited country (Chappell, 2012; Conrad & Stumm, 2004). “Policy core”/programmatic level of ideas in this period of dramatic reorientations of German policy best of all demonstrates the aspects that changed: it still comprises German multilateralism, reliance on international consensus/law but strict limitations on the use of force (*Zivilmacht*<sup>388</sup>) are revised for introducing new *crisis management* component<sup>389</sup> and *allowed for out-of-area military deployments*<sup>390</sup> as a part of the Western coalitions (Conrad & Stumm, 2004; Pogorelskaya, 2010). This strategic turn of German foreign policy is a brilliant example for top-down institutional change which took place against, first, the German political parties’ (SPD and Greens) and also the public resistance to military deployments in foreign countries (Longhurst, 2004).

German case vividly shows that throughout the 1990s support for transatlantic security cooperation ensured by also other major EU states did smoothly go hand in hand with the EU states’ European security cooperation as well as the UN and OSCE (*Sowohl-als-auch* approach) thank to the weak but still existing WEU, as long as there was no ESDP/CSDP yet (Whitman in Balfour et al., 2015, p.26). Thus, the ideational frames of “transatlanticism” and “Europeanism” emerged with the

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<sup>384</sup> „Zero hour“ emerged in 1945, and „signified a strategic cultural discontinuity and social trauma so profound that“ the subsequent German governments had to revise all of the foreign policy keystones especially with regard to the role of the military within political sphere and society and the use of force in international politics (Longhurst, 2004).

<sup>385</sup> Strongly encouraged especially by the UK (Chappell, 2012, p.56).

<sup>386</sup> Both Nazi past and „generally successful foreign policy experience of the post-war years“ have encouraged Germany for general continuation of its policy towards NATO and WEU (Reveron, 2004, p.111; Duffield, 1994, p.179).

<sup>387</sup> See Longhurst (2004) on the issues of rearmament of Germany in the post-1945 period.

<sup>388</sup> See Harnisch and Maull (2001).

<sup>389</sup> See Germany’s defense policy guidelines (VPR) 1992.

<sup>390</sup> A brilliant fresh work on the structural cultural change and Bundeswehr’s deployment to Afghanistan is Hilpert (2014).

shaping CSDP, but it must be shown that one cannot talk about any strict categorization of EU members within one group only. Whitman's (in Balfour et al., 2015) categorization of frames based on three groups attaches the UK and France to the first group of EU states with an extensive network of external relations outside EU and considering the Union as an amplifier of national foreign policy, and Germany to the third group with multilateral approach towards international security problems without need to necessarily involve EU<sup>391</sup>. As the pre-2007 EU political context demonstrates, EU's major states were building up their policies towards Afghanistan by reliance upon not only different *frames* but also varying *narratives*.

Having invested remarkable amount of efforts into its own training mission (German Police Project Office, GPPO) in Afghanistan operative since 2002, Germany was naturally skeptical about the EU's own mission between 2005 and 2006, Ginsberg and Penksa (2012) remind, but eventually namely during the German Presidency it approved of the project and the Joint Action on EUPOL-A was adopted at that period, plus the first two Head of EUPOL-A were Germans. At the same time, this conduciveness did not at all prevent Germans from dispatching many more personnel to its own bilateral mission in the face of the urgent need of EUPOL for more trainers during the first phases of the its operation<sup>392</sup> (Ginsberg & Penksa, 2012). Apparent deficiencies of the German approach, stressed by, for instance, NATO, was also lack of coordination of the police reform with the justice framework development efforts of the Italians undertaken within the 2002 SSR Agreement (which were itself strongly criticized by the US<sup>393</sup>), mentioned above, which was compounded by the *Inteqal* (or "Transition") process declared by NATO in 2010<sup>394</sup> (Barfield et al. in Isser, 2011, pp.181-182; Burke, 2014; Ellison & Pino, 2012). Additional disadvantages lied within varying financial and personnel commitments on the part of each country coordinating five different reform areas, different approaches etc. (Gross in Whitman & Wolff, 2012, p.112).

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<sup>391</sup> The second group of the EU states exercise rather EU-oriented foreign policy patterns among which smaller EU member states form the majority (Whitman in Balfour et al., 2015).

<sup>392</sup> Key European states involved in Afghanistan were increasingly inclined to work rather in the PRT-located zones rather than in Kabul by 2006 (Burke, 2014).

<sup>393</sup> It was as the result of this criticism backed by objective lack of resources, proper approach and coordination etc. of the Italian-led judicial reform efforts that the European Commission announced in 2007 at the conference in Rome about its takeover of the rule-of-law enhancement efforts (Burke, 2014). Yet, in 2010 the US established its own rule of law (ROL) agency designed for the coordination of international efforts in the justice sector - the Interagency Planning and Implementation Team (IPIT) (Wylter & Katzman, 2010).

<sup>394</sup> „...the objectives of *Inteqal* Framework are to strengthen Afghan ownership and leadership across all the functions of government and throughout the territory of Afghanistan“ (NATO, 2015).

What were then the key differences between different EU states' strategic narratives<sup>395</sup>? Although since 2005 Merkel's government have consistently underscored their full support for the NATO-led military engagement, in fact, the Germans' approach to Afghanistan's stabilization has always gravitated toward a more civilian methods of reconstruction and development measures, military/police training and better dialogue with Afghanistan's neighbors (Morelli & Belkin, 2009). The UK's official<sup>396</sup> position, in turn, has mirrored the one of NATO/US<sup>397</sup> (often referred as "US/UK strategy"<sup>398</sup>) since the beginning of international engagement which explained all-inclusive support for ISAF's stabilization measures based on active military action in Helmand province (Morelli & Belkin, 2009; Finlan, 2014). Middle-ground (as regards Germany and the UK) approach of (Sarkozy's at that time) France rested upon persistent strong support for ISAF combat mission (strongly resisted by the French public and opposition) with ever-growing understanding of the importance of training better policing and governance system (Foust in Hynek & Marton, 2012; Alarcon, 2014).

Convincing the UK as a special case with regard to both its position in the EU and its historical relationship with the US to support the launch of the EU's own mission in Afghanistan was not an easy task at first (Burke, 2014). Yet, for the UK that went through "post-Iraq strategic diagnosis" Afghanistan by that moment has turned into a high-priority foreign policy problem for the British government compared to other EU states, and against the background of the evolution in both Iraqi and Afghan wars coupled with the US' increasing support to the additional assistance in crisis zones, multilateral projects and civilian crisis management missions (Simon, 2014, p.161) the Blair government (and later also Brown's government) became more benevolent towards CSDP's Afghan involvement. In the Labour Party's pre-election Manifesto (2010) „bringing stability to Afghanistan“ is even listed along with other „major challenges“ such as „intensive global competition, climate change, an ageing society“. This is an example for the influence of the ideas and discourse formulated in national contexts (British) upon the foreign policy understandings and behavior formulated at intergovernmental level.

Rationalist calculations reflected in the UK's interest in strengthening the West's international positions as well as performing as a strategic bridge to reinforce its own influence relied on the philosophical ideas of belonging to the transatlantic strategic partnership (remember Kantian

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<sup>395</sup> For an excellent analysis of strategic narratives see Miskimmon et al. (2013).

<sup>396</sup> Political debates on proper balance between military measures and development projects has continued in the UK (see Fidler & Boone, 2007).

<sup>397</sup> In accordance with the success-based narrative of 2006 US National Security Strategy.

<sup>398</sup> See Finlan (2014).

culture) as well as special ties with the US and on the programmatic ideas of the country's intimate connections with Europe, need for having special position in the EU but still being able of substantially influencing the European CFSP/CSDP initiatives balancing France and Germany. According to Pohl (2014, p.105), this change in position prompted the UK to activate efforts on the comprehensive assessments of the German police training mission to the results of which the British side ascribe the detection of "disappointingly slow pace on police reform", the evaluation also mirrored in the reports of many NATO and US officials criticizing police reforms in contrast to military reforms (Dempsey, 2006<sup>399</sup>; Busse, 2007). The UK's ardent endeavors for the adoption of the EU decision on the future EUPOL<sup>400</sup>, thus, would be unimaginable without the direct NATO benevolence.

Major EU states ultimately supported the plan for a collective action in Afghanistan also for the reason of considerably changed perceptions regarding the CSDP. The Balkan disastrous experiences made in the first half of the 1990s could be substantially refined in Afghanistan (Jovanovic, 2013, p.58), plus there have already been some more or less successful CSDP missions launched in different parts of the world since 2003. On the other hand, Keohane (in Grevi et al., 2009) calls 2003-2007 as a largely turbulent, starting phase in the first decade of the CSDP's existence: it was characterized by general split between EU and NATO over Iraq which continued challenging their relationship for many years, while the period after 2007 is considered to be more "constructive".

When one analyzes the coordinative discourse within the EU regarding the CSDP, in general, or military missions, in particular, one has to also consider the dialogue of the CSDP policy-makers and civilian policing and European defense industries. In the case of the civilian CSDP missions there are no clearly identifiable non-governmental civilian expert organizations which are involved as a relatively independent policy actor in the discussion of possible EU civilian missions including EUPOL-A. So, it is better to confine the discussion to pointing out gradual systematic developments in the field of building EU civilian crisis management framework, ever-growing attention toward improving training and recruitment mechanisms (national and EU levels), coordination among civilian CSDP and other EU instruments, assessments etc. (Gross in Whitman & Wolff, 2012).

Cognitive arguments for launching a civilian EU mission EUPOL-A comprised objective need for facilitating additional means for combating terrorist threats, limiting opium production, organized

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<sup>399</sup> By the way, the same author was equally passionately criticizing the EUPOL Afghanistan mission in 2008, see Dempsey (2008).

<sup>400</sup> Pohl (2014) mentions that harsh struggles occurred between the French and the British representatives when the PSC forwarded the respective report on this new project to CivCom (interviews in Pohl, 2014; Gross, 2009).

crime etc. in the light of obvious insufficiency of military means only. One could also address the following tasks that Korski (in ECFR, 2009) listed: “the opening of negotiations with “reconcilable” Taliban insurgents, more civilian reconstruction, a development-based approach to counter-narcotics, more training for the Afghan security forces to enable them to lead the counter-insurgency effort, and regional initiatives that include not only Pakistan but also India, Iran and China”. German GPPO mission that cost 12 million EUR annually<sup>401</sup>, as the German Federal Foreign Office (2007) reports, (they also built the Kabul Police Academy, KPA, in August 2002) were considered very helpful as a basis for establishing training structures and procedures<sup>402</sup> but incomplete in terms of offering rapid training for a large number of police officers (ICG, 2007; Wilder, 2007). Rapid training projects has been, however, offered by the US since 2003 but the US, EU and national efforts needed more coordination, and this prompted international actors to think of the EU’s own training mission (Gross, 2009), hence, improving international police-judicial training coordination in Afghanistan was also used in the cognitive argumentation. Normative argumentation of the EU was based upon transatlantic solidarity with the US and NATO, importance of supporting combat forces sent to Afghanistan since 2001 with civilian means, the Union’s commitment to combat terrorism, protect human rights, support conflict prevention and nation building<sup>403</sup>. Wilder (2007) indicates an import normative aspect that “supporting a civilian police Mission” was “politically more palatable for European governments than sending additional troops to support NATO counter-insurgency operations in southern Afghanistan”.

Overview of the ideational aspects of the pre-decision period that ultimately led to the launch of EUPOL-A until this point has largely included the explanation of the historical context, external factors and major actors involved, EU’s collective position and positions of single most influential EU states. What concerns EU in general and her member states (and also some external security actors involved in Afghanistan) is related to the coordinative discourse, and what about communicative discourse?

Since nation-states whose involvement (military or civilian) in a foreign conflict zone is normally an object of any serious discussion and contemplation in a national Ministry of Defense and largely out of any open public debate due to state security issues, EU’s CSDP as a genuinely intergovernmental sphere of action could not escape similar fate. Communicative discourse within

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<sup>401</sup> According to the German Embassy in Kabul (January 2007), between 2002 and 2006, Germany contributed ca.80 million US Dollars for reconstruction of the Afghan police sector (Wilder, 2007).

<sup>402</sup> Finland, the Netherlands, Norway and Switzerland have also made their contributions to the reforms in the Afghan police sector (Wilder, 2007).

<sup>403</sup> See Sachdeva (in Zajackowski et al., 2014).

the Union held by the EU institutions with EU citizens as well as the channelizing European mass media regarding CSDP, in general, or single missions has remained extremely limited (Ojanen in Zimmermann & Duer, 2012, p.222) if existed at all<sup>404</sup>. There are now some budgetary discussions led thank to the newly established EEAS (Ojanen in Zimmermann & Duer, 2012, p.222), but back in 2007 EEAS was not there yet. Moreover, one of the public frames of reference with respect to the CSDP rests upon weak realization that general public is *directly* financially involved in CSDP missions, including EUPOL-A, as it is the case with national defense budgets, but, in fact, they are certainly involved albeit indirectly both in civilian CSDP missions budgeting and ATHENA scheme<sup>405</sup>. An important aspect in the public framing of the EU's role in international efforts in Afghanistan, as Gross (in Whitman & Wolff, 2012, p.112) favorably shows, is the prevalence of deeply entrenched NATO/US-related associations, highly controversial success of international efforts and worries related to sharing transatlantic burden for Afghanistan (collective memories) what concerns Afghanistan with correspondingly less attention paid to the EU's specific role here<sup>406</sup>. This especially owes to the image of Afghanistan as a complex NATO mission out of the declared area of NATO's traditional operation (Gross in Whitman & Wolff, 2012, p.112).

In 2002 51% of the Germans polled supported German involvement in Afghanistan's stabilization, while by 2007 that figure has fallen to 34% (Morelli & Belkin, 2009). Although the lowest level of EU public support to international engagement in Afghanistan detected in 2009 has been somewhat overpassed by 2011, general public backing in this respect has been much lower in Europe than on the opposite side of the Atlantic right from the outset: 70% of the French adult respondents (2011) were completely/mostly opposed to the European Afghan engagement, 35% of Germans polled (2011) were in favor of the immediate withdrawal of their troops with another 44% who wanted them to return by the end of 2011, and, finally, the record 60% British respondents (2011) who opposed military operation especially in the light of too large numbers of killed British militants

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<sup>404</sup> See Chapter 2 for a more general analysis of communicative discourse in the EU concerning the CSDP.

<sup>405</sup> Germany annual contribution Afghanistan was doubled to 430.7 million EUR until 2013 with civilian assistance's increase to ca.1.72 billion EUR over four years starting from 2010; France spent approx.38 million EUR in 2009, and in 2010's plan was to raise engagements to 98 million EUR; and finally, the UK was planning (2010) to provide extra 40% of aid funding over four years (EU II Implementation Report Afghanistan, 2010).

