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How does the European Union Contribute to Security?

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Abstract

The EU is not a sovereign state in the terms of either Weber or Schmitt. And it is mistake to treat it as if it were. Its major success in security is its contribution, with that of NATO, to the pacification of Europe since 1945, and to its stabilization since 1989. In the last decade its influence has brought stability to the Balkans. The EU is designed for neither force nor fraud; but outside its borders EU military and civilian operations have helped others improve order in their countries or regions. The EU's ability to combine a non-threatening military, police or monitoring presence with aid is a strength; but to be effective this needs more often to be embedded in a political strategy. The Lisbon Treaty offers hope for this.

Keywords

European Union, Security, Comprehensive approach, Lisbon Treaty

The animal kingdom has many species, mammals, fish, amphibians, carnivores, herbivores, animals which seem to be one thing but turn out to be another. The same is true in the international political universe: the picture of a uniform population of states and an environment in which states are necessarily predators is no longer accurate – if it ever was; nor is it true that the only power matters or that the only currency of power is force.

The European Union is a new kind of animal, a product of political evolution in a changing environment. Not a state, not a nation, not a federation in the normal sense but not a confederation either; not an empire, more than an international organization, but less than a full union – at least it is often disunited. Its role as a foreign policy actor is often a disappointment to those who take it for something which it is not; and occasionally this causes them to miss some of its more interesting virtues.

The commonest error is to mistake the EU for a state. True, it does some of the things that states do: it makes laws; it negotiates treaties; those who represent it abroad are called Ambassadors. It does not issue passports; but for most of its members it has a common visa policy. It does not tax European citizens but it does manage a common currency for half of them. But the EU matches neither Max Weber's definition of a state, nor Carl Schmitt's definition of a sovereign. For Weber the state is the body having the legitimate monopoly on force. This is not the EU. In Europe, as in other organized parts of the world, force is owned by states. Occasionally some of the member states of the EU lend their soldiers to the EU for operations but they remain under the authority, if not under the immediate command, of the member state that lent them. (The same is true of police and judicial authorities; if someone commits an offence against the EU itself, for example by passing on confidential information, they would be tried in a Belgian court under Belgian law.)

Carl Schmitt defined the sovereign (and sovereignty is the defining characteristic of the state) as the person has the power to declare a state of emergency ie the one who can put himself outside the law because he is the guardian and origin of the law. Whatever one thinks of Carl Schmitt and of this thesis it has the merit of highlighting the difference between the EU and even the smallest of the member states that make it up. In a crisis, when events require exceptional action it is not to the EU that you turn. Throughout the Euro crisis we have seen member states take charge: to devise emergency measures, to set up exceptional funding, and in slower time to reshape the laws and the institutions that make up the Union.

The EU itself can operate only within those laws and institutions with which the member states endowed it: it has been invented by states, for states; but itself it is not a state.

Both its constitutional nature as a non-state, and the fact that it is constituted out of a number of states determine what the EU can do and how it behaves foreign policy. That the EU itself does not have armed forces is a part of this story: the use of force, though it is regulated in many ways by international law, is nonetheless something which happens when the normal legal framework of relations between states has broken down and we are closer to a state of nature than to a state of law. In the same way, though the EU makes use of intelligence assessments from the agencies of the member states it does not itself produce intelligence. To do so involves breaking the law by, for example tapping telephones, opening mail, offering bribes and other activities which are best not described. "In war", Thomas Hobbes says, "force and fraud are the cardinal virtues". The EU is designed for neither.

The EU is, one might say, a fair weather organization: this is perhaps not so noble nor so heroic as one which is armed for conflict; but when the weather is fair it gets hot wearing armour.

A more serious disadvantage of being armed for battle is that it frightens others, and causes them too to arm themselves: this is how arms races begin – how they end rests with the temper of the times and the skill of the diplomats. The EU is doomed by its nature and its structure to be innocent. Not only is it not going to use force or fraud on its own account, it is highly improbable that as a collective

it would ever be able to make aggressive use of force. Twenty eight independent states are not going to agree to attack or invade another country except in extreme circumstances¹. And if they were to agree it seems likely they would make a poor job of it since keeping secrets among twenty eight countries is difficult.

