



Department of Political and Social Sciences

The Politics of a Policy: Framing European Security and Defence Policy

Xymena Kurowska

Thesis submitted for assessment with a view to obtaining the degree of
Doctor of Political and Social Sciences of the European University Institute

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Examining Board:

Professor Friedrich Kratochwil, European University Institute (Supervisor)
Professor Ole Wæver, University of Copenhagen (External Supervisor)
Professor Michael Merlingen, Central European University
Professor Pascal Vennesson, European University Institute

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For the cosmic friend as a farewell song

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ABSTRACT

This thesis enquires into the making of European Security and Defence Policy (ESDP) from the perspective of the actors endorsing and contesting the policy. By identifying the political milieu of the policy, it seeks to problematise the established depiction of ESDP and delineate the framing involved in designing and implementing the policy. I thus advance the argument about the all-pervading character of the political and I stipulate the value of micropolitical analysis for unpacking broad political arrangements.

In order to trace security practices enacted through the policy, I explore in depth two instances of ESDP operations and a case of strengthening the UNIFIL forces to Lebanon via an EU initiative. I conclude that the ESDP has proven transformative both within the EU internal system of governance and vis-à-vis the EU's international positioning. The former involves the rise of domestic politics engendered by the interplay of institutional identities and conceptions of achieving EU security. The latter exposes the shift in the international role assignments wherein the EU becomes a deputy of the US and a saviour of the UN's reputation.

ABBREVIATIONS

CFSP	Common Foreign and Security Policy
CIVCOM	Committee on Civilian Aspects of Crisis Management
COREPER	Committee of the Permanent Representatives
EC	European Commission
ECJ	European Court of Justice
ENP	European Neighbourhood Policy
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EUBAM	European Union Border Assistance Mission to Ukraine/Moldova
EUISS	European Union Institute for Security Studies
EUSR	European Union Special Representative
GAERC	General Affairs and External Relations Council
MC	Military Committee
MS	Military Staff
PSC	Political and Security Committee
RRM	Rapid Reaction Mechanism
SI	Stability Instrument
TEU	Treaty on the European Union
WEU	Western European Union

INTRODUCTION

There have been many controversies over the emergence of European Security and Defence Policy (ESDP), including its contested viability and the uproar over the policy's alleged demolishing of the civilian character of the EU. Others, conversely, agree with Hedley Bull that Europe should have independent defence capabilities (1982), and are thus of the opinion that ESDP is a positive development. Michael Merlingen and Rasa Ostrauskaite, for example, consider the policy an international mission for humanity (2006). Certainly, viewed against the backdrop of the EU project at large, the Union's success in expanding into the security and defence field since 1999 clearly disrupts the received wisdom about the protracted and reactive nature of the EU enterprise in this area. The neat picture of the EU as an economic giant but a political dwarf and a military worm¹ has thus lost its eloquent appeal.

Correspondingly, debates over whether the EU has grown out of the clothing of a 'civilian power' and put on armour, or whether recent attempts to achieve greater visibility in international security are merely fleeting, have burgeoned (Smith, K. 2000; Stavridis 2001a, 2001b; Martinsen 2003; Treacher 2004; Whitman 2006). These works nonetheless suffer from a distinct malady: despite the robust record of ESDP, they fail to engage in a problematisation of the policy, remaining instead content with a review of secondary sources on the subject. Three interconnected problems beset most of the literature on the subject and the research community involved. First, evading thorough empirical engagement, academic works write their own story and impose their own interpretations, thus effectively ignoring the reality of the policy and its context. Second, enclosed in this self-supported paradigm, research on ESDP remains within the realm of 'problem-solving theory'. It takes the policy world as it finds it, 'with the prevailing social and power relationships and the institutions into which they are organised, as the given framework for action', and so sees as its general aim 'to make those relationships and institutions work smoothly by dealing effectively with particular sources of trouble' (Cox 1986: 128-9). What we obtain thereby is but a re-classification of certain aspects of the conventional CFSP/ESDP story. On the policy analysis side, criticism of poor effectiveness and glaring inter-pillar incoherence brings similarly modest understanding of ESDP making. A few exceptions aside (Merlingen and Ostraukaite 2005a, 2005b, 2006), empirical research in the field represents a digest of reports from a handful of well-trodden

¹ The expression was coined by a former foreign minister of Belgium, Mark Eyskens, who thereby summed up the extent of European failure in the Balkans.

paths, a kind of chronological inventory of decisions made, declarations adopted and allegedly never implemented.

Third, what thus receives little attention is the *politics* behind ESDP as a political project, i.e. as a socially mediated quest to instil particular understandings of what EU security is about. Narrowly interpreted, politics refers to an explicit, conscious formulation of decisions in a context of choice. Here politics is about deciding practices in a situation where one is at a loss, and about dealing with contingencies for which there are no clear points of reference or patterns of behaviour (Wæver 1993). This is a time-honoured way of thinking about politics, for as March and Olsen (1989: 47) observe, “a conception of politics as decision making and resource allocation is at least as old as Plato and Aristotle.” Conversely, however, one might conceive of politics more broadly as strategies constituting the social world (Wæver 1993). According to this reading, and as March and Olsen keenly warn as well (1989: 47), not all politics can be reduced to competition over material resources; indeed much of it concerns the struggle over collective identity, including often deadly contests over the meaning of symbols signifying this identity. Following the lines of this argument, I consider politics as being about contentious claims about what is good and true, and building alliances around them in the quest to impose a particular definition of a situation. This quest consolidates the institutional identities involved and marks them out as keen to endorse their designation of the situation. Policy in this context is a discursive battlefield with power relations and strategic interaction constituting the framework for action.

The literature on ESDP strangely veils this ‘discursive battlefield’ behind the policy. By passing over the language and strategic games that underpin the policy, the practices and power relations that mediate the policy remain unexplored or, more worryingly, naturalised. Unsurprisingly enough in the light of the initial scorn towards the policy, ESDP is now perceived as an innate extension of the EU integration. As such, it is no more a ‘securitising move’ within which certain notions are presented in pursuit of approval; rather, many ESDP propositions have already been well accepted by varying audiences. In effect, both performers and spectators of ESDP operate within narrow framings of the policy, regardless of whether they subscribe to their message or regard them as simply instrumental rhetoric. Taking the policy at face value, they accept the given order as a natural arrangement—this despite the fact that, as some jokingly note, there are now more researchers keeping themselves busy with ESDP than there are policy makers involved in designing the policy and practitioners actively

implementing it.² Indeed, researchers form part of the effectively swayed audience: occupied with raging criticism pertaining to the modalities of the ESDP functioning, they have none the less embraced the project as an element of the EU reality, with issues of democratic accountability (Bono 2002; Wagner 2004, 2006) challenging only the policy outfit.

ESDP thus represents a practical discursive achievement on the part of its shapers. Material produced by the European Union Institute for Security Studies (EUISS), a second pillar agenda formally tasked to foster independent research on the Common Foreign and Security Policy (CSFP), offers a flavour of the framing techniques employed in the project. Here the policy is labelled as one of the Union's success stories, which profoundly modified the image, functioning and approach—i.e. the identity card—of the European construction as a whole (Gnesotto 2004:17). Within the same volume, Javier Solana asserts that “the world around us cries for a stronger and more self-confident Europe.” The EU is prepared to answer these calls because there now exists a common vision of the threats the EU faces, together with appropriate responses to them (2004:5). According to this framing, ESDP is not merely in constant development, but it has reached a point of irreversibility, and the European Security Strategy (ESS) is the EU's ‘strategic identity card’ that identifies it as a global, responsible, and credible security player (Ibid, 6). The EU is *global* in a sense of being vigilant as regards both terrorism and the proliferation of Weapons of Mass Destruction (WMD), and more traditional sources of conflict, such as regional conflicts, the break-up of states, and large-scale organised crime. It is *responsible* in that it understands that its security and the promotion of its values depend on the achievement of three strategic aims: facing up to these various threats, building security in its immediate neighbourhood, and promoting an international order based on effective multilateralism. Finally, it is *credible* since it is more active in the management and prevention of conflicts, more determined to develop the necessary military, diplomatic and industrial capabilities, and more coherent in implementing its various instrument of external action. In contrast to the previous security initiatives, which were overly reactive, too long on process and short on substance, ESDP has made a difference for Europe itself and in a wider perspective (Ibid, 6-7).

The portrayal above belongs to the discursive repertoire through which ESDP has been politically framed. It represents a particular definition and conceptualisation of the policy by its shapers and performers, and as such forms a constitutive part of this political project. The

² Remark by Professor Karen Smith at the first Workshop of the UACES Specialist Group on European Union Conflict Prevention and Crisis Management., London School of Economics and Political Sciences, 2nd February 2006.

Rortian notion of ‘contingent vocabulary’ offers a number of insights into how this process works. In *Contingency, Irony and Solidarity*, Rorty writes about ‘a contest between an entrenched vocabulary which has become a nuisance and a half-formed new vocabulary which vaguely promises great things (1989: 9).’ He further suggests that for there to be a change, this entrenched vocabulary has to begin to seem like a nuisance, an irritant, or a saboteur, in order for something new and transformative to happen. It is as though one is frustrated into experimentation, even though the old entrenched vocabulary makes some new things sound baffling or implausible. I construe the inception of ESDP as inspired by just such a nuisance experience with the entrenched civilian power vocabulary and its limits; this experience prompted the EU into experimentation of which ESDP is an instance. Perhaps it was unfeasible to reach an aim that mattered with the vocabulary available; it was certainly impossible to construct a particular EU international role with purely civilian power verbiage. Yet, this old vocabulary had to exist in order to induce such a feeling of frustration. It pestered the actors with what it could not do for them and made them attend to something. In this sense, the old vocabulary provided for inspiration through resistance.

The nuisance experience, then, underpins the framing of ESDP as a ‘grand project’ and as the inspiration for new scenarios. It is through the search for an endorsement of new definitions of the political situation that a policy emerges. This definition of the word ‘policy’ significantly expands and deepens the conventional conception of it as being constituted by the rhetoric of political speeches, the written documents produced by authorised agencies, the institutional mechanisms of decision-making and what people experience in their interaction with actors implementing the policy (Shore and Wright 1997, Introduction). In this thesis, I view ESDP as an instance of policy framing and political struggle that is itself productive of particular governance practices in the EU system, with governance here conceived both as institutional arrangement and ideological imposition. In this sense, I consider framing to be a process of selective control over the perception of the meanings attributed to certain phenomena. Its aim is to permit certain interpretations and rule out others. Framing, when it is successful, thus ensures that specific issues come to be considered as crucial, and, just as importantly, come to be viewed in certain ways rather than others. As such, framing should be seen as an adjunct to the political process of agenda setting. In the case at hand, the point of framing is to make specific conceptions of European security commonsensical and mould the proceedings accordingly. This proceeds by endorsing certain representations of European security which include a diagnosis (what is the problem, where is it located and what/who causes this problem?), connected to a prognosis (how should the problem be resolved, what

ends and what means should be used?), and a rationale or call for action (what courses of action are suggested, and who is responsible for this?) (Snow and Benford 1988).

In order to track how this framing process developed in relation to ESDP, I focus on the various actors in the domain and on their intersecting agendas, together with their relationships through which contextual power operates. While contestability is inherent to this process, I seek to illustrate how certain predominant ways of defining problems became authoritative and cautiously protected. Here, ESDP symbolises a narrative of long overdue revival that serves to justify a change. Consequently, it becomes a discursive formation that empowers certain actors while silencing others. Crucially, however, the policy remains a political feat executed through contextually woven purposeful action, and is, as such, the embodiment of politics. It thus calls for a people-centred approach through which constitutive interpretations can be reconstructed.

To understand the development of the policy and its implications, I centre my inquiry around three research questions: how the ESDP security claim has been enacted, what concrete security practices have emerged along this process and whether this has contributed to shifting the security role of the in international politics. In order to identify the lines of contest between the ‘old’ and the ‘new vocabulary’, I trace the policy-related discourse back to the late 1990s, and in some instances earlier, to provide the historical background. To examine this contest at work, I look into the domestic sources of ESDP making through the analysis of two cases of ESDP operations, introducing examples from other operations to substantiate the argument. While I contend that ESDP missions have become a major vehicle for the realisation of EU security policy, I also argue that they serve the broader aim of positioning the EU on the international stage. In an attempt to gauge the latter, I analyse ESDP against the backdrop of the EU’s interaction with other international actors until to the end of 2006 and beginning of 2007.

The thesis proceeds from a consideration of the conventional picture of ESDP, through an explication of the research procedure used here, to empirical analysis, and from there to some broader conclusions reached. Accordingly, Chapter I maps out the conventional ESDP narrative. It thereby brings in a kind of encyclopaedic acquaintance with the field before data collection and analysis commence. I also pick up on a number of threads in broader literature in order to locate the research within the discipline and critically speak to the sources that contribute to building the conceptual scaffolding of the thesis. To conclude, I elaborate on the puzzle structuring the research. Chapter II presents the theoretical considerations and premises that guide the research, together with the analytical framework that organises the

examination of empirical material. I seek here to justify the approach adopted and give reasons for the particular methodology applied. Following on from that, I spell out the research questions and justify the case studies.

Chapters III-V consist of empirical analysis and are structured according to the research questions. Chapter III deals with the framing of the security claim as it is made through ESDP, and seeks to unravel the discursive logic behind the particular argument it puts forward. Here, I investigate the history of ESDP discourse in order to note both the transformative moments of the argument, and its current form. The aim of this enterprise is to track how what is legitimate and ‘rational’ to say, and what strikes as outrageous, disadvantageous, or even absurd, has become established in EU security discourse. In so doing, I examine the process of constructing a particular political milieu. Specifically, I identify the central securitising actor together with the discursive repertoire brought into play in the process. Moreover, in order to grasp the rules of this particular local game, I identify facilitating actors, major contestants to the project, and important fields of action. Chapter IV proceeds to the substance of the puzzle by analysing the case studies that illustrate the social mediation and strategic interaction that permeates ESDP making. In particular, the chapter looks into the intra-EU ‘discursive battlefield’. It investigates the EU security practices as they emerge out of day-to-day EU politics. Two case studies of ESDP operations are examined here, together with a non-case and a counterfactual argument. The purpose of the latter is to bring to light the constraints surrounding the process of agenda-setting in ESDP.

Chapter V seeks to grasp what international role for the EU has arisen out of the security practices enacted via ESDP. It introduces and substantiates the heuristic potential of the EU-US-UN triad for tracing role assignments in contemporary security affairs. Similarly, it emphasises the analytical purchase of approaching the notion of world order not as an objective concept but rather as a perspective. In the Conclusion, I summarise the argument and revisit its theoretical premises. I argue that EU security making violates the traditional boundaries of securitisation theory. I then seek to disengage from the particular logic of the research presented here in order to discuss alternative explanations of ESDP, which also allows a discussion about the possible research paths that might test and enlarge the present argument. In particular, I suggest that viewing the particularities of ESDP in line with the practice of cultivating an ‘empire in denial’ (Chandler 2006) might represent a fruitful way forward for the research.

CHAPTER I PRESENTING THE POLICY

Discourses [...] are sources of power because ruling some meanings in and others out is already and fundamentally an exercise in power. (Weldes 2006: 179)

This first chapter paints the conventional picture of ESDP as it has emerged in the literature on the subject, with specific reference to the research community devoted to its study. Seeking to provide a review of major debates, I locate the research within the discipline and speak critically to the sources that contribute to building the conceptual scaffolding of the thesis. In so doing, I illustrate how the state of art in the research on ESDP may be misleading if what we desire is a understanding of the policy.

ESDP conventional story, or what a visitor picks up at the doorstep

The problem that underpins this research is the phenomenon of ESDP as an example of a security project arising from a particular context and specific historical setting. In what follows, I review a number of definitions that address the nature of ESDP, and I recount the conventional story underpinning the development of ESDP, in addition to the policy dilemmas associated with it and highlighted by the research community. By narrating this account, I aim to bring to light certain key elements of the ‘assumed knowledge’ about ESDP and of the lasting views that are conventionally offered as revealing its major characteristics. Acknowledging the absence of any thorough problematisation of the ESDP development, I resort to the resources of the conventional vernacular as valuable hints at the discursive framing of ESDP. I also point to the curious tenacity that pervades the way of couching the ESDP story in the literature and within the research community. The latter has established its own set of laws and routinised means of reproducing the foregrounded issues and marginalising the backgrounded ones.

There is a fairly widespread argument that the literature dealing with the ESDP question is heavily undertheorised. As Forberg (2006) puts it, the research that exists is mostly diplomatic history based on journalistic accounts of key events. It tends to cite official documents about institutional development, together with anecdotal, politically loaded or otherwise speculative evidence about the motivational factors behind it. Indeed, most of the works merely involve thin policy analysis and a description of the formal chronology of the process. The main weakness of this literature is, therefore, firstly a conspicuous neglect of the politics behind the ESDP project, and, secondly, an unwillingness to problematise as to how it

was possible for ESDP to gain the kind of significance it currently enjoys. The literature neglects how the policy has been performed in terms of structural possibilities and political action of the actors involved. Despite inherent contestability in the ESDP discourse, which reflects the different security visions of the member states, it has become powerful enough to operate as a well-entrenched point of reference in the EU security discussions. Reifying explanations that seek to show how ESDP was bound to emerge fail, however, to address the very process by which the project was established.

Three explanations for the emergence of the policy are commonly offered: the natural expansion of the integration process, Europe's wish to balance against the United States, and practical needs of crisis management in a changed security environment. These can also be seen as grand narratives of European integration. The first is the dominant story about the European integration as peace project to prevent another European civil war from occurring, the second is a new heroic story of the European Union defending and saving Western values from their misrepresentation and abuse by the United States, the third can be linked to the story about the EU as a project to manage globalisation (Forsberg 2006).

Joylon Howorth posits that most of the European leaders subscribe to the following broad definition of ESDP:

a project to confer upon the EU the ability to take collective decisions relating to the regional security and to deploy a range of instruments, including military ones, in operations of crisis management, peace-keeping, and, if necessary, peace-enforcement (preferably with a legal mandate), as a distinctive European contribution to the overall objectives of the Atlantic Alliance and in consultation with both European members of the NATO and non-allied accession countries (2003: 221).

This definition features many themes that constitute the conventional ESDP story. One is the notion of autonomy, defined as:

the European conviction that they must achieve a measure of self-reliance in projecting forces capable of operating at the lower and middle levels of the combat scale' or 'the political and military capability on the part of the EU to take the decisions and to embark on initiatives involving the projection of military power with limited or no assistance from the US (Brenner 2002:5).

The dominant narrative thus has it that in the period of the Cold War the European Community adopted a posture of self-denial in matters of security and diplomacy. This was a result of dependence of the Western European countries on the US involvement in European security affairs. It also stemmed from the image of 'the divided continent', where the main sources of potential insecurity in Europe were easily identifiable, and where there was general consensus as regards the principal issues (MacQueen 2004: 395). Following failed attempts at establishing the European Defence Community (EDC) and a European Political Community

(EPC) in the early 1950s, further efforts to make foreign policy cooperation into the core of European integration were abandoned, with NATO becoming the central organisation for security and defence in West Europe and the United States the guarantor of European security (Sjursen 1998). This later amounted to the conception of the EU as an artefact of NATO, with the latter enabling the EU project to proceed peacefully. In a similar vein, Kagan's argument attributes the EU's 'Kantian' state of mind to the US military's protection during the Cold War (Kagan 2004). This situation still affects the current division of labour between the entities. Here the quip that the US 'makes the dinner whereas the EU does the dishes' (Penks and Mason 2003:256) has become an evocative metaphor for the military leadership of the US and the auxiliary functions of the EU in security affairs.

After the end of the Cold War, while Western Europe appeared to be in a less threatened security position, it also remained precarious. The baffling speed with which bipolarity was dismantled in 1989 and 1990 rendered the Cold War institutions obsolete and caught European Community leaders off-guard. Although the threat of a major East-West confrontation had seemingly vanished, it was not replaced by peace and harmony on the continent many had expected: NATO was unsure as to its future tasks, and the Americans themselves had not yet reassessed their own security priorities. The Western European Union (WEU), pleasantly located in Paris, had never been taken too seriously despite numerous initiatives that proved fateful for the later development of the EU security (e.g. the Petersberg tasks). Unsurprisingly, therefore, periodic flurries of interest in the potential revitalisation of the WEU as a vehicle for a real European security co-operation did not translate into concrete action.

The end of the Cold War was thus a notable turning point with regard to Europe's security architecture, and it was by no means natural that an arrangement including ESDP would develop. Indeed, Stuart Croft has argued that immediately after the fall of the Berlin wall alternative and mutually exclusive ideas about the European security architecture surfaced. The French and Belgians advocated a view of a European defence identity that would be separate and separable from NATO. The Germans and Czechs supported the development of a pan-European collective security arrangement, based on the enhanced OSCE. The Russians espoused a concert of powers idea, embodied by a European security council. Finally, the American and British insisted on the centrality of NATO (2000: 1-2). Some distinct security narratives delineated in the literature of the period included:

(1) the rearrangement of NATO so as to give the Europeans 'a stronger voice'. This was reflected in the scheme of the European pillar within NATO that would eventually take

shape of the European Security and Defence Identity (ESDI) as developed in 1994. The ESDI and the Combined Joint Task Forces, with its central premise of separable but not separate forces, sought to head off the emergence of an autonomous European military capability and to allow the US to burden-share without renouncing leadership. This option seems to have reflected a paradoxical US attitude to the European debate on defence. Continuously urging the Europeans to boost their defence capabilities in order to share responsibilities for global security, the US invariably voiced the proviso that the European endeavour should stay within the confines of NATO and that no decisions should be made without prior consultation with themselves. The continued relevance of NATO to European security was strengthened at the NATO summit in Berlin in June 1996 where it was decided that the ESDI be developed inside the framework of NATO. Some interpreted this event as a momentary victory for the Atlanticists in the struggle over the development of security structures in Europe (Duke 1994; Cornish 1996).

(2) the continuation of the revived WEU. The role of the latter was never fully articulated, but at the Amsterdam Treaty it stands as a intermediary organisation (a bridge) between the EU and NATO which allowed it to enact defence policy on behalf of the EU within a separate institution (Manners 2000:220). Article J.4.2. of the Amsterdam Treaty reflects competing understandings about the actual role of the WEU: “The Union requests the WEU, which is an integral part of the development of the Union, to elaborate and implement decisions and actions of the Union which have defence implications”.

The Atlanticist discourse on the European security influenced the negotiations in that the WEU was not considered part of the EU; it was to remain independent for the foreseeable future, which indicated that the EU would still be left without a defence component of its own. The more Europeanist agendas affected the negotiations by enabling the insertion of two critical elements: firstly, that the WEU is an integral part of the EU development, thereby opening the possibility of the merger of the two organisations that would provide the EU with a military dimension, and secondly, that the EU decisions can have defence implications of any kind.

(3) the autonomous EU initiative on security and defence. This seemed a radical option in the aftermath of the end of the Cold War. Indeed, sceptics argued that:

there are only few reasons to be optimistic that either the EU's CFSP or the WEU can make a significant contribution to solving conflicts and crises in Europe or beyond. This has both to do with the absence of political will and decision-making mechanisms to make effective use of the available military assets as well as limited military power which West European states are able to deploy (van Ham 1995: 170)

Similarly, for Lawrence Freedman and Anand Menon (1997), there was ‘every reason to suspect that [West European nations] will continue to prefer NATO over the EU’. In Philip Gordon’s view:

the end of the Cold War, the widening of the Union, the continued differences in EU members’ strategic culture, ambitions, values and historical relationships, and the lack...of European identity...means that EU foreign policy cooperation will remain limited, fragmented and intergovernmentalist in nature’ (1998).

Emil Kirchner (1999), in turn, contended that progress would be less likely given NATO’s success in Bosnia. Dmitris N. Chrysochoou et al. (1999) concluded that ‘the outcome of the 1997 Intergovernmental Conference shows that Europe will not manage to develop an independent capability within the Union [in the realm of security]’.

Despite the existence of different ideas for the future of European security, the preference for ‘situated’ autonomy nevertheless took precedence and made its way into the foreground of the EU security discourse. ESDP draws extensively on previous conceptions of the WEU, the most vivid example being the so-called ‘Petersberg Tasks’, adopted in 1992, that carved out the space in which EU security policy be formulated throughout the 1990s. These included humanitarian and rescue tasks, peacekeeping, crisis management and peacemaking responsibilities. Another example is the ‘Platform on European Security Interests’ adopted in 1987,³ which stated that the US interests are at variance with European interests. However, the process only commenced formally with the St. Malo declaration of December 1998, which effectively shelved the WEU as much as it bypassed the ESDI, and with it the possibility of developing European security policy within the Atlantic Alliance. The actual abandonment of both the concept of the European pillar within NATO and the notion of the WEU as an intermediary institution have thus provided a launch pad for the emergence and development of ESDP. While it would not be viable to identify precisely the moment when the old options ultimately gave way to ESDP, it is clear that, today, both the WEU and the ESDI are arrangements from the distant past.

However, the road to ESDP was to proceed through the disappointment with CFSP. The 1992 Maastricht Treaty that established CFSP also foresaw “the eventual framing of a common defence policy,” which could “in time lead to a common defence” (article J.4 of the Treaty). CFSP, however, was soon to demonstrate a lack of any substantial development, and that it was need of fundamental boost. The outbreak and perpetuation of the Balkans wars

³ ‘WEU Platform on Security Interests’, The Hague, 27 October 1987, <http://www.weu.int/documents/871027en.pdf>, accessed 7 July 2007.

highlighted two widely acknowledged truths about the EU at that time. Firstly, they “dealt a heavy blow to the very essence of the European project, which is based on democratic values that were flouted on its doorstep” and, secondly, they showed that the EU was in no position to become a crisis manager in its own neighbourhood. The Balkan wars subsequently became a pictogram of European humiliation with a character of Jacques Poos in the foreground. The former Luxembourg foreign minister gained widespread publicity in 1991 by announcing that the ‘hour of Europe’ had dawned (meaning Europe alone would be able to save Bosnia), an announcement followed by several years of under-achievement. Indeed, when the West finally faced up to its responsibilities in 1995, it was the United States and NATO in the lead roles—through air strikes and the negotiated settlement signed at Dayton, Ohio—rather than the EU or the UN. Only a few years later, contemplating the squalid misery in Croatia and Bosnia, a former foreign minister of Belgium Mark Eyskens summed up the extent of European failure in the Balkans by saying that Europe was ‘an economic giant, a political dwarf and a military worm’. Accordingly, the famous catchphrase in the literature, ‘capabilities-expectation gap’⁴, coined by Christopher Hill and intended to indicate the process by which the EU creates unrealistic expectations it subsequently fails to come up to (Hill 1993), found its most illustrative application.

The single clearest example of this ‘capabilities-expectations gap’ was the massacre in Srebrenica, a symbol of the EU’s impotence that has gained considerable evocative power in the years after the event. The EU’s disgrace in the Balkans has subsequently converted into a catalyst for developing its own crisis management capabilities. The myth of the Balkans, and Europe’s failure there, has indeed become the source of the EU’s long-term commitment to the region. Chris Patten, former EU External Relations Commissioner, tellingly conveyed the Balkan metaphor entrenched in the ESDP discourse:

The shattered ruins of Vukovar. The ghastly siege of Sarajevo. The charnel house of Srebrenica. The smoking villages of Kosovo. The European Union did not commit these crimes. But 200,000 or more fellow Europeans died in Bosnia and Herzegovina alone. As Europeans we cannot avoid a heavy share of responsibility for what happened (2004).

Similarly, the NATO bombardments of Kosovo sharply indicated yet another weak spot of the EU, namely its military retardedness in comparison with the high-tech capabilities of the US army. Supposedly, for Europeans the war in Kosovo was existential, as it put to the

⁴ The phrase has become a much-cherished heuristic for critics of the EU performance in the foreign policy. It has however failed to reflect to what extent many of these expectations were created by analysts themselves, based on the ‘ideal-type’ behaviour of the nation-state.

test the continent's gains of the previous fifty years, and especially of the post Cold War 1990s. It challenged the assumption that, at last at the end of a terrible century, voluntary cooperation has triumphed over Nazi and Communist coercion (Pond 1999: 77). Kosovo, by contrast, made it clear that passive Europeans were still too accustomed to letting the US superpower make all security decisions for its transatlantic protégé (Ibid). For some this bore out the painful truth that there was no substitute for the US leadership, for others, conversely, Kosovo marks a moment when the US reoriented its security priorities and the Europeans were to produce their own ideas how to safeguard their backyard. Accordingly, the war in Kosovo, highlighting in vivid and embarrassing detail Europe's dependence on the US military (Medley 1999: 18), actually goaded European leaders into the decisions taken in Cologne in June 1999.

Before Cologne materialised, however, there had come about the moment which is now acknowledged as a symbolic watershed in the ESDP history. The British-French declaration at St. Malo marked an emblematic breakthrough (Deighton 2006: 26), leading to the climax of the Helsinki Headline Goal in December 1999. At St. Malo, Britain and France announced that:

The European Union needs to be in a position to play its full role on the international stage [...] To this end, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and the readiness to do so, in order to respond to international crises (British-French Joint Declaration 1998).

This 'Europeanised' moment in the history of ESDP was also interpreted as the coincidence of two distinct national agendas (Howarth 2000). For the UK, ESDP was an Alliance project involving European instrumentality. For France, it was a European project embracing Alliance capabilities (Ibid). But while the driving power of the UK and France, and the different rationale behind the action of each partner, are crucial threads of ESDP story, it is important to stress that the chosen vehicle was the EU.

The history of the policy has it that in the run up to St. Malo it was exactly the sea change of the British government, long the opponent of an independent European defence pillar, which catalyzed EU member governments to agree upon a historic change towards having a defence policy (Ibid). According to this reading, the conversion in the British government in 1997 instigated the ESDP initiative. The motives behind this enterprise were the new Labour Government's urge to demonstrate the UK's central role in Europe, which could also compensate for Britain's self-chosen exclusion from the European Monetary Union (van Ham 2000:215).

This shift in the traditional British line and the ensuing prioritisation of security policy in EU circles was accompanied by two parallel developments on the other side of the Atlantic. These were the insistence on the ‘three Ds’ that still outline American expectations from ESDP to this day: no decoupling of European security from that of America’s; no duplication of effort and capabilities; and no discrimination against the allies who are not the EU members (Albright 1998), and the continuous reminder that: ‘We do not want to see an ESDI that comes into being first within NATO but then grows out of NATO and finally grows away from NATO’ (Talbot 1999). Characteristically, most of the Europeans feverishly vouched that ESDP was not a competitor to NATO but rather its companion: it was definitely not about collective defence but instead primarily about crisis management. In other words, any hint from Brussels that ESDP could become a European army were vigorously denied. The French, on the other hand, were the least eager to commit to these assurances as they traditionally occupied a position tilting towards an autonomous European option. As commented by Margaret Thatcher:

the French and those who think like them have been so insistent on achieving an autonomous European defence capability precisely because they see it as constituting a vital attribute of a new European superpower which will rival the US (2002:357).

Importantly, after the St. Malo declaration and before the Cologne Conclusions the fledgling European security policy was still conceived as a European pillar of NATO and addressed as the ESDI. In its Washington communiqué in April 1991, NATO acknowledged ‘the resolve of the EU to have the capacity for autonomous action ...where the Alliance as a whole is not engaged’ (Washington communiqué 1999). Nevertheless, it was highlighted in a new Strategic Concept that ‘the ESDI will continue to be developed within NATO’ (Ibid). The Europeans by that time, however, had begun referring to the ESDI as ESDP – ‘P’ standing for Policy. This subtle change has been attributed to the French acting with an aim to conjure up a sense of autonomy since the ESDI had always been referred to as ‘within the Alliance’ (Cogan 2001: 111).

The language of the Cologne EU Summit in June 1999 is highly indicative of the EU’s long-cherished ambitions to have a say in security issues. It seems to suggest that NATO and the EU would act independently of each other. Whereas in the wording of the Washington communiqué the EU had a right to act only where the Alliance was not engaged militarily, the Cologne Conclusion asserted the right of autonomous action on the part of the EU, ‘without prejudice to actions taken by NATO’ (Cologne Conclusions 1999). The verbiage changed once again in the documents produced by the subsequent Summit in Helsinki in December

1999. In the lead-up to the Helsinki summit, Washington signalled clearly that it wanted NATO to be given a 'first option' (or a 'right to first refusal') before the EU decided to act on its own, with or without the use of NATO assets (Cogan 2001). The US further indicated that 'even if Washington decides not to send troops, we will still want to be involved in the decision-making process from the beginning' (Ibid). Consequently, in the Helsinki Conclusions, the centrality of NATO was recognised and the EU's action role was limited to those situations in which NATO would not be involved.