<sup>406</sup> "Comprehensive approach" announced at NATO's Bucharest summit in 2008 implied undertaking additional vast measures for ensuring more international coordination among existing partners, increased involvement of non-governmental actors and introduction of a broadened set of military and civilian instruments in the peace and stabilization efforts held in Afghanistan (Gross in Whiman & Wolff, 2012, p.112; Morelli & Belkin, 2009). This new approach coupled with the newly launched EUPOL-A mission have reinforced the EU-focused public debate but in this analysis namely the period before the launch of EUPOL-A is under focus.

killed in April 2010 (IAI et al., 2011; Brattberg, 2013). Today under the circumstances of economic crisis and budget cuts despite certain improvements in various reforming areas of governance and defense in Afghanistan, “public opinion within Europe remains skeptical about their countries’ involvement in Afghanistan” which influenced the UK, French, German and others’ decisions on military withdrawal from Afghanistan (Sachdeva in Zajackowski et al., 2014). Kutz (2011) touches upon a thought-provoking and very important today - in the era of high-tech and all-accessible information – problem of the media whereby he demonstrates that along with the traditionally influential in the 2000s BBC and CNN channels in the case of Afghanistan also Al Jazeera as part of the Arab media started to play important role in the construction of public opinion far beyond the Middle East.

As soon as it became obvious that there is an urgent necessity to reform the Afghan police and justice sectors and neither NATO, nor UNAMA or smaller participating parties satisfy this need, the Council officially adopted a Joint Action on the EU Police Mission in Afghanistan (also EUPOL-A) on 30 May 2007 as a part of the wider international mission to build a “secure, stable, free, prosperous and democratic Afghanistan” (Council, Joint Declaration 16/10/2005, Joint Action 30/5/2007; FPI Report, 2012) and of the Union's long-term commitment in accordance with the political and strategic objectives in the region (EEAS, 2015) where the Union’s primary foreign interests have been revolving around aid<sup>407</sup> and trade (Aarten & Wolf in Wolf et al., 2014, p.155). The broadest goal of the mission that replaced the German Police Project Office (GPPO), the mandate of which was again extended (in December 2014) until 31 December 2016, was and is to “significantly contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements” (Council, Joint Action 30/5/2007) by “building a civilian police service that operates within an improved rule of law framework and in respect of human rights” (EEAS, 2015). 197 police and rule of law experts from 23 EU member states and 176 local staff (13 June 2015) under the leadership of the Finnish Head of Mission P.Stjernvall (since February 2015) mainly work as advisors *at the strategic level* for relevant Afghan institutions (Ministry of Interior until the end of 2016; Afghan National Police; Ministry of Justice and Attorney General's Office until the end of 2015) in Kabul, Herat and Mazar-e Sharif (EEAS, 2015). The mission’s declared tasks are implemented jointly with the Afghan government strictly taking into account the local

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<sup>407</sup> Regarding development aid to Central Asian region sponsored through the Commission’s respective instrument has a minor effect idiomatically analogical to the one of water drops falling onto the sand: 750 million EUR allocated and spent for a large variety of needs between the period of 2007-2013 makes approx.25 millions for each Central Asian country annually, which means there is serious overstretch of limited funds (Aarten & Wolf in Wolf et al., 2014).

authorities' needs, abilities and skills and in close coordination with other local and international actors (EEAS, 2015).

In the remarkable for the EUPOL 2007 the EU adopted a new Country Strategy Paper (CSP) for Afghanistan for the years 2007-2013, mentioned above, which states that “the guiding principles for EC assistance will be to utilise Government structures wherever this is feasible in implementing programmes and to provide continued support to existing national programmes” (EU CSP Afghanistan 2007-2013). CSP for Afghanistan 2007-2013 exemplifies a classic example for studying communicative discursive practices established between the Union's institutions and EU citizens. Public reactions to the text of the CSP were best reflected in the criticism of some MEPs who found specific allegations (on fully democratic Afghan government, GDP growth rate 2006, plans on Afghanistan's financial sufficiency etc.) contained in the document unacceptably exaggerated and distorting the real situation (Burke, 2014).

Initially, in the process of European discussions about possible involvement of the CSDP into the situation in Afghanistan it was namely justice sector that was deemed to be the most burning field to bestead and to be under focus of any engagement (Gross, 2009; official interviews in Pohl, 2014). Joint EU Assessment Mission report presented to the PSC in October 2006 contained, *inter alia*, a recommendation to the EU to consider dispatching a police mission set of general tasks of which including the linkages to the wider rule of law and counter-narcotics were outlined in the Crisis Management Concept (CMC) approved in February 2007 by the Council (Council, Joint Action 30/5/2007; Gross in Whitman & Wolff, 2012, p.116). The EUPOL Afghanistan mission was formally launched on 17 June 2007 (Wilder, 2007).

Buckley (2010), by the way, demonstrates that the original idea of establishing namely a “rule-of-law” (police-justice) mission with the advice of the EUSR's office immediately caused institutional disagreements (“institutional cacophonies” - Larive, 2012) between the Council and the Commission (coordinative or policy discourse) which led to certain bifurcation of the mandates: police reform for the Council's mission and justice program for the Commission<sup>408</sup> (this rigid aspect was softened in the subsequent delineation of the tasks of EUPOL, see below). Working towards establishment of Afghan police force in local ownership built upon the respect for human rights and functions in accordance with rule of law was the main goal for the projected EU mission designed to operate at central, regional and provincial levels (Council, Joint Action 30/5/2007).

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<sup>408</sup> Although at the Rome Conference (2007) the Commission agreed to coordinate international rule of law efforts undertaken in Afghanistan, changes were not significant, and in 2010 the US government established its own rule of law agency to coordinate international assistance to the justice sector - the Interagency Planning and Implementation Team (IPIT) (Burke, 2014).



What the situation in Afghanistan required at that moment beyond military was professional civilian training in the fields of criminal investigation and border policing as well as the linkage between policing and judiciary which was deemed to be insufficiently addressed by the Americans, Buckley (2010) says.

EUPOL Afghanistan mission backed by the budget of 58 million EUR<sup>409</sup> for 2015 has a civilian mandate, embedded in into the general EU security sector reform (SSR)<sup>410</sup> set of tools, that provides for the following tasks the implementation of which is mainstreamed by the measures protecting human rights and gender equality as well as enhancing transparency and accountability:

- Institutional reform of the Ministry of Interior (MoI): forwarding the Ministry's institutional capacity building including ability to facilitate proper coordination of international support via better long-term planning, management and leadership, policy implementation, transparency and accountability; method - advising at the strategic level with relevant key collaborators;
- Professionalization of the Afghan National Police (ANP): advancing professional standards, criminal investigation capacities, community policing, intelligence-led policing, female police officers, management of training institutions, combating corruption; improving police educational system by developing common standards of leadership and command capabilities of the senior management of the General Training Command and especially of the Police Staff College and the Crime Management College; special attention towards the Mazar-e Sharif and Herat Field Offices which implement policies from the MoI and the Attorney General's Office;
- Improving interoperability between police to justice reform: EUPOL-GIZ joint project "Unaas Mushtarak" ("Women together"), a police-prosecutor cooperation and human rights and gender course for female police officers and prosecutors, fight against corruption; refinement of legal aid system for better access to justice, creation of a sustainable modern educational center for prosecutors within the Attorney General's Office (AGO) which would also reinforce professional capacities of the Afghan Parliament, Ministry of Justice, MoI and the AGO in drafting, adopting, disseminating and implementing criminal justice legislation (EEAS, 2015). This last major task proved to be crucial in the light of the original fragmentation of police and justice sector reforms managed through two different EU institutions (Wilder, 2007).

Special attention the EU pays to facilitation of a more coordinated approach towards the operation of her various external actin instruments also applies to EUPOL which works under the local

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<sup>409</sup> The EU and her member states had allocated more than 1 billion EUR *per annum* to Afghanistan, altogether (Usackas in Burke, 2014).

<sup>410</sup> SSR is a model for stabilization and rebuilding of security sector including police, army etc. (Larive, 2014, p.206; Britz in Ekengren & Simons, 2011; Gross, 2009; Dursun-Ozkanca & Vandemoortele, 2012).

political guidance of the EU Special Representative (EUSR) in Afghanistan, currently F.-M.S.Mellbin, while reconstruction effort is managed through the EU delegation in Kabul (FPI Report, 2012). Experts pointed to the need to further strengthen coordination between the three main Afghan activities of the Union: the Commission's financial contributions through the Afghanistan Reconstruction Trust Fund (ARTF) and the above-mentioned UNDP-managed Law and Order Trust Fund (LOTFA) established in 2002, political engagement of the EUSR and EUPOL Afghanistan (Gross in Whitman & Wolff, 2012, pp.115-116; Wilder, 2007).

*Interaction with other security actors.* Inter-institutional cooperation between operating global security actors is vehemently hindered by the lack of formalized cooperation mechanisms and the ability to coordinate unequal resources for reconstruction by attaching them to common set of objectives (Gross in Whitman & Wolff, 2012, p.113). The fulfilment of the UNAMA's coordinating mandate in the implementation of the Bonn agreement (5 December 2011) via the independent activities of the operating agencies, funds and programs (AFPs) was slightly improved with the appointment of the UN Special Representative but remains hindered by the lack of resources, i.e. competitiveness of it's the mission's contributions (Mohr in Maley & Schmeidl, 2015; Gross in Whitman & Wolff, 2012).

In the last years, especially after the experiences made by the US and NATO in Iraq and Afghanistan there is a growing understanding of the importance to develop robust full-scale civilian capabilities within NATO. The idea of establishing civilian component within NATO long resisted by France, for instance, and declined in the Riga decision has proven completely wrong when faced with the situation in Afghanistan where military measures only seriously need civilian backing on place, NATO has to cooperate with external civilian actors including the UN and EU<sup>411</sup> as well as to be capable of effectively filling the gaps where their efforts prove insufficient (Jakobsen, 2008, in Ringsmose & Rynning, 2011, p.87; Gross in Whitman & Wolff, 2012, p.113). Many experts doubt the rationality of a possible decision to establish a full-blown civilian capacity that would completely exclude the involvement of other civilian crisis management actors and would rely on NATO civilian skills only, which makes cooperation with other civilian actors vital in any imaginable situation (Jakobsen, in Ringsmose & Rynning, 2011, p.87).

The Cypriot blockage produces a very negative effect on both EU and NATO in terms of their perspectives to develop rapid reaction capabilities accompanied by the avoidance of unnecessary duplication of resources in Afghanistan (Ginsberg & Penksa, 2012, p.187; Cirovski & Pistor, 2010).

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<sup>411</sup> Some NGOs are not present due to the impossibility to operate without military protection which they naturally do not possess, while some do not even wish to cooperate with the military due to neutrality concerns and reluctance to be integrated into military planning (Jakobsen in Ringsmose & Rynning, 2011, p.87).

Thus, due to the lack of a formal agreement between the two “on sharing classified information has somewhat restricted EUPOL’s situational awareness and operations in dangerous operating environments” (IAI et al., 2011). Thus, although the relations between the two organizations were formally institutionalized as early as in 2001 and further strengthened with regard to *joint* military operations through “Berlin Plus” arrangements in 2002-2003, these agreements can do nothing about the inter-institutional cooperation in Afghanistan since NTM-A/ISAF and EUPOL<sup>412</sup> are formally separate missions and requires a specific formal agreement (NATO, 2014; Gross in Whitman & Wolff, 2012, p.113). “Failure of the two to work more closely and effectively together to enhance security in Afghanistan”, called the relations between EUPOL and ISAF Ginsberg and Penksa (2012, p.188), where EUPOL is “a minute element of a much larger and bloodier war, [...] dwarfed by the combat operations of ISAF”. At the same time, Drent (in Drieskens & van Schaik, 2014, p.133) on this occasion speaks about “normalization through informalization” as an increasingly developing within the EU’s “selective” multilateralism with regard to security cooperation with other global actors, especially NATO: *informal* “staff-to-staff relations” have allowed for establishing some sort of working relationship in the territories where they are co-deployed despite the absence of formally reached cooperation agreements.

In the light of the obvious “Americanization” of ISAF mission in the subsequent years of the intervention in Afghanistan (Belkin et al., 2009) one cannot limit the issue of interaction between the EU/CSDP and other security actors involved in the region only to the UN and NATO, but has to take a look at the relationship between the EU/CSDP and the US. Although between 2001 and 2003 this cooperation was largely dysfunctional also due to chaotic operation of various disconnected international institutions and bodies, since the summer of 2003 as soon as the EU increased its engagement in Afghanistan, the US took up lead over ISAF mission and the US and EU declared their willingness to cooperate more closely coordination between the EU and the US has started considerably improving (Cavendish in Alexander & Prosen, 2015, pp.187-188). Since 2005-2006 ever-improving cooperation accompanied by the adoption of a Comprehensive Approach in 2008 has been challenged since the end of 2009 due to the fact that the European positive reaction to enhanced coordination has not always been translated into sending more troops to Afghanistan as the US expected; but, in general, the US-EU Afghan cooperation “has trended positively” (Cavendish in Alexander & Prosen, 2015).

What, *inter alia*, became even more obvious in the past few years is that the future EU commitment in Afghanistan will strongly depend on the roles of the US and NATO in the country: serious delays in reaching the new EU-Afghanistan cooperation agreement were clearly showing that on the

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<sup>412</sup> Improving coordination was originally announced as one of the key goals of the EUPOL (Osipov, 2011).

Afghan's then President Karzai's priority list the agreement with the EU was of far less importance than the talks with the US (Burke, 2014).

*Assessments of Effectiveness.* And without a short summary on general post-launch assessments of the mission the analysis would be incomplete. Some 2500 years ago Sun Tzu wrote that “prize victory, not a protracted campaign” (Sun Tzu, 2003, p13). In the EU case this maximalism is not to the point at all, reality says. Strategic weight of the EU was expected to be more visible with the EUPOL-A (see Wilder, 2007), but were this expectations borne out in the end?

It must be strictly and unequivocally underscored that without any additional justifications for EUPOL-A itself, any general assessments of EUPOL-A have to be seen in the context of the wider situation in Afghanistan and by taking into account effectiveness level of all other security actors involved. General evaluations on the practical achievements and real contributions of EUPOL vary from those considering it as a major contribution (FPI Report, 2012) to very modest (Gross, 2009; Ellison & Pino, 2012) or even disappointing ones (Asseburg & Kempin, 2009; Mix, 2013; Pohl, 2014; Aarten & Wolf in Wolf et al., 2014). Back in 2007 Wilder (2007) rightly put a question of whether EU can demonstrate herself as a solid security actor able to appropriately react upon Afghan security challenges namely with this sufficiently and constantly understaffed police and rule of law mission, and even today the same question may be asked. One can divide the perceptions on the effectiveness of the EU civilian missions in two categories, Aarten and Wolf (in Wolf et al., 2014, p.155) suggest, one of which labeled as success stories like Aceh and DR Kongo and those regarding it as insufficiently satisfactory including EUPOL Afghanistan. While some accentuate the missions permanently increasing size of personnel despite the remaining high level 5 (war) situation in Afghanistan (FPI, 2012), others stress unacceptable permanent lack of staffing in the mission (Aarten & Wolf in Wolf et al., 2014, p.155; Wilder, 2007) which was observable right from the start also due to occupation of many seconded civilians in Bosnia and Kosovo (IAI et al., 2011; Chivvis, 2010). Even back in 2013 when there were 350 international staff from 28 EU countries and Canada and 200 local staff against the above-mentioned 197 specialists from 23 EU states and 176 local staff in June 2015, it has never reached the original goal to dispatch 400 trainers (EEAS, 2013, 2015; Aarten & Wolf in Wolf et al., 2014, p.155). If one relies on a grassroots approach (IRC, 2014), Ellison and Pino (2012, p.97) resume that, “legal, economic, and security sector reforms sponsored by foreign governments have not been appropriate for the Afghan context”, and EUPOL-A cannot stand aside here.