In this sense the EU is not and will not become a security organization. In another sense it has always been an organization whose primary purpose was to provide security for its member states. The European Coal and Steel Community was set up to bring together the industries that (in those days) were the backbone of armament manufacture: the objective was to avoid an arms race by tying the two contestants together, so to speak. And indeed the biggest contribution of the European Union to security in Europe has been its part in ensuring that European countries have stopped fighting each other.

The award of the Nobel Prize to the EU may be unnecessary but it is not undeserved. On the other hand the award should not go to the EU alone: that the EU is able to live as a community of states without the use of force or fraud is partly owing to the protective shield around it that NATO represents. But here again, what matters is less how NATO handled the Soviet threat, the terrorist threat or whatever other external threat may be perceived, but what NATO has done within Europe. By providing a collective assurance of external security NATO enabled European countries not to play the strategic game against each other. On the surface at least, with the creation of NATO, and the presence of US forces in Europe, security ceased to be a factor in French German relations. France no longer had to watch the size of the German armed forces and calculate its own armed forces against them. Germany no longer had to worry about the risk of a two front war and create forces able to defend itself in a war against both Russia and France – and in doing so scare the daylights out of both its neighbours. All this enabled the EU to come into being and to play a role not just as a fair-weather organization but also as an organization that has helped keep the weather fair.

Thus although Europe lived for forty years with a background of anxiety facing the possibility of a massive and devastating war, this at least was faced together, delivering a stable situation within Europe, and creating the conditions that allowed European countries to frame their relations in a cooperative way. The EU, though it was not the foundation stone of a peaceful Europe; but today it may be seen as the keystone of the arch which might even continue if NATO should cease, or if the US should one day decide it no longer has an interest in guaranteeing European security.²

The EU differs from NATO not only in the absence of the USA as a member (a defining feature of the EU, just as for NATO, the US presence is a defining feature) but in the fact that the EU's purpose is inward – to enable its members to live better together - and NATO's purpose is outward: to deal with external threats or security challenges. And just as NATO has had a powerful effect on its own member states, so as the EU has grown in size and effectiveness it has had an inevitable impact abroad. External relations have become a major part of the EU's business. Nevertheless but its core purpose remains itself; which is why, when it comes to enlargement, the EU always becomes serious. Here the EU's core interest, maintaining itself as a viable community of states, is engaged. This is why, following past episodes of wishful thinking, the criteria for enlargement have become progressively tougher. Enlargement can play a remarkable role in stabilising the region – as the experience after 1989 suggests – but it is also the external policy that has the greatest potential to destroy the EU itself.

The EU is also offering things important enough for candidate countries to make large changes in their policies, even in their constitutions: access to markets of course, access to some aid funds too;

¹ This does not mean that forces deployed in the name of the EU never use force; this may sometimes be tactically necessary. But so far there is no instance of a strategic the use of aggressive force.

² Neither seems likely, especially the first. The survival of the WEU and the weu Parliamentary Assembly long after their functions were no longer obvious is a lesson in the tenacity of international organizations.

but above all access to and participation in collective decision making. No member state has a determining voice in any policy but all have a right to have their say. That is something which non-members such as Norway have to live without. Just as it is the need for recognition and dignity that pushes peoples towards democratic politics, so among states the desire for recognition can be fulfilled in communities where each has a voice. And though the EU is not a security organization in the sense that NATO is, good political relations with neighbours – which is the ultimate product of the EU process - can be a more solid foundation for security than armies and alliances.

It is this combination of practical and political benefits that has given the EU the ability to make big demands on those who want to join. It is not too much to describe the process as voluntary regime change, in some cases at least – more successful than the coercive methods that the US and other have used from time to time. Should this not be seen as a form of power? Not of arms – though NATO's security guarantee was an important part of the package; nor of money though EU subsidies helped smooth the process of enlargement; but perhaps of size since even if the EU had not been as attractive as it was for Central Europeans it would have been too big to be ignored, and also of success - as an organization that helped its members live well together.