At Cologne, it was decided that CFSP had to be backed by credible operational capabilities in order to conduct Petersberg tasks. This was an explicit inauguration of the ESDP as a distinctive part of CFSP, with member states formally consenting to absorb the functions of the WEU. On 15 November, Javier Solana, former Secretary General of NATO and the newly appointed Secretary-General of the EU Council's General Secretariat and 'High Representative' for foreign and security policy (SG/HR), was 'double-hatted' and made Secretary-General of the WEU. His name commanded respect and hinted at accomplishment while it also signalled an acknowledgement that NATO and the EU would get on well together.

At Helsinki, however, a different issue drew the bystanders' attention. At the Summit, it was declared what has become known as the 'Helsinki Headline Goal'. According to its provisions, the member states, 'cooperating voluntarily in EU-led operations, would have to be able, by 2003, to deploy within 60 days and sustain for at least a year military forces of up to 50,000-60,000 persons capable of the full range of Petersberg tasks' (Council of the EU 1999b). New political and military bodies were established within the Council in order "to ensure the necessary political guidance and strategic direction to such operations, while respecting the single institutional framework" (Ibid). This set in motion a process of setting out subsequent goals in terms of capabilities. The next significant one was at Feira in June 2000 where a first Civilian Headline Goal was put forward. It declared that member states should, "cooperating voluntarily, as a final objective by 2003 be able to provide up to 5000 police officers for international missions across the range of conflict prevention and crisis management operations and in response to specific needs at the different stages of these operations" (Council of the EU 2000). The priority areas within civilian crisis management were identified as police, the strengthening of the rule of law, and the strengthening of civilian administration and civil protection (Ibid, Appendix III). By this stage, the tentative contours of a particular picture had been sketched where 'the development of ESDP within

the EU is unique in that it has the potential to deliver a fully integrated civil and military crisis management capability, internally as well as externally'(UK Non Paper 2002).

By providing a 'rude awakening' to EU leaders (Council of the EU 2001b), the attacks on New York and Washington of 11 September 2001 gave the ESDP development a sense of urgency. The Laeken European Council in December 2001, although stronger on rhetoric than on reality as many critics have emphasised, formally launched an 'operational' European security and defence capability:

Through the continuing development of ESDP, the strengthening of its capabilities, both civil and military, and the creation of the appropriate EU structures, the EU is now able to conduct some crisis-management operations. The Union will be in a position to take on progressively more demanding operations, as the assets and capabilities at its disposal continue to develop (Ibid).

Not long afterwards, in the beginning of 2003, first missions were deployed, significantly in the Balkans. A further weighty test case was the military operation 'Artemis', where the EU involved itself in peacemaking activities in Congo, with France as a framework nation. The mission was a military operation independent from NATO and was declared successful. Although limited in scope and time, these engagements heralded the first hands-on manifestation of the EU's security and defence dimension (Missiroli 2003:497). They also showed the EU's willingness to undertake proactively security tasks, and its ability to react to ongoing or emerging humanitarian/security crisis and to contribute to peace enforcement, reconstruction and stabilisation (Ibid, 500).

The European Security Strategy (ESS) of 2003, entitled "A secure Europe in a better world", marks a particular watershed moment in the ESDP story. It celebrated, as many officials said, an important step towards creating a defence capability to match Europe's size and wealth - 450m people after the 2004 enlargement and a gross national product that accounts for a quarter of the world's total (Dempsey 2003). The ESS was partly a response to the Union's disarray over Iraq and partly a rejoinder to the assertive US National Security Concept of September 2002 with the latter's emphasis on 'pre-emptive strikes.' Maria Strömviik (2005) provides an interesting background to this concluding that looking at the historical development of CFSP, 'the political will to cooperate has periodically increased when EU members have disagreed with American strategies on international security management'.

The ESS was commissioned by member states in Spring 2003 mainly to help prevent a premature death of CFSP in the face of Donald Rumsfeld famous phrase "You're thinking of Europe as Germany and France, I don't. I think that's old Europe" and the seemingly

irreparable rift between “New Europe” and “Old Europe” that followed over the use of force in Iraq. William Wallace conjures up the spirit of the moment:

Bitter words and public division among European governments over the war in Iraq exposed the fragility of their commitment to a common foreign and security policy. The presentation by Javier Solana to the Thessaloniki European Council of a document outlining a European security strategy was therefore a triumph of hope over experience (2003).

The fissure opened up by the war in Iraq also produced a common awareness among Europe’s leaders of the need for strategic thinking in terms of international security issues. Europe’s role in the world and CFSP were indeed in a state of unsustainable disarray in the Summer of 2003 after the bitter public exchange of insults between France and the UK in the UN Security Council, and the French President’s public threat to derail EU enlargement unless accession states conformed to his opposition to US policies. Against this background, the ESS says that “The European Union is, like it or not, a global actor. It should be ready to share in the responsibility for global security.” Yet, characteristically, throughout the tempestuous year of 2003—perhaps the most eventful in the ESDP’s history—hardly a keynote speech went by without Western leaders stressing that the transatlantic bond is as important as ever (Toje 2003).

The brisk tempo of ESDP makes the above review already, in 2007, a largely historical account. Since then, there have been crucial developments in the form of the deployment of numerous missions, the establishment of the European Defence Agency, joint European battle groups and a European gendarmerie. The institutional set-up of the policy has been significantly entrenched as a result of decisions adopted at Hampton Court Summit, with the creation of Civil-Military Cell as a symbol of the ESDP responsiveness to the needs at hand. New military and civilian goals have been adopted that should further the process of capabilities improvement. In a similar vein, a cross pillar Security Sector Reform (SSR) appears to be set to feature as an essential component in the delivery of the EU crisis management policies in the coming years (Helly 2006). Instead, therefore, of providing chronological inventory of the ESDP’s history, I proceed to a discussion of the major themes that organise thinking about the policy in the conventional narrative.

A crucial predicament invariably seen as stifling ESDP are insufficient recourses, both budgetary, and as regards civilian/military capabilities, despite the oft-repeated imperative of providing the necessary capabilities to underpin the EU’s security aspirations (Shepherd 2003, 2006). The military disappointment demonstrated during the conflict in Kosovo is a recurring metaphor employed to urge the procurement of adequate capabilities. What this metaphor

effectively perpetrates, however, is an ideal-type modern nation-state repository—specifically that of the US—projecting it onto the EU and thereby highlighting the latter’s failure to arrive at this state. In doing so, it efficiently neglects the different meaning of particular capabilities for the EU crisis management goals.

Flawed institutional arrangements are commonly named as another factor worthy of blame. In this context, the unrealised promise of the Constitutional Treaty, allegedly guaranteeing universal institutional remedy, has become a convenient reference. With the potential merging of the offices of EU Commissioner for External Relations and the High Representative for CFSP into the post of a foreign minister, together with the possibility of enhanced cooperation in security affairs and the significant broadening of the original ‘Petersberg tasks’, the Constitution was intended to cure some of the major problems of EU foreign policy. Connected to this remains the quandary of how to ensure coherence across different EU bodies engaged in crisis management, particularly with reference to flaws in coordination between the Community tools and the means deployed within the second pillar. With ESDP’s effectiveness seen as depending on the interplay between the political will of the member states and the structural capabilities in terms of institutional and instruments availability, the policy is seriously flawed and, indeed, dysfunctional. What this appears to ignore, however, is the problematic character of policy coherence in any system of governance due to differing institutional conceptions and interests. Disregarding the inherent need to interpret the meaning of legal provisions, it also suggests that neat codification may replace politics and give rise to harmonious policy outcomes.

Lack of common strategy and problems with defining common interests are similarly declared to constitute ESDP weak spots (Biscop 2005b, Flechtner 2006). This includes the conviction of a deplorable lack of political will among member states to agree on common initiatives within the policy. Dismissing the already achieved common mediation space as inadequate, it strangely misunderstands the intrinsically political, i.e. negotiated, character of the project. This premise also illustrates the incredible belief in the possibility to delineate neatly policy objectives that would lead to its efficient implementation.

With the charge of lack of leadership next on the list, an impression arises that the ESDP’s critics aim for a totalising regime acting with mechanistic and unrestrained power. They argue that there is no evidence of top-down initiatives apart from the European Defence Agency (Khol 2005; Biscop 2005a) and the European Security Strategy (Bailes 2005), and no institutional or member state leadership. But such a perspective idealises a particular type of leadership in the neglect of various forms in which it can be exerted. Reifying its high-profile

statesman-like variation, it overlooks different strategies that can be performed to the same effect.

This conventional ESDP story serves a dual function in the research. First, it pinpoints certain narratives and tropes that pervade the discourse surrounding the policy. In so doing, it constitutes part of the thesis's empirical material in that it provides data for investigating the process of framing ESDP. There are, however, large areas this account shifts to the background or effectively silences. Second, therefore, the conventional narrative sets the scene for the thesis argument. The latter seeks critically to engage with what the conventional account passes by, i.e. empirically grounded analysis of constitutive politics behind the policy.

The state of play in the literature

In the previous section, I refer to the literature concerned with ESDP as such. Since the subject I intend to explore cuts across a number of problem areas, however, I draw on a fairly broad scope of academic literature. Any such attempt inevitably touches on a very diverse range of works. In brief, I divide them into several fields related to:

- (1) the problem of security as a concept;
- (2) works concerned with the security identity nexus that explore constitutive aspects of security in relation to community;
- (3) academic endeavours to pinpoint the elements of the international identity, actorness or role of the EU;
- (4) the issue of security narratives that have been present in the works on the European integration, including the conception of the 'civilian power Europe';

I examine these areas from the angle of how the present work engages with the discussions they feature.

Security! What do you mean?

Arguably, the notion of 'security' belongs to the category of 'essentially contested concepts' (Buzan 1991). Essentially contested concepts are said to be so value-laden that no amount of argument or evidence can ever lead to agreement on a single meaning regarding the 'correct or standard use' (Gallie 1956:168). Agreeing with the contextual variability of security meaning, in the thesis I attempt to trace exactly what security denotes for a particular

community. Instead of defining the concept by taxonomy of criteria and their instantiation via ESDP, I depart from the Wittgensteinian notion that situates the meaning of the concept in its use. Despite numerous contradictions inherent in the usage of any concept, one can point to established regularities and constellations wherein a particular concept operates and thereby to its meaning (Kratochwil 2007a). In order to contextualise this study analytically, I first provide an overview of how the concept has been approached in the discipline.

Departing from a dissimilar perspective, David Baldwin made a case against treating security as an essentially contested concept in that he attempted a conceptual analysis of security (1997) to establish its ‘correct’ usage. Such an enterprise involves several assumptions. Significantly, it presumes that there is a shared understanding in academia that, because our concepts are vague and ambiguous, as a preparatory step to proper research we need to agree on a definition of a given concept in order to pursue any puzzle. In this reading, language should be a transparent media and real research is not about language issues but it should be empirical with help of clear-cut concepts.

One of Baldwin’s explicit assumptions is that security is a ‘thing’, a policy objective distinguishable from others, which should be defined as clearly as possible through context-independent features. A clear specification of the concept facilitates comparing the value of security with that of other goals and allows public debate on the subject (Ibid, 24). Conversely, I follow an alternative research option, which sees ‘security policy’ as a phenomenon, ‘as it actually happens’, without necessarily assuming that it follows from the logic in which a collectivity pursues collective aims in a rational manner (Wæver 1995:231). In order to produce definitions, we ought to study the actual usage of our concepts and understand the setting where this particular usage takes place. In doing so, one may draw on different schools that regard language as crucial to political analysis⁵ in view of the fact that doing politics is predominantly constituted by language (Chilton 2004:6). It is specifically the use of language or discourse, especially in a repeatable, institutionalised form, that governs the way people think, or perhaps rather the meanings that are least purposefully exchanged (Ibid, 26).

The title of the section derives from the title of an article by Jef Huysmans in the *European Journal of International Relations*. He argues there that although the recent debate

⁵ Among them (1) the Cambridge School, in particular Quentin Skinner; (2) German Begriffsgeschichte with its focus on how one concept can have several meanings, and with Kosseleck’s focus on how time enters the concept and how it gets structured by projections about the future; (3) French discourse analysis with its claim that what can be said about the concepts derives from how they are situated.

on expanding the security agenda to non-military sectors and non-state referent objects launched an interesting discussion about the security studies agenda, it has not really been concerned with the meaning of security (Huysmans 1998). Instead, the researchers have rather been preoccupied with adding adjectives such as ‘environmental’, ‘societal’, etc. without problematising the term itself. Thereby, most literature implies that the change in ‘security’ happened by putting in front of it an adjective like ‘collective’ or ‘comprehensive’ whereas the term ‘security’ remains stable. In the thesis, I aim at unpacking a particular security. Along these lines, security understanding becomes contextualised in order to grasp the intersubjective logic of how certain issues in a given society become securitised while others lose the status of a threat. In the sections to come I nonetheless engage with literature that argues otherwise, because how it goes about defining security is part of what passes for knowledge in terms of security, it is a part of security reality. In this sense, the literature contributes to framing security questions that in turn influence the perception of policy makers.

For decades not only did researchers neglect the study of security as a concept, but the prevailing concept of ‘security’, and how it should be operationalised, also remained narrow, fixed and uncontested. Traditionally, security has been identified with the security of the state; it was threatened by the military power of other states and defended by the military power of the state itself (Multimer 1999:77). Hence, researchers tended not to grapple much with the definition of the concept itself, it was perceived to be self-explanatory. Typical here was the realist/neo-realist approach predicated on the postulate that in the anarchic international structure states continue the quest for power and security to which competition and conflict are inherent. Here security is conceived in structural terms as external to the state. As Waltz argues:

in anarchy, security is the highest end. Only if survival is assured can states seek such other goals as tranquillity, profit and power. The system encourages them to seek security (1979:126).

Only since the late 1980s there has been:

a sustained challenge to the orthodox view that the theory and practice of security in world politics should be synonymous with the trinity of statism (the idea that the sovereign state is and should be the highest focus of loyalty and decision-making), strategy (the manipulation of military power and force) and stability (the promotion of ‘order’ in the ‘anarchical society’) (Booth 2004:5).

An early discussion on the theme should prove instructive. After the Second World War, Arnold Wolfers introduced the notion of ‘national security’ as an ambiguous symbol. In

an objective sense, the concept measures the absence of threats to acquired values, whilst in a subjective sense it measures the absence of fear that such values will be attacked (Wolfers 1952: 485). The definition by Wolfers definitely appears ‘thin’ as it disregards contextualisation, i.e. it concentrates on conceptual analysis in that Wolfers attempted clarification of an abstract concept. Importantly, the definition takes no notice of the processual aspect of how threats become regarded as such in a community.

The seminal article by Wolfers triggered reflections of two kinds. First, it considers security not as an absolute demand, but in relation to other values pursued by a society and concludes that security should be measured against those other values. The conclusion follows that states differ in their pursuit of security. The question remains whether we can convincingly conceptualise security as one of numerous values, or whether it has a particular quality. Arguably, when the issue of security enters the milieu, it overshadows everything else since it instantiates the dilemma of existence: how can we debate anything else if we are not there to exist? In the case of the EU, this mechanical property of security acquires different nuances of meaning. Before the recent transformative change through ESDP, the main thread, a meta–securitisation within the European security discourse was the preclusion of ‘coming back to the European past of power politics’. This ‘inner’ logic of securitisation posits an existential threat and a possible point of no return: ‘Europe’ is the referent object, and will be lost in a fragmentation scenario (Buzan and Wæver 2003: 356). Currently, the core security discourse has shifted towards the outside, i.e. the EU security challenge is no longer its precarious fragmentation but the threats coming from the outside communities. The present framing attempts to picture the outside as the EU existential threat, thus relying more on moulding the other according to the EU own image. It still, however, lacks a degree of confrontational urgency.

The second important point in relation to Wolfers’s article is that it was one of the few written on security before the 1980s, when proposals for ‘broadening’ the scope of security started to appear in the literature. Among many at that time, Richard Ulmann questioned the utility of military security as conveying ‘a profoundly false image of reality’ in view of the fact that ‘it causes states to concentrate on military threats and to ignore other dangers’ (1983:129). Jessica Tuchman put forward a strong case for incorporating environmental issues (1989) whereas Helga Haftendorn (1991) called for the inclusion of economic, ecological and domestic aspects of security, demanding that the field of security studies develop a common understanding of security. The Copenhagen School of Security Studies, and in particular Barry Buzan, introduced a multisectoral approach to security where

particular sectors (military, political, economic, societal and environmental) designate specific types of interaction.

The attempts of these 'broadeners' to encompass non-military issues were criticised by Stephen Walt, who claimed that such endeavours endangered the intellectual coherence of the field. He further maintained that problems related to migration and the environment could not be resolved within a national security mind-set; indeed, bringing them into this realm was likely to have negative effects (Walt 1991:211). Walt sought to re-state the neorealist understanding of security in that he claimed that 'the main focus of security studies is easy to identify [...] it is the phenomenon of war' (Ibid, 212). Accordingly, security can be defined as 'the study of threat, use and control of military force' and, similarly, security studies should aim to 'explore the conditions that make the use of force more likely [...] and the specific policies that states adopt in order to prepare for, prevent, or engage in war' (Ibid).

Undeniably, the desire to avoid rendering the concept 'fuzzy', alongside the aspiration to devise a 'correct' (in the sense of corresponding to reality) definition of security, appeared a major concern for neorealists. This line of reasoning is sensitive to the criticism, however, that if analysts adopt the narrowly military focus they will have little or no analytical purchase on many of those factors that create and accentuate conflict situations. More importantly, the neorealist venture ignores the extent to which concepts are the building blocks of reality itself. In this case, the neorealist framing of security entails the corresponding picture of reality as based on structurally determined positioning of like units pursuing undifferentiated goals (Waltz 1979). Similarly, concepts do not result from direct access to the world but rather reflect an experience of the world that is mediated by language (Davis 2005: 55); they exist in our mind and do not reveal themselves directly to the mind-external world (Ibid, 16). They often defy clear boundaries as they are characterised by 'blurred edges' (Wittgenstein 1958: 34).

Yet another aspect of the security concept made it particularly malleable to the neorealist perception of international relations. Traditionally conceived, security is to a large extent a conservative concept in that it implies the possession of something and the desire to preserve it. It has historically been *status quo* oriented, involving the flavour of control and property rights, reactive in its relation to the world. Interestingly enough, the security concept as it is framed in the current EU context instantiates a somewhat different approach. It postulates a proactive moulding of the strategic environment in order to avoid future disturbances:

Neighbours who are engaged in violent conflict, weak states where organised crime flourishes, dysfunctional societies [...] all pose problems for Europe. [...] Our task is to promote a ring of well governed countries to the East of the EU and on the borders of the Mediterranean [...] We need to extend the benefits of economic and political cooperation to our neighbours in the East while tackling political problems there (Solana 2003b:8).

Since the 1980s, the concept of security has been enlarged along many dimensions, next to 'broadening' another attempt being labelled as 'deepening'. The latter concerns the units of analysis, as Huysmans puts it: "a deepening of the agenda by introducing new referent objects, that is, units receiving threats - adding individuals, ecological system, community, etc. to the traditional state-centric agenda"(Huysmans 1998: 227). The issue of the units of analysis gave rise to a famous debate between the Copenhagen School and Keith Booth on the one hand and between the former and Bill McSweeney within the *Review of International Studies* in the late 1990s. The first dispute centred on the question of whether the state or the individual should be the referent object of security studies. In his *People, States and Fear*, Buzan argued that the referent object had to be the state for three reasons: first, it was the state that had to cope with the sub-state, state, and international security problematic; second, the state was the primary agent for the alleviation of insecurity; and third, the state was the dominant actor in the international system. As such, Buzan presents what may be viewed as a sophisticated neorealist account of security (Smith, S. 2000: 83). Booth, in turn, insists that human emancipation should be at the centre of security studies, arguing for humans as the ultimate referent (1991: 319). Emma Rothschild presents a similar argument, though from a different perspective. She insists that current trends in security analysis resemble the claims put forward in the period of Enlightenment and before the First World War. Here security is about the relationship between the state and the individual, it is a political relationship based on a contract and removing the state from the analysis entails abolishing the political (Rothschild 1998). This however represents a rather narrow conception of politics and the political. In the thesis, I see the political and the politics in the broader sense as strategies constituting the social world. Thereby, everything turns into politics because any repetitive and discursive practice contributes to the intersubjective (re)constitution of the social (Wæver 1993).

In view of its contribution to the renaissance in security studies, a closer look at the work of the Copenhagen School appears crucial. The main components introduced to the discipline by the School are securitisation theory, the security sectors approach, and regional security complexes theory. The most significant among them has been the securitisation theory grounded upon speech act theory. It defines the School meta-theoretically and is said

to be a 'radically constructivist regarding security, which ultimately is a specific form of social praxis' (Buzan et al. 1998: 204). All of the theories constituting the School, and securitisation theory in particular, have aroused considerable interest within the discipline. But they have also been criticised extensively, ranging from mild, seeking to refine the theories, to fierce, dismissing their potential analytic value. In this section, I present the major lines of criticism as they feature in the literature. In subsequent chapters, I thoroughly deal with securitisation theory in order to modify its tenets in the context of the present research.

McSweeney's critique of the Copenhagen School focused on three specific areas (Smith, S. 2000: 85). The first criticism was directed at the Copenhagen School's conception of society and identity as objectivist 'with the same objectivity and ontological status as the state' (McSweeney 1996: 90). The argument concluded that they had misunderstood the nature of identity as something imposed and to be discovered by the individual (Ibid). Likewise, McSweeney maintained that the argument for identity as the only referent object relevant to security analysis was unfounded (Ibid). The core of his argument rested on the claim that the Copenhagen School recognised societal identity as a referent object for security discourse different than states solely in a Durkheimian fashion, while failing to problematise it as process grounded in human practices (McSweeney 1999:117). Identity, however, unlike the state, has no empirical referent other than the process of its own construction. It cannot be considered a 'thing', a social fact in the sense in which Durkheim attributed a sui generis objectivity to its close cousin: the collective conscience (Ibid). In other words, the dispute revolved around the issue of the objectivist nature of identity that, according to McSweeney, had been taken for granted by the Copenhagen School work. The question thrown by Buzan and Wæver in reply was: 'Why can one not think of identities as definitely being constructed by people and groups through numerous processes and practices, and that when an identity is thus constructed, and becomes socially sedimented, it becomes a possible referent object for security?' (Buzan and Wæver 1997:243). They thereby proposed a pragmatic rather than objectivist approach to identity as a referent object in security discourse. Accordingly, identity becomes a possible object of securitisation when it holds a social power that makes it efficient to invoke it and when it has a form, which makes the security discourse possible. This simultaneously denotes that the referent object has become relatively sedimented in social practice (Buzan and Wæver 1997: 243).

Admittedly, there may be a logical contradiction between the sectors of security and the logic of securitisation since taking a securitisation approach precludes operating within pre-given sectors. The logical contradiction lies in the fact that five sectors of security

(military, political, economic, environmental and societal) are posited as part of an analytical set up before any findings are made on actual securitisations. However, the sectoral approach is only an analytical tool and should not be equated with a claim that there is such a thing as economic, etc. security. Exploring the process of securitisation, then, is not a product of the sectoral approach but of actors' own practices. In this context, it is interesting to notice how securitisation, desecuritisation and asecuritisation encompass the dimension of security named 'vectoring' by Ian Manners to emphasise the idea that security is not an objective condition or stasis, but a process or dynamic. Security in this context is a movement (Manners 2002:12).

To conclude, it is useful to identify categories that serve to draw together the disparate ways in which the concept of security is being rethought (Multimer 1999:82). The first focuses on what should be the referent object of security, i.e. the thing to be secured, and whether the agenda should be extended away from the statist view of what constitutes the 'correct' referent object for security discourse. Closely related to this is a second question: how is the referent object to be secured since the nature of security, the threats and the responses to those threats, will change as the referent object changes. The study of the ESDP discourse reveals that how the EU has accomplished well-being up to the present time should not be taken for granted, but rather actively secured through projecting the EU values outside. This implies a particular understanding of the best means to provide security: the way to create a safe environment in which the EU can prosper, at the same time as contributing to the betterment of the world, is to mould the unstable/threatening communities according to its own image, i.e. to foster good governance through the EU-induced local reform. This is an explicit message of the ESS and the driving force behind ESDP.

Writing security = constituting political order

Poststructuralist literature on security explicitly connects security and identity. It sees 'security... [to be] first and foremost a performative discourse constitutive of political order' (Campbell 1992: 253). The way security is conceptualised in a particular community influences both the self-perception of the community and how it is perceived by the outside. This is because through threat definitions and the means to counter them selves are differentiated from others. Crucially, security policies need to ascribe meaning to the situation and in doing so they articulate and draw upon specific identities of other communities and institutions as well as on the identity of the self (Hansen 2006: 6). In effect, identity formation

relies on the construction of the inside/outside realms and self/other distinction and while securing their identities entities engage in 'boundary producing political performances' (Ashley 1989) that are dependent on the discourses of danger and fear (Ibid, 36).

In this respect, a security policy happens at the boundary of the community. Enacting this boundary through framing involves articulating who this very community is, and thereby marking domain of security and strategy as an instrument of security policy (Huysmans 1996:141). Even if threats are identified as internal security problems and when they are not territorially externalised by identifying a responsible agent outside the borders, the game is an exogenous one because the enemy (WMD, for instance) is an enemy to the community, something the community moves away from (Ibid). Security actors play a crucial role in this context as they 'recognise' the contingencies outside and play a role in defining threats that differentiate selves from others. Within the intersubjective field, they thereby contribute to the process of identity construction that relies on differentiation, pointing out differences between the community and the outside. Identities are constituted in the process of differentiation 'because a thing can only be known by what it is not' (Rumelili 2004:29) and this entails boundary drawing. Difference is constitutive of identity although it does not necessarily produce a 'relationship of othering' (Rumelili 1998). Along these lines, it can be argued that in the EU case the outside is not constructed as enemy and the identity is not founded on the fear of 'others' but rather on the shared fear of disunity. As Wæver puts it:

The dominant aspiration is rather to constitute Europe as a pole of attraction with gradual membership so that Europe fades out but is not constituted against an external enemy. Some of Europe's mechanisms for stabilising or disciplining eastern Europe rely exactly on this non-definition of an eastern border, on an image of an open but heterogeneous polity of which some are more members than others, but none are defined as total outsiders or opponents (Wæver 1996:122).

This formulation might have lost some of its appeal as the EU has now put on hold further enlargement process and is more concerned with creating 'a ring of well-governed states' in its neighbourhood. It has embarked on a foreign policy aimed at influencing the outside as opposed to incorporating it. What remains striking in the EU discourse is the painstaking avoidance of appearing antagonistic and the clear preference for dialogue. As Petti Joenniemi argues along these lines, there are indeed changes to be traced although the movements are neither circular in essence ('back to geopolitics' as claimed by Diez 2004), nor do they merely unfold along a path of endurance as in the Wæver's argument in Europe successfully struggling in order to leave behind its problematic past (Wæver 1998a). The EU now sees security challenges as located in the external environment. This calls for specific

security-related actorness, which aims at ‘the enforcement of a variety of quite normative preconditions set in order to deal with the transient other’:

with the EU having experienced success in its core constitutive endeavour of doing away with its own power-political past (and having thus internally turned into a community of post-security), arguably it is now eligible for projecting itself far more forcefully into the sphere of external relations, and to do so rather normatively as a ‘community of values’ (Joenniemi 2007: 130).

In brief, identity formation relies on a differentiation process. This process constitutes identity building in that a particular political order is constructed by delineating what the inside stands for and what the outside represents. Accordingly, this reading of identity also understands it as ‘a set of meanings actors attach to themselves while taking the perspective of others’ (Larsen 2002), which denotes that identity only acquires its meaning within a particular foreign policy. Crucially, however, this meaning is not deterministic but rather permissive in nature. It plays a significant role in drawing the range of tools accessible in a particular context for a particular actor. Identity thus does not cause action but instead it makes some action legitimate and intelligible and others not so (Barnett 1998:10).

This process of differentiation can also be pictured in terms of roles and expectations. Roles are determined by both an actor’s own conception about the appropriate behaviour and by the expectations, or role prescriptions, of other actors (March and Olsen 1989). According to this logic, actors behave in the way they believe is expected from them in a particular situation or context. Hence, actors cannot independently decide what role to play: the role-taking is combined with role-constituting (Wendt 1999:227-8). In the actual context of the EU, Europe is constituted security-wise not as yet another state or nation; it is not ‘we Europeans unified in our state’ that has to be defended, but possibly a specific ‘European’ idea is emerging that legitimises security action (Wæver 1996:123). In other words, it is the idea of Europe that should be defended.

The world is the stage

The identity of the EU in international politics has been conventionally conceptualised by means of the ‘civilian power’ notion. The salience of this concept has pervaded the academic picture of the EU as an actor and I deal with it comprehensively in the ensuing section. Here, I invoke some more generic conceptions about the EU’s international identity.

The title of the section borrows from the paper by Sven Biscop and Rik Coolsaet ‘*The world is the stage – a global security strategy for the European Union*’. It implies that at

present the EU has become a fully global actor. Rather than challenging the notion itself, the nature of the EU as an international actor should be thus explored. In a similar vein, whereas much attention was traditionally paid to the question whether there is something like a European foreign policy, now analysis tends to ask what characterises this European foreign policy (Sjursen 2006: 169).

Interestingly in this regard, as a policy maker directly involved in forging the EU actorness asserts, for the post-modern state as for the individual, identity is a matter of choice (Cooper 2003: 45). Accordingly, the post-modern state defines itself by its security policy and it does so as a matter of political choice (Ibid, 50). Still, identity formation is hardly an isolated and self-contained exercise. It moulds the relationship with the outside of the entity. It is therefore to a great extent a question of representation to the external world and the expectations held in that sphere about the self in question. As Ian Manners and Richard Whitman put it, ‘the international identity of the EU is an intersubjective experience where its “visibility” to other actors is part of co-constituting itself’ (2003:382). How this visibility is sought, forged and distinguished by the outside and how it feeds back the self-perception of the EU should be incorporated into the picture. The major facet of the argument here is thereby that the EU’s international identity is not merely self-defined but is predominantly as recognised by other participants of the international game, with this relationship evolving into distinctive role conceptions of the protagonists involved.

To conceptualise the EU’s role, it is instructive to revisit the argument about EU actorness formulated by Charlotte Bretherton and John Vogel (1999, 2006) in their popular book on EU external relations. They maintain that the wide-spread assertion that the EU is not an effective actor in the foreign policy realm (Bull 1983; Hill 1993; Zielonka 1998) stems from the adoption of a state-centric image and a focus on a restricted range of external activities comprising exclusively ‘high politics’ (Ibid, 12). They instead rely on the notion of the EU as a ‘multiperspectival polity’ (Ruggie 1993:173), which emphasises the complexity of the EU’s presence in international politics. They see the EU as an actor ‘under construction’ and our understandings about the EU, its roles, responsibilities and limitations as part of the intersubjective international structures that provide the ‘action setting’ of global politics (Bretherton and Vogel 2006:23). In doing so, they incorporate the Wendtian proposition that:

[...] intersubjective systemic structures consist of shared understandings, expectations and social knowledge embedded in international institutions...Intersubjective structures give meaning to material ones, and it is in terms of meanings that actors act (Wendt 1994: 389).

Accordingly, they conceptualise the EU's actorness in terms of opportunity, presence and capability. Opportunity denotes factors in the external environment of ideas and events, which constrain or enable actorness. Presence conceptualises the ability of the EU, by virtue of its existence, to exert influence beyond its borders. Capability conversely refers to the internal context of the EU's external action and concerns the availability of policy instruments and understandings about the Union's ability to utilise these instruments, in response to opportunity to capitalise on presence (Bretherton and Vogel 2006: 24). The general thread hence indicates the *sui generis* nature of the EU's international presence (Ibid 2006: 2). This distinctiveness is eagerly embraced both in academic circles and in the policy making community, its confirmation being an example of a foreign policy that points in the direction of a novel international actor that behaves according to a set of dynamic, yet identifiable values, principles, and images of the world (Lucarelli 2006: 2). The many speeches and declarations about the Union's international role similarly delineate an actor that has two characteristics rarely assigned to states, namely, a stabilizing effect in contemporary world politics that Europe derives from its history and its historically-developed and formed values, and principles and external relations inspired by an "ethics of responsibility" towards others (Ibid, 8).

The emphasis on the dynamic nature of the identity building notwithstanding, the attempts at conceptualising the EU's international identity and role remain largely structure oriented. This position undervalues the significance of actors involved in forging/defying this identity and the importance of the domestic scene as a mediating factor therein. Conversely, I seek to highlight the agency side of the process of the EU identity building in that I identify the domestic agents at work and the relationships they create on the world stage.

Civilian power Europe: a contradiction in terms?