Points of criticism include: a lack of general strategy, weak leadership, limited general mandate of mission, a very short 6-12 months mandate for each trainer decreasing the long-term quality of their activities, excessive concentration on relatively stabilized regions accompanied by absence in the

south and south-east of Afghanistan (due to significant security restrictions), EU's low profile in neighboring Pakistan despite its crucial role in the Afghan security state-of-the-art, lack of security and protection equipment, unsatisfactory level of coherence and synergy between the programs deployed by the Union as well as the mission's limited budget (Larive, 2012, 2014; Aarten & Wolf in Wolf et al., 2014; Ginsberg & Penksa, 2012; Ruffa in Cebeci, 2011, p.94; Buckley, 2010). Some authors (see Dorronsoro et al., 2009) criticize the low profile ways of operation of the mission by bringing an example of the mission being subject to the operational control of the Province Reconstruction Teams (PRTs) in the northern and western command, while it would be more reasonable and effective to work with local security forces in Kabul. One of the important aspects is insufficient formal grounding for cooperation between ISAF and EUPOL, obviously as a part of the wider problem of EU-NATO crisis management cooperation impeded by Turkey on the basis of the pending Cyprus conflict (UK House of Lords, EU Committee Report, 2011).

Critics, nevertheless, admit that the mission, in general, has achieved certain flexibility in the implementation of its tasks and has considerably matched its ambitions to the current security situation in Afghanistan (Ginsberg & Penksa, 2012, p.106; FPI, 2012).

Regarding accordance of the international community's stabilization efforts with Afghanistan's current condition Burke (2014) cites on senior EU official (who worked in Afghanistan) pointed out the unwillingness or inability of international assistants to channelize aid "within a reform context" as well as low prioritization of effectiveness as compared to the fact of facilitating funding. In Gross' (in Whitman & Wolff, 2012, p.115) opinion, in contrast to strengthening economic development and governance in Afghanistan at which the Union proved to be more or less successful, achievements in fulfilling initial goals set by the EU as regards police-justice reforms and reinforcing political influence seem to be somewhat questionable due to the 4 reasons: incoherence in the Union's involvement in Afghanistan<sup>413</sup>; lack of resources including those attached to EUPOL mission; prioritization of transnational and national images at expense of the EU's political influence; no single and clear EU strategy towards Afghanistan.

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<sup>413</sup> The so-called „Plan for strengthening EU Action in Afghanistan and Pakistan“ adopted by the Union on 27 October 2009 during the Swedish Presidency could not contribute to the strengthening of the European role in the region substantially despite the increase in the Commission managed funding for Afghanistan during 2011 and 2013, and the similar low-profile results had vetting procedures suggested by the EU by 2005 (see Burke, 2014). The EU delegation stood behind the adoption of the Transitional Justice Action Plan and the Appointment Panel for Senior Political Appointments as well as the establishment of the Afghan Independent Human Rights Council (AIHRC) (Burke, 2014).

### 3.1.2. EU's EULEX Kosovo mission (2008-2015): Narrative, Analysis and Key Conclusions

*Historical Context and External (F)Actors.* Kosovo is of an absolutely special importance for the given Thesis. Geographical proximity and the very geographic belonging of Kosovo to Europe with all the opportunities of becoming a member of the EU someday makes this case very illustrative in terms of the analysis of the EU's CSDP-driven involvement exercised until today and the perspectives for the future. In the Chapter 2 the author of the Thesis has already portrayed the general history of the Kosovo crisis. If post-2001 Afghanistan was one of the important challenges for the newly established ESDP, then Bosnian and Kosovo crises count among the key external (?) factors in the very *emergence* of the non-existent at that moment ESDP/CSDP as well as dramatic structural change in the European and member states' security identities (Pond, 1999; Howorth, 2000<sup>414</sup>, 2004; Hyde-Price, 2006; Hampton in Sorenson & Wood, 2005, p.40). The Kosovar case's importance also gains in value due to the belonging to the Western Balkans where the very first ESDP missions have been launched and the first time when the "Berlin+" arrangements were applied.

Painful dissolution of the SFRY that led to the declaration of independence by Slovenia, Croatia, Macedonia and BiH in the first half of the restless 1990es has caught the EU at a very inappropriate moment of the early establishment of the CFSP, not to mention ESDP/CSDP: the Union, hence, did not pass the first serious test (Van Ham in Mahncke et al., 2004, p.209). Ever-growing tensions between previously (till 1989) autonomous Kosovo and Milosevic-led Socialist Federal Republic of Yugoslavia (SFRY) date back to 1981<sup>415</sup> (Radan in Kingsbury & Laoutides, 2015, p.34; Judah, 2008, p.67). Thus, serious contentions have existed for many decades before the actual crisis between the Albanian majority in Kosovo and Serbia (Pohl, 2014, 73). During the 1990es, as described, violent war in the region has led to deepening of conflict in Kosovo, and in 1991 referendum was for the first time followed by the declaration of independence, in fact, recognized only by neighboring Albania (Radan in Kingsbury & Laoutides, 2015, pp.34-35; Rausch, 2015,

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<sup>414</sup> Simon (in Galbreath & Gebhard, 2010, p.105) called Howorth's (2000) explanations of the ESDP's birth „rather implicit and unsystematic“ with special emphasis upon „structural realist“ arguments, e.g. external crises etc.

<sup>415</sup> Considering references made to the „ancient hatreds“ rooted in the Middle Ages history of the Balkans rather speculative and distracting Janssens (2015, p.65), yet, demonstrates how different interpretations scholars offer with regard to the starting point of the modern Kosovo war: some like Zivkovic (2001) ascribe it to the Milosevic's first visit to Kosovo in 1987, some like Pesic (2000) (and also Robinson (2002) – *S.I.*) refer to the Kosovo Albanian demonstrations in 1981, some like Allen (1999) point to the devastating policies conducted by the IMF and the World Bank with regard to Yugoslavia.

pp.21-22). The EC declined the application for recognition on the grounds of Kosovo's not being a Yugoslav republic (Radan, 2002, pp.196-201).

After the Dayton Agreement, that largely bypassed the Kosovar question, civil disobedience from the Kosovar side gradually evolved into bloody clashes initiated by the newly established "Albanian guerilla movement" - "Kosovo Liberation Army" (KLA) - that emerged as the result of the dissatisfaction with the "passive resistance" policy of Serbia towards Kosovo coupled with being circumvented in the Dayton Accord as well as mass availability of military equipment in Kosovo due to the breakdown processes in Albania in 1997 (Radan in Kingsbury & Laoutides, 2015, p.35; Robinson, 2002, p.94; BBC, 2015). By 1997-1998 they stepped up attacks against Milosevic regime and civilians in Kosovo<sup>416</sup> whose forces responded violently (Judah, 2008). An internationally-brokered deal for ending the conflict and the persecution of Kosovar Albanians was rejected by Milosevic, OSCE's observing mission could not help much either<sup>417</sup> (Behnke, 2006, p.31; Muguruza, 2000). Following the initial reaction by the UN in the form of the Res.1160 adopted in 1998, the Western world led by the US has decided to take measures to force Serbian forces to withdraw from Kosovo (UNSC Res.1244+Kumanovo agreement): after the failure of the Rambouillet negotiations (mid-March 1999)<sup>418</sup> NATO-led 78-day aerial bombing campaign "Operation Allied Force" against Serbia started in March 1999 (*without* an explicit UN mandate<sup>419</sup>) that ended up with the deployment of the UN civilian mission (UNMIK<sup>420</sup>) backed by ca.20000 (peaked 50000) international civil and military forces in Kosovo (NATO-led KFOR) in June 1999 as well as in accordance with the UN Resolution no.1244 adopted on 10 June 1999 (Atkins, 2000, p.108; Pohl, 2014; Grant, 1999; Robinson, 2002, p.94; Rausch, 2015, p.22; Friesendorf in Cockayne & Lupel, 2011, p.48; Hofmann, 2013, p.166). This was "hailed as the first genuinely

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<sup>416</sup> On criminal investigation against KLA see e.g. Jonsson (in Cornell & Jonsson, 2014). Muguruza (2000) shows that in the general public mindset (in the West) usually contains aggressive pictures of the Serbian-Yugoslav side and the only negative actor in the conflict, and, at this point, argues that the only victim of the aggression from both Serbian and KLA sides was civil population.

<sup>417</sup> Muguruza (2000), yet, shows that between October 1998 and March 1999 there were real chances to resolve the conflict by peaceful means, especially till December 1998 as long as the Yugoslav-Serbian side was complying with the international agreements on ceasefire.

<sup>418</sup> The deal ultimately accepted by the Albanian side but rejected by Milosevic (Pohl, 2014, p.73).

<sup>419</sup> This was explained by the opposition of Russia and China in the UNSC, and „would later be invoked as a precedent for the less justifiable invasion of Iraq in 2003“ (Capussela, 2015, p.2).

<sup>420</sup> UNMIK was dispatched for providing "interim administration for Kosovo" plus "overseeing the development of provisional democratic self-governing institutions" and "facilitating a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords" (UNSC, 1999). More than 2000 civilian police was provided by the European allies (US GAO Report, 2001).

military intervention, and the founding stone of a doctrine whereby the protection of human right can trump sovereignty<sup>421</sup> (Capussela, 2015, p.2). According to the agreement between the Western allies and Russia implied withdrawal of the Yugoslav forces from Kosovo with some kind of autonomy for Kosovo to be negotiated later (Kim & Woehrel, 2008).

International administration managed through executive powers of UNMIK has provided Kosovo with constitutional framework in May 2001 and organized the establishment of Provisional Institutions of Self-Government (PISG) which had very limited competences with regard to Kosovo's freedom of action, but, in fact, Kosovo has remained with an unknown political-administrative status under the UN protectorate for years (Pohl, 2014, p.74; Janssens, 2015). The FRY's formal territorial sovereignty over Kosovo was, thus, reduced by the Res.1244 to *nudum ius* or a formal title<sup>422</sup> (Knoll, 2002). The UN also wanted to avoid unnecessary endangerment of the newly established Belgrade government that replaced Milosevic regime after his forced retirement in October 2000<sup>423</sup> (Mladenov & Stahl in Keil & Arkan, 2015, pp.140-163; Ker-Lindsay, 2009) plus the US was occupied with post 9/11 issues (Ostojic, 2014, p.53). The Kosovar insistence has resulted in the endorsement of the so-called "Standards before Status" approach by UNMIK in November 2002 that indicated 8 areas of development from human rights protection to economic policy where Kosovo was expected to make progress before tackling with its own status (Ostojic, 2014, p.53; Ker-Lindsay, 2009).

Continuous delays in deciding Kosovo's status raised impatience among the Kosovar Albanians, and long-awaited preparations for the opening of negotiations on Kosovo's status initiated by the Serbian Prime Minister Djindjic were suspended due to KLA-triggered March 2004 bloody riots in Serbia and Macedonia with 19 people killed and thousand injured/displaced (Ker-Lindsay, 2009; Ostojic, 2014; Mladenov & Stahl in Keil & Arkan, 2015; Cohen, 2002). Western strategy of postponement of negotiations on Kosovo's final status embodied in the long-term commitments of UNMIK backed by KFOR ran into fiasco: Kosovar Albanians did not want to hear about any substantial autonomy within Serbia<sup>424</sup> (assumed in the UN Res.1244) but full independence, as it was said to be promised by the US in 1998<sup>425</sup> (Weller, 2008; Ker-Lindsay, 2009; Ostojic, 2014,

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<sup>421</sup> The Kosovo intervention of NATO was used as a justification for Russia's recent takeover of the Crimea in 2014 (Stiks, 2015, p.138).

<sup>422</sup> On the legal details of these issues see Spornbauer (2014).

<sup>423</sup> One of the classic works on this topic belongs to Cohen (2002). See the List of Literature.

<sup>424</sup> „...the one option that might encourage such a settlement is partitioning Kosovo, which has been inexplicably rejected by international mediators from the beginning“ (Hannum, 2007).

<sup>425</sup> Radan (in Kingsbury & Laoutides, 2015, p.35) shows that in June 1998 at the secret meeting the American key diplomat R.Holbrooke „told KLA representatives that Kosovo's independence would be achieved within five years“.



p.52; Trbovich, 2008, pp.121-170), yet, Serbians hardened their positions toward the Western allies too (Mladenov & Stahl in Keil & Arkan, 2015). 15 rounds of the UN-initiated status talks held under the supervision of the Contact Group (France, Germany, UK, USA, Russia, Italy) in 2006 have been dedicated to dealing with the blank wall separating two estranged sides, angry Kosovo and politically torn Serbia<sup>426</sup>, and fruitlessly ended in 2007 (Ostojic, 2014, pp.53-54).

On 17 February 2008 Kosovo, as expected (both by the US and EU), declared its independence that raised virulent protests both from the Serbian leadership and Serbian public (Mladenov & Stahl in Keil & Arkan, 2015; Rausch, 2015, p.22). In the aftermath of the fall of the second Kostunica government as the result of the political dissension between the Democratic Party (DS) and the Democratic Party of Serbia (DSS) over measures to be taken in response to Kosovo's unilateral declaration of independence, the newly elected pro-EU authorities have attempted to oppugn in the International Court of Justice (ICJ) but in vain<sup>427</sup> (Bieber, 2010; ICG, 2008; Radan in Kingsbury & Laoutides, 2015, p.35). Next rounds of talks between Serbia and Kosovo on rather technical issues were supervised by the EU which took lead in the international post-conflict stabilization efforts in Kosovo after 2008 (Ostojic, 2014, p.54).

What the international community sees today in Kosovo is the absence of any kind of mass military clashes (as opposed to Afghanistan), yet, the ongoing uncertainty of its status, political, economic and social instability, ongoing dissension with Serbia and persistent disintegration that impedes the formation of a healthy and coherent political society, long way to democratization, high corruption levels, organized crime, unemployment and poverty rates (Laoutides in Kingsbury & Laoutides, 2015, p.66; BBC, 2015; Rausch, 2015, p.22). The Serb community<sup>428</sup> in Kosovo (mostly in central and southeastern parts of Kosovo<sup>429</sup>) that has a large variety of political, economic and social

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Muguruza (2000) ascribes this victory of the Kosovo Albanians to „a very skilful policy and an efficient strategy“ of the Albanian side.

<sup>426</sup> See e.g. Gordy (2007).

<sup>427</sup> For a more exhaustive overview of highly heated debates held in the ICJ and beyond on the right of people to self-determination, the problem of secession and international law see Radan (in Kingsbury & Laoutides, 2015).

<sup>428</sup> Prelec and Rashiti (2015) divide the Serb community in Kosovo into three groups: (1) homogenous group of Serbs in the Northern Kosovo known for having resisted Pristina's authority since 1999 and mostly treating the Kosovo government and Albanians cautiously being managed by Serbian institutions; (2) six Serb-majority municipalities having settlements throughout the rest of Kosovo who mostly comply with the Kosovar political system but are on the Serbian payroll (especially mentioned in the Ahtisaari's Comprehensive Proposal, see below); (3) Serbs who live in scattered villages/neighbourhoods in Kosovo, lack municipal government control and therefore largely rely on the Serbian institutions.