Should enlargement be described as foreign policy? In a sense it is foreign policy when it begins and EU domestic (or constitutional) policy when it ends, and the applicant ceases to be an outsider. It is certainly a process that has helped stabilize the EU's European neighbourhood, bringing security both to the EU itself and also to the new arrivals. It is not however foreign affairs in its classical form; but rather resembles a benevolent imperial expansion, where the previously foreign territory is incorporated in the Empire ("I have no way to defend my borders but to extend them" Catherine the Great is said to have remarked). But then the EU is no more an empire than it is a state.

As for the more usual activities of states in foreign relations, where there is an economic dimension the EU has done those for some time: aid where (together with its member states) the EU is the biggest donor in the world; trade policy where the EU is the world's largest single market.

As an organization created to preserve peace and opposed to power politics, trade policy has fallen somewhere between a general tendency towards an idealistic liberalism and a specific tendency to protect European producers especially farmers; so that what has often been absent is a political dimension. Development aid was also handled in a similarly fashion, apolitical in spirit but in practice geared to dealing with the legacies of empire.

Neither of these approaches is necessarily wrong: there is much to be said for not allowing trade policy to be continually subject to fluctuating political fashions but to ignore the political dimension altogether would be willful blindness. Development policy in particular needs to be conceived in a political framework. Aid, like it or not, is a form of intervention in someone else's country. Where ever one spends money one favours one side or another in some domestic drama that is probably only half understood. In some cases it may not matter much that a foreign power helps the education lobby against the health lobby: in other cases it can have large consequences, when supporting government against opposition or secessionists against the central authority.

In trade too there are moments when policy has a political dimension eg the offer of tariff free access in some cases can be an incentive for reform; or sanctions can be used as a means of pressure; and denial of certain technology is important in non-proliferation and wider security policies. Indeed as the world becomes less inclined to the use of force – which in Europe at least, seems to be the case – such things may be of greater importance; though anyone who believes that aid or trade on its own will lead to political change is deluding themselves. But as part of a wider political strategy, or in alliance with domestic forces they may make a meaningful contribution.

The end of the Cold War brought a dramatic change to the EU especially in foreign and security policy. Part of the change has already been described as Europe's greatest success: enlargement to the East. But before that came Europe's greatest failure: its inability to think and act together during the

crisis in the Balkans while some 300,000 people died. Europe was divided in its analysis – between those who blamed the Serbs, and those who blamed everybody; and it was divided in its prescription for action – between Germany who thought that the way forward was to recognise those who were declaring themselves independent – one reason for doing this might have been that it would provide a legal basis for intervention; but then Germany showed no signs of wishing to intervene - and most of the others who thought that this should be preceded by some sort of negotiated settlement –but this also did not seem readily obtainable. And even if Europe had been able to agree on a policy response it was unequipped to take to action without the USA and they had famously declared that they did “have a dog in that fight”.

The EU was not only not equipped for the use of force; it was hardly equipped for any serious diplomatic intervention. Out of a need to do something even if it was not effective it sent a monitoring mission but this was run by ad hoc, ramshackle machinery. It appointed Lord Carrington to run a diplomatic effort on its behalf but he also had to operate with inadequate back up and inadequate influence on policy. The problems in the Balkans began to move towards solution only when the US intervened and brought NATO in with it. In fact it was less US military power that was needed – the most decisive use of military force came from British and French forces under UN command – as US political strength and its ability to unite the international community.

The EU never made a formal assessment of how and why it failed so badly (even for that it lacked it machinery). But over the decade following the different Balkan tragedies one can see some of the lessons from them being incorporated into treaties, institutions and policy documents, culminating in the Lisbon Treaty which finally came into force in 2010. First there was the creation of the post of High Representative – so that the EU had a permanent negotiator at its service and would not have to rely on the Presidency of the Council, an office which rotated every six months. (In fact Javier Solana’s first important role was in negotiating the Ohrid Agreement that has preserved a sometimes fragile peace in Macedonia). Second, following the British French Saint-Malo Agreement the EU equipped itself with machinery for crisis management: a Political and Security Committee, a Military Staff and civilians tasked to plan both civilian and military operations. The final steps taken in the Lisbon Treaty will be discussed later on.