François Duchêne's oft-cited notion of a 'civilian power Europe' has dominated the debate on Europe's role in the world for several decades. The CIDEL workshop 'From civilian power to military power: the European Union at a crossroads?' and the subsequent Special Issue of the *Journal of European Public Policy* (2/2006, edited by Helene Sjursen) illustrate the so-called 'renaissance' of the civilian power idea (Orbie 2006: 123).

Despite the alleged vagueness of the concept, it features a number of distinct threads that influence the ESDP discourse, which draws on and thereby transforms the concept itself.

This indicates how discourses are not born in conceptual vacuums, and how they are best approached in relational terms, with concepts most easily understood in constellations with other concepts that are already at work. Crucially, the usage of concepts is not arbitrary but it is guided by certain contextual criteria defined by the rules of the game. These criteria can be changed over time and although conceptual revision is not a sufficient condition of political change, it is vital for a significant political change (Connolly 1983:203). Adding a military dimension to the EU should not blind us automatically into acknowledging that this process renders the civilian image obsolete. It should instead hint at a contextual transformation of the way the concept is understood and of the practices associated with the concept.

Indeed, the process of introducing a military dimension to the EU has been justified and promoted with reference to the wider responsibilities a civilian power should pursue. The values associated with a civilian power subsequently play a significant role in the ESDP discourse. A particular merger can be observed in this respect, referred to as a model of ‘militarised civilian power’ (Stavridis 2001a, b). Its main characteristics are the civilian means of conflict management that remain dominant, but that are joined with a clear possibility of recourse to military means with a view to endorse civilian values if necessary. These civilian means, however, are defined differently as the focus has shifted from trade and purely diplomatic channels to policing and rule of law promotion. Operations and other scenarios performed in the ESDP framework illustrate this shift. Here rule of law and policing become integrated under the security umbrella unravelling crucial aspects about the ESDP securitising agenda.

The term ‘civilian power’ was elaborated and first applied to the European Economic Community by François Duchêne with the aim of speculating about future scenarios for international, and particularly Europe’s, security. He emphasised two main characteristics of a civilian power: being long on economic power and relatively short on armed forces, and having a force for the international diffusion of civilian and democratic standards (Duchêne 1973:19–20). Consequently, he saw a role for the EEC in ‘civilising’ international politics. The title of this section borrows from a critique of such a stance, an article by Hedley Bull from 1972. Bull argues there against views that ‘traditional military/political power’ was giving place to ‘civilian power’ since being merely a civilian power is not commensurate with the dignity and significance of the European nations (1972:149). The bottom line of this argument involves the insistence that Britain and her Western European partners should seek greater self-sufficiency in security and defence despite the fact that total independence in security matters, as well as the desertion of the US support, is no longer plausible (Ibid, 152).

Interestingly in this regard, Bull makes the case that there is a serious divergence of interests between the Western Europe and their American protector. Oftentimes raised in the debate since, Bull's analysis quite strikingly reflected the nascent differing approaches to security on both side of the Atlantic, with the recent culmination by Kagan that the Americans come from Mars and the Europeans from Venus (2004). This line of reasoning operates using neat dichotomies where the US functions within an Hobbesian, realist world, seeking quick solutions through decisive, mainly military action while the EU embraces Kantian idealist notions that it could nurture for decades thanks to the American protectorate. It is worth of note, however, that in the end it is always (at least in the mythology) Venus who wins and the war-exhausted Mars finds comfort in her arms.

Another significant issue Bull highlights is the position that a state of dependence on others is degenerating for Europe, while the quest for its own military potential will remove the obstacle to Europe's regeneration (1983:156). A variant of this argument has permeated the ESDP discourse from its inception. In the speeches justifying the emergence of the policy, Javier Solana, the High Representative/Secretary General for CFSP, passionately formulated the necessity to match the EU great weight in global economy with its embarrassingly incommensurate standing on the world security matters. The need to rise from her knees and tap the available resources has thus become a recurring image in the calls for Europe's revitalization.

Theoretical elaboration of the civilian power model is also worth looking at. In one particular guise, the argument claims that the way security is conceptualised by any polity reflects a broader (self-) perception of a polity's role, whereby the image and expectations 'imposed' upon an actor guide their behaviour (Kirst and Mull 1996). According to these authors, however, the imposed, or 'alter-part' component of role formation that relies on external imposition of behaviour expectations and behaviour moulded in contrast to 'the other' have only a partial influence on role formation. Equally important is the "ego-part" component that operates at the level of an actor and brings into play such factors as value systems, worldview and the self-perception of an actor's role in an the international system (Ibid, 286-287). As a result, the influence of norms on the role formation comprises both values and ideals a role bearer feels obliged to pursue, and stable role expectations inflicted by the external environment (Ibid, 289). Similarly, the external EU's role (including security issues) cannot be accounted for merely by the desire to fill the 'capabilities expectation gap', since it also echoes the endogenous dynamic of the European integration. Still, states may

resort to various kinds of behaviour conditional upon the situation without challenging the overall image (Ibid, 290).

The role concept leads the authors to introduce the notion of civilian power as an ideal-type, which encompasses a particular self-perception as well as particular aim setting, strategies and instruments in the external policy realm (Ibid, 297). They put forward a threefold conceptualisation of a civilian power. Firstly, a civilian power might still aspire to mould the international system but it regards the strategies employed by classic great powers as inappropriate (civilian power as 'still' a power). Secondly, a civilian power might be described as a role concept aimed at advancing the civilianisation of the international system (civilian power as a role). Thirdly, a civilian power is also a means of achieving specific aims, a strategy of a foreign policy (civilian power as medium) (Ibid, 297). This conceptualisation establishes a set of basic principles a civilian power falls back on: the acceptance of the necessity of cooperation with others in the pursuit of international objectives; the concentration on non-military means, with military power left as a residual instrument; a willingness to develop supranational structures to address critical issues of international management (Maull 1990: 92-93). Moreover, a civilian power perceives universal values as an intrinsic part of its national interests, including 'good governance' in other states. The latter should be supported and, if necessary, imposed since the emphasis on democratisation, the rule of law and market economy remain on top on the international agenda of a civilian power (Kirste and Maull 1996:302). Furthermore, it is not exclusively material interests that mark the relations of a civilian power with its partners, they are also affected by emotional and normative elements. The threat of the use of force and the actual use of force are considered highly problematic and largely counterproductive (Ibid, 303).

While the vision of security within ESDP draws heavily on the 'old' image of civilian power along the dimensions pointed to by Kirste and Maull, it also finds its new contextual expression there. Firstly, the EU clearly states its willingness to have a greater bearing on the world affairs while rejecting explicit power politics as a means to forward its interests. Secondly, the EU sees its role in conflict management and 'projecting stability' but the understanding of the instruments to advance the mission of civilianising the international relations has now changed. The introduction of military means has been launched, but they are presented as the last resort, the reactive part of a holistic approach in which civilian means go into proactive preventive measures (Martinsen 2003:33). Consequently, neither is the concept of civilian power finished, nor can we talk of a simple additive process in which new military dimension is being included. Rather, a new picture of the EU as 'militarised civilian

power' emerges in which military and civilian aspects merge in a particular way to produce a civilian power capable of resorting to military means with the intention of 'projecting stability' and defending itself by promoting the values underpinning its very existence.

The process of acquiring a military dimension provoked an extensive 'recycle' debate in the literature on the model of civilian power. Stelios Stavridis offered an interesting re-interpretation of a civilian power model 'by default' (since during the Cold War security and defence were matters to be handled within forums other than European Community), to one 'by design'. Disagreeing with Karen Smith that the recent militarisation of the EU renders the concept of civilian power obsolete (Smith, K. 2000:14), he posits instead that the process enables the EU to act as a real civilian power in the world, as a force for the external promotion of democratic principles (Stavridis 2001a:43-44). Stavridis draws on the work by Juliet Lodge to introduce the phenomenon of 'a civilisation of security' and on her conclusion that a civilian power concentrates on an effort to limit, not to eliminate, the use of force (Lodge 1993:249). This leads Stavridis to claim that civilian power means nothing if it is only referring to non-military means and that it is how one uses their means (including military) that makes a civilian power (2001b:15). He then argues that the use of military means can be of a civilian type if it promotes human rights and democratic principles (Ibid, 17).

In conclusion, the concept is here to stay in discussions on the EU international posture. The task remains, however, to track new vocabulary attached to it and unravel meanings it has acquired within the ESDP discourse.

Civilian triumphs over the military – the puzzle

I conceive of puzzle as providing an interesting point of entry into a complex phenomenon. It provides an analytical opportunity to enquire into a particular milieu. Here, it becomes a means of contextualising ESDP. I attempt the latter in two steps.

As stated by the Cologne European Council in June 1999, "the Union must have the capacity for an autonomous action, backed up by credible military forces, the means to decide to use them, and the readiness to do so, in order to respond to international crises without prejudice to actions by NATO". Interestingly, the necessity of ESDP, or rather its presence in the European security landscape, although initially seen with a considerable deal of controversy, has become almost entirely naturalised. This can be approached as an instance of a noteworthy discursive accomplishment where a feature originally foreign to the EU has been successfully portrayed as having an indispensable quality. However, the policy

sedimentation remains yet another ‘container phenomenon’, with practices of its daily creation obscure and unproblematised. I should thus ask how the policy has come into being in its present shape and how the latter can be accounted for. In particular, who persuaded audiences of many different kinds that ESDP is necessary for the Union to prosper, and how was it accomplished? Further, how did the process of negotiating the policy unfold, who were the major contestants, and what were the alternative conceptions and important fields of political action?

More contextually, how we should make sense of the upsurge in the civilian ESDP if the change brought by the policy is claimed to have been primarily within the military domain, i.e. it was introduced in order to build military capabilities for the EU? How would then a policy designed around the Petersberg tasks (humanitarian and rescue tasks; peace-keeping tasks and tasks of combat forces in crisis management, including peace-making) convert into missions of mainly police and rule-of-law nature? How should we make sense of bringing these areas, traditionally covered by the Community (first pillar) methods, into the realm of a security and defence policy?

Ultimately, the puzzle should allow for the accommodation of the social and political dimension of the policy. In particular, my aim is to trace practices and operative categories of ESDP making. While I do apply general concepts, e.g. security, I intend to grasp how the actors authoring and contesting the policy make sense of these concepts and how they feature in their local repertoire. This should furnish the possibility of unpacking the agendas at play and the rules of ESDP making, including how these rules mediate the shape of the policy and why certain options of the policy development prevail over others.

CHAPTER II RESEARCH APPROACH

Believing, with Max Weber, that man is an animal suspended in webs of significance he himself has spun, I take the analysis of [those webs] to be therefore not an experimental science in search of law but an interpretive one in search of meaning. (Geertz 1973: 5)

Chapter II serves two functions. It presents the analytical framework that provides the theoretical scaffolding of the thesis, while at the same time locating it more broadly within the research paradigm embraced here. I proceed first by spelling out the ontological premises that inform the research. Following from that, I introduce the methodology applied, its generic considerations and the specific strategies employed. I then clarify the concrete theoretical assumptions that inform the structuring of empirical data. With the ensuing step being the elucidation of the analytical framework, I conclude the theoretical discussion by arriving at a coherent structure for the research. The subsequent sections then outline the research questions guiding the project, and deal with selection criteria underlying the choice of case studies. In order to justify the selection, I clarify the explanatory potential of the cases in relation to the research questions and in terms of the theoretical argument.

Ontological paradigm

In the sections to follow, I consider the intersubjective character of social reality, the importance of language and practice for policy analysis as well as the character of this analysis and the kind of research questions that yield the most thorough understanding of the policy process.

I begin by noting that people do not discover reality, but rather generate it in an intersubjective process of meaning negotiation and local sense making. In other words, human agents do not exist independently from their social environment and its collectively shared systems of meaning (Risse 2003: 160). This process of sense making is mediated by language and strategic games within a particular social milieu. The former encompass both the constitutive role of language as mediating social order and social practices endemic to the community, while the latter points to relations of power that constitute the community.

That social order is an ongoing human production is the main contribution of the classic work on social constructivism by Peter Berger and Thomas Luckman (1991). They argue that men together produce a human environment, with the totality of its sociological and psychological formations (Ibid, 69). In this reading, knowledge is what intersubjectively passes for knowledge, and, importantly for the argument presented here, this also applies to

‘security knowledge’. This does not mean that this knowledge (reality) is entirely malleable. It is, rather, to acknowledge it ‘as a quality appertaining to phenomena that we recognise as having a being independent of our own volition’ (Ibid, 13). Correspondingly, as dependent on intersubjective understandings, these phenomena cannot be openly manipulated by single actors who would operate ‘from outside of the game’. The focus is instead on sociality and the embeddedness of an individual in discourse. Likewise, the description from ‘inside the mind’ of an individual is dismissed here. Possibilities of action are constructed through dominant interpretations of the context rather than deriving from exogenously given interests of individual utility maximisers. This is in contrast to the methodological individualism of rational choice according to which the elementary unit of social life is the individual human action (Elster 1982).

As a consequence, I embrace the performative conception of language as opposed to the reference notion where the meaning of a term consists in its exact correspondence to an object in an ‘outer world’. Wittgenstein’s later work challenged the assumptions that language originates either in the mind or is a mirror of an objective reality, arguing instead that language use is a form of action that is constitutive of the world (Fierke and Jorgensen 2001:4). Accordingly, meaningful social practice is constituted mainly through language and intersubjective meaning:

[...] for the purpose of making man a political animal she [nature] has endowed him alone of the animals with the power of reasoned speech. Speech is something different from voice, which is possessed by other animals also, and used by them to express pain or pleasure; [...] Speech [...] serves to indicate what is useful and what is harmful, and also what is right and what is wrong. [...] And it is the sharing of the common view that makes a household or a city” (Aristotle 1962:28).

Aristotle here invokes the notion that men are more than language-endowed animals, that meaning is use, and that communication among a set of people is governed by conventions and criteria (Kratochwil 2001:15). Language is not merely a descriptive tool that can be analysed apart from its usage and context. Acts done with words not only comment on reality but also represent a strategic take on that reality by their users in their quest for power. In short, words are not only vehicles for the conduct of politics; they often are politics (Wæver 2003: 212).

If we further elaborate on the Aristotelian argument that language has the function of indicating to members of a group what is harmful or useful, the importance of legitimisation through language immediately arises. Humans using language politically feel a strong pressure to justify their actions or proposals for action in terms of oppositions between right

and wrong. Language is a crucial means to get others to 'share a common view' about what is useful/harmful, good/evil, just/unjust, and the latter constitutes what we call 'politics' (Chilton 2004:199). The premise of the research, that 'reality' is dependent on interpretation and 'there is nothing outside discourse' (Campbell 1993:3), does not denote that 'there is only language'. It is rather to acknowledge that, since human actors do not understand reality on the basis of pure sense data, their knowledge about the world is conditional on language and interpretive practice. The latter is encapsulated in Wittgenstein's notion of language games, where language is mainly a practical and social endeavour and linguistic terms arise within a social practice that encompass meaning creation (Wittgenstein 1953). Participation in practice entails taking part in a professional language game, mastering the rules and being able to use them (Nicolini, Gherardi and Yanow 2003: 11). Accordingly, language is not only the expression of social relations but it is also the medium for their creation (Czerniawska-Joerges 1991).

Practice consists of choosing, of deciding for something concrete against something else (Gadamer 1986: 80-1). From this perspective, science is about practice and politics is inherently practical since it deals with doing the right thing at the right time in view of the particular historical circumstances (Kratochwil 2006a). In the research, I embrace the ethnomethodological understanding of practice with its focus on practical action and local sense making. This perspective allows for a shift from the 'language only' level, to studying language as a mediating/framing element constitutive of a situated practice, where 'body-based activities' and the material do play a role. Similarly, the focus on practice alleviates the often all-encompassing agent/structure dilemma in that both these components are acknowledged in social action, i.e. the object under study is how actors become constrained and empowered by discursive/structural resources and how they nevertheless manage to contrive strategic action. The practical perspective hence brings to the fore the concept of situated agency and the world of everyday politics.

The question arises, however, of how to study these practices. It is suggested here that the application of an interpretive approach as the most promising methodology. Crucially, I share doubts about the dichotomy between the logic of explanation and understanding. I thus concur with the argument by Gibbons that any interpretation of intersubjectively constructed meaning both understands and explains practices:

The attempt to understand the intersubjective meanings embedded in social life is at the same time an attempt to explain why people act the way they do. An explanation in terms of intersubjective meanings leads to greater understanding (Gibbons 1987: 3).

In order to grasp these meanings, it is vital to explore how they have emerged, become attached to various subjects/objects and how they operate in a given social milieu. Crucially in this respect, meanings and practices arise out of context-specific interaction. Particular interpretive dispositions are constituted which in turn create certain possibilities and preclude others. In effect, the search for meanings proceeds through problematisation, where exogenous and a priori categories are put aside in favour of tracking the endogenously developed rules. As a result, the pursuit of meanings does not sit well with the language of causality—a language that suggests a monological relationship of cause and effect (Fierke 2001: 117) and takes as unproblematic the possibility itself that a particular action could happen (Doty 1993: 297-9). Predisposed to uncover general laws, ‘why’ questions are equally ill-equipped to explore how the understanding of the actors influences their ‘world’. Crucially, with the causal arrows running from the ‘world’ to the understanding and not to the ‘world’ from the actors (Kratochwil 2006a), ‘why’ questions may be unfit to grasp the meaning of security, which hardly evokes something with an objective quality, a thing-like entity, which must be discovered. Instead, it is a particular social construct embedded in the dynamics of social practice permeating a specific spatiotemporal context. The questions directed at understanding are then ‘what’ and ‘how’ questions. It should be noted, finally, that the usual disclaimer that everything the researcher interprets is already a social interpretation, since theories themselves already contain a ‘pre-interpreted’ world of lay meanings, also applies here (Giddens 1977: 12).

Research philosophies and methodology – epistemological paradigm

Given the reductionism of any method of inscription, choice of method reflects the researcher’s deeper assumptions about social life and how to understand it. Methodology and methods are thereby a means of disclosing to the public what happened in the course of the research to shape the researcher’s claims and argument. These considerations shed light on the critical moments of the research, disclosing the researcher’s own theoretically informed practice (Comaroff and Comaroff 1992: 2). They are thus ways of showing to the public how the researcher manages to maintain the integrity of the phenomenon they study. His or her ontological assumptions will inevitably guide the way he or she discovers and then formulates the puzzle and the way he or she goes about gathering the data. The ‘data’ will then, in turn, influence the theoretical framework as it is presented. In this way, a procedure of mutual adjustment and ‘educated guessing’ paves the way towards the analytic framework

(Kratochwil 2007). Theoretical considerations help in this context to ‘examine our own lenses’ (Burchill 1996:14) through which we see the world. This brings back the Kantian postulate that ‘knowing depends on a priori knowledge’. Humans do not perceive the world ‘bare’, or as it is, without some pre-established ‘conceptual boxes’ (Kuhn 1970) or categories of thought that structure the perception of various physical sensations. In a conceptual sense, ‘evidence’ is not manifest in the observational world: it is not self-evident. Categories of mind are prerequisite to making sense of the phenomenal (empirical) world (Yanow 2006b:10). As research is concerned with the formation and maintenance of a particular interpretation, by its very nature it provides further interpretations of interpretations.

The examination of meaning in action is the major focus of interpretive analysis. Yanow’s definition elucidates the major features of the approach, and is worthy of quotation in full:

Interpretive modes of policy analysis seek to identify both the specific meanings, intended and made, of specific policies and how those meanings are communicated and variously interpreted. Several themes are highlighted by such analytic approaches: the creation and communication of shared as well as incommensurable meanings; the possibility of multiple meanings in policy and organisational actions; the role of tacit knowledge in the communication of values, beliefs and feelings; and the understanding of public policies as expressive and not only as instrumental solutions to problems (1996: 224).

An interpretive approach, then, is based on the analysis of particular social realities, and requires the exploration of ‘local knowledge’ (Yanow 2000: 5). It focuses on meanings, beliefs, languages, discourses and signs, as opposed to laws, correlations between social categories or deductive models. Importantly, these beliefs, languages and discourses are ways of making sense of the world, and it is thus imperative to remember that when we analyse actions or practices as embodiments of these, we interpret interpretations (Bevir and Rhodes 2006: 1 and 15).

In order to interpret the ‘local ways of sense making’ and meaning-creation, the approach here uses ethnography-informed methods with the intention of comprehending social and organisational context from the participants’ perspective (Emerson 1983, Agar 1996). Ethnography is a useful method for developing a contemporaneous, people-centred understanding of societies at the local level as it takes seriously everyday voices and practices within a broader discursive milieu (Klotz and Lynch 2007: 57). It is traditionally done by observation, collecting field notes and conducting intensive interviews with informants (Emerson 1983, Lofland and Lofland 1984), in order to ascertain what practices mean, what rules and norms people follow, and what institutions result (Klotz and Lynch 2007:58).

Detailed ethnographies utilise data based on familiarity with a social setting or a situation that is gained by personal participation, or at least a close approximation of it. In the words of Ervin Goffman, getting such data requires:

[...] subjecting yourself, your own body and your own personality, and your own social situation to the set of contingencies that play upon a set of individuals, so that you can physically and ecologically penetrate their response to their social situation, to their work situation [...], or whatever (1989: 125).

This pertains to the reasoning that places central the idea of face-to-face contact as the foundation of entering the experience of others (Blumer 1969). In the absence of this, the researcher is likely to merely substitute preformed stereotypes, or ‘typifications’, for personal, empirical encounters with a situation or setting (Lofland 1995: 45).

The present research fails to embrace systematically the ethnographic approach, and it cannot therefore feature as the leading methodology. It has nevertheless informed the research practices that have produced this project, affecting my activities in the field and the modes of data management utilised. This has been combined with another research strategy, namely discourse analysis. Data for analysis was thus collected through observation, with varying degrees of participation, through extensive and repeated interviewing, including informal conversations, and through the close reading of documents pertaining to ESDP, including press accounts.

At an operational level, I have adhered to the definition of discourse as proposed by Martin Hajer. He describes discourse as ‘a specific ensemble of ideas, concepts and categorisations that is produced, reproduced, and transformed in a particular set of practices and through which meaning is given to physical and social realities’ (1995:60). He further sketches two criteria, which define discursive sedimentation, a process within which a discourse becomes dominant (hegemonic) in a given domain. Firstly, the condition of *structuration*, which is apparent if the credibility of actors in a given domain requires them to draw on the ideas, concepts, and categories of a given discourse in their everyday activities. Secondly, a discourse is subjected to *institutionalisation* if it is translated into institutional arrangements broadly conceived. This means that the theoretical concepts of security should be translated into concrete policies and institutional arrangements (Ibid, 60-61). Accordingly, the degree of discursive sedimentation of ESDP is indicated by whether particular ways of doing things, security practices, have become instituted and acted upon. This appears to have been fulfilled to a considerable extent. It is now essential for the European actors to address security in specific terms if their arguments are to be considered valid. Similarly, the policy is

implemented through a wide range of institutional tools, from the purely civilian to police initiatives and military peace operations involving the use of force. Certainly, the power of a hegemonic discourse does not determine or totalise a social reality in a given milieu. As the empirical analysis illustrates at length, the field is inherently contestable. It represents a perpetual political struggle where actors strive to impose their definition of the EU (security) and others challenge it. As this language and strategic games unfold, however, some protagonists gain an advantageous position in the EU system of governance and they infuse it with their ideas about the EU security. As these ideas become converted into concrete deeds, they generate proofs of their worthiness that further legitimises their stance.

Another indication of discursive sedimentation is the justification actors use in case of infringement on ESDP, thus demonstrating that they recognise their ‘misbehaviour’. The conflicting reactions among EU members to the US invasion in Iraq furnish a number of examples thereof. Arguably, the situation demonstrated the absence of EU-wide agreement on security and defence. The analytical omission was, however, the degree to which the CFSP/ESDP discourse in fact organised the debate. Participants were expected to take a stance and define the situation in the CFSP/ESDP terms, adopting the latter as a reference point. Further, the lines of arguments in the debate, even if they questioned certain objectives of the ESDP project, they did not nevertheless reject them but rather sought to legitimise moves that were perceived to be at variance with the policy.

Since ESDP is an important security discourse, I suggest applying discourse analysis as a particularly suitable way to understand the policy. Discourse analysis can enrich our understanding of social reality because it explores how the socially constructed ideas and objects that populate the world were crafted in the first place, and how they are maintained and held in place over time. Hence, discourse analysis endeavours to uncover the way in which particular milieus are produced (Nelson and Hardy 2002: 6). It aims not to apply exogenous categories to participants’ talk but rather to identify the ways in which they themselves actively construct and employ categories in their talks (Wood and Kroger 2000: 29-30). Thus, through discourse analysis one may access the strategic game played out in a particular milieu, i.e. the web of power relations constituting a given context.

Analytically, I rely on the Foucauldian approach to discourse. Foucault defines discourse as a system that regulates the formation of statements (Foucault 1972). The sets of statements are taken to be serious claims to truth by particular communities at different points in time. Thus, the question whether actors really mean what they say is irrelevant because what it is to be found are the structures and patterns in public statements that regulate political

debate so that certain things can be said while other things will be meaningless or less powerful or reasonable. Foucault seeks to describe systems of statements produced within a historical 'field of discursivity'. These statements are the products of discursive practices that are governed by historically contingent rules of formation, which are not necessarily available to those practitioners enunciating them. The approach aims to unearth and describe the rules of formation that structure the production of discourse (Foucault 1972: 47). Along these lines, the meaning of security is interpreted as a constellation of rules which define enunciations as security enunciations. The researcher needs to reconstruct the overall conceptual landscape of the epoch and the setting, with its competing and complementing discourses (Wæver 2003: 201), in order to understand how it was possible for certain political projects to surface and why some of them gained significance while others faded in the public debate.

A distinctive feature of Foucault's work is the decentering of the subject by showing its dependence on relations and discourses that always precede it. In the research, I seek to modify this structural over-determination through introducing the theory of dramaturgical action of Ervin Goffman. As a political project, ESDP embodies an outcome of strategic manoeuvring within the confines of the discourse. Although actors do not act as autonomous subjects but from a 'subject position' made available by their discursive context, it is indeed actors who impose the meaning. In this respect, Goffman's approach should offer analytical purchase when the positioning of the actors is involved. The theory conceptualises actors as constrained by their roles, which are moulded within discourse. It is in this context that the mutually constituted nature of social structures and agents comes to the fore (Wendt 1999, ch. 4). Discourse provides a social structure, which enables action. Agents arise within discourse, their identities and interests are discursively constituted, and they act through contextually available subject positions. The action, however, is not without strategic flavour. Actors do not necessarily internalise (naturalise) the rules that govern behaviour in a given domain and they might be inspired to introduce new vocabulary that changes the rules of the local game. The actors are nevertheless constrained in their action by what is commonly accepted and, if they aim to bring their projects to bear and be viewed as legitimate participants to the game, they have to behave in accordance with what is valid with reference to the discourse.

Combining ethnographic approach with discourse analysis as methodologies informing data collection and analysis within one research project requires clarification. These two methodologies operate according to dissimilar assumptions. Discourse analysis looks into organisations as sites of struggle over meaning, labelling and institutional identities, with the major research focus being relations of power and how they are

discursively produced, maintained, reproduced, transformed and resisted. Examining conditions of possibility of a particular social formation, it tends to prioritize structural explanations. Ethnography, conversely, approaches organisations as sites where shared meanings are produced and local reality constructed. The focus on local sense making denotes that ethnography is thoroughly people-centred in its data collection process. These two methodological perspectives can be however mutually supportive in the quest to understand policy making and the politics behind it.

Spencer (1994) has instructively spelled out the mutual relevance of ethnography and discourse analysis to one another. As a methodological enterprise, ethnography is intricately involved in discourse concerns (Ibid, 268). While the answers to open-ended interview questions are usually understood as reflection of the interviewees' social world, they can also be treated as situated interpretations providing material for studying the discursive social construction of their world. Accordingly, while ethnographies deal with profound insider-like understandings of a particular milieu, the dynamics of discourse allows insights into the regularities of a particular social context. Put differently, utilising both discourse analysis and ethnography allows the researcher to uncover patterns in the context of close-up depiction. It helps track relationships that mark out the nature of a particular setting, the rules enabling its emergence and defining its reproduction. It thus becomes possible to proceed from data that is commonsensical in some localised milieu to the larger task of overall portrayal of the scene. Consequently, the researcher is able to construct narratives rather than a singular story, narratives based on arrangements recurring in many stories constituting a particular local environment. This broader perspective allows a delineation of occurrences that represent possible contradiction and moments of potential transformation. In effect, rather than narrating the characteristics of a single setting, it permits the problematisation of the setting in relation to a wider framework of reference.

Ethnography, therefore, provides means for empirical analysis of how discourse is reflected in a particular social context. Insights into the features of a given environment bring in contextual understanding that makes the bigger picture possible to grasp. Even relatively less profound ethnographic understanding can be instructive in gaining entrée to the research site, in the sense of mapping out the field and adopting an approach that can potentially yield most promising occasions for data collection and selecting a data collection unit (Corsaro 1982). I resorted to this strategy in the research. The material gathered initially using ethnography (in Tbilisi in relation to EUJUST Themis) was employed to contextualise many

features of a larger ESDP picture, to decide on the most suitable areas for data collection, and to facilitate access to other research sites by relying on previously secured networks.

Another element of the ethnographic strategies of significant import has been the approach to data analysis relying on the principles of emergent analysis, characterised by the gradual accumulation of data and the slow inductive analysis of it (Lofland 1995:47). In my study, the accumulation of data and observations pertained not only to the settings of ESDP missions and the Brussels-located decision-making scenes, but also featured the research community concerned with actively studying the policy. As Lofland further points out, the process of emergent analysis hinges on the sensitivities and intuition of the researcher, and, as a result, it turns into an intensely creative act (Ibid). Paul Atkinson names this process of emergent analysis as ‘making it all come together’:

[...] making it all come together’ ‘[...] is one of the most difficult things of all...Quite part from achieving it, it is hard to inject the right mix of (a) *faith* that it can and will be achieved; (b) recognition that it has to be *worked* at, and is not based on romantic inspiration; (c) that it is not like the solution to a puzzle or math problem, but has to be *created*; (d) that you cannot pack *everything* into one version, and that any project could yield several different ways of bringing it together (Atkinson, quoted in Lofland 1995: 47, italics in the original).

Lastly, I should clarify the place of narrative in discourse analysis as adopted here. I follow the definition of narrative as a story that reveals someone’s experience (Manning and Cullum-Swan 1994). Fisher claims that ‘all forms of human communication need to be seen fundamentally as stories’ (Fisher 1987: xiii). Interpreted as the main form of social life, narrative is the main device for making sense of social action (Czerniawska 2004: 11). An interpretive researcher studying a particular milieu collects data in the form of stories by his/her research subjects. As building blocks of discourses, narratives then supply two kinds of data. On the one hand, narratives by individuals situated in an institutional setting afford material to reconstruct elements of this institution’s organisational identity. They do so by presenting vocabularies and designation of practices (discourse), of itself and as opposed to different institutions in the same field. If we are to explore the ways in which practices in a given milieu are created, sustained and transformed, “the aim is to see the world as they [participants of a given institution] see it, to adapt their vantage point on politics” (Fenno 1990: 2). The stories people tell and live by in their institutional settings contribute to the discursive construction of these settings. I have relied heavily on these insights while putting together the institutional identities of ‘the Solana milieu’ and the EC, resorting both to the accounts from the settings in Brussels and on the ground of the ESDP deployment.

In a broader sense of ideational themes, shifting narratives on the EU's international presence provide hints about the EU's international identity. The accounts about the EU's (under-)performance on the world stage feature extensively in the ESDP discourse, highlighting plots that tell the story of the EU's transformation from an intimidated Cold War quasi-actor to the major international player of today. Combining elements from many different domains, these narratives provide actors with a set of symbolic references that suggest a common understanding about the EU's security role. ESDP performers draw on them extensively to elucidate and legitimise their positions and particular actions with regard to different audiences. To describe a change (in the European security landscape) means here to construct a narrative of what happened (Fierke 1998: 53) with an aim to objectify a particular representation of events. Security narratives are thus a means through which actors legitimise, and thereby enable their political action.

To recapitulate, embracing constructivism entails centring research endeavours around actors. Agency matters in social life and agents are not simple 'throughputs' of some structures working behind their backs (Kratochwil forthcoming). Importantly, agents are not involved in the individual world-making but they rather embody the community they come from. In the research, actors matter as performers of certain political projects enacted with a view to impose a specific definition of a situation. Acting on the premise that the human world is one of artifice, it follows that the notions actors have about their actions are significant (Ibid, 7). They provide for building blocks of a particular social ambience. They neither can be left exogenous to the descriptions and explanations of action, nor can they be solved by 'assumption' (Ibid).