<sup>429</sup> Some 100000 Serbs, as BBC (July 2015) reports, while the number of the Kosovar Albanians equals to approx.2 million or 90% of the Kosovo population.

difficulties due to the remaining uncertainty with Kosovo's international status largely refuses to recognize the Kosovo government as legitimate by boycotting elections and institutions, and similar to BiH without taking all-inclusive measures to overcome the significance of the ethnicity factor and create a collective strategy of state-building, enforced cooperation will not play out (Simonsen, 2004; Mavrikos-Adamou in Keil & Perry, 2015, p.179; Woehrel, 2013). The former Yugoslavia – today's Serbia – and Kosovo have come through an extremely tough and painful series of negotiations: the UN-sponsored talks on Kosovo's future status in 2005 through an EU-mediated "technical" talks in 2011 that led to a landmark deal brokered by the EU in 2013 (Prelec & Rashiti, 2015; BBC, 2015). In September 2012 the International Crisis Office created by the Ahtisaari plan for supervision of the early years of Kosovo's independence stopped its operation (ICG, 2012). The 19 April 2013 "earthquake" agreement<sup>430</sup> implied a de facto recognition of Kosovo and wide-ranging autonomy for Serb minorities in Kosovo (Prelec, 2013), and on this occasion the EU HR-VP C.Ashton was reported to have "pulled off an astonishing diplomatic coup" (Glenny, 2013). Ethnic Serbs in Northern Kosovo would possess their own police and appeal court, but instead of complying with the parallel Serb institutions financed by Belgrade they would participate in the local government elections as Albanians do, and, furthermore, they would not impede each other's endeavors to join the EU (BBC, 2015; Woehrel, 2013). Serbia still does not recognize the independence and is faced with lots of difficulties in boosting its candidacy for EU membership due to this, but observers cherish hopes for the full normalization of relations especially after the visit of the Serbian Prime Minister to Kosovo in January 2015 (Rausch, 2015, p.22).

As soon as Kosovo declared independence it announced the commitment to implement the Comprehensive Proposal for the Kosovo Status Settlement drafted by UN Special Envoy (former president of Finland) M.Ahtisaari, that was incorporated into the new constitution and delineated key principles of Kosovo's statehood (Taras & Ganguly, 2009; Woehrel, 2013). "The international community shall supervise, monitor and have all necessary powers to ensure effective and efficient implementation of this Settlement"<sup>431</sup> (UNOSEK Comprehensive Proposal, 2007, art.1.11); moreover, "Kosovo shall have no territorial claims against, and shall seek no union with, any State or part of any State"<sup>432</sup> (UNOSEK Comprehensive Proposal, 2007, art.1.8). Thus, the three key

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<sup>430</sup> The agreements reached since 2011 talks incorporate adjustments in the following fields: free movement of persons, customs stamps, recognition of university diplomas, cadastre (real estate) records, civil registries, integrated border/boundary management, and on regional cooperation (Woehrel, 2013). It is, yet, another question whether these accords have been fully implemented or implemented at all (Woehrel, 2013).

<sup>431</sup> For this purpose an international steering group of countries appointed an International Civilian Representative (ICR) whose mandate expired in September 2012 (Woehrel, 2013).

<sup>432</sup> With Albania, in fact (Taras & Ganguly, 2009).

principles of the Ahtisaari plan were summarized by the Contact Group<sup>433</sup> or more informally Quint (in Perritt, 2010, p.119) as “no partitioning of Kosovo, no going back to the status before 1999, and no merging with other states”. As the result of the general elections (regarded as “relatively free and fair” by international observers) held in Kosovo in June 2014 the Democratic Party of Kosovo (PDK) and the Democratic League of Kosovo (LDK) formed a coalition government with I.Mustafa (LDK) as prime minister, and the former prime minister H.Thaci (PDK) as a president (after A.Jahjaga whose presidential term ends in 2016) (Freedom House, 2015).

International Monetary Fund (IMF) Country Reports (2015) say that at present Kosovo is recognized as an independent republic by 108 UN member states and 23 EU member states, is a full member of the World Bank and the IMF. Moreover, Kosovo is officially regarded as a potential candidate for EU membership and a Stabilization Association Agreement (SAA), the negotiations on which were finalized in May 2014 (Tota, 2014), can be signed in the nearest time<sup>434</sup> (IMF Country Reports, 2015; World Bank, 2015). But if one considers that for Kosovo, having been the poorest part of the SFRY (Rausch, 2015, p.22), and now experiencing perhaps even more impediments on its way to a completely independent economy it will be an uneasy task.

As compared to Afghanistan with continuously and drastically decreasing GDP growth rates observed in the last years, Kosovo’s GDP<sup>435</sup> growth rate in 2014 was 2.75%, not so drastically less than the 5-year average growth rate of 3.5% (highest in the Western Balkans) (IMF Country Reports, 2015; World Bank, 2015). If in the Afghan case there were and are continuous doubts about the veracity of economic and social data presented by the Afghan officials and international donors, then in the case of Kosovo, even if the figures do mirror the reality more or less, the persistent strong dependence on international assistance<sup>436</sup> and diaspora in financial and technical terms (CIA World Factbook, 2015) at the very least significantly downplays these figures’ real effect. Kosovars have remained the poorest in Europe with a GDP 7600 US Dollars per capita in 2013 and 45% unemployment, most population live rural areas (like in Afghanistan), 30% of population living under poverty line, and almost 18000 internally displaced persons in 2012 (CIA World Factbook, 2015). According to the European Commission (in Woehrel, 2013), Kosovo’s official institutions remain weak, including the judiciary and law enforcement. If Freedom House (2015) has granted Afghanistan with “6.0” or “not free” (0-7 rating, 7-worst) with regard to

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<sup>433</sup> France, Germany, Italy, Russia, UK, USA.

<sup>434</sup> In 2006 UNMIK signed (on behalf of Kosovo) Kosovo’s accession to the Central Free Trade Area (CEFTA); moreover, in 2013 Kosovo signed a Free Trade Agreement with Turkey (CIA World Factbook, 2015).

<sup>435</sup> 14.11 billion US Dollars GDP in 2013 (CIA World Factbook, 2015).

<sup>436</sup> 1.9 billion US Dollars from 37 countries in 2008 (CIA World Factbook, 2015).

democratic freedoms, then this American independent watchdog organization evaluates the situation with freedoms in Kosovo as improving – 4.0 (“partly free”) in 2015 but, nonetheless, representing “Semi-Consolidated Authoritarian Regime” (2015) that deeply disappointed EULEX Kosovo’s current Head of Mission G.Meucci (EEAS, 2015). Furthermore, it is assumed that then Balkan organized crime (BOC)<sup>437</sup> manages the distribution of the 70-80% (400 billion US Dollars per annum) of heroin entering Europe (Hesterman, 2013, p.3; Burgess & Spence in Bailes & Frommelt, 2004, pp.93). It is estimated that in 2008 around 300 kilograms of heroin per week were smuggled through Kosovo’s territory to Switzerland alone (Friesendorf in Cockayne & Lupel, 2011, p.49). Along with drug trafficking Kosovo belongs to the region with impressively high levels of human smuggling, prostitution, murders, burglaries, weapons etc. that even went far beyond the Balkans, e.g. in the US (Hesterman, 2013, p.3).

***Discursive-Ideational Background of the EULEX Kosovo’s Launch.*** Jacques Poos’ famously announced “hour of Europe” has proven inappropriate for the Yugoslav conflict’s pre-1995 most acute phase, for, as described in the Chapter 2, they rather reflected the European aspirations and probably duty as a partner in geographical, strategic and economic terms and at least for the sake of maintaining regional stability than what the Union could actually carry out in practice (Capussela, 2015).

Against the backdrop of the unilateral declaration of independence of Kosovo in 2008 the EU launched possibly the largest civilian rule of law mission in her history in Kosovo – EU Rule of Law mission or EULEX Kosovo mission (Spernbauer, 2014, p.219; EEAS, 2015; Pohl, 2014; Soder, 2009). For the best explanation of it is better to rewind to the failure of the UN-initiated status talks in 2007 where the EU mission’s story actually starts. Even though the Kosovo crisis in 1999 again clearly demonstrated all the weaknesses of the EU’s shaping as an international actor, also apparent by the example of such a late deployment as it was the case with Bosnia (Pohl, 2014). If one takes a look at the Council’s “Report to the European Council in Lisbon on the Likely Development of the Common Foreign and Security Policy (CFSP) with a View to Identifying Areas Open to Joint Action vis-à-vis Particular Countries or Groups of Countries” adopted by the European Council in June 1992, one finds that Kosovo case absolutely satisfied/s the three basic criteria of common interest that underpins all the CFSP collective actions since Maastricht: being (1) a part of the geographically important for the EU region – the Balkans – which (2) political and economic stability is of special significance for the EU as well as (3) its security state-of-the-art

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<sup>437</sup> Originates from and operates in Albania, BiH, Croatia, Kosovo, Macedonia, Serbia, Montenegro, Bulgaria, Greece and Romania (Hesterman, 2013, p.3).

(Muguruza in Bieber & Daskalovski, 2003, p.237). The EU's Lisbon Presidency Conclusions (1992) have also indicated the following special task of the EU with respect to the FRY: „to promote peace among the peoples and countries of the area and to contribute to safeguarding European security“; European common values reflected in the Common Provisions (Title I) of the Lisbon Treaty as “respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the right of persons belonging to minorities” (TEU post-Lisbon, art.2, 2007). In the Chapter 2 it has already been shown that political discrepancies within the EU coupled with the then WEU's limited capabilities have forced the EU to leave all her previously declared principles solely on the paper during the Bosnian crisis and to traditionally pass on the baton to NATO, and the Kosovo crisis has again made all the ineffectiveness of the CFSP obvious by demonstrating the remaining dependence of Europe on the US (Muguruza, 2000; WEU, 1998). In the NATO-led air bombing operation which started on 24 March 1999 a number of the EU states were actively participating militarily including France, Germany, the UK, Portugal, Italy, Spain, the Netherlands, Norway, Denmark and Belgium (Atkins, 2000, p.108; FRONTLINE, 2014; Grant, 1999), i.e. EU states but *separately* – not within the EU collective action. Yet, according to some experts, even here European partners seem to not have gone over their head: if in the “Operation Deliberate Force” in Bosnia the US aircraft flew 65.9% of the 3515 sorties, then in the Kosovar air campaign the number was 79% of the 38004 sorties; European dependence on the US lies also in airlift and tactical jamming, and from the potential 2 million military personnel EU was ready to provide only 40000 combatants for Kosovo and leave 50000 peacekeepers in the Balkans<sup>438</sup> (see Dobson & Marsh, 2006, p.150; March & Rees, 2012, p.123; Robertson in Borawski & Young, 2001, p.8). However, US GAO<sup>439</sup> Report (2001) shows that the American side provided “key military contributions through its air combat capabilities and ground troops”, the European ensured “the largest contingent of ground troops and specialized support units to peacekeeping operations” for post-conflict crisis interventions plus they provided “development assistance and personnel to support multilateral operations”. Hampton (in Sorenson & Wood, 2005, p.40) also shows that between 1998 and 2000 the EU spent 3.1 billion EUR for peacekeeping troops and as financial aid compared to the American 900 million US Dollars; moreover, in 2002 the EU provided 80% of troops to Bosnia and Kosovo, while the US - 18%. During the Kosovo war the EU issued 20 declarations condemning violent repressions and brutal breach of human rights of civilian

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<sup>438</sup> By that time distribution of military capabilities within NATO spoke for themselves: the „European pillar“ of NATO accounted for 60% of US military spending, less than 1/3 of equipment purchases, 1/6 of research and development, 10% of US power projection capability (Borawski & Young, 2001, pp.7-8).

<sup>439</sup> General Accounting Office.

population calling for a peaceful conflict resolution, and during NATO' aerial operation against the FRY between March and June 1999 the European Council and the EP together with the NATO Council called on the Milosevic regime trying to orally set it on the right track (Muguruza in Bieber & Daskalovski, 2003, p.248). But this was all about the EU's *common* action in this crisis. In the Kosovo conflict the sacred Quint (France, Germany, Italy, US, UK) was preferred and limited EU military contribution has again demonstrated "the emptiness of EU responsibility for the Petersberg Tasks" (Marsh & Rees, 2012, p.123). UNMIK was in charge for establishment of interim administration, UNHCR<sup>440</sup> – for humanitarian issues, NATO's KFOR – for on ground security, even OSCE – for institution/democracy building, and EU – again for coordination of economic reconstruction (Marsh & Rees, 2012, p.123).

Similar to the Afghan case, the Commission as compared to the Council ruled CFSP/CSDP which came into play only by 2008, being, in theory, not really interested in security matters, nevertheless, has had contributed to the Balkans' crisis management and post-conflict stabilization immensely (even though less visible for the public than ESDP/CSDP missions): from the conclusion of the Stabilization and Association Agreements (SAA)<sup>441</sup>, visa agreements to support for police training, relief and rehabilitation, support for rule of law and good governance, conflict prevention (Schroeder in Emerson & Gross, 2007; Commission, 2008, 2015). Of the ca.15 billion US Dollars invested in the Balkans between 1993 and 1999, the Commission and EU allies contributed approx.10.2 billion US Dollars mainly for humanitarian and reconstruction projects (US GAO Report, 2001). For the period of 2007 and 2010 overall EU assistance to Kosovo (political and economic development + international presence in Kosovo) accounted for over 1 billion EUR (Commission, 2008). In Kosovo the Commission was managing the UN department on reconstruction and development and also served as political guide for the European Agency for Reconstruction (Marsh & Rees, 2012, p.127).

It has already been described in the Afghan part of the Chapter that the ESDP's first steps that has grown into its more advanced steps in Afghanistan when NATO went global, were organically bound to the UK's changing philosophical attitudes towards its position in its relationship with the EU, and this was reflected in the new foreign policy attitudes of the Premier Blair's Labour Party (won elections in 1997) that was eager to overcome "awkward partner" syndrome and to proceed to "confirm the UK's European identity", i.e. to boost the emergence of the ESDP (see Hofmann,

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<sup>440</sup> UN High Commissioner for Refugees.

<sup>441</sup> With the FYROM (2004), Albania (2009), Montenegro (2010), Serbia (2013), the trade part of the SAAs came into force through an Interim Agreement with BiH (2008) (Commission, 2015). See definition of the Stabilization and Association Process (SAP) below.

2013, p.167). French political system which at that moment rested upon the so-called cohabitation of the Gaullist RPR (Chirac) and the Socialist-Communist union (Jospin) have soon arrived at a shared understanding of EU security efforts, but compared to the UK saw the future ESDP as a potential partner for NATO/US, not as a potential rival (Hofmann, 2013, pp.168-169). Germany's participation in the operation took place in the period of Schroeder's Social-Democrat/Greens government which were eager to show with their contribution for NATO's aerial operation their political consistency, trustworthiness and support for the Alliance, and their support for a more coordinated EU security and defense policy accommodated this philosophical mindset (Muguruza, 2000; Hofmann, 2013, p.171). Now it is important to comprehend the specificity of the moment of the passage from these national foreign policy paradigms to the paradigmatic and then policy level of ideas and understandings under the banner of which the major EU states were treating post-conflict situation in Kosovo.