The operations undertaken since then have not always been directly related to European security, except for those in the Balkans; and some of these were follow-on missions taking over from NATO. However it is surely right to conceive European security in broader terms than simple territorial defence – as the European Security Strategy did in 2003. This document, stimulated partly by the doctrines of President George W Bush – which many Europeans found too aggressive - argued that in an interconnected world other people’s wars could also represent a threat since they bred extremism and could lead to state failure. Thus in addition to the threats of terrorism and weapons of mass destruction – which were the main focus of attention at the time this was conceived, the EU should be ready to intervene for the sake of global order.

This is what, in modest ways it has done over the last ten years. Of twenty five operations the most significant can be grouped as follows:

- Four military operations: in DRC, Bosnia and Herzegovina, Chad and a naval operation off the coast of Somalia;
- Three large police operations: in Bosnia and Herzegovina, Afghanistan and Kosovo
- Two important monitoring missions: in Indonesia (Aceh) and Georgia.

Each of these deserves comment. The initial deployment in the DRC came in response to a request from the UN which was concerned at developments in the Kivu area for which a UN mission was foreseen but could not be deployed rapidly. The EU operation filled this gap, and perhaps helped prevent serious bloodshed. (We shall never know; but the example of Rwanda was still fresh in everybody’s mind). There has also been a follow up deployment in the DRC to provide a rapid

reaction capability at the time of elections; and the EU also sent two smaller, long term missions aimed at improving the quality of local police and armed forces. In addition the EU played a part in some of the peace processes which aimed to end what some have called “the Great African War”.

The operation in Chad was to protect refugees there who had fled the Darfur region of Sudan; this might be seen as a result of the feeling that something more should have been done about the conflict in Darfur – but nobody wanted to do it - together with the unspoken aim of reducing the risk that the refugee presence might destabilise Chad itself. This, like the Congo operation was followed by a longer term UN deployment – though here the initiative came from the EU. Another notable feature of this operation – apart from the enormous logistical challenge posed by deployment to a remote and inhospitable area was the assistance from Russia who provided and operated two helicopters (with great energy and courage by all accounts).

The military deployment in Bosnia and Herzegovina – which was more or less a re-badging of a NATO operation made sense on the basis that this brought military, police and substantial aid programmes together under one political authority. The military operation has since been reduced to a very limited presence, and should be seen more as the visible sign of a political guarantee than as a fully operational force.

In Kosovo, Police and Justice is an EU responsibility while the military presence continues to be a NATO force. This is sensible for political reasons but ensuring good communication between the two organizations requires constant attention. Unlike other police or justice operations, which have been pure training missions, EULEX Kosovo has executive powers (eg of arrest). Recently this mission had played an invaluable role in helping the implementation of agreements reached in the EU facilitated Serbia/Kosovo dialogue. The Afghanistan police operation was conceived as a part of the overall Western effort there, and its long term impact will depend on the overall success of that effort. This operation was hampered, at least initially, by the lack of a formal agreement with NATO.

The monitoring mission in Aceh was unique in that it was a joint EU/ASEAN operation. Its role was to monitor and help implement the peace settlement negotiated by President Artisaari. It should be reckoned among the EU’s successes. That it was twice asked to extend its term was a sign that it contributed to confidence; and Aceh has since remained stable. The mission in Georgia while it has contributed to stability on the ceasefire line following the Russian invasion in 2008, is in the less happy position of not being part of a successful political process. Although a political framework exists in Geneva its prospects for success are not high.

The naval, counter piracy force, operating off the coast of Somalia since 2008 has been left to last as perhaps embodying some features that might point the way to the future. What is striking about this operation is that it has developed as it has gone along. One dimension present from the start has been the EU’s financial support (under the African peace Facility) for the AU force, AMISOM, which has provided backing for the Transitional Federal Government in Somalia. Another has been EU support for governments in those littoral states who were ready to put captured pirates on trial. To this the EU has added training for Somali forces themselves, initially on a modest scale and is now deploying trainers to help build up coast guard capability in Djibouti, Kenya, Tanzania and Seychelles as well as strengthening law enforcement in Somalia. Finally, a little to the surprise of those who know the EU, its force has made attacks on shore facilities used by pirates as well as pursuing preventative operations at sea. And belatedly perhaps, it has created a Special Representative for the region, with the aim strengthening the political dimension – which will in the end be the key to success. The EU is only one of many operators tackling the problem of piracy; but it can claim to be tackling the causes as well as dealing (rather effectively) with the symptoms.