This ontological position leads to an adoption of the interpretive approach to doing research where two issues loom large. First, we move from a priori logic to contextual logic of a given social situation. Second, the way to go about understanding this situation is to target meanings that are never treated independently from the people who have created these meanings and are busy with reproducing and changing them. In methodological terms, interpretive research rarely proceeds from a formalised hypothesis because the researcher does not know ahead of time what meanings will be found, expecting them to be generated through (participant-)observation and/or conversational interviewing and/or the close reading of documents (Yanow 2006a: 71). Instead of formulating them beforehand, one expects the explanations to emerge from the data. Along these lines, discovering the connective tissue of meaning often comes as much from a flash of insight as it does from following any elaborated system of methodological rules (Ibid). As Marta Feldman (1995: 30) emphasises, it would be

more accurate to see the analytic device as a tool for stimulating thought than as itself producing that thought. Questionable as it may appear, I insist that in this process one must easily pass from deliberative thinking to intuitive grasping of connections. Insights that eventually put together a structural pattern of the arguments are not something to be literally discovered in the field, something waiting to be picked up. They are authored by the researcher, or, rather the researcher co-authors them with the research subjects and the theories that s/he uses to approach the former.

Armed with a warning by Harold D. Laswell that “the world around us is much richer in meaning than we consciously see” (1977: 36), we should, however, bear in mind that our interpretations, meticulously pieced together though they may appear, are nevertheless merely suggestions at possible meanings. This should still not blind us to the acknowledgment that ‘anything goes’. First, contextual logic relates to the semantic web of a particular social milieu. This entails elaborated sets of rules and patterns of possibilities. Second, verification of any finding, regardless of the way one has arrived at it, always demands full intellectual alertness. The consideration of these caveats makes some research accounts better and some less attentive to the social fabric of the research subject.

Theoretical argument

I approach ESDP as an illustration of the point that security is not something we can define analytically or philosophically according to what would be “best” (Wæver 1995:226), and then proceed with the analysis whether the way certain political entities pursue security fulfils these criteria.

Etymologically, security pertains to the situation ‘without worry’ (*sine cura*). Standard designation of security in the literature defines it as freedom from threat. Similarly, the dictionary definition of security is ‘the condition of being protected from or not exposed to danger; [...] a feeling of safety or freedom from or absence of danger’.⁶ This definition fails to grasp the peculiar quality of security as the intersubjective agreement on what qualifies as threats. In other words, it is a socially constructed concept and has a specific meaning only in a particular social context (Lipschutz 1995: 10). As a convention, security is a particular set of historical discourses and practices that rest upon institutionally shared meanings (Krause and Williams 1996: 243). Accordingly, the designation of ‘threat’ is “an act of interpretation; it

⁶ Oxford English Dictionary.

bears no essential, necessary, or unproblematic relation to the action or event from which it is said to derive” (Campbell 1998: 2). This interpretation does not occur at the individual level, however. A social and thereby a discursive act, it arises within a particular political context and it consecutively affects the context from which it has arisen. Correspondingly, as a contextual political project, ESDP has not emerged in a vacuum. Its conceptualisation and translation into security practices hinge on the previous and concurrent security narratives that circulated before and that still engage with ESDP discourse. This illustrates the fact that discourses are not as malleable as their critics would like them to be.

Security narratives are nonetheless subject to change. With regard to the present European security discourse, we can trace the introduction of new vocabulary and new practices with which novel meanings about security have been set in. Borrowing from Quentin Skinner, I illustrate how ESDP discourse has succeeded because it provides a new understanding of present policies with new prescriptions for the future that builds on past values as it rewrites them (Skinner 1988). Crucially, ‘new vocabularies’ (Rorty 1989) not only change existing ideas but they also introduce fresh and alternative truth values (Ibid). In this light, ESDP is a political project that through the past connects the present to the future, makes sense of the situation at hand and offers new solutions in contrast to the old policy paradigm, which is no longer perceived as adequate. The central category in ESDP discourse remains the concept of security. It constitutes a central role in the redefinition of the situation and serves as a bridge in the process of conceptual change. Being a feature of an old security discourse it empowers the actors to speak the language understandable to the audience (both internal and external), while also being employed to install new meanings.

The main body of the argument is that there has been a fundamental change in the European security discourse and ESDP represents its instantiation. It shows how security is a historically variable condition (Krause and Williams 1998) and, more specifically, that it is a practice, a specific way to frame an issue (Wæver 1995: 227). Put differently, the meaning of security is in the term’s usage, usage that is constituted through the context and is not legitimate over time and space but bounded by certain interpretations. It was in no sense obvious in the early 1990s that any substantial changes in the European security architecture should take place. This disqualifies the neo-functionalist argument, according to which ‘integration is in essence a spillover effect, not requiring a pro-European attitude on the part of all governments’ (Corbey 1995:255). In such a reading, the emergence of ESDP seems a predestined outcome of the EU integration. Instead, I suggest we look into the dynamics that

set in motion developments that transgress dramatically the evolutionary path of the neo-functional-like line.

One of the most interesting aspects of ESDP, therefore, is that it symbolises a contextualised response to security demands as they are intersubjectively construed within a specific community. How that policy comes about, however, is not predetermined but is rather contrived by strategically interacting actors. A certain security narrative has been endorsed over others and turned into a political project by actors looking for a niche within and through the EU. These actors have been contextually empowered to set a particular agenda, yet they are simultaneously restrained by the rules of the discourse, which defines legitimacy and who the other players are in this political game. Consequently, these actors cannot be viewed as utility maximisers seeking to realise their exogenously given interests. They are instead Goffman's players, whose identity is social and their action is ruled by contextual expectations.

In essence, therefore, the theoretical argument involves the following premises:

(1) Security is a historically variable condition and ESDP embodies an instance of contextualised securitisation. Put differently, the process of security and threat definition that has been launched within the EU reveals how securitisation can operate within a particular community.

(2) Security is a claim on politics. This is to say that advocating a particular reading of security involves entering the political contest with actors advancing different conceptions. Such involvement implies an endeavour to impose and sustain a favoured definition of the political situation in which the preferred security claim can be endorsed.

(3) Accordingly, a given instance of securitisation represents a specific political project. In this sense, it is an illustration of how 'security can be done', and how actors may seek to securitise certain areas and capture opportunities moulded within the discourse—although this is not to imply anyhow that security is a malleable substance that can be freely shaped. On the contrary, the social nature of the process mediates the particularities of the project.

(4) Security process (securitisation) is unique in that it is performative of identity. The process entails designating values that characterise one particular community against other communities. Via interaction with other actors, it thereby contributes to identity formation. In this manner, it can be argued that security practices that emerges through ESDP influence the (self-)perception of the EU in world politics.

Analytical framework

In order to structure the empirical material and draw conclusions from it, I attempt to combine two theoretical approaches: firstly, the securitisation theory of the Copenhagen School, modified with a number of correctives introduced by Thierry Balzacq, and, secondly, Ervin Goffman's theory of dramaturgical action.

Securitisation represents 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 (Buzan and Wæver 2003: 491). The Copenhagen School describes the securitisation process as enabled by a 'speech act' that focuses on the ways in which attaching the label 'security' to a particular problem gives this problem a certain status and legitimates the assumption of special measures in order to deal with it. The major attribute of securitisation is then "the move that takes politics beyond the established rules of the game and frames the issue as a special kind of politics or as above politics" (Buzan, Wæver and de Wilde 1998: 23).⁷ In other words, the enunciation of security itself creates a new social order wherein 'normal politics' is bracketed (Balzacq 2005: 171). As Wæver puts it:

With the help of language theory, we can regard "security" as a speech act. In this usage, security is not of interest as a sign that refers to something more real; the utterance itself is the act. By saying that something is done (as in betting, a promise, naming a ship) ...[T]he word security is the act' (Wæver 1995: 55).

The Copenhagen School reading of securitisation thereby draws on the theory of speech acts of John L. Austin, with particular reference to the work done on it by John R. Searle. In essence, speech act theory maintains that certain statements do more than simply describe and as such cannot be judged as true or false. The triadic characterisation of kinds of acts is summed up by Jurgen Habermas as 'to say something (locutionary), to act in saying something (illocutionary), [and] to bring about something through acting in saying something (perlocutionary) (emphasis in the original)' (Habermas 1984: 289).

The major criticism towards the reading of security as a speech act is that the speech act seeks to establish universal principles of communication, the values of which is to be functional whatever the context (Balzacq 2005: 172). Correspondingly, the reading of security that emerges from the Copenhagen School writings eventually conceives of security as self-referential practice, i.e. an illocutionary act, whose validity is subject to certain conditions.

⁷ As no speech act can only be valid if authorised, the securitisation theory already in its major tenet contravenes the speech act theory and reveals certain inner contradiction of its position.

This in turn contradicts another tenet of the theory, namely the focus on the intersubjective dimension (i.e. the audience) and on the notion that security issue is not such in itself but only within a certain political context. More specifically, despite its approach to security as a speech act, the Copenhagen School highlights the social nature of ‘threats’ where the fundamentals of any security policy are not an exogenous given but rather reflect a particular political struggle. Still, this social component appears to be underarticulated and in contradiction to the universalising features of speech act theory. As Balzacq puts it:

to claim that security is a speech act ...is to reduce security to an illocutionary act, i.e. a conventional procedure: “an act...conforming to a convention” (Austin 1962: 105)’ A corrective to the theory in this context is proposed here along which securitisation is perceived as a pragmatic (strategic) act (2005).

Balzacq challenges the Copenhagen School position as embodying a high degree of formality (Ibid, 172). Instead, he proposes that:

securitisation is a sustained strategic practice aimed at convincing a target audience to accept, *based on what it knows about the world*, the claim that a specific development (oral threat or event) is threatening enough to deserve an immediate policy to alleviate it...[B]y integrating strategic purposes into the equation (the approach) ensconces it (securitisation) in the social context, a field of power struggles in which securitising actors align on a security issue to swing to the audience support towards a policy or a course of action’(Ibid, 173) (emphasis in the original).

Along these lines, it may be argued that securitisation is more a specific agenda-setting process within which some projects are sought to be implemented. Here I concur with the criticism by Holger Stritzel that the Copenhagen School reduces a securitization to ‘a static event of applying a (fixed) meaning (of security as exceptionality) to an issue rather than seeing it as an always (situated and iterative) process of generating meaning, i.e. as a dynamic (social and political) sequence of creating a threat text’ (2007:366). Agenda-setting, conversely, relies on on-going negotiation and (strategic) endorsement of particular understandings, a process along which these very understandings evolve.

The Copenhagen School theory involves the following elements of the securitisation process:

- The referent object of security, namely an issue subject to securitising;
- Securitising agents, previously conceived as states;
- An audience, since securitisation happens only if it has been accepted by the relevant audience. Importantly, internal audiences, including institutional ones often have to be persuaded at the same time as the external (beyond the community) audience;

- Functional actors, i.e. actors other than major securitisers who contribute to the process in line endorsed by securitising agents, e.g. media.⁸

The theory still maintains that there cannot be any causal determination about what makes securitisation process successful and a great degree of political openness must be maintained, or, in Bourdieu's words, 'social magic'.⁹ Nevertheless, it highlights some facilitating conditions mediating the process:

- Internal, linguistic logic that informs the structure of the security argument, or, in other words, certain rules constitutive of the speech act have to be followed. The argument needs to be intersubjectively accepted, or, in other words, it needs to draw on the categories of the sedimented security discourse;

- Social capital in the sense of the position of the securitising actor. This does not mean that only agents in a state position can 'do' security. A securitising actor still has to be located in the system in the way that gives them legitimacy. The latter can be provided by the label of a formal position;

- The nature of the threat at hand, whether it is plausible to securitise an issue in the light of the experience and convention in a given community;

- Another facilitating factor in the security argument could be the proposed means to counter the threats. The EU can argue, for instance, that it is better equipped to provide security in its neighbourhood as it possesses a wide range of means to do so, including an approach that favours comprehensive, non-military measures.¹⁰

In order to make the analysis of securitisation more tractable, Balzacq narrowed down the number of facilitating conditions to three sets of factors: (1) audience and its frame of reference, readiness to be convinced, and ability to grant or deny a formal mandate to securitising actors, (2) context, or relevant aspects of the *Zeitgeist* affecting all parties to the process, and (3) securitising actor and its capacity to use appropriate frames in order to win the audience for political targets (Balzacq 2005: 192).

Analytically, securitisation is more a pragmatic act within which acceptance by the audience is strategically sought by securitising actors for specific political agendas. This aspect of strategically moulding a securitising policy is underdeveloped in the classic

⁸ Comments made by Professor Ole Wæver at the seminar 'Security Theory - Critical Innovations', Copenhagen University, 29 November - 3 December 2004.

⁹ Ibid.

¹⁰ Ibid.

rendering of the Copenhagen School. I hence suggest conceiving of securitisation more as an agenda-structuring process. This bestows particular importance on the agency side of the process. The agency-centred account does not render the process arbitrary, *ad hoc*, or easily malleable. On the contrary, as a social effect it is deeply rooted in a given context and represents the intersubjective articulation of shared expectations (Huysmans 1996:224). Essentially, securitisation as agenda-structuring puts emphasis on the means through which political actors go about endorsing their political projects.

Conceiving of securitisation as a strategic act provides a link with the other part of the analytical framework, i.e. Goffman's theory of strategic interaction. The latter should allow analysing the social mediation of securitisation. Goffman's theory conceptualises actors in cultural environment as performers engaged in manipulative presentations of self and in framing, but also at the same time as constrained by the script and the consistency requirements of their roles. They are involved in a struggle over the definition of the situation but the outcome is a result of a negotiation process that is mediated by both the constraints and the empowerment of the prevailing discourse. Actors resort to the meanings discourse provides to push forward their projects but they are themselves constrained through discourse, and thereby not free in their functioning. Goffman points to three social effects that not only constrain strategic actions but they also matter in ways that strategic actors neither intend nor can fully control (Schimmelfennig 2002: 424).

Material effects refer to the cultural and normative repertoires that provide the material of strategic action on the socially constructed environment: "fabrications...require...the use of something already meaningful in terms of primary frameworks shared by the performers' audience" (Goffman 1974: 84). Processual effects refer to the regularity that each performance entails a social commitment. The initial projection commits the actor to what he is proposing to be and requires him to drop all pretences of being other things. As the interaction among the participants progress, additions and modifications in this initial informational; state will of course occur, but it is essential that these later developments be related without contradiction to, and even built up from, the initial position (Goffman 1959: 10f). Social-psychological effects refer to the actors' concern with their image within the interaction. Although Goffman does not assume that social actors necessarily internalise the rules of their environment, the maintenance of a positive image requires credible performances that use the available rules and schemata in a consistent way (Schimmelfennig 2002: 425).

The analytical benefit of this combined framework derives from the differing perspectives the two theories represent. Securitisation shows interesting paths for analysis from a structuralist angle, focusing on the process and discursive conditions of possibility within which an issue can be converted into a security issue. Goffman offers a particular point of view on actors who, although engaged in an intentional and strategic act, are nevertheless constrained by the rules of legitimate action that discourses involve. The securitisation-Goffmanian approach thus enables the analyst to move beyond the subjective/objective security dichotomy, while introducing situated agency to the discursive process of security enunciation. Accordingly, ESDP can be read as a case of contextual securitisation and at the same time as a political project, which, through threat articulation within specific complex interaction, influences the role of the EU as a security actor.

In short, I argue that, in theoretical terms, ESDP has been instigated through the process of pragmatic securitisation whose major features are twofold. Firstly, its ideational enabling conditions, i.e. the meanings attached to certain events, create a particular action setting, and a distinct pattern of opportunity and constraint within which agency is displayed. Secondly, the entrepreneurship within ESDP brings into play actors who, being to varying extent knowledgeable about the setting within which they are located, are potentially able to change it through the process of naturalising certain political definitions over others. This involves engagement in major political struggles and securitising actors encounter contextual resistance to their project. Importantly here, this process activates a social commitment on their part to keep the initial promise declared, i.e. the construction of the viable EU security option. The struggles similarly consolidate their institutional identities emerging in the course of building the conception.

Research questions

How is the new security claim enacted?

The first research question explores the conceptual body of ESDP and its enactment. I should thereby reconstruct the substance of the EU security claim as such and trace regularities pertinent to performing this particular securitisation. In order empirically to deal with this, the following sub-questions are important:

A. *What is the constellation of concepts that define the project and what are the main categories on which the conceptualisation hinges?* Through the old category of security, new concepts and ‘new vocabularies’ have been introduced, and these are not considered in

isolation from each other. Instead, I focus on how they constitute and enact particular security practices.

B. *Which security narratives are evoked in order to legitimise the project?* The concept of European security takes shape within particular security narratives that feed the ESDP story. They are of importance as they provide lines of argumentation that serve to add legitimacy to the project.

C. *What is the (contextual) logic of the security argument?* In other words, how have the arguments been phrased in order to generate legitimacy and social capital to support the policy? How, thereby, is the ‘mission statement’ of the EU as a security player contrived?

Several context-specific indicators should facilitate moving farther into the comprehensive empirical analysis. These are:

A. The extent to which the framing of ESDP reflects the role expectations attached to the EU. Put differently, how does ESDP serve as a means to match the expectations the EU perceives as assigned to it? I tackle this question by exploring whether the project is framed as an answer to outside calls for a stronger security role for the EU. Close reading of the ESDP’s constitutive texts, the Council of the EU documents and the speeches from within the ‘Solana milieu’,¹¹ is a crucial first step, performed in Chapter III. The ensuing analytical move follows in Chapter IV where I examine the politics of the policy.

B. The extent to which ESDP reflects the belief that there is a distinct European approach to security. This should be the case if the uniqueness of the EU approach is stressed while confronted with other participants to the international interaction and when decisions to engage in security activities are being taken. Again, two kinds of measures seem essential. Firstly, the exceptional European capability to pacify conflicts and ‘project stability’ should recur consistently in the EU’s internal debates about engagement. Secondly, and equally important, are concrete routines on the ground of ESDP engagement, i.e. the EU’s supposed exceptionality should convert into beliefs by ESDP executives that their projects represent the EU’s unique approach to crisis management.

C. The extent to which ESDP development is informed by the ‘endogenously arisen logic of appropriateness’, i.e. how within the project ‘European values’ are brought into play to make sense of the process. This should be the case if external security activities are

¹¹ ‘Solana milieu’ is a concept that I have come up with in the course of the empirical analysis and is thus elaborated in the following chapters. It points to the entrepreneurial position of a particular environment within the ESDP.

justified by the necessity to project abroad the values that has made the EU itself a successful story.

D. The extent to which ESDP is moulded in response to mixed signals from the US of, on the one hand, expectations about burden-sharing, and, on the other, of the submission to the US leadership in security affairs. This formulation derives from the literature and reflects the perception that ESDP is subject to the discursive positioning of the US. I aim to problematise this theme and explore whether, although ESDP is not discursively autonomous, it has nevertheless acquired its own discursive distinctiveness—for instance, the latter might have been achieved through gradually obtaining a new role within the interaction with the US.

What security practices emerge within the project?

The second research question seeks to examine both the character and the extent of ESDP discursive sedimentation by tracing (security) practices instigated by and through the policy. If these practices have become routinised ways of ‘doing’ security, both institutionally within the EU and externally in interaction with other actors, they might have contributed to the constitution of a new identity.

The search for ESDP practices is exploratory. However, some organising categories should nonetheless structure the analysis. On the premise that practices are performed, sustained and transformed by concrete actors within a scope of possibility that is analytically identifiable, I specifically look for the following indicators:

1. Strategic shapers of ESDP. Here, I track the (institutional) instigators and moulders of the policy who recognised the window of opportunity for promoting new ideas about the European security. I attempt to unearth both conceptual initiatives and concrete actors involved in imposing a particular definition of the political situation, offering solutions, engaging in lobbying and endorsing negotiated outcomes.

2. Facilitating actors, i.e. contributors other than the major performers who have facilitated the endorsement of the new security project. While they might not necessarily be explicitly political agents, they have been well situated for playing an important though secondary role.

3. Contestants to the project. Strategic actors are subject to the social character of their activity which entails resistance from other players with differing political ideas and institutional identities to safeguard. Within this category, I locate defiance and actors engaged in struggling against the domination of ESDP discourse.

4. Fields of (inter)action. Connected with the third indicator is the need to identify where the contest over ESDP project takes place institutionally, i.e. what areas have become the ground of particularly intensive interaction and political struggle.

5. Rules of the game. To conclude, I reconstruct the rules that have constituted ESDP milieu, with the aim of providing insights into the realm of its everyday politics.

Does ESDP introduce a new security player onto the world stage?

The analysis pertaining to research questions 1 and 2 should provide a vantage point for tackling the final research question. Research question three explores the extent to which the endorsement of ESDP might have contributed to the emergence of the EU's new security identity. Here, I investigate the possible shift in the EU's role in international politics as an indication of its identity change. Again, this investigation is of exploratory nature but I come up with an analytical device to assist in the task. Social entities construct their relation to one another through a process of interaction so identity is always an identity in a specific social world. The analytical key to exploring the EU role is then to identify its significant others to whom she most intensively relates in security matters. In Chapter V, I apply a triad of EU-US-UN in order to capture the patterns of the EU's assignment as compared with the other players. I rely on the following signposts:

A. *What are the EU means and its methods of differentiation within the triad? In particular, what themes are employed to bring out the EU distinctiveness through ESDP? To what extent has this self-image been recognised by the other players and ploughed back into the EU in the form of particular expectations to meet as a security actor?*

B. *Whether/how has ESDP brought a change in the EU's standing within the transatlantic relations? Along this line, I examine the possible shift in the US attitude towards the EU since the inception of the policy. I follow the fluctuations in the US perception and try to establish what the US stance on the EU security assignment is at present. In doing so, I also trace the intricacies of the EU-US bond in view of the attempts by the former to emancipate itself.*

C. *How has ESDP affected relations with the UN? Here, I discuss the possible transformation considering the EU's rise to international stardom in the realm of crisis management. The question arises what effect this has had on perceptions of what legally is a global security organisation. Whether it encouraged cooperation and pooling resources as the most 'commonsensical' option, or perhaps it gave rise to a more nuanced relationship.*

D. How does the international 'division of labour' find its expression on the ground?

Within this question, I seek to gauge whether the possible new division of labour is traceable in the field of crisis management as it unfolds in practice. In order to do so, through a case study on an international security issue, I try to map out the distinctive negotiated roles of the actors in the triad and point to the possible change in this arrangement.

Cases

In order to approach an answer to these questions, and thus the puzzle outlined above, the thesis comprises three case studies. The first two are located within ESDP as such, thereby providing an insight into the practices of doing the policy, both in ideational and executive terms. They are constructed based on primary empirical material. The third case study deals with the impact of ESDP on the world stage. It derives from a close reading of relevant documents and speeches. Hence, although the cases differ in character, they represent a contextual interpretation that should help grasp the logic underlying the policy.

Why are ESDP operations the representation of the EU security practices?

It is necessary at this stage to clarify why ESDP operations should be the adequate material to assess the EU's security claim in practice, when other dimensions of the EU activity have also been involved in the EU's security design. Although different ideas incorporated in ESDP development had circulated for decades, and might have been embodied in various EU bodies and their policies, there is a distinct element of particularity to ESDP. It introduces a new image of the EU and it features a strong sustained resolve to act upon it.

The cutting edge of ESDP, its most visible and indeed, perhaps, its essence are the missions deployed within its framework.¹² They have proved the most efficient way of boosting ESDP, as they give the policy substance in the form of a tangible presence on the ground. Despite the claim that there is a lot of the accidental in the fashion in which the missions are put together—that they might represent 'putting a tool ahead of the analysis'¹³ as 'we make them up as we go'¹⁴—the decisions over deployments never come out of thin air. Crucially, the process of launching missions reflects the institutional politics and tacit rules of

¹² Interviews at the EUISS, Paris, July 2005 and at the Secretariat General, Private Office, Brussels, November 2005.

¹³ Focus group at the EUISS, Paris, July 2005.

¹⁴ Interview at the Secretariat General of the Council, Private Office, Brussels, November 2005.

proceeding in this policy realm. Equally important, arguments in the debates over deployments and their unfolding bring out deeper ideational layers of what is perceived as the EU security role and how these conceptions become a tool in political struggles.

In particular, I see the missions as representative of:

1. The materialisation and reconstitution of ‘word politics’ (i.e. the EU security claim as it is declared rhetorically). Missions are portrayed as proof that the EU can deliver on its promises;

2. The mode of endorsing the EU’s security claim. Missions have shown themselves to be the central facet of ESDP, conspicuous to both internal and external audiences. By this means, they have facilitated the promotion of a certain claim on domestic/international politics;

3. The reflection of the EU’s search for a niche in the world politics. The decision to deploy a particular mission in a given political situation is a meaningful sign. The EU thereby acts on the others’ expectations of itself and it acts strategically to present itself in a certain manner;

4. The twofold embodiment of strategic interaction. Internally, the deployment decision is a negotiated outcome of discussions among the member states and the institutions involved. With regard to international politics, it is illustrative of the EU’s positioning towards other significant actors.

Why these particular missions?

The cases under study here are EUJUST Themis to Georgia (Themis) and EUJUST Lex to Iraq (Lex), concerning the practices of ESDP at the EU level, and the case of deploying member states troops to Lebanon via the EU level negotiation as regards ESDP’s international sedimentation.

Themis and Lex might be seen as unsuitable cases if considered more generically. Firstly, because the recurring ESDP narrative is that it was the Balkans wars and the EU’s (non-)performance there that provided the primary *raison d’être* behind ESDP. I should then perhaps explore the missions deployed to date in the Balkans. Secondly, because the key change in EU security policy is said to be within the military domain while the two cases are civilian in character. Such a choice requires justification.

To begin with, it actually appeared vital not to investigate cases that immediately arise from the Balkan experience. With the Balkans remaining an intense nucleus in the discourse

surrounding ESDP, the policy is no longer limited to Balkans-style operations, either functionally or geographically. I would therefore risk distorting the logic of the policy's development if I continued researching the Balkans operations only. These are, however, present in the analysis, but as a reference point and material for comparison. It may be argued that the Balkans has been a springboard for the policy to step up to other regions and a symbol for the EU international responsibility. Yet, the Balkans cases would be inconclusive for the purposes here, as ESDP operations elsewhere have acquired features that illustrate the present political state of play more clearly.

In terms of opting for civilian missions, the rationale is somewhat more complex. First, one may be persuaded by the argument that civilian crisis management is an ambiguous, and in that quintessentially a 'European', concept.¹⁵ The phrase, coined by the EU, has no equivalent parallel in the lexicons of the UN, the OSCE, or non-European regional organisations (Dawn 2004: 1). It was first introduced in the debate on where and how ESDP might be developed in June 1999 when the Council of the EU mandated the incoming Finnish presidency to address, as part of its ESDP tasks, non-military crisis management. It would therefore seem of interest to explore cases that reflect implementation of a novel approach.

Crucially, there has been a considerable upsurge in civilian ESDP missions, both in quantitative and qualitative terms—despite the fact that the policy activities are primarily supposed to equip the EU with military capabilities. Many interviewees maintained that civilian missions are a more accessible option of furthering the development of ESDP because military operations are difficult to agree on, and since it is quite unlikely that high-end military operations will be realised soon. One might speculate at this point that the greater dynamism behind the civilian ESDP represents a search for a possible niche for the EU in international relations. Simultaneously, ESDP civilian operations represent an innovative approach to civilian crisis management as they significantly differ in substance from missions deployed within UN, NATO, OSCE, or varied assistance programmes of a technical character. They have a distinct political profile, which both adds to the status of the mission, and facilitates promoting practices the EU regards as representing its values. Accordingly, the argument that the expansion of the civilian ESDP is but mere extension of its 'civilian power' has little appeal.

¹⁵ In a famous article at the beginning of the ESDP story, Françoise Heisbourg noticed that "a certain studied imprecision has also been essential to the progress of ESDP", with this "constructive ambiguity" being a usual feature of European integration (2000:5).

Another issue in this context is that civilian crisis management lies at the intersection of the institutional competences of the Council of the EU (Council) and the European Commission (EC). In line with the treaties, the EC is content with playing second fiddle to the Council when a planned ESDP mission has a military component and when security conditions on the ground prevent it from taking autonomous action. However, tough negotiations between the two institutions are the norm when it comes to the civilian ESDP, especially interventions aimed at rule of law reforms and institution building. This is because the Commission has had a long tradition of implementing development assistance projects in this area. As the civilian Themis and Lex belong to the borderline, they provide fruitful material for the analysis of this interface. If a comprehensive picture of ESDP is to be obtained, however, it is essential for further research to investigate the military aspect equally thoroughly.

The manifest similarity between the cases consists in the fact that they were both controversial and their launching was far from self-evident (as it might have been the case in the Balkans). Their deployment involved a great deal of debate regarding their actual materialisation and their contested formulas. Following these debates reveals much in terms of the discursive embeddedness of particular conceptions about the EU's security claim, the extent to which it is contested within the EU itself, and the extent to which US security concepts influence the EU's political visions. It is also instructive of the channels of the policy endorsement within the EU system of governance. Further, both cases under study are autonomous missions, i.e. they involved no straightforward resort to other actors' resources. As autonomous ESDP missions they can reveal features specific to the policy. Analytically, since they belong to the same category of rule of law missions, they are comparable. Yet they remain radically different in terms of their deployment context, which allows for a good deal of variation. They thus exhibit dissimilar channels of reaching a similar aim, i.e. strategically promoting the EU as a security player which can contribute to shaping the international environment.

What constitutes a major difference between these two is their political profile. Georgia, an intersection of international interests notwithstanding, never featured as a priority on the EU security agenda. The deployment of the mission, regardless of the heated debate it entailed, involved much less political sensitivity than Iraq. It was approached as a particular window of opportunity and in the long run proved a fleeting interest. Arguably, Themis's conditions of possibility were constituted by the momentary appeal of the Rose Revolution. In the case of Iraq, conversely, the political urgency was prominent. Although in both instances

there was a conviction that the EU ‘must do something’, this ‘something’ derived from fundamentally different premises. In effect, whereas the launching of Themis aimed at promoting certain conceptions and the deployment was decided in a serene environment, the decision about Lex was dictated by the urgency to ‘do something or the Americans will monopolise the whole thing’. The US’s influence being present in both cases, its meaning revealed itself in different ways.

While the first two cases serve to delve into ESDP making from the intra-EU perspective, the third case illustrates the recognition of ESDP in international politics. Through this case, I follow the context of the EU-US-UN debate over the EU’s involvement in enhancing the UNIFIL troops in Lebanon in order to trace how ESDP might have contributed to the EU’s boosted image on the world stage. The case should illustrate the position of the EU within the EU-US-UN triangle and thereby examine the EU’s international identity from this relational perspective. Aware of the criticism associated with selecting the case on the dependent variable and thereby evading the confrontation with negative scenarios, I also bring in instances of the EU’s failure to engage, or rather to engage through a fully-fledged ESDP mission, and examine their contexts.

What do the cases do here?

The cases are analysed based on the premise that, first, ‘actions make an actor’ and, second, security is performative of identity. Accordingly, the analysis of the ESDP performance can contribute to the understanding of the EU identity in world politics. More specifically, the cases should:

- contribute to identifying the ideational and discursive sources and channels of the ESDP development, including the upsurge in civilian crisis management component;
- contribute to identifying the political repertoire comprising the argumentation behind the missions and the institutional practices establishing ways of ‘doing’ security by the EU;
- by introducing the context of the actual international interaction, they should facilitate getting the picture of the current security profile of the EU on the world stage.

Importantly, the cases are not examined in isolation from other ESDP activities and CFSP at large. As Gerring argues, “cases are not immaculately conceived; additional units always loom in the background” (2004: 344). He offers a useful distinction between formal

and informal units chosen for analysis. The latter are subject to intensive investigation and the writer has in-depth knowledge of them. Informal units, conversely, are brought into the analysis in a peripheral way. These informal units are often studied only through secondary literature as they are always more superficially surveyed than the formal units under study (Ibid). Along these lines, the unfolding of the case studies is followed against the background of other ESDP activities.

CHAPTER III SECURITISING IN THE EU MODE

The EU is an actor in the sense of the securitisation theory: it securitises by telling stories.
(Wæver 2000: 278)

In this third chapter, I analyse the ideational underpinning of the EU's security claim, how it has come into being and what salient moments have contributed to its shaping. Equally, I introduce the analysis of the EU's security practices by examining the ESDP's institutional endorsement. I thereby seek to trace the mode of EU securitisation, identifying securitising actors and their responses to strategic opportunities to define a specific political situation. These actors do not act unconstrained, so the next necessary step is to identify the contestants to the ESDP project and the most intense areas of political struggle over it. This is then the departure point for the next chapter where I comprehensively examine the actual process of ESDP deployment.

Historical vantage point

ESDP is often presented as a turning point in the EU's historical journey from an economic giant but a political dwarf to a force to be reckoned with in the world. It thus symbolises an evolution of the Union from a project focused on making war impossible among its small group of members, to a global mission expected to contribute to solving the world's problems. As the protégé of the US, the EU has arguably evolved into an independent, though highly cooperative actor, which claims that its very make-up preconditions it to be a substantial and unique force in international security. This represents something of the 'master plot' of ESDP's development.