In the situation of constantly escalating public unrest dissatisfied with the Western politics represented by UNMIK and KFOR to postpone Kosovo status talks as longer as possible, the US leadership gradually arrived at an idea of the inevitability of Kosovo's independence, and this idea was immediately taken up by the major EU states (Pohl, 2014, p.76; Perritt, 2010). Official declarations on the inevitability of declaring Kosovo independent made first by the French President Chirac in 2005 then by the British diplomat in 2006 with Germany less apparent in its official speeches<sup>442</sup> (Ker-Lindsay, 2009, pp.24-29) have, in fact, laid the foundations of the future ESDP/CSDP mission. This is a crucial moment, for the tasks attached to the EULEX Kosovo being officially "status neutral" were, in fact, designated for assisting the development of an *independent state* institutions.

Namely due to the tangibly thin contributions of the Europeans to NATO's air bombing campaign and also to help sustaining ceasefire in Kosovo by supporting its police forces, Hofmann (2013, p.166) argues, the European major leaders have decided to launch EU's own collective civilian mission in Kosovo. So, basically two external factors – Kosovar dissatisfaction followed by changing US position towards independence (coupled with ever-growing support for Serbia by Russia<sup>443</sup>) – played decisive role in changing programmatic ideational framework of the major EU states having last say in the Council of the EU. But despite the fact that the Europeans generally positively reacted on the US decision to boost Kosovo's sovereignty, remaining divergences in

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<sup>442</sup> But it was the same German side whose Defense Minister has mentioned in his speech that the presence of the German soldiers with KFOR in Kosovo cannot substitute for taking international measure to finally address the problem of Kosovo's status (Muguruza, 2000).

<sup>443</sup> On the role of Russia see Perritt (2010).

positions were still literally disrupting European unity: as opposed to the UK and France Germany acted ambiguously (not like with Croatia and Slovenia in the early 1990s) with the smaller EU states racked with remorse that was partially due to the failed ratification of the Constitutional Treaty (Perritt, 2010, p.133). The issues of the final official approval of the idea of independence for Kosovo and the decision on launching an EU ESDP missions here are intimately connected. The programmatic level of ideas, norms and understandings which underpinned the decision on supporting independence have consequently been the same for launching EULEX Kosovo. The problem of diverse ideational frames – “transatlanticists” and “Europeanists” – has been the object of explanation in the first (Afghan) part of the Chapter. The Kosovo case added to this problem more complexity, because here frames were also related to another nationally important problem of sovereignty. Although the Kosovo case seemed to offer an absolutely unique opportunity for the Union to finally put forward a really concerted action and to deepen the cooperation with NATO/US as well as work with strengthening Russia, Kosovo did not only create strong suspicions of establishing a dangerous precedent of a failed state in the Balkans with all concomitant side-effects of nonviable states, but, more importantly, could potentially be challenging for the sovereignty of other European states, beyond the Balkans – Spain and the Basques, Greece and Cyprus, Romania and Transylvania (Perritt, 2010, pp.133-134). In this Western Balkan case there is one more important ideational dimension that concerns the “inside-outside” aspect of the problem of the so-called securitization in the EU-Balkans relationship. This will be explored further below.

It is important to take a look at the positions of the EU’s major states in the decision-making phase of EULEX Kosovo. Germans’ ambivalent behavior with regard to openly propagate the importance of Kosovo’s independence is bound to the collective memory prescribing historically entrenched opposition to Serbia (remember the Croatian and Slovenian case), on the one hand, and the significant impact of the national communicative discourse through the attitudes of the German opposition parties: the Left party and Social-democrats in Germany have shared negative attitude toward foreign deployment (in Kosovo) especially in support of the US, whereas the Greens were calling for the necessity of the UN mandate (Perritt, 2010, p.134). Now if one takes a look at the communicative discourse in the German case, according to Forsa’s poll conducted in March 1999, 52-58% of the German respondents turned to be in favor of their country’s military involvement in the Kosovo war which reflects dramatic change in German foreign policy<sup>444</sup> (see Baumann & Helmann in Webber, 2001, p.77), that was almost equally mirrored in the German Bundestag where

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<sup>444</sup> Germans from the Western parts of Germany were more prone to support the intervention than in the Eastern parts (see Hampton in Sorenson & Wood, 2005).



majorities from left to right were voting in favor of military intervention<sup>445</sup> (Hampton in Sorenson & Wood, 2005, p.40). What is even more interesting is that, as Emnid survey conducted in June 1999 when the intervention was already over reports, 73% of the German respondents considered the German military involvement as constructive in the resolution of the conflict<sup>446</sup> (see Bundeswehr, 1999; Friedrich in Friedrich et al., 2000). The German contribution was impressive: at the end of 1999 the country provided 4870 of 41350 KFOR troops; further, it provided 10% of the total UN/NATO costs in Kosovo (Hampton in Sorenson & Wood, 2005).

The programmatic ideational basis to be involved in EULEX Kosovo perfectly overlapped with the new foreign policy philosophy<sup>447</sup> of Germany that underpinned its involvement in the Kosovo intervention and was approved by the majority of the German population. It rested upon the ideas of Kosovo being not an old power-struggle-type war but *multilateral humanitarian* assistance lent by the international community that proved the *democratic and peaceful* image of modern Germany, its *new positive role* in world politics and its adherence to *NATO-based* security framework<sup>448</sup> (Hampton in Sorenson & Wood, 2005, p.41). As for the UK, in contrast to the Blair government's passionate interventionist position during 1999 air campaign (Dyson, 2009), the discourse of British foreign policy toward Kosovo in the context of EULEX Kosovo mission practically coincided with the one of the EU between 1999 and 2004: Kosovo will receive help and assistance, but not the historical and geographic advantages will play role in the future image of Kosovo but its own full responsibility for its fate (Bulley, 2009, p.22).

In May 2002 in the context of the general determination of the EU to launch a Kosovo police mission similar to the one in Bosnia and the US' gradual loss of interest in Kosovo involvement, Germany has decreased its peacekeeping forces in Bosnia (by 20-30%) and Kosovo (Hampton in Sorenson & Wood, 2005, p.41). Thus, the general analysis shows that the EU has decided to launch EULEX Kosovo as soon as the most burning militarily insecure phase of the conflict was left behind, UN and NATO handed on the baton to the European partners who at that moment were

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<sup>445</sup> It seems doubtful to many observers that if Christian-Democrat/Cristian-Socialists were in power, it would be attainable (see Hampton in Sorenson & Wood, 2005).

<sup>446</sup> One can observe a logical continuation of the Shaw's (1991) "post-military society" trend (observable in Germany, the US etc.) that the Former Federal President Koehler (2005 in Meyer, 2007) called "friendly disinterest" toward Bundeswehr which is reflected in the position when the majority does not mind Germany's (military) involvement in Kosovo and Afghanistan but puts it in Fleckenstein's (2000, p.88) "Yes, but without me!".

<sup>447</sup> On traditional post-WWII German anti-militarism see Dalgaard-Nielsen (2006).

<sup>448</sup> This perfectly fits within the criteria listed by Schmid (2011 in Apt, 2014) that "from the German point of view, military interventions (a) have to be the absolute exception, (b) are only permissible in the most extreme cases, and (c) are exclusively justifiable in moral terms".

seen by the Kosovars as well as Serbs as a more appropriate actor to operate in the region especially due to both conflict sides' EU membership aspirations. The Union's decision to enter with EULEX namely on this militarily stabilized phase and with this clearly civilian mission in Kosovo best sheds light on the scope of the EU's current foreign and security policy capabilities applicable in this neighboring region, and is reconfirmed by the fact that even after having taken up UNMIK's mission, the EU did not hurry up to assume NATO's role (Gross in Merand et al., 2011, p.270). If in the Afghan mission the key problem of taking decision on the EUPOL-A mission basically lied in the EU-NATO/US relationship specificities, then the Kosovo case has proven to be much more complex also in constructivist terms due to the "inside-outside" problem on the European continent further complicated by the membership signals conveyed through the Stabilization and Association Process (SAP), multiplicity of actors in the Western Balkans with different levels of Europeanization, problematic character of further EU enlargements especially obvious after 2004 enlargement and the current economic and financial crisis, and finally the ever-remaining contentions about the recognition of Kosovo's in the very EU.

If one compares the two missions, one will immediately see that there is something contradictory and problematic in the very essence of EULEX Kosovo. Even though Afghanistan is faced with the situation that a large part of its territories can hardly be regarded as controlled by central government and there are many symptoms of Afghanistan to partly contribute to the notion of "modern failed states", Afghanistan is whole-internally recognized as an independent sovereign state which is not questioned in the EU too. Yet, the fact that Kosovo has not been yet recognized by all UN, NATO and EU states, makes its case special with regard to the rule-of-law efforts. 5 EU member states - Greece, Cyprus, Slovakia, Romania, and Spain - do not recognize Kosovo's independence due to either traditional support Serbia, or sensitive problems with the minorities living on their territories for whom Kosovo could be an unwelcome precedent, or both (Woehrel, 2013). EULEX Kosovo is a collective initiative of the EU, and for the sake of consistency this mission is conducted on "status neutral" basis but simultaneously supportive of "local ownership" (Albrecht in Lemieux et al., 2015, p.189). This "status neutral"ity is coupled with the recognition of the EU that the UNSC Res.1244 "Kosovo has a membership perspective" (Marsh & Rees, 2012, p.128).

Thus, if decision on and also implementation of EUPOL-A mission has been connected to the EU's security dialogue with NATO/US and to its external role as an international security actor, then in Kosovar case this is essentially tied on the EU's internal security identity where security is taken in its widest modern sense. Modern multi-faceted security concept first proposed by Buzan, Waever and De Wilde (1998) that incorporates five sectors – military, environmental, economic, societal

and political – than merely problematizes the traditional survival of state is not complete without referring to the problem of securitization. Securitization, according to Buzan and Waever (2003, p.491)<sup>449</sup>, is “the discursive process through which an intersubjective understanding is constructed within a political community to treat something as an existential threat to a valued referent object, and to enable a call for urgent and exceptional measures to deal with the threat”.

So, as Gross (in Merand et al., 2011) rightly shows, the problem of various aspects of security do not pose a real burning question waiting for practical solutions until it reaches policy discourse level, i.e. is securitized. Thus, she (in Merand et al., 2011) argues that there was an easily observable evolutionary change in security notions in the EU-Western Balkans relationship which can be divided in 4 stages. The given relationship has underwent from an apparently “high” military (physical) security conceptualization<sup>450</sup> in the first 1991-1999 of acute bloody phase of the Balkan wars where EU did not act as a collective actor by was represented by the military involvement of single EU states to post-1999 “low” political-societal framing of security where basic physical threats of armed conflicts is overcome<sup>451</sup> (as opposed to Afghanistan) but securitization of borders – wide-spread organized crime and need for visa restrictions – has come to the fore (Gross in Merand et al., 2011). The pre-1999 phase was characterized by the ideational frames of reference of the EU’s deeply entrenched post-WWII anti-militarism (normative argument) and considerable unpreparedness to address violent armed conflicts even in the near neighborhood (practical inability as cognitive, psychological inability as normative argument) plus, in fact, the absence of European collective memory shared by both the EU members and the Balkan states that brings about the problem of “inside-outside” frame, i.e. the Balkans has been long perceived as not belonging to Europe (see Gross in Merand et al., 2011). Kosovo crisis represented, on the one hand, “a *normative threat* to the *legitimacy* of the security community patterns of relations in *Europe*” (Kavalski in Karolewski & Kaina, 2006, p.101, italics in original), and on the other hand, the crisis gradually led to normative securitization of the Union’s reaction to the conflict that made possible the creation of “European international [security] identity” (Waever, 200, p.279).

By the late 1990s and early 2000s the Union has, nevertheless, arrived at a freshly reconsidered European security identity and the mechanisms it relied on, a more coherent in terms of collective

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<sup>449</sup> An earlier definition suggested by Waever (1998) identified securitization as a process when an actor „dramatizes an issue as having absolute priority“ and „something is presented as an existential threat“.

<sup>450</sup> Coupled with the serious reconsideration of the universality degree and effectiveness of military instruments in resolving conflicts in the near neighborhood of the EU (Binnendijk et al., 2005).

<sup>451</sup> This is referred in the political science literature as „desecuritization of national identity“ as well (territorial terms) (Kavalski in Karolewski & Kaina, 2006, p.102).

EU will policy towards Balkans (often juxtaposed to the Croatian/Slovenian case in the early 1990s) and growing responsibility for its closest neighborhood that included the Western Balkans (Patten, 2002; Grudzinski & Van Ham, 1999; Kavalski in Karolewski & Kaina, 2006). The period between 1999 and 2003 when the ESDP has been establishing can be baptized as a *temporarily non-contradictory* combination of both EU (1) stabilization (civil & military missions in Macedonia and Bosnia) and (2) integration foreign policy instruments (SAP<sup>452</sup>) in the Western Balkans, which together laid down the foundations of the so-called *securitization* of the EU-Balkans relationship which was the very result of the challenge to the core European norms and standards posed by the recent Kosovo crisis (Prifti, 2013; Gross in Merand et al., 2011, pp.265-267). In other words, this process would *not* be possible without this huge external challenge which made EU to question existing security state-of the-art (Kavalski in Karolewski & Kaina, 2006, p.102). Ideational counteraction against deep-rooted classic EU narrative that used to historically estrange/exclude the Western Balkans as not belonging to Europe on the basis of completely different cultural frames and social-political institutional frameworks has been set in motion in this period (Gross in Merand et al., 2011, p.265).

The period between 2003 and especially 2005 marked by the failed French and Dutch referenda on the EU Constitutional Treaty and 2007 has signaled about ever-deepening mismatch between EU stabilization missions and integration policy that was initially addressed by the decision to accentuate the stabilization component due to dangerous levels of organized crime and problems with adoption of policy reforms in Bosnia coupled with considerably lower degree of certainty for further EU enlargements (Batt, 2007; Gross in Merand et al., 2011).

Last but not least but perhaps most with regard to today, the developments in the EU-Balkans relationship after 2008 are intimately connected to the unilateral declaration of independence in Kosovo. Despite the subsequent positive shifts towards Europe motivated by the perspectives to join the EU family, not all states (e.g. Bosnia – see Noutcheva, 2007; Merlingen & Ostrauskaite, 2005) in the region could mobilize all their efforts on the way to the EU membership, except for Croatia who became an EU member in July 2013, which leaves some hopes on further developments in the Western Balkans (Greicevci & Collaku in Wetzel & Orbie, 2015). By this time

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<sup>452</sup> The Stabilisation and Association Process (SAP) was launched in June 1999 as well as strengthened at the Thessaloniki Summit (June 2003) by being given the status of the accession process, and represents the EU policy towards the Western Balkans, established with the aim of approximation of the states in the region for eventual EU membership: includes contractual relationships (bilateral SAAs); trade relations (autonomous trade measures); financial assistance (Instrument for Pre-accession Assistance or IPA); regional cooperation and good neighbourly relations (Commission, 2012).

all the key ESDP civil and military missions have been completed, and the only two – Kosovo and Bosnia – remain “to some extent, international protectorates”: in addition to EUFOR Althea military mission in BiH EULEX Kosovo mission was launched (Greicevci & Collaku in Wetzel & Orbie, 2015).