Looking at the diversity of these operations it is worth asking how much they have contributed to European security. Would Europe have been less secure if they had not been undertaken? It is difficult to argue that any of them served European vital interests directly. Some of the operations undertaken early on were perhaps a matter of testing the new machinery. But where they have been

successful they have contributed, in small ways, to a more secure and more orderly world; and in the long run that cannot be bad for Europe's security. They have also contributed to greater EU competence in deployments abroad, something that was totally absent during the Balkan crisis. Over a ten year period, from a standing start, the record is not unimpressive.

Finally, in considering operations it is right to say something about one EU operation that did not happen, or rather one that was undertaken by NATO and not the EU. This was the enforcement of the no fly zone in Libya and the other operations that were probably critical in bringing about the overthrow of the Gaddafi regime. Some have described this as the end of the EU's aspiration to be taken seriously in the field of security³. It would certainly have been a remarkable step if the EU had taken this on; but it was no surprise that it did not, especially once President Obama had announced that if those European countries who wished to launch an operation wanted US support, they should act through NATO.

In fact this looks much more like a typical NATO operation than an EU one: hard power used aggressively, rather than consensual peace-keeping. The task of coordinating air operations, for example, is something that the EU has never had to attempt. In fact in the run up to the operation the EU and NATO at times, almost seamlessly together: the main conditions for intervention were agreed at a meeting of the European council but in the end, implemented by NATO. It should be seen as a strength for the West that we now have two European bodies capable of intervening abroad, but with very different images and capabilities.⁴ It is to be regretted only that the Turkish/Cyprus question prevents the natural development of better cooperation between the two.

The story of the EU'S development as a security organization is a strange one. Starting with a fundamental mission to make Europe more secure from its main enemy – itself - it grew strong in ways that gave it an inevitable external impact. This however was in the fields of trade and development, and the EU's approach was far from the traditional culture of security thinking. From this somewhat dreamlike state it was awoken by the sound of guns in the Balkans; and after a terrible decade set about creating and then using something more like the traditional machinery of security. This left it in the odd position of having something like a small defence establishment, and large departments for handling trade and aid. But no Foreign Ministry.

This deficiency was dealt with in the Lisbon Treaty and by the creation of the European External Action Service. If implemented successfully – and this will take a decade or more -the office of High Representative and the EEAS have the potential to bring together all the dimensions discussed above: aid, trade, military and civilian operations, and to ensure that they form part of a political strategy. While not perfect the arrangements under Lisbon provide the possibility of combining the best of the Member States and of the EU institutions, and of bringing all of the dimensions of policy together in a political framework. Even if this takes time to realize the new arrangements must be better than the ad hoc, baroque structures that operated over the last ten years – with brio and creativity it is true – but a more solid institutional structure is needed if the results are to last.

It would be ironic if, just as the EU endowed itself with something like the structures it needs for security, this should be rendered useless by a sharp decline in defence capability across the whole of Europe. Partly as a result of the Euro crisis; and partly as a result of the peaceful environment of Europe cuts in defence spending (and to a lesser extent in other external budgets) now represent a life threatening challenge to Europe's long term security. The problem here is one that has been identified for decades – not a shortage of money but its dispersal over 27 separate national programmes. Taken together European defence spending is still more than that of China, India and Russia together; but the

³ Eg Newsweek's John Barry: "Libya has probably consigned the idea of a European defence identity distinct from NATO to the scrapheap of history" quoted by Nick Whitney in an ECFR Paper "Now to Stop the Demilitarization of Europe. Whitney seems to share Barry's view, as does Jolyone Howorth (Yale University) in an unpublished paper.

⁴ It is unlikely, for example, that NATO would have been an acceptable operator in Chad or in Georgia.

How does the European Union Contribute to Security?

capability it delivers is scandalously bad value for money because of the separate procurement. Europe is now on the brink of losing capabilities that it will be very hard to regain once they are gone. This is a subject far beyond this paper but has this in common, that it too can be solved only at a European level.

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