Interestingly enough, ESDP has been relatively isolated from the overarching EU integration project.¹⁶ Developing at a rapid pace unparalleled in other EU policy areas, it has advanced despite setbacks of various kinds and in spite of the comparative decline in the significance of CFSP of which ESDP constitutes a part. The growth of the project has similarly been guided by a rationale different from those for other areas. It was characteristically performed by different mechanisms, among which the British-French dyad is significant when contrasted with the French-German axis noticeable in other areas.¹⁷ ESDP

¹⁶ Interview at the EUISS, Paris, July 2005.

¹⁷ Ibid.

has also developed into the driving force for the EU's recovery after the fiasco of the constitutional referendum. In Javier Solana's words, the policy is a catalyst for the mobilisation of public opinion so as 'to give value to the EU, to recuperate the respect, the love to what has been the EU, is the EU, and has to be the EU' (Solana 2005a). I attempt to understand this alleged ESDP exceptionality. I first explore the early framing of the project through an examination of the initial motivations and varying positions of the key actors. Subsequently, I deal with the distinctive phases in the development of the discourse, in pursuit of its underlying logic.

The kick-off – “We are giving ourselves the tools to deliver”¹⁸

The early days of ESDP as a coherent concept make it clear that the EU was to be endowed with a new kind of mission. Undisputedly, varied notions of European autonomy in the area of its own security had been circulating for decades, even if few of them developed into institutionalised form. They nonetheless fell short of converting into significant transformative leverage. Yet their continuous presence in the background of the debate made it possible to raise certain issues carefully without these ideas becoming instantly rebuffed, and it is here that the Rortian idea of the new, half-formed vocabulary created in frustration with old entrenched vocabulary is enlightening (1989).

In the common retelling of the ESDP's prehistory, a particularly traumatic moment was the refusal by the French parliament to adopt the constitution of the European Defence Community in 1954. I leave out a comprehensive catalogue of the previous initiatives in the security realm since I perceive the policy as an attempted emancipation from this failure. In this sense, it is built around a pragmatically driven urge to overcome the past and thus the past features as nuisance. The source of inspiration being this nuisance experience, the new vocabulary is constructed in clear opposition to the old verbiage.

The ideational landscape at the end of 1990s when ESDP was firstly introduced featured a number of post-Cold war assumptions, both ideological and institutional, which are markedly different from the environment in which ESDP operates at present. Principally, the previously formulated possibilities of a European security option, opened up in mid-1990s, were largely confined to thinking within the precincts of the 'European pillar' to NATO, i.e. the ESDI. At that time, the NATO Washington Communiqué set the trend by stating that:

¹⁸ Speech by Dr Javier Solana, SG/HR, Foreign Policy Association, New York, 25 January 2000.

We welcome the new impetus given to the strengthening of a common European policy in security and defence [...] We confirm that a stronger European role will help contribute to the vitality of our Alliance [...] which is the foundation for collective defence of its members. In this regard, we acknowledge the resolve of the EU 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 (emphasis mine) (Washington Communiqué 1999, article 9).

Accordingly, many European leaders felt obliged to mention in their speeches that the new developments in the EU security were in no way to infringe upon the principle of the collective defence within NATO, and that they mean ‘more Europe, not less America’ in military cooperation and security (Robertson 1999). In principle, the documents from late 1990s and the beginning of 2000s reveal the significance of extensive elaborations of what the

ESDP was not to be. In this respect, ESDP enlargement was not to be identified with building a European army, marching under the blue and gold-starred flag (Solana 2000b), nor was it to be an enterprise in any way impinging on the effectiveness of NATO (Blair 1998). Nor did it signify forcing countries to deploy their armed forces against their will (Solana 2000a) or was it aimed at ‘militarising’ the EU (Solana 2000d). European leaders went to great lengths to argue that ESDP was in fact very much to the advantage of NATO, as Europe would be better able to shoulder its fair share of responsibility (Solana 2000c). Thereby, the US paradigm of the ‘3Ds’ featured invariably in the ESDP’s repertoire.

This parade of justification and assurance was triggered by the boldness of the St. Malo declaration of December 1998, effectively becoming a symbolic breakthrough in the history of ESDP. It was, however, the so-called Helsinki Headline Goal (HHG) of December 1999 that represents the official inauguration of the ESDP discourse. The declaration set in motion the process of incremental capabilities building, together with defining the scope of the policy, in order—as it was initially formulated—to intervene in accordance with the Petersberg Tasks, i.e. in humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking. Importantly, the HHG embodied certain commitments, which must be lived up to, or ‘the ESDP remains an empty shell.’ If met, however, these commitments would offer the EU the means to support the values that lie at the heart of the Union. For these reasons, Helsinki can be regarded as an important moment in the development of ESDP. Interestingly, no official assertion of having achieved the HHG has ever followed. The Laeken declaration¹⁹ announcing ESDP operationability¹⁹ could be

¹⁹ The Laeken European Council in December 2001 formally launched an ‘operational’ European security and defence capability: ‘Through the continuing development of the ESDP, the strengthening of its capabilities, both

regarded as a signal in this direction, being as it was an enabling *carte blanche* for setting up ESDP operations. Indeed, although often regarded as merely declaratory politics, it nevertheless initiated a parade of missions and led to the accumulation of institutional experience (Kurowska 2007b). More fundamentally, however, the HHG itself has never been applied on the ground in its declared form. It rather represents a rhetorical flash, the flames of which illuminated other areas, and empowered initiatives of lesser profile but more substance.

Another decision taken at Helsinki pertained to the establishment of new political and military structures within the Council Secretariat to ‘ensure the necessary political guidance and strategic direction’ (European Council 1999b, article 28). These eventually grew to be the Political and Security Committee, Military Committee and Military Staff. Although much was made over the emergence of men in military uniforms in the corridors of Kortenbergh Avenue, it was soon to show that it would rather be the less-publicised non-military crisis management mechanisms established within the Council Secretariat at the same European Council that played a more immediate role in ESDP’s advancement.

Another significant but largely unnoticed event was the assumption by Javier Solana of the functions of Secretary General of the Council of the EU and High Representative of the EU for CFSP (SG/HR) in October 1999. Initially appointed for five years, in July 2004 his mandate was extended for another five-year term. It was also decided at that point that Solana would be appointed EU Foreign Minister on the day of entry into force of the Constitutional Treaty for Europe. Together with the post, further staff appointments were made within the Secretariat General of the Council of the EU (Council Secretariat) in order to facilitate the work of the SG/HR, for example, the Private Office of the SG/HR, and the Policy Unit. The SG/HR interpreted the creation of this arrangement as evidence of the commitment of the member states to developing CFSP (Solana 2000c). Formally his mandate envisages assisting the Council in matters falling within the scope of the common foreign and security policy, in particular through contributing to the formulation, preparation and implementation of policy decisions, and, when appropriate, acting on behalf of the Council at the request of the Presidency, through conducting political dialogue with third parties.²⁰ This seemingly negligible institutional and coordinating arrangement would yet to prove fateful as the new SG/HR immediately engaged in piecing together a tangible and workable scheme under the

civil and military, and the creation of the appropriate EU structures, the EU is now able to conduct some crisis-management operations. The Union will be in a position to take on progressively more demanding operations, as the assets and capabilities at its disposal continue to develop’ (European Council 2001).

²⁰ Article 26 of the Treaty on the EU.

label of ESDP. Solana's view that "What I do was in general not being done before either by the Commission or the Council" (Solana 2001c), would seem to lend weight to the argument that this point marks the inauguration of a new enterprise. By means of rendering explicit and visible the new EU security agenda, the office of Solana commenced upon a quest for piecing together the missing link in the EU's security policy, i.e. a skilful if at first low-profile pragmatic leadership, driven by the 'sense of duty, rather than rights' (Solana 2001b). The latter has gained substantial influence over the following years, steadily but consistently contributing to what is now ESDP.

Already in remarks to the press after assuming his functions, Solana used an argument vaguely present before but reformulated in specific terms, namely that introducing improved military capabilities is consistent with Europe's growing role in the world. According to this reading, the overwhelming success of the EU accomplished in so many other fields of European integration must translate into the EU becoming a more active and influential global power. As he argued, events from the recent past underlined this need, and, in order to stand up to these challenges, the EU should have an effective foreign, security and defence policy (Solana 1999b). Admittedly, too often in the past the EU has seemed unable to protect and enhance the values at the core of European integration (Solana 2004). Steps should thus be taken for the sake of credibility in the eyes of the European public and its transatlantic partners. Where not the EU's actual survival but rather the moral stature is at stake, the Union must demonstrate that it has the capacity to respond. Here, building an effective ESDP reflects the credibility of the member states to themselves (Solana 1999a).

As much as a declaratory statement, this formulation marks the beginnings of an organised interpretation of EU security policy. Challenged by the differing visions of the member states, and their unwillingness or incapability to act cooperatively at certain times, it has nevertheless developed into a kind of constitutive mantra, with ESDP's emergence becoming an enabling moment in this regard. As tellingly asserted by Solana:

it has been clear for some time that if Europe is to take its rightful place on the world stage it needs to have a ESDP [...] First the Bosnia crisis and the Kosovo have made it clear that we need more than just declarations of intent. We need to be able to act. And that means having military capabilities (Solana 1999a).

Two important issues thus come to the fore. First, although in a rather oblique manner, this would seem to highlight the comparative failure of CFSP. A new policy, even though placed within the old one institutionally, had to be launched in order to make the older one, CFSP, functional. Interestingly in this context, there has emerged a kind of organisational

practice according to which even if ‘ESDP’ is meant, officials strive to use the abbreviation CFSP and clothe the ESDP activities as such. Second, the launching of ESDP was explicitly designed to equip the EU with a military option, making the EU’s voice heard: “we are creating a pool of military resources ready and able to undertake EU-led crisis management operations” (Solana 2000a). With the rationale being that for the EU to play its full role on the international stage, CFSP must be backed by credible operational capabilities,²¹ the famous expression St. Malo declaration has effectively taken roots.

Yet, ESDP is not only about the creation of a rapid reaction force. It is also about the Union having access to other tools that might be better suited to maintaining or providing security than military force. This is why the Union is devoting particular attention to the development of other instruments, such as civilian police, for use in crisis management situations (Solana 2000f). Success in creating enhanced civilian capabilities can subsequently allow the EU to play a unique role across the full range of humanitarian and peacekeeping tasks (Solana 2000c). Tellingly, the civilian dimension seems to have translated into numerous tangible policy initiatives while the military option, the *raison d'être* behind the introduction of ESDP, is still lagging behind.

An important theme running through the project from its infancy is that the EU needs to act immediately as ‘time is pressing’. In a rapidly changing world, ‘we [the EU] cannot afford to be left behind (Solana 2000b)’ as ‘the world is not waiting while we get our own house in order’ (Solana 2000g). Further, ‘we should be a global actor and therefore we cannot just wait to solve our internal problems, because the world is not going to wait for us’ (Solana 2005a). This air of urgency and insistence that political events should not come to a halt, is juxtaposed with the assertion that the partners of the EU around the globe expect the EU to have an effective and clear policy on issues of international importance (Solana 2000f). These come with an insistence on the pragmatic character of the policy-making which oftentimes provides an excuse for unconventional performance. A glimpse at the operational philosophy embraced by the Council Secretariat is instructive to grasp the non-codified code of conduct in its daily work, offering a valuable insight into the nature of the practices that constitute the policy.

²¹ See e.g. European Council Presidency Conclusions, Vienna, 11-12 December; German Presidency paper, Bonn, 24 February 1999; Informal meeting of EU foreign ministers, Eltville, 13-14 March 1999, German proposal; Declaration of the European Council on strengthening the CFSP, European Council, Cologne, 3-4 June 1999.

In the official narrative, the decision to develop ESDP was taken because of globalisation and increasing interdependence (Solana 2001b), which make the traditional global stance on trade liberalisation and development assistance increasingly unviable. The necessity to act requires the EU to embrace a wider range of responsibilities and to take on a leadership role in security areas (Solana 2001c), with an aim to project stability beyond the borders of the EU (Solana 2001d). As the EU can no longer sustain a foreign policy with limited access to the full range of capabilities to meet its objectives, the development of ESDP is the only credible response to the challenge, providing the EU with the ability to engage effectively in crisis management and peace-making operations. This is “crucial if Europe is to defend its interests and maintain those values on which it is based” (Ibid). The capacity to use military force should then make the EU appear credible to other actors. The credibility theme and reputational concerns immediately surface in the course of legitimating ESDP (Solana 2001b). Similarly, these calls for acting together as the only means of yielding tangible results have become louder since, “in today’s world, the molecules are bound to fare better than individual atoms” (Solana 2001d).

Crucially, CFSP, and, accordingly, ESDP, are framed as essentially pragmatic exercises (Ibid). Hence, although principles are necessary, they do not suffice in and of themselves, they have to be turned into reality (Solana 2001a). The phrase “giving ourselves the tools to deliver” draws this out explicitly. So does the fact that the policy appears to have been developed from experience rather than prescriptive action, an important imperative being that member states will go with ESDP if it is shown to work (Solana 2001d). That is perhaps why so little time is spent on worrying about theory or institutional issues and the focus rather is on solving real issues (Ibid). Javier Solana evokes his related experience as the former Secretary General of NATO in a telling testimony before the House of Lords in the United Kingdom. The following excerpt should provide for meaningful context of the ESDP development:

I am very obsessed with the rhythm in which deployments out there can arrive because I have seen this experience. I was Secretary General of NATO when we deployed in late 1995/early 1996 the first troops to Bosnia and I had to take a decision collectively [...]. If we had waited to have all the elements until the last letter of the document for the first time that NATO was going on to do a peacekeeping operation resolved and understood, it probably would be still without finish or without a start. We had to say, “Let’s go, let’s do it, we will be able to do it, we have the spirit” and, if we had not gone then, by the time we arrived, the catastrophe that we claimed we wanted to stop would have been more difficult to stop or would have been unnecessary to stop because they had killed each other and the reconstruction would have been more difficult, etc, etc. So, to be right in time is very difficult but to be as close as possible right in time for any elements of the crisis management, be it money, be it diplomacy, be it civilian aspects or be it military

aspects, in my mind is fundamental and really it makes all the difference (House of Lords 2004).

Catharsis – “a secure Europe in a better world”²²

The ESDP story vividly illustrates how significant symbolic gestures represent the endorsement of concrete political projects. It also demonstrates how seemingly merely declaratory politics become constant points of reference and thereby tangible instruments within a particular political repertoire. The EU Security Strategy (ESS) offers a number of examples. Figuratively entitled “A secure Europe in a better world”, it was first drafted in June and finally adopted in December 2003 in the midst of a severe internal crisis with differing security conceptions coming to the fore. Two esteemed columnists conceived of Europe at that time as ‘gripped by self-doubt and traumatised by weeks of recrimination over the war in Iraq’ where ‘Iraq-led invasion raised profound questions whether the EU can develop its own foreign and security policy and whether the disagreements that opened up during the crisis will solidify into permanent divisions’.²³ The adoption of the ESS seems to have gradually contributed to overcoming this impasse. According to Solana, the ESS is the EU’s ‘strategic identity card’ that identifies it as a global, responsible, and credible security player (2004: 6).

Two aspects deserve attention here. First, while the challenge of the Laeken declaration of operationability was to convert intention into deed, the relation between ESDP and the ESS is a case of cross-fertilisation. The perceived need to provide conceptual and political grounding for missions and to strengthen ESDP at a time when CFSP seemed in shambles over the Iraq discord were important reasons behind the formulation of the strategy (Mawdsley & Quille 2003). The perceived necessity to operationalize the latter and demonstrate its feasibility generated a demand for more missions in line with the goals outlined in the strategy. In this sense, the ESS has become a constant point of reference providing justification for further action where the expansion of ESDP missions is seen as an endorsement of the ESS. Crucially, in the context of the missions, the ESS enabled the constraints of the Petersberg Tasks to be overcome, particularly their strictly humanitarian approach towards more ambitious, complex and timely solutions. One can argue that, not only did the ESS help heal the wounds of the Iraq crisis, but that it also contributed to the emergence of new conceptions. These shifted the old vocabularies of the Petersberg Tasks to

²² ‘A Secure Europe in a Better World’, The EU Security Strategy, Brussels, 12 December 2003.

²³ *Financial Times*, 15 April 2003.

the background. While the latter remain a label prominent in Treaties formulations, they no longer constitute a focal point in the politics of doing ESDP.²⁴ The seemingly fatal injury generated by the Iraq hence provided for a cathartic moment in the development of ESDP in that it induced the adoption of the ESS and the launching of first ESDP missions.²⁵

Second, the ESS may also mark the moment when the EU embarked on a thorough self-definition, which it announced worldwide. The formation of this self-definition brings into play the EU's significant others. The ESS became a response to the National Security Strategy of the United States of America, issued by the Bush administration in September 2002, and, in particular, to the introduction of the doctrine of pre-emptive force. This comes as no surprise in the light of the conviction that 'the rest of the world reacts to America, fears America, lives under American protection, envies, resents, plots against, depends on America. Every country defines its strategy in relation to the US' (Cooper 2003: 46). Importantly however, the ESS represents a fully-fledged attempt to come to terms with US preponderance and the EU's relation to this. Although widely seen as not too dissimilar, the documents clearly reveal differences in strategic thinking of the two polities. Paradoxically, it may be argued that contrary to the famous Kagan formulation, it is the American instance that unravels utopian tendencies, while the EU variation stands on more realistic grounds (Berenskoetter 2005). Essentially, however, the ESS amounts to the EU's deliberative effort to arrive at its own defence and security posture. While trying to respond to the American conceptualisation and thus engage with it, it simultaneously differentiates itself from many concepts adopted there or it strives to bestow different meanings on them. This involves subtle variations in vocabularies employed to name similar threats. The notion crops up in this context that meanings arise out of the interaction with others through language practices, so that the language gives a means by which to negotiate meaning through symbols (Blumer 1969).

A brief account of the content of the ESS and the circumstances of its drafting are in order here as they reveal the EU's declaration on its perceived security situation. In Solana's words, "Europe's security strategy is built on the concepts of responsibility, prevention, capability and partnership".²⁶ Responsibility has both a regional dimension in that the enlargement should not create new dividing lines in Europe and a global one in the face of interdependent world with fast moving threats. Preventive engagement is framed to be at the

²⁴ Interview with a Council Secretariat functionary, Turin, 10 February 2007.

²⁵ For an argument along similar lines, see Menon 2004.

²⁶ Javier Solana, 'Joining forces against common threats', *International Herald Tribune*, 12 December 2003.

heart of the unique European approach as it takes account of the environment in which threats are generated with the motto that ‘a world more fair is a world more secure’. The security strategy is made credible by the notion of capability both military and civilian, and by Europe’s partnership with the United States which is deemed irreplaceable as it ‘has underpinned our progressive integration and our security’ (Ibid).

The final version characteristically differed from the initial draft. Most tellingly, references to pre-emption were excised from the final version. The possible use of first-strike military action was mentioned in the first June draft, inspired principally by Robert Cooper, former foreign policy adviser to Tony Blair, the British prime minister, and the Director-General for External and Politico-Military Affairs in the EU General Secretariat. Cooper, whose influence exceeds the formalized competencies attached to his office, believes in a muscled (EU) foreign policy. An editorial in the *Guardian* went so far as to state that his advocacy, when he was a government official, of force and imperialism was ‘unprecedented and inflammatory’.²⁷ A glimpse at a passage from an influential book by Cooper should shed some light on his position:

Common European values have grown out of common historical experience, which, in extreme cases, can provide a justification for armed intervention. For a postmodern state [which he claims the EU represents – X.K.] there is a difficulty. It needs to get used to the idea of double standards. Among themselves, the postmodern states operate on the basis of laws and open co-operative security. But when dealing with more old-fashioned kinds of state outside of the postmodern limits, Europeans need to revert to the rougher methods of an earlier era - force, pre-emptive attack, deception, whatever is necessary for those who still live in the 19th century world of every state for itself. In the jungle, one must use the laws of the jungle. In this period of peace in Europe, there is a temptation to neglect defences, both physical and psychological. This represents a danger for the postmodern state (2003: 61-2).

Some member states found the proposition in the initial version ‘pre-emptive engagement can avoid more serious problems in the future’ (Solana 2003a), a proposition for which Cooper was responsible, highly provocative and hence insisted it be dropped. Instead, the term used in the final version is ‘preventive engagement’ and the emphasis of the doctrine is on intervention through multilateral institutions.²⁸ Although some commentators concluded that this renders the document bland and Europe’s commitment to security obscure,²⁹ France and, particularly, Germany, lobbied hard to have the initial proposition removed. “We are not

²⁷ *Guardian*, 29 March 2002.

²⁸ *Financial Times*, Judy Dempsey, ‘Words of war: Europe’s first security doctrine backs away from a commitment to US-style pre-emption’, 5 December 2003.

²⁹ *International Herald Tribune*, Borut Grgic, ‘European Security: A strategy with no muscle’, 13 December 2003.

having a security doctrine that reflects the US view or that [suggests] we are doing this exercise to please the Americans,” as a German diplomat cited by *Guardian* stated.³⁰ Although some claimed that while the Europeans may agree with the US on the nature of today’s principal security threats, the policy conclusions highlighted in the ESS are distinctly ‘European’,³¹ and the abolition of “pre-emptive engagement” was perhaps inevitable. The final December version thus reads:

We need to be able to act before countries around us deteriorate, when signs of proliferation are detected, and before humanitarian emergencies arise. Preventive engagement can avoid more serious problems in the future (Solana 2003b).

The introduction of Cooper’s perspective leads neatly on to the mapping out of what I refer to here as ‘Solana milieu’, a group of advisers to the HR/SG who have become major shapers of the ESDP’s conceptual and operational substance. Among them, Steven Everts sets out how Europeans see the international security environment, what Europe’s main interests and objectives are, and how the EU will achieve them (Everts 2003).³² In so doing, he brings in crucial threads that overarch the perception of the ESS from within. Everts argues that, through the Iraq crisis, EU leaders learnt the hard way that without a common analysis of threats, a consensus on how to tackle them would prove unattainable. Consequently, the ESS demonstrates that the EU can learn from its failures, as the European leaders are now more prone to debate strategies and policies rather than seek refuge in more familiar discussions on institutions and processes. Fundamentally, the adoption of the strategy contrasts dramatically with the situation of the year prior to its adoption, when it would have been impossible to get all countries to sign up for a European strategic culture “that fosters early, rapid and, when necessary robust intervention [a state to be achieved as set out by the ESS – X.K.]”.

Another central theme in Evert’s analysis is the EU’s positioning of itself towards the US and the related abandonment of the concept of pre-emption. He characteristically asserts that although the US elaborates extensively on promoting democracy in the Middle East, it is nevertheless ill-equipped to effect it. The Europeans, conversely, are better placed to

³⁰ *The Guardian*, 13 December 2003.

³¹ *Strategic Comments*, ‘The European Security Strategy: Towards a Muscular Foreign Policy?’, November 2003.

³² Steven Everts, “Two cheers for the EU’s new security strategy”, Centre for European Reform, December 2003. At the time of the article a senior research fellow at the Centre for European Reform, London, the author went to become an advisor in the Javier Solana’s Private Office in the Council Secretariat. At present, next to the policy advice-giving, he contributes to the shape of the speeches by the SG/HR and handles the operational link between the Council Secretariat and the EUISS. Interviews at the EUISS, Paris, July 2005 and at the SG/HR Private Office, Brussels, November 2005.

accomplish the task but still give an impression of not wanting it badly enough. As for the substitution of the notion ‘pre-emptive’ engagement by the less threatening term ‘preventive’ engagement, Everts acknowledges that the strategy goes backwards in this respect. He mentions the EU’s official explanation that pre-emptive engagement lacks direct translation into European language, but admits that the political connotations of the term and its prominent position in the US thinking must have realistically been a greater problem. This alludes to the still entrenched EU apprehension with the contentious issue of the conditions for the use of force. Overall, however, the tone of the document ‘heralds a new assertiveness and suggests that the EU is losing its innocence in handling international affairs’. Moreover, ‘the concept of effective multilateralism, which runs like a scarlet thread through the paper, is critical as it acknowledges the need to act tough when countries break international rules’ (Ibid).

Yet another theme in this securitising framing is the shift in the security versus development nexus in terms of the EU’s international engagement. Rigid as the dichotomy may seem, the security-versus-development debate demonstrates its vigour in the conceptual and institutional differentiation between the Council Secretariat and the EC and the respective institutional practices reflect these differing understandings.

In the Commission’s lexicon, ‘development assistance’ remains of central importance (Ferrero-Waldner 2006). The Commission advocates the principle that long-term investments in developing democratic practices, introducing the rule of law and boosting the strength of civil society in fragile communities, is a key to bringing about security. ESDP interventions are therefore often framed as ‘a drop in the ocean’, aimed at acquiring political clout and hardly capable of inducing systemic changes.³³ Conversely, the ESS explicitly spells out that security is a precondition of development as ‘conflict not only destroys infrastructure, including social infrastructure; it also encourages criminality, deters investment and makes normal economic activity impossible’ (Solana 2003b:2). Although no Council official calls for the reduction of development aid, Solana believes that it cannot be distributed and used in a productive manner if the security situation is shaky (House of Lords 2004:8-9). In order to aid in reconstruction in post-crisis situations, one has to guarantee security first. ‘We have several examples of how by not creating the conditions of security lots of money has not arrived to where it should arrive and has not been used in the best manner. It does not mean that you have to bring to zero the economic help but it is a question of *phases* [emphasis mine

³³ Interview with an EC desk officer, Relex, Brussels, 11 April 2006.

- XKJ]’ (Ibid.). The latter envisages the process of prioritisation along which the most immediate security concerns come first and need to be sorted out before the Commission reconstruction projects come in. This insistence on a ‘harder’ security vocation of the EU implies not only reconceptualization of the role of the EU in the international arena, but also institutional recalibration within the EU. The dominant position of the Commission in external action, based on its status as financial development aid provider in chief, is challenged by a more assertive Council, which believes that security is prior to development. The proliferation of missions is then a channel through which the security conceptions of the second pillar security proposition become asserted. As such, it marks the realization of the political project advocated by the ‘Solana milieu’ (Kurowska 2007b).

The receptiveness of the ESS is also instructive in seeking to grasp the contours of the ‘Solana milieu’. Composed by a few high-level officials in the Council Secretariat, the document hardly indicates the bottom-up emergence of the member states’ agreement on the EU foreign policy. Rather, the process validates the argument about the entrepreneurial role of the ‘Solana milieu’, not only through managerial coordination, but also via conceptual engineering, agenda management and practical execution. The distinctive skilfulness of this particular agent reveals how it effectually obtained a doctrinal document that reflected its interpretation of the EU’s security situation. Particularly, the Council Secretariat succeeded in creating a document, which was relatively easily digestible by the major audience it targeted, i.e. the EU states. Domestically in terms of the institutional governance, the Commission reaction to the adoption of the document is of interest. The official declarations were welcoming, and the subsequent international EU activity was described as operationalising the strategy.³⁴ However, interviews taken at the Commission expose an alternative posture according to which the ESS was at first not recognised in principle, and then resented as yet another attempt by the SG/HR to reinforce his position and take over a dominant stand vis-à-vis the Commission.³⁵ Admittedly, the adoption of the ESS has proven of considerable significance as a constant point of reference. The mere existence of the strategy has been recurrently presented as a success in itself and evidence of major accomplishments of the EU in the realm of security policy. It has become a framing document and as such has provided the boost for further discursive sedimentation of ESDP. The concepts elaborated in the

³⁴ Interview with an EC research fellow, Florence, November 2005.

³⁵ Interview in the team of EC Representative to the PSC, Brussels, November 2005.

strategy legitimately entered the repertoire of SG/HR securitising, and the call for operationalising the strategy followed.

The analysis above provides a sketch of the narrative through which ESDP securitisation has been endorsed. It points towards recognising European values or an EU idea of democracy, peace and good governance as an organising principle within the referent object of European security. In itself, the European project rests on three arguments: firstly, to exorcise the demons of Europe's past (and thereby make conflict between members inconceivable); secondly, to extend the zone of peace and prosperity across our continent; and, thirdly, to deal with security threats emerging in a borderless and chaotic world.³⁶ Important implications about the means to provide security follow from this logic. Since the EU own historical record makes it particularly appropriate to convert conflict into cooperation in antagonised communities, the EU model of good governance should be an archetype in this quest. Societies in turmoil would benefit from implementing the EU's example since it has proven unequivocally successful. Fundamentally, although the European foreign policy is underpinned by the specific values of the fight for peace, fight for stabilisation, compassion with others who suffer, large-scale engagement in crisis management where people are suffering,³⁷ it is in the EU's own interests to mould communities around it in line with its own image. Through 'creating a ring of well-governed states' around its borders, the EU works towards securing its own peaceful existence.

Institutional endorsement – the cast of characters

In examining the process by which the policy was framed and designed, the previous section already mentioned some of the main players in the ESDP game. In the present context, I take on this discussion via the issue of the policy's institutional endorsement. This encompasses the institutional relationships between the major securitising actor, its facilitating bodies and the contestants to the project, in addition to the chief fields where this interaction is enacted. In doing so, I aim to operationalise the widely accepted leitmotif of new institutionalism that 'institutions matter'. Crucially, however, while an inventory of the institutions involved in ESDP making provides for an important clarification, any isolation of a particular body as an independent variable clashes with the actual interdependence among these entities. It is thus

³⁶ Speech by Javier Solana, EU HR for CFSP, Man of the Year award, *Gazeta Wyborcza*, Warsaw 11 May 2005.

³⁷ Address by the SG/HR for CFSP Javier Solana to the Joint Meeting of the Committees on Foreign Affairs and Defence Policy of the Parliaments of EU-Member States and the European Parliament, 5 October 2005.

important to note that the practices that enact the policy become forged in an ongoing interaction across the ESDP machinery.

The setup as the Treaty says

The Treaty on the European Union (TEU) that entered into force in 1993 commenced the formal institutionalisation of CFSP. Its innovations proved largely symbolic at the initial stage, and they were to be followed by the practical failure of the nascent CFSP whose shape revealed inadequate and urged the launch of ESDP. Since the institutional players in ESDP have only appeared relatively recently, the in-depth literature on their role is scarce and often limited to one particular actor, rather than providing an examination their interaction (Duke and Vanhoonacker 2006: 165). The institutionalisation of the domain has further proven of unique character as compared to the overall logic of both EU integration in general, and the CFSP establishment in particular. The process of European integration hinges on a series of moments when crucial decisions are taken while these decisions are formalised through the procedure of treaties. In this regard, the scope for agenda-shaping in the first pillar becomes significantly constrained as Community politics remains prescriptive and technocratic. Consequent to the formally intergovernmental character of the second pillar, conversely, the scope for agenda shaping there largely depends on political entrepreneurship.

The TEU introduced an institution to support the formulation of CFSP in the form of the Directorate-General E for Political and Foreign Affairs within the Secretariat General of the Council of the EU. The Treaty set out the objective that the Union should ‘establish its identity on the international scene’ (Article 2), and it equipped CFSP with a number of goals (Article 12) and policy instruments (Articles 13-15). These provisions remained solely on paper until the 1999 Treaty of Amsterdam provided for the position of High Representative for CFSP—the position filled by Javier Solana—who got the policy off the ground by organising the concept of ESDP. I proceed by reconstructing the institutional setup of CFSP according to the letter of the treaties, then identify bodies that have contributed in particular fashions to the development of ESDP.

At the top of the political hierarchy sits the General Affairs and External Relations Council (GAERC), which gathers ministers for foreign affairs empowered to commit their governments and who are held politically accountable to them. Its agenda is prepared by Committee of the Permanent Representatives (COREPER) comprised of member states’ permanent representatives at the ambassador level, and it includes items for approval without

debate and those that must be debated. The latter body is divided into COREPER II and I, with the former being of a higher rank. The Council's Rules of Procedures stipulate that all issues subject to Council decision must be on the agenda of COREPER.

The Helsinki European Council of 1999 decided to establish new permanent political and military bodies at the service of ESDP: the Political and Security Committee (PSC), the EU Military Committee (EUMC), and the EU Military Staff (EUMS). The former two are member state representatives' bodies with the EUMC established within the Council and the EUMS being a Council Secretariat department. The PSC monitors the international situation, contributes to the formulation of policies by giving the Council opinions, and oversees the implementation of the policies that are agreed. In crises, it should play a central role in defining the Union's response in that it will be responsible for the political control and strategic direction of all military operations, with the support of the opinions and recommendations of the EUMC assisted by the EUMS. In the event of such a crisis, the PSC constitutes the key strategic actor leading the formulation and implementation of an ESDP operation. According to the EU's crisis management procedures, all available information relating to the ongoing crisis should be forwarded to the PSC which will subsequently be convened in order to agree on a Crisis Management Concept. The PSC is also at the core of the process leading to the drafting of the relevant Joint Action, Concept of Operations, and Operational Plan, which together constitute the key documents guiding the implementation of the operation on the ground. Once agreed at the PSC, these documents are forwarded to the Council essentially to be rubber-stamped since it is rare that the Council will reopen issues that have been already approved by the PSC (Juncos and Reynolds 2007: 136).