General preparations and establishment of procurement procedures for the future EU civilian mission have been started as early as on 10 April 2006 with the launch of the EU Planning Team (EUPT) (Penksa in Daase & Friesendorf, 2010, p.50). The first EU agency established in post-1999 Kosovo after the EU pillar in UNMIK was the European Agency for Reconstruction (EAR) followed by the launch of the European Union Monitoring Mission (EUMM) in the mid-2000s (Greicevci & Collaku in Wetzel & Orbie, 2015). The appointment of the Personal Representative of the EU High Representative for the CFSP in April 2004 together with the opening of the Commission’s new Liaison Office in September 2004 (ECLO) in Kosovo as well as creation of an EU Planning Team in mid-2006 have signaled about the preparations for launching new civilian rule-of-law mission (Greicevci & Collaku in Wetzel & Orbie, 2015). The Commission has been closely involved in the region in the early 2000s including funding elections, the EP has been expressing huge interest in elections, EU Presidency and Personal Representative of the EU High Representative for the CFSP strongly encouraged protection of political rights in Kosovo, but there was much less attention towards horizontal accountability and here EULEX Kosovo came to the fore (Greicevci & Collaku in Wetzel & Orbie, 2015). Despite the strong Russian pro-Serbian pressure on the UN Secretariat, the UN has eventually decided to support EULEX project and signed “technical arrangement” on the takeover of UNMIK’s assets by the EU on 18 August 2008 which was soon agreed with Serbia too (ICG, 2008). The Union has overcome the last impediments on the launch of the mission through the disconnection of the independence question and EULEX issue (see Pohl, 2014, 89).

The largest CSDP deployment - EULEX Kosovo - was launched by the Council on 4 February 2008 for assisting “the Kosovo institutions, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability” through “monitoring, mentoring and advising, while retaining certain executive responsibilities” (Council, Joint Action 4/5/2008, Art.2<sup>453</sup>). Pristina-headquartered EULEX Kosovo, that became fully operational by April 2009, has ca.1500 international (28 EU member states + Canada, Norway, Switzerland, Turkey and the US) and local staff and an annual budget of approx.111 million EUR (EEAS, 2015). EULEX Kosovo has become fully operational by April 2009 (Pohl, 2014, p.89). The mandate of the mission has been recently extended by Kosovo until 14 June 2016 (Freedom House, 2015). The mission is based

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<sup>453</sup> Council Decisions of June 2010 and June 2012 also form the legal basis of the mission (EEAS, 2015).

on two “divisions”: (1) “Executive Division” occupied with investigation, prosecution and adjudication of sensitive cases by exercising (limited) *executive* powers, and (2) “Strengthening Division” which deals with monitoring, mentoring and advising of local police, justice and customs servants (EEAS, 2015). Council Joint Action (2008) identifies the following specific tasks for EULEX’ mandate: “monitoring, mentoring, and advising Kosovo authorities; reversing or annulling operational decisions of those authorities, when necessary to preserve the rule of law; ensuring that judicial system is independent of political interference; investigating or assisting in the investigation of war crimes, terrorism, organized crime, corruption, and other serious crimes; improving coordination and cooperation of the Kosovo rule of law authorities; fighting corruption”.

In this vein, compared to EUPOL-A which has only coordinating and advisory role (Chivvis, 2010), EULEX Kosovo was from the start and first time in the civilian CSDP missions’ practice equipped with “limited executive powers” for ensuring “that these institutions work effectively, as well as to intervene in specific criminal cases, including by referring them to international judges and prosecutors”<sup>454</sup> (Chivvis, 2010; Woehrel, 2013). The military protection is ensured by KFOR, a NATO-led peacekeeping force that includes more than 700 US soldiers (Woehrel, 2013).

The EU Office in Kosovo led by the EU Special Representative in Kosovo (currently S.Zbogar) represents the second body operating in Kosovo on behalf of the EU and plays the pivotal role in assisting the realization of democratic reforms that would accelerate Kosovo’s approximation to the Union (EEAS, 2015). As a part of the EEAS and the Commission’s Liaison Office in Pristina, the EU Office serves as a permanent mediator with the Union’s institutions, and the EUSR carries political advisory and support functions for Kosovo’s leadership, coordinates EU’s common action in Kosovo, helps the protection of human rights and fundamental freedoms in Kosovo as well as makes regular reports about all activities to the Council through the HR-VP (EEAS, 2015; Marsh & Rees, 2012).

*Interaction with other security actors.* As compared to the EUPOL Afghanistan that has only taken over the GPPO German police mission but, in fact, was a separate from any other international actors’ mission, EULEX Kosovo represented a handover mission, where close and systematic interaction with an international security actors, here with the UN. After having signed the above-mentioned “technical agreement” in August 2008, EULEX could take most tasks from UNMIK by November, and became fully operational in April 2009 (Pohl, 2014, p.89). Yet, UN-EU cooperation in Kosovo was challenged not only by political struggles, but also extreme bureaucracy and other artificial hindrances in the form of tug of war between UNMIK staff and EULEX as well as the

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<sup>454</sup> Another question is how effective and tangible these extra “powers” proved to be in practice. This will be mentioned in the Assessments of Effectiveness below.

documents that were to be applied (old UN Res.), but, in general, they assess the UNMIK-EULEX transition more or less satisfactory (Richter in Asseburg & Kempin, 2009; Grevi in Grevi et al., 2009; De Wet, 2009; ICG, 2010).

EULEX-KFOR cooperation is of a very special nature. As soon as EULEX took up UNMIK assets and became fully operational it was functioning upon the common operational guidelines adopted by the earlier EUPM and EUFOR in BiH missions, and started fulfilling the tasks of the bridge between KFOR and the Kosovo Police (Penksa in Daase & Friesendorf, 2010, p.53). So, basically there are 3-level crisis response *modus operandi* each of which attaches responding functions to certain security provider: (1) Kosovo Police and EULEX with its monitoring, mentoring and advising mandate; (2) executive mandate of EULEX; (3) KFOR (Penksa in Daase & Friesendorf, 2010, p.53). As opposed to the EUPOL Afghanistan mission, EU and NATO managed to conclude, if *not a formal* agreement but still a standardized protocol on cooperation in four fields of action in order to avoid security gaps: (1) border control and crossings; (2) exchange of information and intelligence; (3) military support for police operations; (4) procedures to respond in case of civil disturbances/CRC<sup>455</sup> (Ginsberg & Penksa, 2012, p.74). Cooperation between KFOR and EULEX proved to be sufficiently effective (Penksa in Daase & Friesendorf, 2010, p.54; Chivvis, 2010).

As far as the interaction with non-EU security actors is concerned, direct contributions made by the US to EULEX Kosovo cannot be bypassed here. The American participation in the EU-led mission has been under discussion right after the initiation of EULEX's launch in February 2008, and, in fact, the US seconded 80 police officers and 8 judges/prosecutors under the aegis of EULEX, and they practically participate in shaping operational decision-making but not in setting overall strategic objectives (Lagadec, 2012, p.142; Pohl, 2014, p.91). This must be viewed in the context of Washington's growing support (since 2007) for the EU's more assertive role in providing security beyond her borders (Lagadec, 2012, pp.141-142).

*Assessments of Effectiveness.* Apart from the all above-mentioned remaining objective and subjective factors which considerably diminished/s the effectiveness of EULEX Kosovo mission, such as contentions over Kosovo's status and uneasy relations with Serbia, the mission has sufficiently suffered from its own limitations. EULEX's staff has been significantly diminished in the last years: from 2250 in 2012 (FPI Report, 2012) to 1500 in 2015 (EEAS, 2015). Divergent positions of single EU member states on Kosovo's status and their strategic interests in the region, in general, naturally do affect the operation of the mission. Originally the Spanish authorities<sup>456</sup> were planning to contribute their staff to EULEX (Pohl, 2014, p.91) but Prime Minister Zapatero

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<sup>455</sup> Crisis Response Cell (NATO, 2015; EU, 2015).

<sup>456</sup> Cyprus did not contribute to EULEX Kosovo either (Collantes-Celador in Martin et al., 2013, p.91).

eventually changed his mind and placed it in accordance with Spain's official position of non-recognition of Kosovo's independence<sup>457</sup>, and in 2013 there were only one Spanish military observer in UNMIK and 13 *Guardia Civil* officers (out of 1200 international police) in EULEX Kosovo (Spanish Parliament, 2010; Ioannides & Collantes-Celador, 2011). Resistance to recognition of Kosovo's independence did not always play a decisive role for contributing to EULEX, which speaks well of the EU, in general: Romania having not recognized Kosovo's independence was identified as the biggest EULEX contributor between 2009 and 2011 with its seconded ca.200 people (see Keukeleire et al. in Koutrakos, 2011, p.190). Pohl (2014, p.91) reports about significant decrease in the UK's contributions to EULEX since 2009 which was explained by the effects of financial crisis on the country, but also signalizes about reduced British foreign policy interest to Kosovo.

Parallel functioning of Serbia-led institutions in Northern Kosovo, problematic cooperation especially in the first phase with UNMIK as well as remaining problem of status recognition in the EU<sup>458</sup> has all posed a variety of problems for the realization of EULEX from the outset. For the international community EULEX was "an instrument to manage and control the status<sup>459</sup> process, but at the same time depended on the latter" (Pohl, 2014, pp.91-92; Pond, 2013). Positive sides include timely fulfillment of all necessary tasks to launch the mission in time (only the UN delays and political controversies over the Ahtisaari Plan were disturbing); certain maturity in terms of availability of appropriate personnel and experienced leadership; EU-NATO protocol on cooperation; ability to learn from Bosnian missions and EUPM mission's lesson of limited mandate focused only on policy reform, in particular; improved coordination with the Commission and civil society organizations; refined methodology of action (Penksa in Daase & Friesendorf, 2010, pp.50-51). EULEX Kosovo regardless numerous recruitment problems, has eventually attracted more seconded personnel than it was in EUPOL-A case (Pohl, 2014, p.116). The rule of law mandate is considered to be the most appropriate one both in terms of the CSDP experience and regional/local demands of fighting well-developed international criminal networks and trafficking (Chivvis, 2010).

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<sup>457</sup> Western allies strongly criticized Spain for its vote in the UN in favor of having the ICJ to analyze the legality of Kosovo's unilateral declaration of independence, as well as Spain's decision taken in 2009 to gradually withdraw its troops from KFOR (Collantes-Celador in Martin et al., 2013, p.103).

<sup>458</sup> With some reported veiled threats to Serbia that in case of persistent non-recognition of Kosovo's independence, it will have no chances to join the EU (Glenny, 2013).

<sup>459</sup> Kosovo's status.



As early as in 2012 FPI Report informed that progress of rule of law in Kosovo in the areas where EULEX fosters organizational change (police, justice, customs) has slowed compared to 2011 (FPI Report, 2012). Woehrel (2013) argues that EULEX Kosovo could not demonstrate its effectiveness in fighting organized crime and corruption, while some of efforts, e.g. witness protection, have been amateurish. The report prepared by the European Court of Auditors (2012) confirms that strengthening of the rule of law in Kosovo has been extremely slow, and both the remaining strong Serbian positions in Northern Kosovo and weak commitment of the Kosovo leadership have tremendously hindered EULEX activity. Strong dissonance among the European states regarding Kosovo's status is said to have restricted "their outlook to exclusively technical tasks", and regardless all the potential contributions to Kosovar police and rule of law "EULEX could not afford to contemplate the logical implications of its intervention in Kosovo"; thus, according to Lagadec (2012, pp.143-144), it turned out to be "the absurd manifestation of Europe's strategic divisions". Chivvis (2010), on the contrary, considers the mission to represent a perfect example of the EU's ability to make tangible contribution to civilian dimension of post-conflict stabilization and reconstruction, regardless all the deficiencies including focus on rather technical tasks of EULEX. Apart from the political impediments Kosovo has experienced significant technical problems including lack of staff, problems with procurement and logistics (Chivvis, 2010).

All assessments of EULEX Kosovo's productivity and positive impact cannot be deemed serious if evaluators do not view them from an integrated EU efforts in Kosovo vantage point. Kosovo at the moment represents a classic example of EU two-fold policy of both stabilization and integration. The EU and, EEAS, in particular managed to considerably contribute to certain stabilization in the region with regard to Serbian-Kosovar relations with the 2013 agreement (Glenny, 2013). Kosovo is, as said above, now officially regarded as a potential candidate for EU membership and a Stabilization Association Agreement (SAA) with Kosovo can be signed in the near time (IMF Country Reports, 2015; World Bank, 2015). There are considerable differences in the speed and character of the Europeanization processes and realization of necessary reforms among the Western Balkans' states, but, in general, the region's future remains not completely observable (Greicevci & Collaku in Wetzal & Orbie, 2015).

EUPOL Afghanistan and EULEX Kosovo are the largest ongoing civilian missions conducted through the CSDP both in terms of the number of civilian staff and budgets. The above-presented brief analysis has shown that experts generally admit that civilian CSDP missions undertaken by the existing institutional framework and political positions of the EU major states must look more or less the way they do.

When rationalists are determined to pursue a value-neutral investigation of issue, by paradox, they diminish their chances to clearly get strong support by political elites (Rich, 2004). It was attempted here to look at a highly “hardcore” traditionally “rationalist” security and defense policy from a different vantage point. Ideational-contextual analysis has revealed a number of specificities which make the two missions to be significantly different. Kosovo is not only the near neighborhood, but the part of the European continent, and expects to become a part of the EU as the most elite club on the continent. Paradox of the EULEX mission lies in the fact that not all EU states recognize its statehood, and the EU have, nevertheless, launched this mission. EULEX Kosovo embodies the core of the EU’s stabilization policy in Kosovo, which is conducted simultaneously with integration efforts. In this vein, Kosovo was a brilliant example of an already more or less mature *civilian* CSDP mission in the *near neighborhood* where existential military threats have been overcome – the type of missions which embodies the future image of a classic CSDP mission. Afghanistan, in contrast, does not represent a European state and there is no discussion about its potential EU membership. Compared to Kosovo, Afghanistan has not been militarily stabilized, and this naturally impedes the activities undertaken by EUPOL-A. This mission is a good example of *far-located* EU *civilian* mission in a region with extremely high level of physical/military insecurity. Both missions have a lot in common regarding technical aspects, e.g. staffing, procurement, logistics, communication with other security actors etc.

Discursive-ideational overview of the two missions have offered a number of thought-provoking interpretations and explanations, but, in general, it revealed existential differences in the levels of discursive struggles upon taking decisions on each of the missions. If in the Afghan case it was mainly the “deep core” or philosophical level of ideas represented by the EU’s international security identity in the context of her relationship with NATO that was decisive for the launch of EUPOL-A, then in the Kosovo case the specificity of the Western Balkans, in general, prompted the EU leaders to act mainly in accordance with the EU’s programmatic/paradigmatic level of ideas that dictated the need for taking responsibility for security in one’s own backyard. Geographic proximity and strong interdependence with the Western Balkans posing huge threats on the EU’s security system has, in turn, prompted the Union to comparably stronger rely on cognitive argumentation, special relationship within the Atlantic Alliance required normative justification for dispatching EU civil specialists to such a dangerous region. Coordinative discourse, exclusively limited to intergovernmental interactions with only post-launch cooperation with the Commission during the implementation, has played not the first but perhaps the sole role in taking decisions on missions almost totally excluding the role of communicative discourse.