It is important to understand the division of labour between the PSC and COREPER II, as the establishment of the former initially generated some institutional rivalry between the two (Ibid, 135). In May 1992 an agreement was reached according to which the Political Committee (today the PSC) 'formally has a subordinate role vis-à-vis the Permanent Representatives Committee' (de Zwan 1995: 178). Furthermore, under the agreement, while the Political Committee focuses on substantive political analysis, COREPER looks after the institutional, legal, financial and Community aspects of the questions on the table, thus refraining from altering or editing the opinions of their colleagues (Wessels 1999:81). The PSC has currently seen a steady increase in its workload as it is responsible for both military and civilian crisis management at the political level.

The EUMC is the highest EU military body. Formally composed of the Chiefs of the Defence Staff of the member states, it is responsible for the direction of all military activities

within the EU framework. The EUMC is the designated ‘forum for consultation and cooperation between the member states in the field of conflict prevention and crisis management’. The EUMC thus emerges as the key decision-shaping body in crisis management situations, drawing up and evaluating strategic military options, overseeing the elaboration of an operational plan and monitoring operations throughout the mission (Howorth 2007: 74). The EUMS comprises of some 150 senior officers seconded from the member states. It provides military expertise and capacity, including during the conduct of EU-led military operations. The EUMS works under the political direction of the European Council (through the COREPER) and under the military direction of the EUMC. Although the EUMS does not act as an operational HQ, it performs the operational functions of early warning, situation assessment and strategic planning and provides in-house military expertise for the HR/SG (Ibid., 75).

The EUMC and EUMS, despite their members’ arrival in military uniforms being heralded extensively, have, in the event, had less tangible effects on ESDP culture. The meagre scope of military operations means that the results of their work have so far mainly remained within the walls of the building in Kortenbergh Avenue where they are headquartered. A body whose operationality has been particularly significant for the shape of the ESDP is the Committee for Civilian Aspects of Crisis Management (CIVCOM), created by the Council decision of 22 May 2000. It is responsible for providing information, making recommendations and giving its opinion to the PSC on civilian aspects of crisis management. The upsurge of civilian missions reflects to a large degree the present position of the CIVCOM in the ESDP’s institutional interaction. Not a Council Secretariat body, the CIVCOM comprises national representatives and it reports formally to COREPER although it receives guidance from and provides information to the PSC and attempts to coordinate Commission and Council contributions. The majority of decisions concerning civilian operations are prepared within this body, with the PSC rubber-stamping most of the conclusions adopted within the CIVCOM.

Securitisers and its facilitators

Crucially, the hazy institutional setup and unclear relationships between the different bodies involved in the process of ESDP making leaves considerable room for manoeuvre for the Council Secretariat leadership. If the latter does not represent a fully-fledged form of political

leadership, it does constitute a specific kind of strategic entrepreneurship and proves critical in the cases of concrete ESDP involvement.

As elaborated above, the office of the SG/HR, or ‘the Solana milieu’, assumed the conceptual and political agenda setting within CFSP via practically designing and endorsing ESDP. I attempt to grasp the nature of this securitising actor by applying the concept of entrepreneurship, or instrumental leadership. This can be defined as ‘an asymmetrical relationship of influence in which one actor guides or directs the behaviour of others towards a certain goal over a certain period of time’ (Underdal 1994: 178). Fundamentally:

instrumental leadership is not about imposing one actor’s preferences but it is a matter of finding means to achieve common ends [...] one actor’s guidance is accepted by others either because they become convinced of the (substantive) merits of the specific diagnosis that actor offers or the cure he or she prescribes or because of a more or less diffuse faith in the actor’s ability to ‘find the way’ (Ibid, 187).

By means of rendering explicit and visible the new EU security agenda, Solana’s office commenced already in 1999 a quest to put together the missing link of EU security policy, namely a skilful if at first low-profile pragmatic leadership. The continuity of this leadership contributes to the build-up of an institutional memory of how to do things effectively and ensures a strategic agenda management. The Council Secretariat (the Solana milieu) does more than set the ESDP agenda. Its influence extends to what Jonas Tallberg (2006: 68-70) refers to as ‘agenda structuring’, i.e. the ranking of issues according to salience, and, by extension, ‘agenda exclusion’, or the mobilisation off the agenda of certain issues. Neil Fligstein describes agenda setting as a strategic social skill and action (1997). In his reading, agenda setting requires behind-the-scenes action to convince multiple actors and groups that the agenda is in their interest. This effectively determines where the group is going and what their collective identity is likely to be.

In this respect, the Council Secretariat has been busy winning over the member states for the endorsement of its project. A primary example is the way in which the Council Secretariat has negotiated hard to instigate missions. As the primary objective is to have missions, less attention is devoted to the formula of particular operations, the concerted effort being instead focused on gathering the member states around a project.³⁸ As a consequence, compromises are made that perhaps undermine the potential of a particular operation to make a substantial difference on the ground. The immediate stakes are elsewhere, however. They consist in bringing the member states together in order to enable an international action in the

³⁸ Interview with a Council Secretariat functionary, Turin, 8 February 2007.

first instance. This proceeds by ingraining the idea of the EU's unique capabilities in international crisis management, the potential viably to tap them in a particular case and the corresponding urge to do so for the sake of the EU credibility. While this purpose is overtly stated in the discourse, the means to achieve it is left unexplored in policy analysis.

In particular, practitioners involved in daily making of ESDP characteristically provide a multifaceted picture of policy design.³⁹ There the policy work is seen as a continuing process, concerned with the maintenance of relationships as well as the production of documents. Practitioners stress a wide range of participants, with diverse agendas and values, who are thrown together in various ways to produce ambiguous and provisional outcomes. In this situation, and regardless of intrinsic political struggle, the emphasis often is on generating cohesion around courses of action, and strengthening the capacity for future collaboration. And although policy is predominantly seen as being about choice, it is perhaps more about meaning, generating understanding what appropriate concerns are, why they are appropriate and what actions are appropriate responses. Put differently, ESDP making is concerned with the formation and maintenance of certain interpretations of the policy at different levels.

Against this background, the strategic actions taken by the Solana milieu should not be construed as calculated instrumental steps that address problems and identify goals, but should instead be problematised as political agency operating within mediating webs of interaction. The policy process is best approached here as being problem-finding: defining the world in such a way that known (or advocated) practices of governing represent appropriate responses. 'Naming and framing' (Rein and Schon 1994) is a central element in the constitution of the policy. This means that the identification and specification of policy concerns involve the interplay of different sets of understandings. As Giandomenico Majone (1989) argues, it is less like laboratory science than legal argument: a process of finding good reasons for doing things in situations where neither the nature of the problem nor the appropriate response is clear and unambiguous. With the participants struggling to get their language accepted rather than that of others, this process remains inherently contested (Gill and Colebatch 2006).

In order to unpack the Solana milieu's political action, I borrow from Neil Fligstein (1997) and Steven Lukes (1974). First, agency knowledge relies upon 'taking what the system

³⁹ These summary conclusions are based on serious of repeated interviews between July 2005 and February 2007 with functionaries involved to different degrees in ESDP making.

gives', which in turn implies social awareness of the system, the agency position within it and the possible channels of manoeuvre. If good fortune, however, offers up unplanned but potentially rewarding opportunities, the actors grab them even if uncertain as to the ultimate usefulness of the gain. This has been demonstrated by the Council Secretariat's eager embrace of varied possibilities for the launching of missions. Second, we can track intense framing of action. As examined at length before, the milieu has organised a distinct interpretation of the EU security potentialities and responsibility. Third, within the inner debates among the member states, the Council Secretariat profiles itself as a cautious negotiator, creating an image of an honest broker. This pops up in the Council Secretariat's handling of member states performance in the policy and its evaluation. While the necessity of acting together in a coherent way never leaves the agenda, the Council Secretariat is at pains not to antagonise the member states towards one another and towards the Council itself by explicitly attributing blame.

Fourth, the Solana milieu will always 'ask for more while settling for less'. This applies both to the CFSP budget and the member states' political will. Accordingly, the stakes are repeatedly raised and the EU position habitually magnified in an attempt to put together what is ultimately a rather modest project. Fifth, and accordingly, the usual take is 'trying five things to get one', the expectation being that most things will fail but all one needs is a few victories to convince others. This must not be confused with reputational risk-taking. ESDP has the reputation of waiting for the right crisis to occur for the EU to engage. ESDP performers often 'pick up' the enemy according to the means at hand in the fear not to spoil the EU's image through outright failure. In this context, trying multiple courses of action consists rather in exploring different possibilities within the scope identified as attainable.

Sixth, the Council Secretariat needs to engage in aggregating interests, i.e. it must find ways to persuade actors with widely different preferences. This aggregation process unfolds in the negotiations over various endeavours within ESDP and it usually takes on a life of its own as the Council Secretariat can hardly foretell the outcome of this social game. In this regard, it is revealing to observe how ESDP performers often admit that, setting off on a particular venture, they regularly 'don't know how it's going to end'.⁴⁰ Despite this humble working attitude, the aim of the endeavour is by no means *ad hoc*. It is instead strategic in the sense that it seeks ultimately to establish the EU as a viable security actor of a specific

⁴⁰ Interview with a functionary from Secretariat General of the Council of the EU, Policy Unit, Turin, 8 February 2007.

character. In order to accomplish this, the domestic position has to be secured alongside the negotiation of an international identity with other players in world politics. Seventh, an indispensable quality of a strategically-driven actor is making others think they are in control. In this respect, it is crucial to observe how the perception on the part of national capitals that on the key issues in the second pillar it is they who are in control has proven instrumental to the development of ESDP.⁴¹

The practical emancipation of the Council Secretariat from the member states can hardly go unnoticed, however. It is facilitated by the states' wish to delegate power to the Council 'informally' on issues that require a degree of engagement and expertise they can ill afford. This is not to suggest that member states renounce their prerogatives. They like to view ESDP through national lenses and become active in ESDP decision-making when a region falling within their interest is on the agenda. Hence, the clichés of France's dedication to Africa and of the preoccupation with post-Soviet space of the Eastern European members apply. The Council Secretariat is correspondingly conscious about this differentiation of concerns and never fails to acknowledge them, tacitly and behind-the-scenes if necessary or in a more conspicuous manner if that suits the situation at hand.

Accordingly, the broader institutional machinery of ESDP should not be viewed in administrative terms only. Quite to the contrary, at the higher echelons of the administration, the work of civil servants is often highly political and administrators are more than neutral technicians (Duke and Vanhoonacker 2006: 164). Along these lines, the Policy Unit attached to the SG/HR, together with the Private Office comprising SG/HR advisors and special representatives for particular issues, may be seen as shells where major conceptual trends are begun and discursive repertoires elaborated in the pursuit of adequate 'staging' for ESDP. The SG/HR provides political entrepreneurship and handles generic issues of conceptual and operational nature, thereby mobilising the appropriate political capital. The Directorate-General E in the Council Secretariat (External relations, politico-military affairs), and especially DGE 9 (civilian crisis management) and 8 (military crisis management) within the latter, shape the agenda in that general schemes are converted into specific operational plans and assessments.

The position of DGE 9 should be stressed in this regard. Despite a modest depiction in the ESDP apparatus, its role has increased in connection with the rising number of civilian

⁴¹ Interview with a functionary from DGE 5, Secretariat General of the Council of the EU, Brussels, 14 November 2005.

operations. Within DGE 9, concrete operational and conceptual scenarios are drafted. Not only are exploratory and fact-finding missions prepared here but so are concepts of operations and operational plans. Since ESDP 'inherited' military scenarios from the WEU, in DGE 9 they had to be converted into civilian schemes which involved a substantial amount of interpretive and innovative work. Despite a rather technical task description, then, DGE 9 proved politically instrumental in the process of launching a number of operations.

Another crucial dimension related to the positioning of DGE 9 is the in-house evaluation of civilian missions. Drafting evaluations and lessons learned constitutes a fundamental element of ESDP. By generating certain logics regarding the depiction of operations and their practices, together with setting specific means of measuring success, the evaluations generate institutional vocabularies and *modus operandi* that in turn contribute to the overall picture of the policy. This has its particular significance due to the fact that DGE 9 reports are subsequently distributed to the national representative bodies, i.e. the PSC and CIVCOM. As the basis for discussion, these become framing reference points, and a seemingly merely administrative body thus effectively contributes to the establishment of a specific institutional identity.

The member states's counterpart to DGE 9, and a body with similarly increased operationability, is CIVCOM, where the political debates take place *sensu stricto*. The intensification of work via the multiplication of missions has contributed to CIVCOM gaining considerable significance in ESDP making. As the PSC is overburdened with large quantities of decisions in need of being taken, the groundwork concerning civilian missions is predominantly performed by CIVCOM. As estimated by a national representative to the body, approximately 80% of decisions are de facto taken at the level of CIVCOM, with the PSC merely sanctioning the provisions.⁴² Further, owing to their inundation with activities regarding deployments, the states, which have no national expertise in certain areas or hold an undecided positions towards some regions, rely on the Council Secretariat (and effectively on DGE 9 as regards civilian missions and DGE 8 for military operations), both in terms of presenting initiatives and formulating political positions. Incapable of acquiring first-hand accounts if they lack dense diplomatic networks in the country of a specific ESDP intervention, they further depend on the reports compiled within the Council Secretariat. These hinge on the vernacular, which unfolds according to the tacit rules of the milieu and thus reveals as much as it conceals. Accordingly, grasping the interactional link between

⁴² Interview with a member state diplomat, Tbilisi, June 2005.

CIVCOM and the DGE 9 appears crucial for understanding how these two co-constitute their agendas.

While emphasising the knowledgeability and effectiveness of those shaping ESDP, one should not lose sight of the enabling conditions that have allowed for the emergence of this agency in the first place. Advantageously for the ‘Solana milieu’, the organizational field of EU security and crisis management was barely structured. The EU had previously shied away from tangible defence initiatives, with the Commission engaged in tasks of a development assistance character and, externally, NATO as a defence alliance. Still, initiating change proved a competitive activity, better described as ‘warfare’ than a textbook account of the policy-making process.

Turfing – the major contestant

Formally, the Commission representative to CIVCOM is tasked with ensuring coherence between pillars I and II, or, more generally, securing coherence of the EU external action at large.⁴³ Some, however, have connected the Commission’s position in CIVCOM with the assignment to prevent Council encroachment upon Commission competences.

ESDP’s deep intrusion into the area of civilian crisis management has caused explicit frictions with the Commission, which until not long ago regarded promotion of rule of law and institution-building as its exclusive competence. The Commission’s institutional resentment of the encroachment of ESDP on its turf is further aggravated by the current trend that has seen the Council reclaim political influence it had previously ceded to the supranational body. In response, the Commission seeks to be involved at every stage of the ESDP policy cycle. This is facilitated by, first, its role as a budget manager and executor of civilian ESDP and, second, its mandate to ensure consistency and procedural integrity of EU external action at every level of CFSP. In practical terms, the involvement of the Commission becomes politically tangible in the course of negotiating the formats of particular civilian missions as well as their budgets and adherence to procurement policy rules. Each time a civilian mission is planned, negotiations over its format between the Commission and the Council begin from scratch as no template of co-operation has been agreed as of yet.⁴⁴

⁴³ Interview with the EC representative to the CIVCOM, Brussels, 24 November 2005.

⁴⁴ Ibid.

In this context, ESDP making in the realm of rule of law is inherently difficult and remains contentious. On the part of the Commission, ESDP rule of law missions are a touchy subject.⁴⁵ Whereas border monitoring or police missions are more understandably dealt with by member states, rule of law as an area of a systemic change requiring long-term engagement, is seen by the Commission as its own realm of activity.⁴⁶ The pre-launch negotiations between it and the Secretariat General on the Border Assistance Mission to Ukraine/Moldova (EUBAM) demonstrated, however, that this assertion cannot be extrapolated automatically. The conception and launching of EUBAM proceeded in the context of intense Council-Commission bargaining over its structure and leadership.⁴⁷

The accounts as to the institutional origin of the mission remain characteristically at odds with each other. Council sources maintain that the mission was initially conceived as a purely ESDP operation,⁴⁸ while the Commission asserts that the genesis of the mission originates in 2003 and that it was a desk officer in Relex that recognised the opportunity to build on the momentum created by the Orange Revolution. This was to spark internal debates in the EC in Spring 2005, parallel to the Council's attempts at seizing the opportunity for deployment.⁴⁹

EUBAM clearly afforded the Commission an important means to engage in a substantial significant manner and burnish its institutional image. The Commission thus went to great lengths to profile the enterprise and its own aptness for implementing it. In addition to the substantial conceptual work on projecting the mission and the intense institutional lobbying to secure its ownership, it employed two arguments against the Council, which was seeking to take charge of the intervention.⁵⁰ First, the operation did not foresee a military element and, second, the Commission was already heavily engaged in the region, including in projects of similar character, and was therefore allegedly better placed to take on the task.

Ultimately, the Council ascribed its fiasco in taking ownership of EUBAM to a lack of funds in the CFSP budget and the mission was launched via the Commission's Rapid

⁴⁵ Ibid.

⁴⁶ Interview with the EC representative to the CIVCOM, Brussels, 24 November 2005.

⁴⁷ Interview with a functionary from the Private Office of HR/SG, Brussels, 14 November 2005. For a comprehensive discussion on the genesis and assessment of EUBAM see Kurowska and Tallis forthcoming.

⁴⁸ Interview with an EU functionary from the Private Office of HR/SG, Brussels, 14 November 2005.

⁴⁹ Interview with an EU functionary, Brussels, 19 October 2007.

⁵⁰ Interview with the EC representative to CIVCOM, Brussels, 24 November 2005.

Reaction Mechanism (RRM).⁵¹ The necessity to establish and deploy rapidly in order to “seize the window of opportunity that may not last long” looms large in all EC documents justifying the action.⁵² Although there were discussions about the Council taking over the operation in late 2005, it has now become the EC flagship enterprise in this field,⁵³ an exemplar demonstrating that the Commission is equally able to seize the opportunity to deploy a highly sensitive crisis management-type mission.⁵⁴ In this respect, EUBAM is emblematic of the identity *mêlée* between the Commission and the Solana milieu. As a significant achievement of the former in upgrading its institutional standing, EUBAM is viewed in the Council Secretariat as a fleeting if clever victory by the Commission, exploiting the ESDP initial failure to include comprehensive border monitoring concepts in its civilian repertoire.⁵⁵

A number of member states strongly opposed the idea of the Commission taking charge of EUBAM as an unwelcome precedent for first pillar encroachment onto the Council’s turf. Consequently, the political formula and organisational structure of the mission had to be arranged in such a way as to alleviate these concerns and produce arrangements digestible for the hesitant, or openly belligerent member states.⁵⁶ Functionaries involved in preparing the operation accordingly put a lot of effort into solving this predicament. This gave rise to an innovative use of the notion of double-hatting at the level of a project, together with a multilayered mission structure, obscuring the de-facto Commission ownership of EUBAM and procuring an impression of Council supervision over the enterprise.

To satiate the desire for the Council political oversight, the Head of the Mission (HoM) was cast in the role of senior political advisor to the EU Special Representative (EUSR) to Moldova and put in charge of an enhanced support team on border monitoring assigned to the EUSR. The team comprises three other diplomats, seconded from member states, located respectively in Odesa (EUBAM headquarters), and in the EC Delegations in

⁵¹ As of January 2007 RRM is replaced by Stability Instrument, which extends the period of crisis management instrument application to up to 18 months. RRM was employed for periods up to 6 months after which other sources had to be employed.

⁵² See in particular background documents to the EUBAM deployment: The Commission’s RRM financing decision on the establishment of EUBAM C(2005) 4231 of 28 October 2005 – Brussels, 28 October 2005 and The information note on the establishment of EUBAM from the Commission to the Council – Brussels, 27 October 2005.

⁵³ Interview with a member of the EC Delegation to Ukraine, Odesa, 21 June 2007.

⁵⁴ Interview with an EU functionary, Brussels, 19 October 2007.

⁵⁵ Interview with an EU functionary, Brussels, 19 October 2007. Border monitoring was officially included in civilian ESDP in 2004, but at the time of debating EUBAM, concepts of operation were only at a preliminary stage.

⁵⁶ Interview with an EU functionary, Brussels, 19 October 2007.

Chisinau and Kyiv. The Joint Action on the mandate of the EUSR was accordingly amended in order to accommodate ‘the new tasks of the EUSR for Moldova in relation to the EU Border Mission for Moldova-Ukraine [which is designed] to enhance the effectiveness of border and customs controls and border surveillance activities in Moldova and Ukraine along their common border, with a particular focus on the Transnistrian section, notably through an EU Border Mission.’ (Council of the EU 2005).

In practice, however, the EUSR team appear detached from both the daily and strategic conduct of EUBAM. Although in accordance with their job description the diplomats provide some contextual input, they generally focus on acting as liaisons for political issues between the mission and the EUSR and Brussels. Their isolation or exclusion from EUBAM decision making processes is further reflected in their concentration on the 5+2 Transnistria settlement talks.⁵⁷

In terms of external management, EUBAM is supervised by Relex and the EC Delegation to Ukraine and Belarus, located in Kyiv. It is also fair to say that the mission has, similar to many ESDP operations, evolved into a somewhat self-sustaining entity with an elaborate internal structure. The chain of command has been designed as obscure from the beginning. This allows the mission’s management to report directly to Brussels, circumventing the EUSR link and satisfying the Commission’s need for control.

Fundamentally, it is important to recognise in what ways the realm of civilian crisis management offers political opportunities potentially accessible to both the Council and the Commission. This induces struggles over the definition of a given political situation and the applicability of instruments at the disposal of one actor as opposed to the other. When the EUBAM opening emerged, the Commission’s chagrin towards the Council’s endeavours in this field was additionally mounting as a result of the clash over the launch of Aceh Monitoring Mission (see the discussion below). I further elaborate on two areas depicting this political tussle, the channels of financing civilian ESDP operation into which the EC is directly involved, and the context of the European Neighbourhood Policy (ENP), the newly designed instrument in the EU external repertoire, largely administered by the Commission.

Money talks

The general rule under Article 28 TEU is that all expenses, administrative and operational, to

⁵⁷ Interview with a member state diplomat, Kyiv, 8 November 2007.

which the Union's CFSP activities give rise, are to be charged to the budget of the European Communities. However, there are two exceptions to the general rule as it applies to operational CFSP costs under Article 28 TEU. First, operational costs arising from operations having military and defence implications – OMDIs⁵⁸ – are not charged to the EC budget. Second, the Council, acting unanimously under the first sub-paragraph of Article 28(3) TEU, can decide that other operational costs specified by it are not to be charged to the EC budget (Scannel 2004: 529). If the latter is the case, the expenditure can either be charged to the member states as common costs in accordance with the gross national product scale, or the Council, acting unanimously, will decide to charge the expenditure on some other basis. Fundamentally, however, it is the Commission that is in charge of the execution of the budget if the Council does not decide to finance a civilian operation from other sources. This allows the Commission direct involvement in shaping the civilian ESDP and has been often resisted by member states who guard the second pillar realm from the EC advances.

The actual practice of financing the EU's foreign enterprises is still more nuanced and subject to *ad hoc* political arrangements. The activity of CFSP special representatives (EUSRs)—Solana's envoys to regions under EU (professed) 'surveillance'—is financed through various different means. In principle, they fall under the CFSP's budgetary chapter (as 'administrative' expenditure) and the exclusive supervision of the Council, following a Council decision of 30 March 2000. In practice, however, they are often financed in a mixed and improvised way, combining: a) funds formally earmarked for first-pillar regional programmes; b) the Community emergency reserve fund; c) more or less explicit national secondments and contributions (Missiroli 2006: 46). Further, exploratory and fact-finding missions are mostly financed through the Commission. This is because the funding of any operation can only be secured by a Joint Action, approved unanimously by the Council and commonly agreed upon when all the groundwork for a particular mission has already been completed.

⁵⁸ As for the military operations, they are financed according to the 'Athena' framework finalised between February 2004 and January 2005. Already in 2002 a preliminary agreement was reached dividing the military operations costs into 'common', encompassing those for headquarters (transport, administration, locally hired personnel, shelter, and communication facilities) and costs for the back-up of the armed forces (infrastructure and medical care) and 'individual' costs (troops, arms, equipment) to be borne by each Member State involved following the 'costs lie where they fall' principle. The Council would decide on a case-by-case basis whether the costs for the transportation of the forces and their accommodation should be funded in common (Missiroli 2006: 50). Athena creates the framework in which it can 'administer the financing of the common costs of EU operations having military or defence implications'. The mechanism consists of a dedicated non-profit making authority with legal responsibility, open to all EU members (bar Denmark, by virtue of its special status) and other 'contributing' States that is set to administer the costs of various missions and operations (including military exercises) related to EU crisis management (Ibid).

This tangled and often confusing fuzzy state of affairs adds to the enhanced role of politics proper, i.e. the more or less explicitly political effort to sway negotiations in such a way that enables the realisation of the actor's projects. The ongoing political entanglements further engender institutional identities based on differentiating one's practices as compared with the other's. Two precedents from the institutional *mêlée* between the Council and the Commission are illustrative of this process.

The launch of the Aceh Monitoring Mission (AMM) in the summer of 2005 is a particularly prominent example. At the time of the debate over a possible EU deployment, the CFSP budgetary chapter had already been almost entirely allocated. The Commission saw this as an opportunity to offer its services. The Council and the Commission then initially considered the funding of the so-called Initial Monitoring Presence (IMP) in Aceh. Controversy erupted over the Commission's offer to make extra funds available from its Rapid Reaction Mechanism (RRM) and its Asia and Latin America Programme and to transfer them to a prospective 'framework' member state, which would lead the EU's civilian operation in the region. Bitter confrontation between the legal services of the Council and the Commission ensued. The Council lawyers objected that there was no legal basis for such action. They framed it in political terms as a hostile takeover aimed at setting a dangerous precedent which might affect the Council's political control prerogatives, notably the PSC jurisdiction competences over ESDP operations (Missiroli 2006: 47). The outcome was the rejection of the Commission's proposal to re-allocate its funds for the IMP, despite the fact that this would have alleviated the challenges stemming from CFSP's limited budgetary resources, on the grounds that it would entail excessive involvement of the Commission in the operation.

In revenge, not only did the Commission take the Council to court on a related issue but in the subsequent case of the operation to Rafah Crossing Point it also decided to refrain from offering its funds, although it might have reallocated resources from the fund for the Palestinian Authority.⁵⁹ Since the CFSP budget was already exhausted for that year, the member states were compelled to contribute all the money in advance. The urge to launch the mission was such, however, that the UK Presidency declared its willingness to put forward the money in order to materialise the enterprise.⁶⁰ Yet in principle it is currently hardly imaginable that the Commission should refuse financing some significant ESDP projects on

⁵⁹ Interview in the team of EC representative to PSC, Brussels, 11 November 2005.

⁶⁰ Interview with a member state diplomat, Brussels, 11 November 2005.

unfounded pretext. This would raise criticism of institutional obstruction and hindering the EU's rise to international stardom,⁶¹ a kind of defiance the Commission cannot afford in the light of the Council's present position in the system.

The financial realm hence remains a playground of institutional identity building in that it requires active and continuous involvement of the actors. The Commission is hardly passive in this image management contest. Prudent about its competences, it launches initiatives that seek to strengthen its position. In search of becoming a more effective player in crisis management, in 2002 the Commission set up a new financial instrument for short-term actions, the 'Rapid Reaction Mechanism' (RRM), and loosened up the rules for using the emergency reserve funds. Some read this move as contributing to a more efficient EU action in international politics by facilitating financing varied, also second-pillar, projects in a flexible manner. With the institutional competition now well entrenched, this initiative was seen by others as an attempt by the Commission to maintain the pace of the development of ESDP.⁶² In January 2007, the RRM mechanism was replaced by the Stability Instrument (SI), a new financial mechanism of the Commission. The name itself is clearly reflective of the Commission's vocabulary, and the SI triggered yet another spell of intense discussion over whether instead of being *ad hoc* the mechanism could be more steadily involved in financing civilian crisis management within ESDP. It was reported that the response on the Council was definitively negative, once again bringing up the apprehension to not allow the EC to affect the political control of the second pillar.⁶³

The financial entanglement between the Council and the Commission finds its expression on the ground of ESDP operations through procurement policy provisions ordered by the Commission Regulation (EC, EURATOM No 1261/2005 of 20 July 2005). Since ESDP operations are mostly short-term ones it is crucial to insure rapid procurement in order to have equipment available at the onset of operations. Many missions were nevertheless forced to delay considerably their work due to procurement problems.⁶⁴ In Themis, this resulted in the severe hold-up of the mission as the experts had no computers or other immediately necessary equipment. This subsequently became a point of resentment towards the Commission in general, the latter charged with wittingly hindering the development of the

⁶¹ Interview in the team of EC representative to PSC, Brussels, 11 November 2005.

⁶² Interview with a member state diplomat, Brussels, 14 November 2005.

⁶³ Interview with a functionary from DGE 9, Secretariat General of the Council of the EU, Turin, 10 February 2007.

⁶⁴ Final Report, International Workshop "The Role of the EU in Civilian Crisis Management", Vienna, 12&13 January, 2006.

mission as revenge for its deployment.⁶⁵ While this may not be sustainable, many interpret ESDP as potentially threatening for the Commission and thereby secretly earmarked to be thwarted, if not in overt institutional confrontation, then by clandestine means.

The Commission turns the table in court and politics

As early as 1999, the legal service of the Community interpreted the principles of competence in the Treaty on the European Union as following first of all the pre-eminence of community interests. It thereby considered CFSP to be complementary to first pillar activities: “les relations Communauté-PESC au sein de l’Union sont gouvernées par le principe de prééminence et de non-parallélisme” (European Commission Legal Service 1999: 5). This has become the basis for defending Community competences in lawsuits. In the recent action brought against the Council before the EU Court of Justice (ECJ) in February 2005 (Case C-91/05), the Commission argued that actions taken by the Council to combat the spread of small arms infringe on Community competences under article 47 of TEU⁶⁶ since they affect Community powers in the field of developmental aid. Relating to the Council’s contribution to the implementation of projects in the framework of the ‘ECOWAS Moratorium on the Import, Export and Manufacture of Small Arms and Light Weapons’, the Commission stated specifically that the EC’s Cotonou agreement covers actions against the spread of light weapons and that a regional programme for supporting West Africa in this aim had already been concluded under EC competences. Therefore, the Commission seeks ‘annulment for lack of competence’ based on Article 47 TEU, since ‘the impugned CFSP decision [...] affects the Community powers in the field of development aid’.⁶⁷

The proceedings of this case have not been made public, but the case itself is indicative of the Commission’s attempts to roll back the Council’s infringements of its competences. Importantly however, development cooperation remains a shared competence under the Treaty provisions. Article 177 TEU attributes to the Community a (shared)

⁶⁵ Interviews with Themis members, Tbilisi, June 2005.

⁶⁶ Article 47 of TEU reads as follows:

Subject to the provisions amending the Treaty establishing the European Economic Community with a view to establishing the European Community, the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community, and to these final provisions, **nothing in this Treaty shall affect the Treaties establishing the European Communities or the subsequent Treaties and Acts modifying or supplementing them.** (Emphasis added)

⁶⁷ Action brought on 21 February 2005 by the European Commission against the Council of the EU, OJ C 115, 14.05.2005, 10.

competence to foster ‘social development of the developing countries.’ It follows that member states are thus entitled to act both alone and collectively outside of the Community, which may arise to an action taken in the form of an ESDP operation. Conversely, the Council may also argue that any security-related issues belong to the second pillar competence area and should be dealt with by member states. This litigation illustrates how the struggle over the meaning of security/development nexus features at the core of the Council and Commission’s institutional identity-building processes, and how this takes the form of battles over competences. The case outcome should also be considered crucial in this respect as it will present the legal interpretation of this radically ambiguous situation.