## KEY CONCLUSIONS AND FUTURE DIRECTIONS FOR RESEARCH

EU was awarded a Nobel Peace Prize in 2012 in recognition of her (and the EC's) contribution to „the advancement of peace and reconciliation, democracy and human rights in Europe“ (Norwegian Nobel Committee, 2012). Nobody today in generally peaceful Europe can afford him/herself to underestimate this great role the EC/EU managed to play despite all the difficulties of the Cold War and post-Cold War period. As it has become clear from the DI framework, an institution, in this case EU as a collective actor and an institution all in one, is not a static set of frames but is a living organism and structural change within this organism, frequently neglected in other new institutionalist approaches, happens in the process of constant evolution. What was enough to expect from the EC yesterday is not any more enough for the today's EU. EU is neither a federal state, nor a simple international organization. The given Thesis, thus, was concerned with the question of what the modern EU's role in global security framework looks like and what role the modern CSDP plays and can play in the wider EU external action. The most striking thing about the Thesis is, yet, represented not by the empirical part of the Thesis – the CSDP as a part of the EU's external action - which has been very well studied since its emergence and even before, but the theoretical framework which was employed to study the topic: discursive institutionalism (DI) developed by the American scholar V.A.Schmidt (2000a, 2006a, 2007, 2008, 2012).

The analysis undertaken in the given Thesis has reconfirmed that basic tenets and explanatory apparatus of DI are capable of providing useful and sufficiently well-grounded knowledge of the CSDP's role in the EU's external action, logic of its evolution and future perspectives. This alternative knowledge is closely linked to the analysis and explanations facilitated by other new institutionalist approaches - rational choice, historical and sociological institutionalisms - and must be considered as an integral part of the neo-institutionalist framework. The most advantageous side of DI is that it allows for examining of the EU (CSDP, in particular) from two, at first sight incompatible vantage points: „very mundane“ institutional dimension and „unearthly“, intangible discursive-ideational dimension. This peculiarity of the concept coupled with the combination of the IR and comparative politics and their instruments count as favorable sides of the Thesis. Despite certain progress achieved during the last years in academic endeavors to expand applicability of DI beyond more traditional focus on international economics (from varieties of capitalisms to the EU's economic and monetary policies) to include a wider scope of social interaction fields including foreign policy, security and defense cooperation, there are not so many fundamental studies on the DI-based research on the CSDP. This, on the one hand, posed serious hindrances, but on the other

hand, opened up new opportunities to develop a fresh look at the problem under scrutiny. The application of DI, yet, has to be itself very cautious and at every step it must not be forgotten that the EU is not a state and will not be one in the foreseeable future; thus, every DI notion has to be carefully measured against various aspects of the EU's institutional and policy-making framework. Following the logic behind the DI approach the discussion of the problem of the EU's civilian crisis management under the CSDP as a part of the EU actorhood, conception in the Thesis was explicated on the basis of three ideational levels: *philosophical ideas or the 3rd-level* with focus on NATO-CSDP dialogue as a part of the EU's role, communication and operation within *above-EU* global political arena; transition (civilian-military integration within the CSDP) from the 3rd level to the *2nd level of programmatic ideas* located on the *EU-level (CSDP-level)*, and, finally, the *1st level of policy ideas* represented by single CSDP *missions* (two civilian CSDP missions – EULEX Kosovo and EUPOL Afghanistan).

EU operates within a specific global context of numerous international actors. The Thesis picked NATO as a focal point in the EU's security relationship with the world. The fundamental impact of NATO upon the EU foreign, security and defense cooperation was in force long before this cooperation was even deemed to be launched. Since NATO's creation in 1949 until the end of Communism this mighty defense machine has been the sole security and defense provider and guarantee on the European continent. Although since 1989 it has undergone numerous strategic transformations in both philosophy and instruments of its operation and today its main object of activities is not Europe any more, the Alliance remains the only collective military security provider under the art.V of the Washington Treaty in Europe. Immense impact of the Alliance, which has an impressive overlap in membership with the EU, on the ESDP/CSDP's institutional and legal design, policy-making and operational experience naturally led to striking resemblance of the ESDP's political and military bodies to those of NATO, and the EU policy-makers have tended to discuss NATO with regard to the CSDP at every step of the latter's construction.

The long history of bilateral and multilateral relationship between the US and European states and subsequently NATO and EU on all levels of interaction and in all fields of human activity has naturally fostered emergence of not only common/similar strategic interests but, more importantly, shared Western strategic ideas, values, norms and understandings which endured regardless all the problematic periods between the two in the 1960-1980es. During the Cold War along with the external unifying factor of the Communist military threat, there was also internal demand for securing the world of the Western liberal democracy (collective memory in shaping) against threat of Communist ideology. Moreover, not only need for maintaining liberal values has influenced the formation of NATO as an international institution, but also NATO as a strategic response to the

spread of Communist ideas had a major impact on further development and evolution of those ideas and values (two-way impact between ideas and institutions). The nature of ideas and values that underpinned EU's subsequent security and defense policy has been "unconceivable" without NATO as much as NATO's original ideology without the Communist threat. Paradoxically because NATO was born out of the opposition to a specific ideology of different kind, while ESDP/CSDP and NATO belong to the same Western common security framework.

Constant quest for the EC's own political cooperation framework realized in the form of the European Political Cooperation (EPC) in the 1970es did not move the US and NATO in any serious way probably until the very 1999 when the ESDP began to shape, and strategic culture which underpinned security system in the Euro-Atlantic area was largely determined by/through NATO. Systematic codification of the EPC/CFSP-related new-type cooperation by the leading EC/EU sentient agents (member states) through their existing narratives and procedures even in the face of resistance of the US and some EU states led to the incremental structural change. Yet, until 1992 main EC states (France, UK and FRG) due to different strategic orientations did not challenge the Euro-Atlantic bond. *Constitutive* effect of the *informal* EPC on member states' basic *ideational framework* which, in turn, encouraged them to construct new modes of deeper cooperation in the form of a *formalized* institution with binding commitments has resulted in the creation of the CFSP. The end of bipolar confrontation has multiplied the previous unified existential threat originating from the Communism and new challenges (external) equipped NATO with new geostrategic impetus to proceed, and the new NATO strategy (internal) has reflected and especially accentuated namely this internal dimension as a cornerstone for pursuing international security, and this internal-external nexus have thoroughly penetrated the EU political cooperation and NATO-EU relationship. Core ideas and orientations that underpinned NATO's *raison de'être* as the only remaining military alliance underwent dramatic reconsideration (expanded sets of threats, instruments, geography), and new post-1989 realities in world politics, especially on the Eastern flank of the EU required revision of relations with the US and NATO. The Yugoslav crisis has seriously challenged NATO-EU post-1989 relationship, and also granted transatlantic ideational framework with new perception of humanitarian interventions, but Kosovo showed that having common picture does not ensure coherence and success.

After having launched a pilot project – European Security and Defense Identity – which was functioning as a European pillar within NATO, Saint Malo breakthrough of 1998 opened up a new page in transatlantic security cooperation: the US has for the first time looked at the EU more carefully and put forward its cautious three "D"s. For the UK ESDP was associated primarily with the Alliance and then with the EU, for France – vice versa. Combination of both NATO-led and

EU-led security and defense cooperation frameworks unimaginable within the previous collective transatlantic memory has gradually been incorporated in the new transatlantic discourse which led to deep changes in the philosophy which underpins the Euro-Atlantic relationship (best example Germany). Discursive struggles of this period are marked by complex search for an optimal balance between the ESDP's autonomy and harmonious relationship with NATO and the US as well as establishment of formal and informal ways of cooperation between NATO and the newly created ESDP. Periodical tensions between NATO/US and ESDP/EU in the form of the latter's willingness to stress its autonomy, Turkey-Cyprus problem etc. could not put the relationship under such a risk as it was done by the Afghan and Iraqi wars accompanied by the US' rising neo-conservatism. With respect to the CSDP, "Berlin Plus" has been abandoned but nothing came to replace it, and the ESDP/CSDP has to find new solutions for further development in a situation of scarce resources and capabilities in the light of the current economic and financial crisis. Despite certain remaining contentions the EU both at members states' level and EU/CSDP level poses no serious danger as a competitor, but just the opposite, is encouraged by the US and NATO to increase her contribution to global security. Coordinative discourse within EU/CSDP-NATO/US security dialogue has, regardless all objective and subjective hindrances including the US shift to Asia and the Pacific and EU's internal cleavages, good perspectives with a well-developed initial infrastructure and willingness to cooperate in informal and formal types of communication. The US and the EU today have a wide range of shared understandings and face similar external problems except for the use of force and range and type of missions/operations and resources for them. Communicative discourse is more problematic due to higher sensitivity of information exchanged through NATO being a clearly military organization. As for the civilian-military coordination within the CSDP as a part of NATO-CSDP debate, the Civil-Military Coordination (CMCO) is largely "bottom-up" process which necessitates more careful elaboration of national comprehensive approaches and their interaction. The use of force as a part of military capabilities problem has different interpretations in the US and the EU both in coordinative and communicative discourses: for the EU it is strictly *ultima ratio*, while the perceptions of the American side are not so adamant. Still shaping architecture of recently established civilian component within NATO poses further questions of the future character of NATO-CSDP cooperation. Civ-mil integration gradually leads the discussion to the nature of the EU's foreign policy, EU as a regional and global actor and the CSDP's role within those frameworks.

Serious academic research in the field of the external dimension of the EC/EU policies emerged in the 1980-1990es and during many years, after confusing state-centrism in studies was surmounted, two basic academic narratives were struggling with each other: EU as *sui generis* power and EU as

a model for others. Narrow and state-centric definition towards EU foreign policy (“economic giant, political pygmy”), as DI confirms, has been the result of the coordinative discourse within EU institutions themselves. In the last years with the amplification of regionalist studies these two maximalist frames have been basically overcome, and numerous schools of thought like neofunctionalism, intergovernmentalism, federalism, interdependence school etc. emerged. The evolution of the EU foreign policy was differently influenced not only by transatlanticist and Europeanist collective memories, but also by relative supranationalist and intergovernmentalist ideational frames imminent to EC/EU member states.

Actorhood/actorship is the actual capability of more or less effectively acting toward external world. In order to make the discussion about the EU’s actorhood the author referred to Bretherton and Vogler’s (2006) actorhood scheme which rests upon three key components which were co-matched with the basic discursive-institutional notions: (1) *opportunity* or (*historical-institutional context*) which builds upon ideas and processes having constraining or enabling effect on actorness; (2) *presence* (underpinned by *foreground discursive abilities* or mainly policy and programmatic levels of ideas) embodies the actor’s ability to generate influence on other (regional and global) actors which comprises actor’s identity, self-identity and often unintended consequences of the actor’s internal policies; (3) *capability* (underpinned by *background discursive abilities* or mainly philosophical level of ideas) represents internal dimension of the actor’s external action which presupposes possession of relevant policy instruments and understandings for using these instruments.

The (1) opportunity component was addressed in the analysis of the CSDP’s background, also in relationship with NATO. Maastricht can be regarded rather a radical, crisis-driven (revolutionary) institutional change in DI terms, further strengthened by the Amsterdam Treaty. The next revolutionary structural change took place in 1998-1999 when the EU established ESDP. They represent namely radical types of structural change, because although necessary institutional and strategic preparations and arrangements for the future CFSP were implemented several years before the collapse of the Soviet Union, NATO’s reorientation and the Yugoslav war, the actual realization of the Maastricht project coincided with the push of these events and processes on the EU. ESDP, in turn, was the direct result of these events and processes coupled with the deep ideational transformation that happened in EU leaders’ minds. In the light of the strategic reorientations within NATO and the US Yugoslav conflict for the first time forced the EU to think of the necessity of taking responsibility over security situation at her own backyard. Western ideational change toward incorporation of humanitarian interventions into just war perceptions framework was to be seen in the EU in the form of transformation from a more UK-French type perception to a more German

one. American political benevolence towards expected developments in strengthening the European wing of the transatlantic security has gradually strengthened the Union's determination to create her own peacemaking/keeping instruments and security and defense policy, in general.

As for Saint Malo, for the first time in the EU's history a workable possibility was officially declared that allowed for the EU to bypass NATO mechanism in providing international crisis management, so it was a paradigmatic change triggered by foregoing changes in philosophical ideas but they yet had to bring about new change in the deep core ideas. British and French leaders were able to boost new ideas and have new social constructs adopted by setting new agenda as "policy entrepreneurs" by building initial coalition for future collective EU reforms in security policy area. Post-1989 security threats once radically changed the EU perceptions (e.g. UK and Germany) of military aspects of security, whereas 9/11 followed by Afghanistan and Iraq have again made huge corrections to them. Subsequent developments which took place in the next years obviously showed that not only EU's reformist-actors' formal positions in policy-making system make difference in exercising power with their ideas but also actors' ideas and discourse about the way they could best exercise their positions could make difference thank to these formal power. Moreover, the presence of real transformations towards creation of new ideas and discourse about ever-deepening European integration in the leading EU states (e.g. France) is reconfirmed by the fact that those new ideas and discourse once institutionalized proved to constrain the ideas and discourse of the subsequent national policy-makers. With the 9/11 "war on terror" previously declared by the American administration was also introduced in coordinative and communicative discourse of the EU/ESDP. The Iraqi crisis highlighted the weaknesses of the CFSP, triggered heated discussions on the multilateralism versus unilateralism, and prompted the Union to undertake a common threat assessment and create her shared foreign policy objectives for the first time ever in the form of a new major document – ESS (2003).

The fact that 90% of the CFSP/CSDP-related reforms offered by the Draft Constitutional Treaty, which underwent double-failure in 2005 being rejected in the French and Dutch referenda, was reintroduced (with some names' change) to the Lisbon Treaty just a couple years later has largely signaled about moderate nature of novelties. The most brilliant and promising novelty was undoubtedly EEAS. EEAS, which has a long history behind (back to the EPC Secretariat) being an unconventional *sui generis* body, headed by the HR-VP and made of both the Council Secretariat and the Commission, is equipped with a very-multi-faceted coordinative functions among numerous EU institutions and bodies (including civ-mil coordination), and can strongly contribute to the EU security and defense coordinative discourse. The main declared goal of the Treaty of Lisbon was to make the EU external action (*inter alia*) work more effectively, i.e. to improve coherence,



capabilities and continuity, even though there are still persisting problems with its implementation. The Treaty has not made a radical paradigmatic change to the field of competence of the EU, but it has proceeded with the process of change to the ways the existing competences are exercised. In general, the dependence of the European integration on “paradoxes and crises” the Union constantly undergoes since her establishment. Indeed, historians and many traditional political scientists rely on the idea that periods of stability in the EU integration are once and again suspended by radical revolutionary transformations, while the others base their accounts on the concept of incremental change accompanied by cognitive and normative mechanisms of social learning and compliance rather than directly top-down policy implementation.