The Commission, meanwhile, has realised that while legal action is significant, it may not be the most efficient weapon in the political struggle with the Council as the latter operates according to largely un-codified practices. This learning process has resulted in the seizure of the European Neighbourhood Policy (ENP) as the embodiment of the Commission’s conceptual stance on how best to project order and security to the EU’s periphery. A comprehensive attempt to emulate the robust ESDP venture, the ENP is a way for the Commission to upgrade its profile in the field of external policy, i.e., it is the realisation of a certain political project. The objective of the ENP as articulated by the Commission is for the EU to act coherently and efficiently in the world by integrating related components from all three pillars. As such, it should also support efforts to realise the goals of the ESS (Communication from the Commission 2004: 6). In practice, however, things may turn out differently. Rule of law reforms in Georgia illustrate this point. The Council decided that after the mandate of Themis expired, CFSP should remain engaged in providing assistance to the judicial sector. The office of the EUSR responsible for the Southern Caucasus was tasked to monitor, and assist the Georgian government in the implementation of the Strategy for Criminal Law Reform, which had been drafted with the help of Themis. The European Commission, in turn, helped the government to put together the action plan to meet the ENP requirements and thus become eligible for receiving benefits on offer under the policy. Yet, once the Strategy was, at the request of Tbilisi, incorporated into the action plan, the European Commission representatives on the ground claimed primary responsibility for the project and marginalised the role of the EUSR in the process.⁶⁸ Conventionally attributed to incoherence and turf battles, this can alternatively be seen as a consequence of the rise of

⁶⁸ Interview with a member in follow-up to Themis, Warsaw, January 2006.

intra-EU politics in the construction of EU external policy, a politics fuelled by distinct institutional identities and different visions of the EU's role in international security.

ESDP as the EU domestic politics – conclusion

The chapter has dealt with the question of how the ESDP security claim has been enacted. By delineating the political milieu where the policy is framed, mediated and resisted, I identify its major actors/contestants, the field of action and the rules of the policy's game. I conclude that a security policy addressed towards the outside of the polity has consolidated the development of institutional identities on the internal arena, and thus boosted domestic politics. This might illustrate a broader phenomenon where any security policy is more a reflection of a given polity's identity than it is a timely response to the threats of the day.

Drawing on the traditional narrative of European security, ESDP's major performers have successfully managed to introduce 'new vocabularies' to the EU's security repertoire and to establish novel practices of 'doing' security by the EU. This ideational 'takeoff' about the EU's security role would have never translated into tangible policy initiatives if it had not been for skilful agency that, by endowing the EU with a new sense of mission and establishing some organising principles of doing ESDP, bestowed meanings on new scenarios. Facilitated institutionally by a number of assisting bodies, this political endeavour encountered resistance in the EU system of governance. Likewise, internally within the second pillar the Council Secretariat constantly engages in the strategic action of promoting the ESDP project in the face of the member states' particular agendas.

Fundamentally, I illustrate how the EU mode of securitisation obtains its unique features that effectually trespass the tenets of securitisation theory. The latter presumes the disappearance of politics the moment security concerns enter the picture. Security being a matter of survival, it calls for extraordinary means that deactivate the political. In ESDP making, conversely, securitising the EU as a symbol and embodiment of particular values gives rise to the reverse phenomenon. Domestically, a distinct political institutional struggle is consolidated. In this respect, the policy has produced a common framework within which the institutional conflict has been placed in sharper focus. The contest over ESDP mobilises and reflects the Community and the CFSP pillars functioning according to differing working philosophies. This has to do not only with the fact that the Commission is a supranational body while CFSP is an intergovernmental policy, but also with the increasingly diverging ideational principles sustaining their institutional identity. The two institutional entities hold

disparate standpoints on best practices in crisis management. Their policies and channels of implementation accordingly reveal contrasting beliefs about the image of the EU as an international actor, including dissimilar security conceptions. Although they essentially agree on what is to be achieved to make the world a better place – the usual ‘European’ values of democracy, rule of law, etc. apply – they nonetheless characteristically diverge on the matter of best strategies, means and practices to reach the ideal state.

Conceptually, whereas the Commission inhabits the world of ‘civilian power Europe’, even if modified in accordance with the changing historical conditions, the Solana milieu has ventured to make the EU a ‘militarised civilian power’. Believing such a transformation is the proper response to the exigencies of a globalised world, Solana, as the personification of EU foreign policy, represents the new trend of the EU’s ‘coming of age’ and its shedding of the clothing of a civilian power only. He generally advocates an approach according to which the security situation has to be stabilized before major long-term development assistance can be initiated. He further favours high-profile political action, which should generate substantial even if cursory political capital with immediate impact in a particular environment. Because of the large publicity they generate, military and civilian missions have become the cutting edge of ESDP, its essence and, simultaneously, a vehicle for implementing ‘militarised civilian power’. This notion was codified in the ESS – a manifesto of Solana’s vision of the international security role of the EU. In this context, member states constitute an enabling and accommodating if at times contending audience to the ESDP enterprise. Despite differing positions on security issues and the repeated curbing of the Solana milieu on contentious questions, they still exhibit far-reaching reliance on the Council Secretariat and extensive willingness to delegate as they approve of its pursuits.

A significant contestant to the ESDP venture, the EC seeks emulation through such initiatives as the ENP, the result being the consolidation of institutional identities involved. A historical background to this institutional struggle is instructive here. It brings out how the Solana milieu builds its position via contesting the principles at the heart of the Community identity. Cris Shore furnishes an important study of the EC institutional identity, or, in his vocabulary, political culture (2000: 132-145). Historically, the EC has grown to cherish certain concepts constitutive of its ethos, namely its legalism, the legacy of its supranational aspirations and its wide-ranging functions. As Shore argues, they provide the rationale for virtually everything it does (Ibid, 132). Profoundly legalistic in its nature, the EC seeks legitimacy by always providing a legal basis for its action. It further treasures its much-acclaimed status of supragovernmentality, seen as symbolising the originality of the EU

governance. A potent term in the EC self-definition, supranationality together with *aquis communautaire* seems endowed with special meaning as the embodiment of the EU, which the EC represents. The third characteristic in the EC's identity is the complex array of functions it performs. The Treaties give the EC three specific powers and duties: to initiate the process and act as a 'motor' for European integration, to act as 'guardian of the Treaties' and 'enforcer of Community law', and to implement Community policies (Ibid, 142).

This basis has granted the EC a powerful position in the EU governance system, hardly constrained to a technical function. The development of ESDP instigated by the 'Solana milieu' has dealt a heavy blow to this posture, not only in terms of formal reshuffle but also vis-à-vis the EC's ideals. Vitally, the construction of the policy has only narrowly and in the most formal dimension relied on legal means. In contrast to the EC Treaty, which endows the Commission with very specific competences confined to what has been delegated to it by the member states, the Treaty on the European Union (TEU) regulating the second pillar's competences and broadly sketching CFSP's objectives (art. 11) hardly circumscribes political action. Whereas the Commission is obliged to justify its proceedings by indicating the correct, and only exceptionally multiply, legal basis, the CFSP pillar's only constraint is article 47 of TEU, which protects the Commission's competences. This can be traced back to the early days of creating the CFSP's predecessor bodies, considered as an international law tool rather than regular institutions requiring legal demarcation.⁶⁹ ESDP performers explicitly foreground the pragmatic character of their project whose priority they see in its effectiveness, not necessarily synonymous with legal purity. The EC, in contrast, seems to underestimate the political aspect of this foreign to its character phenomenon. This finds its expression in comments amounting to the formulations that until any decision is ratified, it is not valid.⁷⁰ Obviously true as this remains, it reveals conspicuous disregard for political dimension. Along these lines, the inherent politicisation of the CFSP pillar is viewed with derision by the EC as contributing little to furthering the EU project at large. Instead, the ESDP's performance and in particular ESDP operations are seen as 'toys of the member states' and 'drops in the ocean' as compared to the EC long-term endeavours.⁷¹

⁶⁹ Interview with professor Marise Cremona, Florence, 11 September 2007.

⁷⁰ Expressed in just as a reaction to the PSC decision to prolong and extend the mandate of Lex in April 2006. Interview with a desk officer in Relex, EC, Brussels, April 2006. Formally, such a decision needs to be stipulated by a Joint Action to enable implementation. Factually, the Lex team certainly began preparations for extending its capacities immediately after (and most probably before) the PSC decision. The latter was interpreted as confirming the mission success that far and the member states' trust in building upon its good performance. Thus, it added to creating certain picture of Lex quite apart from the Joint Action to follow.

⁷¹ Ibid.

This distinct juxtaposition of the EC legalism versus the CFSP/ESDP politicisation looms large in the institutional discourses. Not surprisingly, the two bodies attach different meanings to these concepts and see contradictory implications of their application. Evocatively, while the EC appreciates its legalistic culture as a licence to rightful action, in the second pillar it is associated with hindering and diluting worthy initiatives, on occasion deliberately. The ‘Solana milieu’ links this legalism to the technical and administrative nature of the EC activity, a conception, which amounts to the denial of the EC political impact in third countries, despite its long-term involvement there. In contrast, the political flexibility of the second pillar is acclaimed as facilitating swift action and providing for the high political profile of the pillar’s undertakings, promptly delivering on what the EC is incapable of. This breeds resentment in the Commission that views its projects as inducing systemic changes in fragile communities.⁷² Politicisation is construed here as a major obstacle to the effective EU performance on the ground.

The meanings attached to supra- versus inter-governmentality further illustrate ideational differentiation across pillars. The robust unfolding of ESDP resists the necessity of supranationality for an effective design and implementation of an EU policy. In fact, formal intergovernmentality seems to have been a *sine qua non* condition of the policy, allowing the member states a sense of control and thus generating their willingness to engage. With ESDP’s portrayal as a success story, one of the constituting blocks of the EC’s institutional ethos—the significance of supragovernmentality for furthering the EU project—is brought into question. As Shore concludes, “the Commission functionaries see themselves in grand political terms as ‘policy makers’, ‘innovators’, ‘intellectuals’ and ‘architects’ of the new European order whom the Treaties had proclaimed ‘custodians of the European interest’” (2000:145). The label ‘Community’ for designating first pillar activities is distinctive here. ESDP’s stardom clearly disrupts this established picture, particularly so as the realm of the CFSP is excluded from the EC supervision, common in other areas. Bitterness lingers on in the EU system of governance.

⁷² Interview with the EC representative to the CIVCOM, Brussels, 24 November 2005.

CHAPTER IV ESDP IN ACTION, OR, WHAT EU SECURITY PRACTICES

EMERGE

Planners should think of themselves as characters in a larger story that they are helping to construct, and they should strive to act in a manner that is consistent with the characters invoked by their story. Planning is persuasive storytelling about the future, and competing stories abound. (Throgmorton 1996)

In this fourth chapter I map out (security) practices enacted in the process of establishing ESDP. The domain itself, largely if loosely institutionalised as it is, is constituted through language and strategic games engendering concrete though often un-codified practices. In order to uncover these practices, I provide an in-depth story of two ESDP operations and a related account of a non-deployment. I examine the material against the background of other ESDP missions and activities so as to illustrate the regularities of the policy's application. Before unfolding the substance of concrete narratives, however, I present the heuristic schema that structures the analysis.

Setting the stage for the analysis

The arrangement of the case analysis and the different manner of narrating Themis and Lex merit attention, since these cases are both studies *tout court* and case studies of something more general. Consequently, it is constructive if examples chosen are relatively evenly structured. This hardly corresponds, however, to the character of the social world whose diversity demands that substantial analytical imposition if structural evenness is the ideal. In the research, I sought to acknowledge the complexity of social life and had thus to choose different ways of narrating the cases. Nevertheless, I attempted to bring out both the differentiation across them and their simultaneous reflection of patterns within the policymaking. In operational terms, Lex offered more leeway to investigate the Brussels-based elements of ESDP making, while Themis furnished a fruitful illustration of the 'on the ground' aspects. These two dimensions taken together afforded a useful reading of the institutional discourse over ESDP.

In order to systematise the analysis, I rely on a schema through which to study the missions. Ideationally, in the pre-launch phase of a mission I track how the link between a mission and the EU security is portrayed. More specifically, I look into:

1. the arguments presented in favour and against a mission;

2. how it is argued that a particular deployment reflects (or does not reflect) security interests of the EU;

3. if and whether a specific role of the EU in international security is invoked in the debates.

In terms of the institutional dimension, I examine:

1. where, institutionally-speaking, the idea of a mission emerged and where it was honed;

2. what justification that a mission should (or should not) be launched within ESDP is given and what institutional interfaces can be thereby mapped out;

3. how a particular organisational set-up of a mission is justified concerning its broader security aims.

These should help elicit arguments pertaining to the role of the EU as a security actor. In this context, I look for:

1. if the uniqueness of the EU's approach to security is evoked and stressed in comparison with other participants in the international interaction. This should be the case if the unique capabilities in the realm of security are regularly recalled;

2. if the 'European values' and (superior) mode of governance are brought into play in order to make sense of the policy. This should be the case if security engagement is justified by the necessity to project abroad the European model that made the EU an area of peace and wealth;

3. if the expectations of the outside are brought up so as to support an engagement. This should be the case if the activities are portrayed as a means to match the expectations that the EU perceives are assigned to it;

4. how the debates over a mission are influenced by the EU's positioning towards the US. In this case, if security engagement is decided upon in response to the arguments for burden-sharing with the US, or, quite to the contrary, if it is backed by the claims that the EU should strive towards an autonomous role. This dichotomy being a convention derived from the literature, analysing the EU-US positioning I should be able to sketch a more nuanced picture of that crucial relationship.

Within the analysis, I place significant emphasis on the pre-launch phase of a mission when a formal decision has not yet been made public (neither to internal institutional audiences nor to the European international public) but the EU security claim does become enacted in that certain ideational resources are drawn and acted upon. Similarly, this phase is

particularly indicative of the tacit institutional practices endemic to the policy. How the choice of a particular mission is performed, how it is negotiated and finalised draw out the uncodified ways of doing politics within the particular context of ESDP. Here, the preliminary political confrontation takes place when opportunities to engage, theoretically open to varied actors, are seized by some and thereby refused to others. In light of the empirical record, it is premature to claim that the proliferation of ESDP missions implies a second-pillarization of EU crisis management and the unequivocal victory of ESDP performers. Rather, political struggles are in full swing with both pillars strategically employing different media and channels to affirm their respective institutional distinctiveness in external action. The concept of emulation is useful to account for this process. Emulation does not refer here to an attempt to imitate or copy but points to a political contest over how to frame reality. Opportunities for engagement open to both pillars give rise to battles over the definition of situations and issues and, consequently, the choice of appropriate policy instruments.

Beyond the pre-launch phase, the implementation stage further shows more clearly the contours of the institutional interface as much as it reveals how particular operations acquire dynamics on their own. The initial tussle having been decided in terms of formal institutional arrangements, the character of the institutional interaction is not yet determined and the possibilities of both intense cooperation and enhanced rivalry are equally likely to emerge. The moment of closing or transforming an operation brings in the notion of the follow-up ‘within the EU family’, a concept which aptly conveys the tensions involved.

EUJUST THEMIS – testing the rule of law concept

Georgia – before and after the spell of the Rose Revolution

Before the Rose Revolution, Georgia had a corrupt government run by a former Soviet foreign minister, Eduard Shevardnadze. He had failed to initiate the fundamental institutional reforms necessary for the economic and political modernisation of the country. As a result, it was hardly a state at all, as *The Economist* (2003) put it, but more a loose association of fiefs. One of the few positive features of pre-revolutionary Georgia was that unlike the mass media in other post-Soviet republics, those of Georgia were relatively free from official censorship. In the wake of the Rose Revolution, reforms of the economy and the political system were set in motion. Yet the country’s road to stability and good governance remains severely affected by the lack of central control over the two separatist republics of Abkhazia and South Ossetia,

neither of which is recognized by the international community. These frozen conflicts are at the source of Georgia's difficult relations with Russia. Moscow has been actively boosting the secessionist aspirations of the two regions; a policy that many Georgians think is a punishment for their distinctly pro-Western inclinations. The situation is further complicated by the fact that Georgia is an important link in the energy corridor connecting the Caspian Sea to the Mediterranean. Its geo-strategic importance for Western energy security notwithstanding, Tbilisi has little voice say in the 'great game' played by the major powers (global and regional) in the conflict-ridden regions of the Caucasus and Central Asia – 'the Balkans of Eurasia' as Zbigniew Brzezinski (1997: 123-4) aptly calls them. In the same vein, James Cohen mapped the intersection of geopolitical interests in the South Caucasus as a landscape of inner and outer circles. Within the former, he placed the traditional involvement of the Tsar's Russia, the USSR and at present Russian Federation, together with Iran and Turkey; within the latter, the main actors are to be the US and the EU (Cohen 2000: 11).

Throughout the 1990s, the EU's approach to Georgia was the same as its approach to other former Soviet countries. Brussels signed a Partnership and Co-operation Agreement with Georgia and the European Commission provided technical and financial assistance under its TACIS programme. Georgia also participated in other regional EU frameworks such as TRACECA – the Europe-Caucasus-Asia transportation corridor – and the INOGATE programme designed to support co-operation in the area of oil and gas infrastructure. In 1998, the Commission chose Tbilisi as the most suitable location for its delegation in the region. Drafted initially in 2001 and then revised in 2003, the European Commission Country Strategy paper for Georgia indicated the priority areas of co-operation: rule of law and good governance, human rights, poverty reduction, conflict prevention and resolution and post-conflict rehabilitation (European Commission 2003). Since April 2001, the Commission has been an observer in the Joint Commission overseeing the Russian-led peacekeeping operation in South Ossetia. Its overall financial assistance to Georgia amounted to no more than 420 million Euros between 1992 and 2004 (European Commission 2005). Last but not least, the limited engagement of the European Commission in pre-revolutionary Georgia is underlined by its initial refusal to include the country and its neighbours in the European Neighbourhood Policy (ENP).⁷³

The footprint of the EU Council in Georgia before 2003 was equally light. The Swedish presidency in the first half of 2001 declared the Southern Caucasus one of its

⁷³ For comprehensive discussion see Dov Lynch (2003).

priorities and produced a paper calling for a major review of extant policy (Lynch 2006: 61). External Relations Commissioner Chris Patten and Swedish foreign minister Anna Lindh published an article in the *Financial Times* (2001) insisting that ‘the EU cannot afford to neglect the South Caucasus’, and that Brussels should play a more assertive role in the region in order to contribute to the settlement of its many territorial conflicts. The EU Council took up this call and publicly declared its intention to pay more attention to the Southern Caucasus (Council of the EU 2001). The political deliberation that followed culminated in the designation of an EUSR for the region. Headquartered in Helsinki (!), the Finnish diplomat Heiki Talviti was mandated to increase the Union’s political profile in the area and support international efforts to secure regional co-operation and the settlement of the frozen conflicts (Council of the EU 2003). Tbilisi was not overwhelmed by the demarche. It soon began to criticise the EUSR for his inconspicuous role and his tendency to avoid any decisive action (rhetorical or otherwise), especially if it could antagonise Russia.⁷⁴ Others, however, regarded his conduct as being appropriate for an honest broker seeking to resolve an entrenched conflict.⁷⁵ The initial refusal towards the region in the ENP and the subsequent diffident enlargement of the EU agenda in the region similarly show the hesitant position of the EU towards the South Caucasus. Yet this also reflects the evolving debate on the region within EU thinking.⁷⁶

The Rose Revolution in November 2003 provided a genuine political opening in Georgia, an opportunity to reshape the fate of the country. Rigged parliamentary elections sent thousands of Georgian citizens to the streets of Tbilisi in a protest that lasted for twenty days. Under intense domestic and international pressure, Eduard Shevardnadze resigned. New presidential and parliamentary elections were held and a pro-Western president – Mikheil Saakashvili – came to power. While the West hailed these developments as a victory for the Georgian people, official Russia saw the events differently. Moscow spoke of a *coup d’état*, financed and directed by, among others, the American billionaire George Soros. The then Russian Foreign Minister, Igor Ivanov, argued in an interview for *Konsomolskaya Pravda* (4-6 December 2003) that, ‘Various definitions are now being given to the events that have occurred. Some call this democratic bloodless revolution, others a “velvet revolution”. It

⁷⁴ Interviews in Tbilisi, June 2005. See also Kurowska (2006b: 8).

⁷⁵ Interview at the Secretariat General of the EU Council, DGE6, Brussels, 14 November 2005. More recently, the mandate of the EUSR has been strengthened (Council of the EU 2006), and the Talviti’s successor – Peter Semneby – has been playing a more active role.

⁷⁶ Interview at the EUISS, Paris, July 2005.

seems to me that neither this nor that description is suitable here. Actually what happened – I assert this as a witness – was the forced removal of the current lawful president from office’ (cited in Lynch 2006: 24). Domestically, the new administration revived enthusiasm for reform. It brought to power a team of predominantly young political activists, many educated in the USA. Their conspicuous lack of experience notwithstanding, they had big plans for cleansing Georgia’s corrupt institutions and for standing up to Russia finally to re-integrate the breakaway territories into the motherland. Despite the new government’s first enthusiastic and then more cautious (due to the neoconservative stance of the new president and the constitutional amendments significantly centralising and strengthening the executive branch) reception by the West, the significance of this event for Georgia’s visibility for the international community is indisputable. This was also precisely the moment where the roots of a future ESDP operation lie.⁷⁷ The situation was generally perceived as imposing the necessity on the EU to proceed with some kind of action.⁷⁸ Diplomats more concerned with the situation saw it in terms of a fundamental chaos, which could be lessened by a broad civilian protection and civilian administration ESDP mission.⁷⁹

Pre-launch haggling

The idea of an ESDP mission to Georgia was first discussed internally by the Estonian Permanent Representation to the EU.⁸⁰ The Estonians envisaged a mission targeting Georgia’s general administration services for reform, civilian administration missions being one of the four initial categories of the civilian ESDP agreed by the Helsinki and Feira European Councils in 1999 and 2000 respectively. Due to some political intricacies, however, the proposal for an ESDP rule-of-law mission was introduced to the Committee for the Civilian Aspects of Crisis Management (CIVCOM) in February 2004 by the then representative of Lithuania – at the time still a candidate country with only observer status in the Council machinery. Lithuania promoted a reform strategy for Georgia that mobilized its own experience of the mid-1990s when Vilnius designed and successfully implemented a comprehensive reform of the justice sector.⁸¹ The Lithuanian initiative also benefited from the fact that the member states wanted to show to the soon-to-be members that they took them

⁷⁷ Interview with a member state diplomat, Tbilisi, 9 and 15 June 2005.

⁷⁸ Interview at the Polish MFA, Warsaw, January 2006.

⁷⁹ Interview with a member state diplomat, Tbilisi, 9 and 15 June 2005.

⁸⁰ Ibid.

⁸¹ Interview in Tbilisi with a deputy head of Themis, 9 June 2005.

seriously and regarded them as co-equals.⁸² The reputation of the eastern accession countries as specialists in the politics of post-Soviet space gave further credibility to the initiative. Challenged by some Western European countries, which were concerned about antagonising Russia, the proposal was keenly supported by Directorate for civilian crisis management - DGE 9. This was no accident. At the time, the DGE 9 was busy finalizing the doctrine for rule of law missions. It thus welcomed the opportunity to test its ideas in practice and to get the civilian ESDP 'out of the police box'. As a functionary in the Council Secretariat stated:

at that time there was a clear moment when *in the house* (DGE 9) they concentrated and tried to promote rule of law civilian crisis management; it can then be said that two aspects coincided: getting ready in the house for rule of law missions and the subsequent process of gathering experts for this purpose and the political moment in Georgia (Rose Revolution).⁸³

Moreover, there was a desire among the existing member states to widen the geographical scope of ESDP missions which, until then, had largely been confined to the Western Balkans.⁸⁴ A mission in Georgia was seen as an excellent means to signal that the EU was in the process of becoming politically more active in its immediate neighbourhood. Importantly, the pro-Western political changes in Georgia were seen as imposing an obligation on the EU to enhance its engagement in the country and to assist the new government in carrying out its reforms.⁸⁵ As to the Tbilisi's acceptance of the idea of an ESDP rule of law mission, the government was eager to receive a strong diplomatic signal of support from the EU. While the official line in Brussels is that Themis was launched at the behest of the Georgian authorities (Solana 2004), the latter were actually lobbying for any kind of upgraded political involvement by the Union. Once the Union suggested a rule of law mission, the government accepted it.⁸⁶ An important actor in this regard was without doubt the new Georgian foreign affairs minister, Salome Zurbishvili. She had previously been a French diplomat, active in the development of ESDP, and at that time a French ambassador to Tbilisi. In February 2005, with Themis fully operational, Madame Zurbishvili expressed her position rather clearly:

L'Union a devant elle une occasion formidable de jouer dans cette région troublée un rôle constructif et novateur. Bruxelles doit trouver le moyen de proposer, dans le cadre de sa politique de voisinage, des solutions qui permettront a ces pays d'être de bons voisins.⁸⁷

⁸² Interview with an EU Institute for Security Studies researcher, Paris, July 2005.

⁸³ Focus group at the DGE9, Council Secretariat, Brussels, 16 November 2005.

⁸⁴ Interview at the EU Institute for Security Studies, Paris, July 2005

⁸⁵ Interviews at the Polish MFA, Warsaw, January 2006.

⁸⁶ Interviews in Tbilisi, June 2005, at the Council Secretariat, and DGE Relex, EC, Brussels, November 2005.

⁸⁷ 'Pour la cheffe de la diplomatie géorgienne, la Russie souffre d'un complexe de persécution', *Le Temps*, 17 February 2005.

The EU's engagement through ESDP guaranteed a high political profile for the mission and thereby constituted a strong political gesture of support and recognition for the reform lurch of the new government.⁸⁸ In this regard, the actual substance of the mission might not have been a direct result of prioritising Georgian needs. This is not to denote that the provisions of the mandate were fortuitous. Rather, they were trimmed so that to facilitate converting Themis into a success story.

The Council/Commission interface concerning Themis is particularly evocative here. There was a feeling that something needed to be done immediately. This added some air of haste to the whole endeavour and consecutively had an impact on which executive body should be in charge of the mission.⁸⁹ As to the member states and the Council General Secretariat, they insisted from the outset that the mission be organised outside of the Commission framework.⁹⁰ Two major arguments were put forward in support of this view. First, an ESDP operation would ensure that the Council remained in control of the endeavour.⁹¹ Embodying the member states' preference for intergovernmentalism, this is also intimately connected to the lack of operational capabilities on the part of the European Commission. The latter does not run its own international projects but instead outsources them to third parties, which, in the Council's view, implies a loss of effective control over their implementation. Likewise, the system of expert recruitment differs across the pillars. The EC, despite the recent attempts to introduce a double system of independent and national experts, typically recruits contractors for their technical projects. These are mainly professionals already featuring in the pool of potential outworkers. They do not act upon any instructions from their national governments as they are independent, moving from one to another job. Some have commented bitterly on this system as mercenary where no proper commitment is expected but hauteur and money making abound.⁹² Within the second pillar, on the other hand, the usual way to proceed is a call for contribution to the member states. The secondees commonly come from high professional ranks within their national system, which is expected to guarantee a considerable level of professionalism. As they are granted a paid leave for the period of their secondment, they do not hastily seek for a next appointment

⁸⁸ Interviews in Tbilisi, June 2005, in the Secretariat General and at Relex, November 2005.

⁸⁹ Interview at the Polish MFA, Warsaw, January 2006.

⁹⁰ Interview with a former national representative to Civcom, Warsaw, January 2006.

⁹¹ Interviews at the Council Secretariat, Brussels, November 2005 and at the Polish MFA, Warsaw, January 2006.

⁹² Follow-up interview with a member of Themis, Rome, November 2005.

but they can afford extensive commitment to the task at hand. A practical dilemma that arises in this context is that contracted experts are paid considerably more than the seconded staff which breeds resentment and disincentive for national professionals. Fundamentally, member states do not lose control over their secondees, a condition, which makes them more prone to provide high-class professionals. Second, the member states and the Council Secretariat argued that an ESDP mission in Georgia would be able to carry out quick-impact measures and generate a higher political profile for the EU than any Commission action, inevitably more technical than political in character.

Conscious that the mission to Georgia sets a precedent leading to an unwelcome conceptual stretching of the civilian ESDP, the European Commission initially did not support the idea of deploying Themis. Originally, civilian missions were envisaged as accompanying military operations, notably peacekeeping missions. Themis, however, was to be a stand-alone endeavour.⁹³ This concern on the part of the Commission soon proved justified. As a functionary at the Council Secretariat admitted, Themis did open certain doors, since, thanks to this mission, ESDP operations ‘came out of the police box’ (previously the civilian ESDP mainly boiled down to police reform projects) and Themis instigated a parade of autonomous rule of law missions.⁹⁴ Further, the Commission did not regard Georgia as being in a crisis or post-crisis situation, and it therefore saw no reason for an ESDP operation. Instead, it favoured enhancing the development-oriented activities of its own delegation in Tbilisi.⁹⁵ Third, the international promotion of legal reforms has traditionally been a realm occupied by the Commission. Finally, the Commission was already engaged in important rule of law reforms in Georgia. In 2004, several projects financed by the Rapid Reaction Mechanism (RRM) and the policy advice budget line were implemented. More specifically, the European Commission delegation assisted the justice ministry in modernizing the prosecutor’s office and the penitentiary system.⁹⁶ Also, the Commission provided technical assistance and policy advice to the interior ministry with regard to its transformation into a civilian institution (Helly 2006: 89). These EC projects began to be implemented in 2004 by experts co-located in each of the institutions and whose work has been to “link legislation adjustment to the implementation processes, including legal advice, planning, management

⁹³ Interview with an EC desk officer for Georgia, DGE Relex, EC, Brussels, 18 November 2005.

⁹⁴ Focus group in the DGE 9, Secretariat General of the Council of the EU, Brussels, 16 November 2005.

⁹⁵ Interview with an EC desk officer for Georgia, DGE Relex, EC, Brussels, 18 November 2005.

⁹⁶ The penitentiary reforms supported by the Commission centred on the establishment of a probation service, the strengthening of the penitentiary administration and the rehabilitation of penitentiary infrastructure.

and organisational measures, good governance and capacity building and training”.⁹⁷

In March 2004, the Council sent an exploratory mission to Georgia to identify the scope for a possible ESDP action in the Georgian justice system. It concluded that international assistance was needed to render the system more coherent and effective. It was also decided, however, that the operation should be significantly narrowed from the initially planned civil administration one.⁹⁸ Controversially, the exploratory team further suggested including the reform of the penitentiary system in the brief of the mission.⁹⁹ Soon after the Council experts had tabled their report, the Georgian Prime Minister Zurab Zhvania invited the EU to assist Georgia in reforming its judiciary. The next step in the launch sequence was the deployment of a proper Council fact finding mission to the country (May 2004). Much to the chagrin of the European Commission, it included penitentiary experts,¹⁰⁰ despite the fact that after the opening dispute over launching the mission in principle, the non-duplication of the EC penitentiary programme through the mandate of Themis was made a priority.¹⁰¹ Seemingly a matter of efficiency, the issue proved a bone of contention politically, reflecting the broader EC/Council interaction in civilian crisis management. The EC insisted (and achieved) that, contrary to the recommendation of the exploratory team, the mission was frozen out of the reforms of the penitentiary system, which the Commission saw as its turf. The argument often voiced by Themis experts was that as the Georgian strategy of reform covered the entire criminal code procedure, from investigation to the penitentiary system, it was a disappointment to leave out the penitentiary from the mission mandate.¹⁰² In an effort to limit the negative consequences of what was clearly a dysfunctional disaggregation of Council and Commission reforms, the two EU actors agreed informally that one Themis expert would deal with this issue in co-operation with the Commission penitentiary experts.¹⁰³

Finally, the decision to deploy Themis was taken in a somewhat hasty manner. As the situation in Georgia could hardly be classified as a crisis, there would have been ample time for the Council and the Commission to discuss all relevant issues, and to hammer out a more coherent policy towards Georgia.¹⁰⁴ It seems that this did not happen because the Council wanted to underscore its comparative advantage vis-à-vis the Commission in terms of the

⁹⁷ Fact-Finding Mission Report on a Possible Rule of Law Mission to Georgia, 9902:04, 26 May 2004.

⁹⁸ Focus group in the DGE 9, Secretariat General of the Council of the EU, Brussels, 16 November 2005.

⁹⁹ Ibid.

¹⁰⁰ Interview with a member state diplomat, Brussels, November 2005.

¹⁰¹ Interview with an EC desk officer for Georgia, DGE Relex, EC, Brussels, 18 November 2005.

¹⁰² Interviews in Tbilisi, June 2005.

¹⁰³ Interview with Themis experts, Tbilisi, June 2005.

¹⁰⁴ Interview with an EC representative to CIVCOM, DGE Relex, EC, Brussels, 24 November 2005.

speed with which it can implement international rule of law interventions.¹⁰⁵ The result of inter-institutional politics in this case was not only a high degree of fragmentation in how the Union engaged Georgia but also that Themis ended up with a mandate that did not exactly reflect the needs of the country. This is not to argue that the mission was superfluous. Rather, the claim is that the process through which the mandate was formulated limited Themis' chance of success (Kurowska 2007a).