The notion of strategic culture (in the context of the (3) capability component debate) officially taken up by the ESS (2003) is intimately connected to the „deep core“ ideational framework that one knows from DI. Development of the EU strategic culture „based on a shared understanding of the values, ideas, and the interests of the member states, all reflected in specific policies and operations“ (Ginsberg & Penksa, 2012, p.235) is a very tough process: the Union has not yet developed her own strategic culture in practice. What is even more important, strategic culture, as Toje (2008, pp.15-16) specifies, rests upon not only behavioral (actual policy conduct) and cultural (expressed/implicit ideas, values, norms)<sup>460</sup>, but on credible real-world *capabilities* of the actor possessing this culture as well.

A very important concept which incorporates both the (2) presence and (3) capability components is the one of power as a specific capability of the EU to pursue her goals in international politics and specifying *what kind of* regional and global actor the EU is. Duchene’s (1972) civilian power concept (with other adjacent concepts including partially „soft power“) which underlied the post-WWII ECSC peace and democracy project in the 1950es with its reliance upon solely civilian foreign policy instruments represents total contrast to Bull’s more ambitious and more IR realist „military power Europe“ concept which was again revived with the birth of the ESDP, whereas both seem to largely refer to the EC’s international image as a sum of national images than something collectively distinct. This is completely in tune with the then EC development level. Discursive struggles over the so-called „pan-European army“ basically involve establishment of parallels between conventional national armies and CSDP’s military component which certainly plays an important role in shaping international prestige of the Union as a regional and global actor in realist terms and also ensure basic security for civilian missions, while obvious ambiguity in the definitions

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<sup>460</sup> Process and ideational set aspects inherent in strategic culture, if one remembers, can be traced in the DI approach as well: discursive interactions as a process of policy conduct by various actors and implicit (background) and expressed (foreground) ideas.

of force that in the case of the EU also involves police/judicial enforcement staff considerably limits the applicability of IR realism. Manners' (2002) normative power concept (and adjacent) as an alternative to both previous concepts saw the EU mission in spreading „normal“ (liberal) values of peace, liberty, human rights, rule of law and democracy through norm diffusion mechanisms, as stipulated in the Lisbon Treaty. The distinction of this concept compared to civilian power approach lies in the former's main idea of ideational projection or diffusion of the internal constitution to the external world, so it is not only about reacting, but about influencing. In fact, real state-of-the-art marked by institutional complexity of the EU as a set of numerous strategic state actors, all operating within a complex national, intergovernmental, supranational and global political contexts only roughly allows for very generalized and simplified definitions and explanations of the nature of the EU's actorhood. A large number of objective and subjective, internal and external factors have not yet allowed the EU to be a fully-fledged strategic actor or to become one in the foreseeable future. Being a very different kind of security actor than other global actors EU does not have collective territorial defense competences, i.e. regular army, has only partial military capabilities within the CSDP, can be regarded as a considerably fragmented collective actor whose contribution to international security mostly relies on civilian instruments especially effective within the Community-bound competences and having ever-growing visibility within the CSDP context<sup>461</sup>. Many interlocutors do not regard the Union as an effective regional actor in the field of „high politics“ not only due to remaining lack of horizontal and vertical coherence within the EU and proper coordination between internal and external EU policies as well as insufficient interregional cooperation between the EU and other regional actors in Asia, Latin America etc., lack of sufficient involvement of non-state actors (bottom-up discursive interaction), but also due to inconsistency between global (sometimes state-like) ambitions and regional nature of the EU polity. The EU foreign policy pursues not only relational component of shaping/managing her the Union's relations with other actors, but also have a higher-level ambition of influencing structures that determine the ways other actors behave. This aspect makes structural foreign policy debate very special for the DI in terms of placing structural change phenomenon within the EU external action of which the CSDP is also a part. As opposed to the more straight-forward relational foreign policy (diplomatic tools, economic-financial instruments, reward/sanctions, civilian/military crisis management tools) which produces influence on position/behavior of other actors and relations with/between them, structural foreign policy is a more indirect but long-term foreign policy sustainably influencing/shaping political, legal, social, economic, security and other structures which underlie the relationship with other actors. The Thesis draws parallels between structural

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<sup>461</sup> See e.g. Peterson and Geddes (in Kenealy et al., 2015), Van Vooren and Wessel (2014).

change produced as the result of the structural foreign policy and DI's institutional change brought about by thinking and speaking agents who can not only maintain but also change institutions (or start using them differently than intended before) at the level of the mobilization of foreground discursive abilities through a collective action (doing actors). Operational mechanism of relational foreign policy was being correlated with the first level of the functioning of discourse's deliberative mechanism, i.e. with the regular level of daily communication about institutions (maintaining institutions), while structural foreign policy's operation - with the second level of functioning of discourse's deliberative mechanism, i.e. meta-level of critical communication about institution as a basis for further reform arrangements (changing institutions). What structural foreign policy offers is a more advanced, long-term and even more effective type of modern foreign policy able to promote structural changes and reforms (in the form of incremental change as opposed to radical change, both addressed by DI), deal with structural problems and maintain existing structures. Structural crisis management by means of the wide range of civilian and military instruments of the CSDP cannot be undertaken without conducting general structural foreign policy which incorporates all EU external action instruments and mechanisms. Structural crisis management capabilities under the CSDP which require improved horizontal, vertical, institutional and civilian-military consistency and coherence within this Policy form an integral part of the EU's structural foreign policy based on consistency and coherence between the internal and external policies, sustainability and long-term approach, democratic values supported by constant dialogue and social learning with other actors, advanced involvement of various domestic actors and external partners as well as better multilevel governance (solidarism, multilateralism and partnership). Multilateral approach being a part of the EU's foreign policy paradigm will further need a more well-developed communicative discourse, i.e. more democratic accountability and legitimacy (Telo in Telo & Ponjaert, 2013, p.51; see also Servent, 2015).

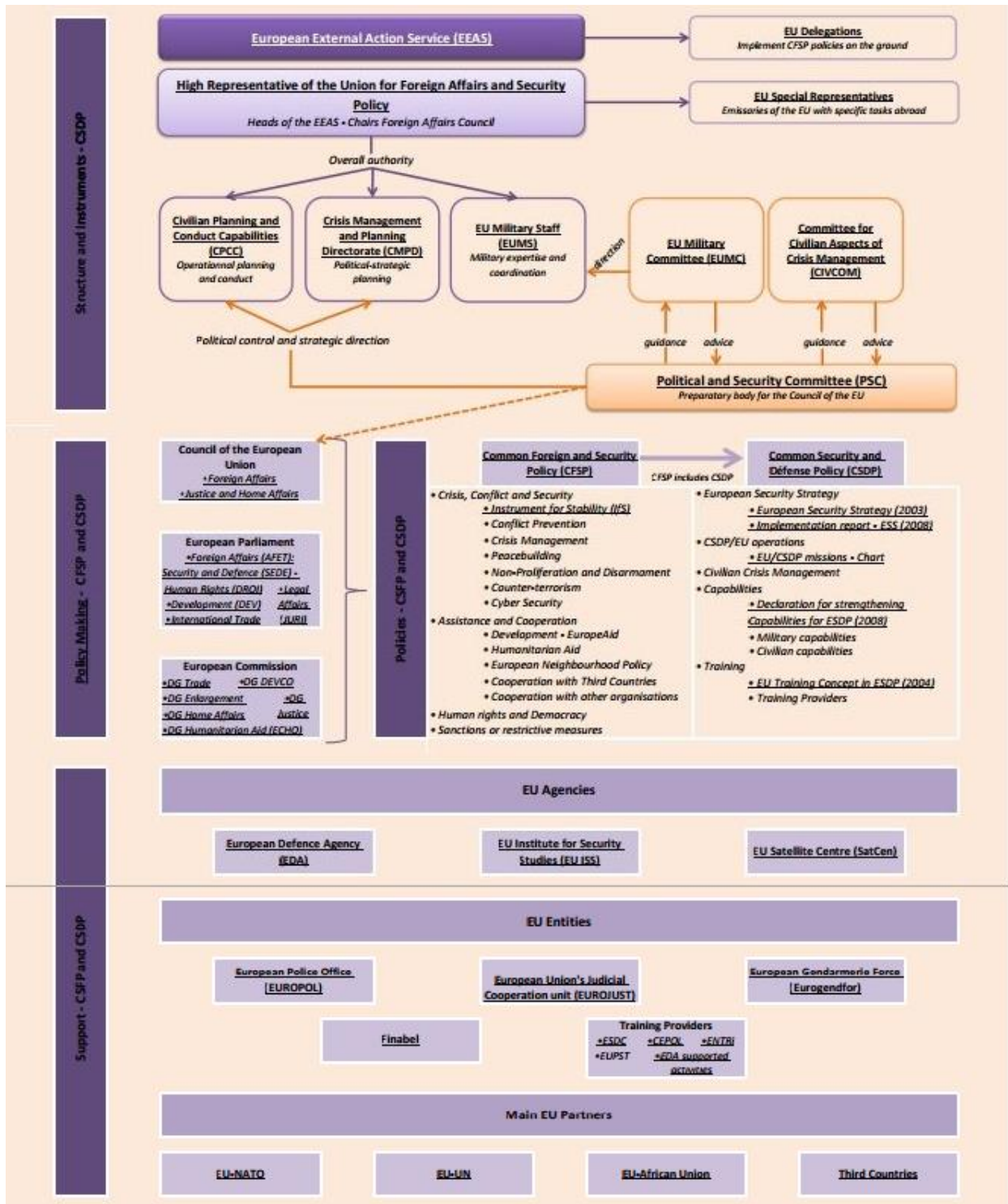
EUPOL Afghanistan and EULEX Kosovo were chosen as main test cases for examining EU's CSDP-related policy ideas level by using DI framework. Ideational-contextual analysis has revealed a number of specificities which make the two missions to be significantly different. Kosovo's strategic value for the EU as a territorial neighbor and potential EU member coupled with the permanent disunity in the Union over its official status have added more complexity to a challenging combination of EU stabilization and integration policies in Kosovo. As opposed to EULEX Kosovo which deals with political security issues, EUPOL-A still operates within remaining existential military (physical) threats context of Afghanistan which is not located in the EU neighborhood and there is no discussion about its potential EU membership. Both missions, yet, share many general problems regarding technical aspects, e.g. staffing, procurement, logistics,

communication with other security actors etc. If in the Afghan case it was mainly philosophical level of ideas represented by the EU's international security identity in the context of her relationship with NATO that was decisive for the launch of EUPOL-A, then in the Kosovo case the specificity of the Western Balkans, in general, prompted the EU leaders to act mainly in accordance with the EU's programmatic/paradigmatic level of ideas that dictated the need for taking responsibility for security in her own backyard. Geographic proximity and strong interdependence with the Western Balkans posing huge threats on the EU's security system has, in turn, prompted the Union to comparably stronger rely on cognitive argumentation, special relationship within the Atlantic Alliance required normative justification for dispatching EU civil specialists to such a dangerous region. Coordinative discourse, exclusively limited to intergovernmental interactions with only post-launch cooperation with the Commission during the implementation, has played not the first but perhaps the sole role in taking decisions on missions almost totally excluding the role of communicative discourse.

# ANNEXES

## Annex 1

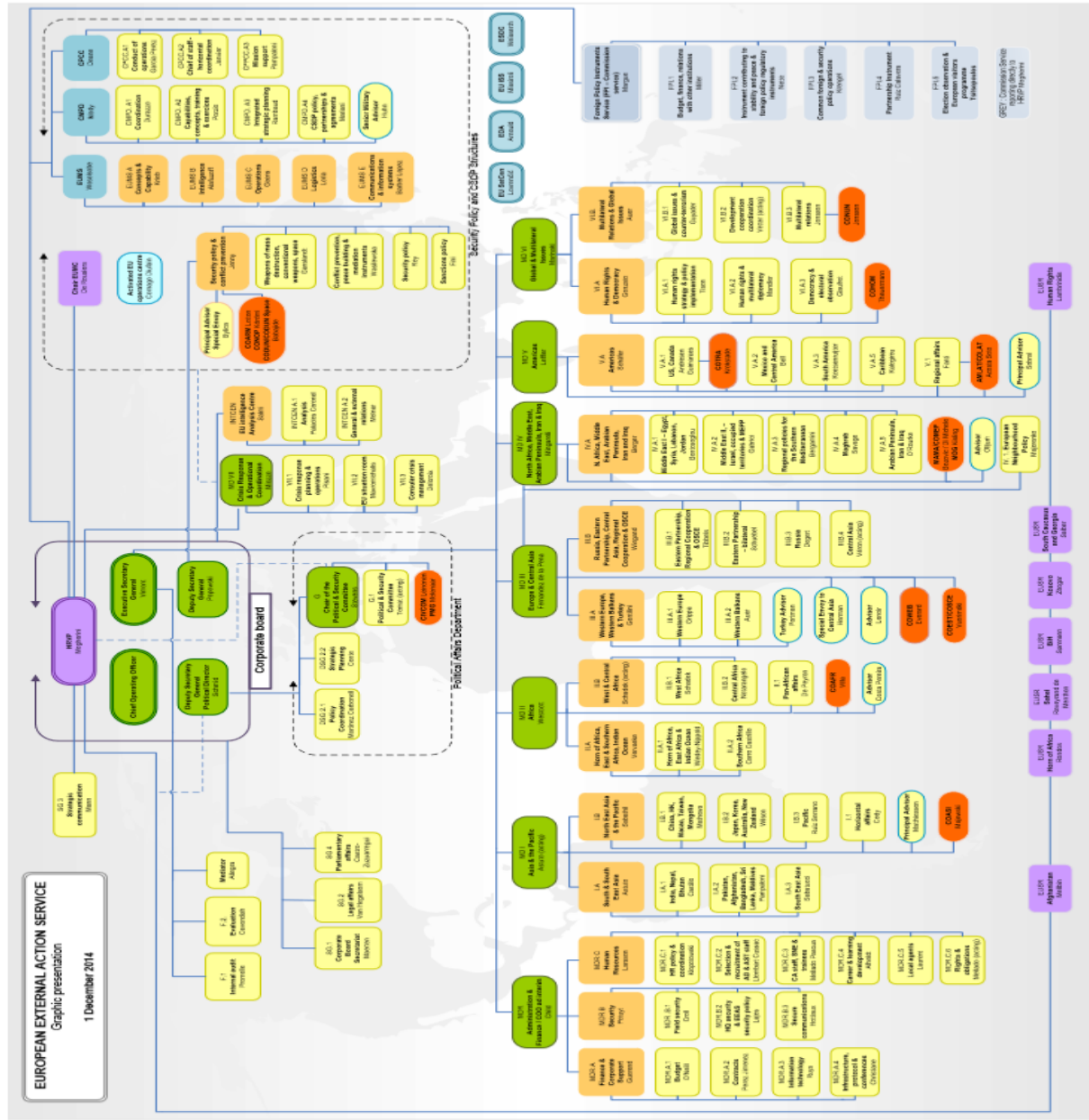
### CSDP Structures



Source: CSDP Map (2013)

Annex 2

EEAS Structural Composition



Source: EEAS (2012)

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