On the ground – muddling through

On 28 June 2004, the EU Council officially decided to launch EUJUST Themis by adopting a Joint Action (Council of the EU 2004). It envisaged an ambitious mandate, albeit one limited to one year. The mission was tasked to '[...] in full coordination with, and in complementarity to, EC programmes, as well as other donors' programmes, assist in the development of a horizontal governmental strategy guiding the reform process for all relevant stakeholders within the criminal justice sector, including the establishment of a mechanism for coordination and priority setting for the criminal justice reform, carried out in close coordination with the Georgian authorities as well as the Commission and international donors'. In other words, in close co-ordination with the Commission and international donors, Themis was to assist local authorities in developing an overarching criminal justice reform strategy that was to be based on the principle of local ownership, i.e. without imposing certain solutions but rather showing a wide range of legal possibilities and their implications.

The start-up of the mission was difficult due to lukewarm political support from Georgian authorities and the constraints of Commission procurement policy. This meant, first, that the mission had to struggle to establish its credentials as a serious EU actor vis-à-vis its local counterparts and to be granted high-level access to national experts in the institutions in which its members were collocated. Second, as the civilian ESDP is financed via the CFSP budget which is managed by the European Commission, the head of Themis had to comply with the Commission's cumbersome and slow financial and procurement procedures. As a result, the mission did not have computers for the first three months of its deployment. The situation was difficult to such an extent that it provoked bitter comments that the problems with procurement were out of revenge on the Commission side that the mission was deployed in the first place. To these hiccups must be added more mundane problems, such as the fact

¹⁰⁵ Ibid.

that Themis experts initially were not assigned any desks in the institutions in which they were collocated.

The eight senior experts from EU countries¹⁰⁶ were collocated in a number of Georgian institutions¹⁰⁷ in order to provide assistance on a daily basis. They were accompanied by national legal assistants who provided language help, the know-how of the Georgian criminal code and an in-depth understanding of the local context. Collocation was perceived as a concrete application of the national ownership principle. It reportedly allowed Themis experts to become embedded in the system and to develop relations of trust with their local counterparts. Importantly, collocation also served to distinguish the mission from other donors, who tend to transfer ready-made solutions.

Themis, which was headed by Sylvie Pantz, a French judge with international field experience, was made accountable to its Brussels superiors via a benchmarking system that was proposed by CIVCOM (2004) so as to ‘enable a systematic evaluation of the mission’. The benchmarks were laid out in the mission’s operation plan (OPLAN). It divided activities into three consecutive phases: an assessment phase (2 to 4 months), a drafting phase (4 to 6 months) and an implementation-planning phase (2 to 4 months). Each phase was expected to end with the realization of specific objectives – the comprehensive assessment of the Georgian criminal justice system by Themis; the drafting of a reform strategy by a high-level working group composed of local and Themis experts; and the formulation of a plan for the implementation of the reform strategy by a high-level strategy group again made up of local and Themis experts.¹⁰⁸ However, the initial logistical problems delayed the realisation of the consecutive phases of the mission. In particular, they significantly shortened the amount of time devoted to planning the help with implementation of the strategy, which effectually never took off ground.¹⁰⁹ As to the Brussels-Themis link, the head of mission reported to the EUSR and frequently appeared before the Political and Security Committee (PSC), which is in charge of giving political direction and strategic guidance to ESDP missions. In addition, CIVCOM was briefed on a weekly basis by DGE 9. The desk officer for Georgia from DGE 9 was also periodically dispatched to Georgia to draft three-monthly mission assessment reports.

¹⁰⁶ The seconded experts came from Lithuania, Latvia, Denmark, Sweden, The Netherlands, Poland, Italy, Germany; the mission was headed by a French judge.

¹⁰⁷ Ministry of Justice, Appeal Court, Ministry of Interior, General Prosecutor’s Office, Council of Justice, Public Defender’s Office, Supreme Court and Appeal Court.

¹⁰⁸ Interviews with the members of Themis, Tbilisi, June 2005.

¹⁰⁹ Focus group in the DGE 9, Secretariat General of the Council of the EU, Brussels, 16 November 2005.

In Tbilisi, the high-level working group in charge of putting together the judicial reform strategy hardly met. The sub-groups formed at a later date to deal with specific issues experienced the same fate. The slow pace of the reform process was largely due to developments outside the control of the mission. Themis' local counterparts were reluctant to push ahead with the reform strategy, not least because the new government was busy cleansing the state apparatus from the cronies of the old administration. More specifically, the mission was handicapped by frequent staff reshuffles in the judicial system and the appointment of inexperienced Saakashvili supporters recruited mainly from non-governmental organizations. Besides hampering the accomplishment of Themis' mandate, these developments also gave rise to concern among its members about the independence of the judiciary, especially when a number of judges were dismissed because of alleged corruption but often because of the wrong political affiliation. The mission also objected to some legislative proposals – for example, plea-bargaining, jury trials and the creation of an ombudsman with prosecutor-like prerogatives – their Georgian counterparts considered viable options. It regarded these ideas, which stemmed from American influence exerted through non-governmental organisations involved in the drafting of the reform strategy, as inappropriate for a volatile and corruption-prone justice system. Similarly, the Themis criticised the amendment of the constitution which strengthened the executive branch, thus exacerbating the existing flaws in system of checks and balances.¹¹⁰

Expected by Brussels to show quick results, Themis tried as best as it could to negotiate the political and institutional obstacles it faced.¹¹¹ Yet all its efforts came to naught when in April 2005, despite a clear deadline, the Georgian side failed to do its part in finalising the draft strategy. The head of mission informed the EUSR of the situation and travelled to Brussels in an attempt to mobilize political support in the EU and to put pressure on the Georgian authorities. However, the latter continued to drag their feet. Hence, the mission, in a clear violation of the principle of local ownership, decided to draft parts of the strategy without Georgian input. Tbilisi accepted the draft, which dealt with police reform.¹¹² In mid-May 2005, after inviting the Georgian justice minister Konstantine Kemularia to the PSC,¹¹³ the local authorities finally submitted their contribution to the criminal justice reform

¹¹⁰ Interviews with members of Themis, Tbilisi, June 2005; Rome, November 2005; Brussels, November 2005; Warsaw, January 2006; Florence, July 2006.

¹¹¹ Ibid.

¹¹² Interview with a Themis expert, Tbilisi, 16 June 2005.

¹¹³ The appearance of Kemularia before the PSC grew into a symbol of a 'can-do' attitude and was a key success factor for the adoption of the strategy. In fact, although the mission hoped to take advantage of the event so that

strategy. President Saakashvili adopted the revised draft – the National Strategy for Criminal Justice Reform – in July 2005 by decree, excluding parliament from the procedure.¹¹⁴

In this context, all parties viewed the possible prolongation of the mandate of the mission or a follow-up with some degree of strain. Mission experts, together with the national legal assistants and Georgian officials from the non-political ministerial level, asserted that Themis had given real impetus to the Georgian rule of law reform that would be lost if no proper and full-fledged follow-up ensued.¹¹⁵ The matter of prolonging the mandate was nevertheless convoluted. Already in May 2005, there was an agreement in the Council that Brussels should remain engaged in the reform of Georgia's criminal justice system and assist it in implementing the strategy elaborated with the help of Themis. However, the institutional form of this engagement was unclear, though there emerged a consensus that it should not take the form of a revamped EUJUST Themis. On the one hand, there was little interest in such an option in Tbilisi. The Georgian government did not issue a formal request to the EU to prolong the mission. On the other hand, few in Brussels wished to see the mission continue beyond its original mandate.¹¹⁶ First, it was important for the member states and the Council Secretariat to be able to present publicly the first-ever ESDP rule-of-law mission as a success. The timely conclusion of Themis would help in this public relations endeavour.¹¹⁷ Second, the political mileage to be gained from prolonging the mission was limited. The Council was already on the lookout for opportunities for politically more salient ESDP deployments. Third, the principle of the local ownership of the judicial reforms, which had been strongly emphasized in the mandate, seemed to make it inopportune to prolong Themis.¹¹⁸

In view of these considerations, the idea of a bridging measure between the end of Themis and the EC delegation taking over the implementation endeavour in connection with the ENP was more appealing. Two proposals on the possible follow-up to Themis circulated. The first was to reinforce the EUSR office with rule of law experts, although not necessarily Themis members, and to make them responsible for monitoring and guiding the formulation of an implementation plan for the criminal justice reforms. The second proposal was to make a clean break with the ESDP operation and to hand over the task of pushing forward the

to elicit the minister's commitment to meeting the deadline, and although he indeed made such a commitment, the development of the draft was in no way accelerated after his return to Tbilisi.

¹¹⁴ Presidential Order N°549, information given by the Deputy Minister of Justice in September 2005 to Damien Helly, see Helly (2006).

¹¹⁵ Interviews in Tbilisi, June 2005.

¹¹⁶ Interviews at the Polish MFA, Warsaw, January 2006.

¹¹⁷ Interviews in Tbilisi, June 2005 and in national permanent representations in Brussels, November 2005.

¹¹⁸ Focus group at the Council Secretariat, DGE 9, 16 November 2005.

implementation of the reform strategy to the European Commission delegations in Tbilisi. In the end, it was decided to place two former Themis experts in the office of the EUSR. Working in Tbilisi from 1 September 2005 to the end of February 2006, they were tasked to monitor and assist in the work of the Steering Committee set up by local authorities to draft the implementation plan for the criminal law reforms. This plan, in turn, was to be included in the Georgian Action Plan of the ENP. The European Commission delegation was expected to provide advice on the financial implication of the plan.¹¹⁹ On paper, this arrangement looked like a formula for creating synergy between the different EU players on the ground. The practice proved more nuanced and contingency-dependent.

Placed within the enhanced border monitoring team of the EUSR, the rule of law experts were somehow left to their own devices both in terms of the substance and method of their work.¹²⁰ The operating assumption in the EUSR office and in Brussels seems to have been that they should rely on the experience and political capital accumulated during their time with Themis. As Brussels provided no formal terms of reference as to how its assistance should be effected, the experts came up with their own terms based on the third phase of the Themis operational plan. As to the European Commission delegation, its lack of support for the two Council experts was conspicuous. This was partly due to unfortunate circumstances. The Commission encountered problems in recruiting experts for strengthening its extended rule of law tasks. The ensuing delay meant that the Commission delegation only became involved in mid-December.¹²¹ While this did not automatically denote that an opportunity for co-operation was lost, it still set unfavourable starting conditions. Yet institutional rivalry played a role too. The Commission delegation, in charge of negotiating the ENP Action Plan with the Georgian government, took it upon itself to assume the lead in the formulation of the implementation plan for the reform of the criminal justice system. This, in turn, soured the relationship between the Council experts and the Commission delegation and led both sides to be reluctant to share information and co-ordinate their actions.¹²² As to the Georgian government, the difficulties hampering the CFSP follow-up project to Themis further reinforced its impression that the whole thing was a case of symbolic politics.¹²³

Thorough evaluation of the mission in terms of tangible results achieved within the Georgian criminal justice system proves ambiguous. Arguably, the mandate laid down

¹¹⁹ Interviews with a member of the follow-up to Themis, Warsaw, January 2006.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Interviews with the members of the follow-up to Themis, Warsaw, January 2006 and Florence, July 2006.

¹²³ Interview with a member of the follow-up to Themis, Florence, July 2006.

objectives which were too ambitious for a one-year mandate, not to mention for mission operating in a volatile post-revolutionary environment. The initial logistical difficulties faced by the mission did not help either. Moreover, Themis enjoyed at best a shaky political support of Tbilisi. While it benefited from the backing of prime minister Zurab Zhvania and his successor Zurab Noghaideli, both of whom issued crucial decrees to get the mission started,¹²⁴ it was only in October 2004 that president Saakashvili gave his formal stamp of approval to the mission by issuing a decree creating the high-level working group tasked with developing the reform strategy.¹²⁵ However, as noted earlier, the working group and its subgroups rarely met. Hence, the strategy was finalised belatedly. Moreover, instead of being the product of a genuine team effort, it reflected rather the input of Themis and those of a few enthusiastic Georgian counterparts. As far as its content is concerned, mission experts voiced doubts about certain elements, say, relations between the courts and the prosecution and the development of the bar.¹²⁶ Yet these problems pale in comparison with Themis' main failure. The mission made little progress towards the objective of the third and final phase of activities as foreseen in the OPLAN – the planning of the implementation of the criminal justice reform strategy. What nevertheless gives the story a happy ending is the fact that the implementation of the strategy was included in the Georgian Action Plan of the ENP. Based on a Georgian initiative, this move is likely to ensure that at least some parts of the strategy will actually be implemented.

In examining Brussels's performance, it is worth quoting an interviewee, who claimed that Themis was also planned as an exercise in synergy between pillars I and II before the doomed constitutional treaty comes to force. As such, it was noted, the exercise largely failed.¹²⁷ The part played by the experts is equally informative for a thorough understanding of the project.¹²⁸ Insisting on the substantially limited possibilities of a one-year mission combined with the initial logistical delays, they see the measure of success in three aspects. First, a reform strategy was drafted as stipulated by the OPLAN and from this emerges the moral obligation on the government side to implement it. Second, the mission managed, in line with one of the premises of the mandate, to bring together the different local stakeholders

¹²⁴ Government of Georgia, Order No 74, 10 July 2004, Tbilisi, 'About assistance to the activities in Georgia of the special Mission of the European experts – EUJUST THEMIS', unofficial translation. Order No 195, 20 May 2005, Tbilisi, 'On the strategy of reform of the Criminal legislation of Georgia', unofficial translation.

¹²⁵ President of Georgia, Decree No. 914, October 19, 2004, Tbilisi, 'On the creation of the working group to develop a strategy for reforming Georgian criminal legislation', unofficial translation.

¹²⁶ Interviews with Themis experts and national legal assistants, Tbilisi, June 2005.

¹²⁷ Interview with an EC functionary, Relex, Brussels, November 2005.

¹²⁸ For a comprehensive account of the Themis experts' position see Kurowska (2006a).

of the fragmented criminal justice system and to entice them to co-operate on the reform plans. Third, its shortfalls notwithstanding, the strategy for the reform of the Georgian criminal justice system does represent a blueprint for the country to conform more closely to European standards.¹²⁹

The limited impact of Themis and the follow-up CFSP project aside, the Council engagement proved important for the EU. The policies reflected the strategic entrepreneurship of the Council Secretariat – the ‘Solana milieu’. It would appear to be constantly alert to the possibility for ESDP deployments. A twofold aim underpins this activism. The Council would like to raise the Union’s profile as a security actor on the world stage and accumulate relevant operational experience that can be translated into political capital in intra-EU political struggles over the EU’s external policy (Kurowska 2007b). Georgia was seen as just such an opportunity, enabling the Council to demonstrate that ESDP is a ‘global’ project rather than one confined to the Western Balkans.

Themis further strengthened the practice of collocation, i.e. inserting the European experts into the local institutions on a daily basis to mentor and assist, as the principal tool of the civilian ESDP. This proved to be the most acclaimed organising rule of the mission, a kind of byword of the European way of providing international assistance, a genuine exercise in ‘Europeanness’, which bears repeating in other contexts.¹³⁰ The importance of human capital was emphasised here and mentoring instead of imposing solutions was put to the fore. In practical terms, this boiled down to discussing the implications of adopted solutions, i.e. if the Georgian authorities decided to introduce a certain provision, experts provided possible legal consequences as emerging from varied European experiences. The idea of collocation was appraised as giving access to the realities of the day-to-day law making, an opportunity to become embedded in the context and thereby empowered to forge trustful relationships with the Georgian colleagues. Collocated in different institutions across the system, the experts similarly had a more comprehensive picture of the situation. Importantly enough, within the mission there formed a belief that this approach is the right thing to do, and, as Themis substantially operationalised this practice, it turned to be a source of professional pride. In this context, Themis grew to be considered a very concrete illustration of European values at

¹²⁹ Interviews with Themis experts, Tbilisi, June 2005; interview with a former national legal assistant, Florence, July 2006.

¹³⁰ Interviews with member of Themis, Tbilisi, June 2005; follow-up interviews with former mission members November 2005-July 2006; interviews at the DGE 9, Council Secretariat, Brussels, November 2005.

work.¹³¹

The concept of collocation is instructive for grasping the emergent EU conception of fostering good governance in fragile communities. Celebrated as the EU's unique way of providing international assistance with the respect to local ownership of its projects—although compromised on occasion as the empirical record shows—collocation may, conversely, be seen as fostering internalisation of social control, an aspect of the civilian ESDP observed by Michael Merlingen and Rasa Ostrauskaitė (2005b, 2006). Examining the EU Police Mission to Bosnia and drawing on the Foucauldian framework (Foucault 1991), they categorise collocation as ‘remaking indigenous police officers’ (2005b: 306). A principal political technology in the repertoire of the civilian ESDP, collocation instils practices relating to officers’ ‘souls,’ know-how, and conduct (Ibid). An extensive quote illustrates this notion:

At the heart of collocation is a disciplinary regime centred on visibility. Any such regime brings into play three elements: hierarchical observations, normalizing judgments, and corrections. Penetrating observations, which are organized around certain notions of normality typically defined by experts, constitute individuals as cases whose behaviour and characteristic features can be documented in detail. [...] the disciplinary gaze gives way to a judgment: Do those who have been brought under a certain description measure up to the established norms or deviate from them? Deviants are made the target of repetitive normative corrections. [...] The vision-centred technique of domination employed by collocation is supplemented by another technique: *mentoring*. It articulates a pedagogical project of disseminating professional knowhow to a moralizing project of self-improvement. To begin with, mentoring places trainees under the obligation to learn the things that experts know. [...] Yet mentoring is not only concerned with the transfer of technical know-how. It is also about character building. Mentors morally cultivate their charges in an effort to programme their standards of appropriateness in line with the ideologies of the profession into which they are conscripted (Ibid, 306-307).

As Gramsci (1971) asserted long ago, the most effective way to ensure political control is to make one's conception of the world hegemonic, i.e. to set the political and intellectual agenda in such a way that ideology appears as common sense or ‘natural’, and therefore beyond the domain of political debate. Accordingly, the art of government hinges on a form of power that has induced ‘self-regulation’ within the individual, Foucauldian ‘techniques of the self’. Through the embedded presence of the EU experts, collocation effectively depends on moulding foreign professionals and reconfiguring their system of governance so that it concurs with EU notions.

¹³¹ Interviews with member of Themis, Tbilisi, June 2005. Follow-up interviews with former mission members November 2005-July 2006.

This paints a picture in many ways illustrative of the EU as building a ‘creeping empire’: a nascent form of ‘neo-colonialism’. Within the latter, one side appears set to endorse what it conceives as best practices with a view to spreading its own values to feel at ease in the world. The other, persuaded into the belief there is no better way to improve its well-being, takes the propositions on board while feeling (perceivably duly) inferior and dragged through the conditionality exercise. There is thus an element of curious but politically understandable inconsistency here when the EU embraces the principle of local ownership but induces changes according to its own model and with the aim to shape the world it feels comfortable in.

Turning down the invitation

Exploring the circumstances of an ESDP non-deployment, in particular a case connected to the context of Themis, should illustrate the ambiguities and contingent character of the EU’s role making. In this context, an analysis of the decision not to launch a full-fledged ESDP Border Monitoring Operation (BMO) on the Russian-Georgian border is illustrative.

From 15 December 1999, the OSCE implemented the BMO along the Chechnya, Ingushetia and Dagestan sectors of the Georgia-Russia border. Monitoring the Chechen sector began after Russia had voiced its accusations that armed Chechen fighters were crossing back and forth. It was extended in 2001 to the Ingush sector and in 2002 to the Daghestani sector. The operation was tasked with observing and reporting on movements across these parts of the Georgian-Russian border in order to prevent a spillover of the Chechnya conflict as well as to enhance contacts between border guards. It was launched against the backdrop of Russian charges towards Tbilisi that the latter allows Chechen rebels on its territory, in particular in the Pankisi Gorge, who later use its territory for incursions into Chechnya. The BMO subsequently confirmed Georgian statements that rebels did not make use of its territory for illegal border crossings, but it also backed up Georgian claims that Russian aircraft were regularly violating Georgian airspace (Bloed 2005: 100).

The BMO mandate expired on 31 December 2004 and Russia vetoed its extension in prior discussions. According to the Russian stance, the BMO was not effectively monitoring the frontier as militants wishing to cross the border with the North Caucasus could easily do so without being noticed (Lynch 2006: 47). Consequently, the Russian argument was that ‘the

replacement of one monitoring mission by another is unlikely to be productive'.¹³² A contesting view construes this move as being more a part of a wider Russian agenda to reform the OSCE in order to discard what Moscow has called 'inbalances' and 'double standards'(Ibid, 50). In the run-up to the closure of the OSCE mission, Georgia turned to Brussels to request an ESDP operation that would serve a primarily political deterrent function vis-à-vis Russia (International Crisis Group Europe Report 2006: 24). The latter was interpreted along the lines of a broader Georgian plan to force the EU into siding with Georgia against Russia. Some member states vigorously advocated this possibility, specifically the UK¹³³ and the new member states with Lithuania demonstrating a strong position on the issue.¹³⁴ This position reflected the robust agenda of the Baltic states on the post-Soviet space which might have been enhanced through the newly acquired self-confidence in the process of instigating Themis. This proactive approach can be interpreted as looking for a niche in the crowded EU foreign policy scene and as a part of a wider schema of building up a new stance towards Russia. The Baltic States, with the support of the new Eastern European members and the UK, seek to overcome the entrenched standpoint of many old member states towards Russia where no decision potentially irritating Russia can ever be pushed through. The momentum for a replacement ESDP operation was accordingly so considerable that the new member states were ready to set up a "coalition of the willing" outside the ESDP framework¹³⁵ in order to mobilise the political capital towards materialising the ESDP project. These efforts came to nought, however, as the notion of risk aversion towards Russia was still too ingrained in the political imagination of some member states, with France as the leader of the group.¹³⁶

The discussions over a potential ESDP operation came out in January-February 2005 as some equivalent of BMO was necessary due to the history of uncontrolled raiding on both sides. As mentioned, member states failed to reach a compromise on the issue, despite an

¹³² Statement reported by IPN, 3 March 2005.

¹³³ Seemingly, the UK's policy towards Russia during the Blair government has been marked by the pursuit of a muscular position. In this regard, it differs significantly from Germany's and France's positions comprised as they were of a mixture of enchantment with Putin and the ingrained apprehension not to antagonise the Russia, interview at the EU Institute for Security Studies, Paris, July 2005.

¹³⁴ Interview with a member state diplomat in Tbilisi, June 2005. See as well RFE/RL Caucasus Report, 21 February 2006.

¹³⁵ International Crisis Group interview, EU and Georgian government officials, Tbilisi, December 2005, in: *Conflict Resolution in South Caucasus: the EU's Role*, International Crisis Group Europe Report No. 173, 20 March 2006.

¹³⁶ Interview with a member state diplomat in Tbilisi, June 2005.

explicit appeal for it from Georgia. Salome Zurbishvili expressed this most clearly by saying:

We have been requesting it [an ESDP operation], we've been looking at all options possible to replace the BMO mission of the OSCE after the Russians vetoed it. And, of course, we looked in the first place to an organisation where Russians do not have the right of veto and which is not an organisation that will be looked at as a confrontational organisation in any sense. The EU, for that, is a perfect organisation.¹³⁷

She then bitterly articulated her disappointment with the [West] Europeans' stance, described as hesitation between indifference and fear to engage while the largest countries—Germany, France, and Britain—failed to provide the driving force.¹³⁸ After months of haggling, a decision was finally adopted at the meeting in Luxembourg on April 15-16. It rejected three more radical options: taking over the full-scale monitoring operation from the OSCE; a proposed renunciation of the EU's monitoring operation and the creation in its stead of a group of willing countries; and the formation of an EU training mission for Georgian border guards, similar to the OSCE's small-scale and predominantly symbolic training mission in place since 18 April 2005.¹³⁹

Interestingly, although the statement that the Georgian authorities independently offered an invitation to the EU to launch an ESDP rule of law mission to Georgia can easily be challenged, the Georgian request to deploy a BMO is undeniable.¹⁴⁰ Georgian officials described the subsequent breakdown in swaying the EU into launching a BMO as a “big blow to expectations”.¹⁴¹ In the words of a senior official in the Georgian government interviewed by Dov Lynch: “Georgia was literally begging for the EU to take over from the OSCE” and the refusal to assume responsibility for a follow-on mission led to “deep, deep disappointment” in Tbilisi (Lynch 2006: 14). The discontent stemmed from the perception that not only was the EU failing to follow through on the shared values supposedly underpinning its foreign policy, but it was also flinching before Russian pressure at the expense of Georgia's and Europe's policy (Ibid). Perhaps it was still too early to expect the EU to launch autonomously a quasi-military politically high-profile operation on the perilous Russian border of the kind favoured by Tbilisi. It does not feature in the repertoire of the EU

¹³⁷ Ahto Lobjakas, 'Georgia: Foreign Minister Pushes For Greater EU Involvement In South Caucasus', RFE/RL Report, 2 March 2005.

¹³⁸ Interview with Salome Zurbishvili, *Le Mode*, 7 December 2004.

¹³⁹ Vladimir Socor, 'France leads the EU nyet to the border monitoring operation', Eurasia Daily Monitor, 19 April 2005, Jamestown Foundation.

¹⁴⁰ Interview at the Georgian MFA, Tbilisi, June 2005.

¹⁴¹ International Crisis Group interview, former Georgian foreign ministry official, Tbilisi, December 2005, in: *Conflict Resolution in South Caucasus: the EU's Role*, International Crisis Group Europe Report No. 173, 20 March 2006.

as a security actor to take up such an unambiguous enterprise. The model of the ESDP Border Assistance Mission to Rafah deployed in the sensitive region of the Middle East seems to confirm this point. Its mandate task is to provide a ‘Third Party *presence* [emphasis mine - XK] at the Rafah Crossing Point in order to contribute to its opening and to build up confidence between the Government of Israel and the Palestinian Authority’ (Council Joint Action 2005/889/CFSP). It is difficult to imagine any scenario that would allow critics to describe this operation as an outright failure.

The US stance on the BMO is of fundamental analytical value here. The US Ambassador to the OSCE, Stephan M. Minikes, asserted in a statement to the OSCE Permanent Council in Vienna on 19 January 2005 that,

we [the US] believe that the closure of the BMO would remove a key source of peaceful relations and of objective reporting on events at the sensitive border and increase the likelihood of heightened Russia-Georgia tensions.

Trying to retain a low profile, and allowing some room for manoeuvre without openly antagonising Russia, the US emphasised the importance of the OSCE’s BMO while simultaneously lobbying for direct engagement in the issue on the part of the EU.¹⁴² Along these lines, senator Lugar initiated a campaign that resulted in a Senate resolution naming the OSCE BMO as “the sole source of objective reporting on border crossings along the border between Georgia and with the Russian republics of Chechnya, Dagestan, and Ingushetia” and urging that the US should:

in cooperation with its European allies, maintain strong diplomatic pressure to permit the OSCE BMO to continue and, if the BMO ceases to exist, seek, in cooperation with its European allies, an international presence to monitor objectively border crossings along the border between Georgia and the Russian republics of Chechnya, Dagestan, and Ingushetia.¹⁴³

This campaign points towards a particular view the US diplomacy holds of the EU international actorness and the corresponding expectations towards the EU. It sees the EU as fit to become involved in some issues where the US engagement would prove an irritant while the EU’s seemingly neutral approach is acceptable for a third party and secure for the US.

¹⁴² Interviews with member state diplomats, Tbilisi, June 2005.

¹⁴³ Senate Resolution expressing the sense of the Senate about the actions of Russia regarding Georgia and Moldova, March 10, 2005.

Half-delivering in the European way

Despite this indecision, the EU seeks to leave the door half-open for future possibilities in Georgia.¹⁴⁴ The tension between some member states' insistence on launching a BMO and some others' concern with the Russian reaction were soothed through a craftily constructed compromise. No full-fledged operation was launched but an Enhanced Support Team was sent to the EUSR for the South Caucasus in September 2005. It conveniently embraced two rule of law experts from the follow-up to Themis, while accommodating a twenty-member team (13 international experts and 7 Georgians) of border guards. The group has been headquartered in Tbilisi, with some of the members collocated in Georgian institutions with regular visits to border spots. The team was tasked with assisting to draft a comprehensive border security strategy for Georgia and it already produced a comprehensive assessment of the needs in the area by November 2005.

Crucially, this assignment remains situated within the mandate of the EUSR to the South Caucasus. On the 28th of July 2005, the mandate of the EUSR was extended in order to accommodate the enhanced team's task.¹⁴⁵ This was further systematised in the new mandate of the EUSR in February 2006. It now includes reporting and continued assessment of the border situation, facilitating confidence building between Georgia and Russia and assisting the Georgian government with preparing a comprehensive reform strategy for its border guards, as well working with the Georgian authorities to increase communication between Tbilisi and the border, including mentoring. Importantly, however, the mandate still explicitly excludes Abkhazia and South Ossetia.¹⁴⁶ The substance of the work of the enhanced team corresponds to the possible mandate of an ESDP operation but is labelled differently so as to remain a low profile enterprise, which does not antagonise Russia (Kurowska 2006b). As expressed by one of the team's experts, through such an arrangement the EU aimed to respond to Georgia's security concerns and lay a role in improving Georgian-Russian relations without being seen as defending Georgia against Russia.¹⁴⁷ In other words, this setup avoids the perils of a separate ESDP operation while still being able to provide Georgian authorities with EU expertise and best practices.

¹⁴⁴ Interview at the EUISS, Paris, July 2005.

¹⁴⁵ Article 2 of Council Joint Action 2005/582/CFSP of 28 July 2005.

¹⁴⁶ Article 3(g) of Council Joint Action 2006/121/CFSP.

¹⁴⁷ International Crisis Group interview, EUSR support team, Tbilisi, December 2005, in: *Conflict Resolution in South Caucasus: the EU's Role*, International Crisis Group Europe Report No. 173, 20 March 2006, p.24.

Interesting regularities emerge against the backdrop of Georgian diplomatic efforts to engage the EU more extensively and the latter's pains to shy away from radical positioning. The top priority in the realm of foreign policy in 2006 was for the Georgian government to consolidate the support of the international community in restoring Georgia's territorial integrity, including peaceful resolutions to the conflicts in the country and implementation of the peaceful initiatives of 2004-2005.¹⁴⁸ Tbilisi was keen to incorporate more concrete propositions regarding border management into its ENP Action Plan (AP)¹⁴⁹ and it suggested the 'peaceful resolution of internal conflicts' as its first priority in its AP.¹⁵⁰ Claiming that "the security of Georgia's borders is linked to the security of the EU", it sought "concrete EU assistance...for border management issues".¹⁵¹ The Georgian authorities are further striving to 'EU-ise' their attempts at resolving their conflicts with the breakaway republics (Abkhazia and South Ossetia), in particular as regards South Ossetia. In his letter to Javier Solana of 18 January 2006, Georgian Prime Minister Zurab Nogaideli asked for broad EU backing and involvement in the South Ossetian conflict, as well as for a brief mission to assess demilitarisation of the conflict zone:

I think that recent developments demonstrate very well that any attempt of the Georgian government to internationalise the conflict results...in a counterattempt of the Russian Federation to eliminate whatever limited international participation we have in the negotiation process or in the peacekeeping operation and we believe that this is an extremely troubling tendency.¹⁵²

Georgia's ambassador to the EU, Salome Samadashvili, summarised the position of her government by saying:

We believe that the EU can do much more to get involved in the conflict resolution process. We basically asked him [Javier Solana] to consider expanding the mandate of the EUSR to get him more involved in the conflict-resolution attempts.¹⁵³

The new mandate adopted by the Council on 20 February 2006 does not incorporate the aspects brought up by the Georgian side. Further, the debate preceding the adoption of the new mandate and nomination of the new EUSR to the South Caucasus was rather indicative of the EU's blurred position on the issue in that the contents of the letter were not even taken

¹⁴⁸ 'Foreign Minister Outlines Georgia's Priorities for 2006', Civil.ge, 31.01.2006.

¹⁴⁹ Interview with the DGE 5 functionary, Council of the EU, Brussels, 14 November 2005.

¹⁵⁰ Sabine Freizer, Caucasus Project Director, International Crisis Group, address to the European Parliament, Committee on Foreign Affairs, *Responding to South Caucasus Conflicts in the European Neighbourhood* Brussels, 26 February 2006.

¹⁵¹ "Non-paper on the First Round of Consultations on Georgia's ENP Action Plan", prepared by the Ministry of Foreign Affairs, Tbilisi, December 2005.

¹⁵² Official communication of Prime Minister Zurab Nogaideli with Dr. Javier Solana, High Representative for CFSP, Secretary General of the EU Council, 18 January 2006.

¹⁵³ RFE/RL Caucasus Report, 21 February 2006.

into account as revealed by some member states diplomats.¹⁵⁴ Although decisions regarding the border monitoring setup were formally systematised in the new mandate, the conflict resolution aspect remains confined to the clause that the EU should contribute, *in accordance with existing mechanisms* (emphasis mine), to preventing conflicts in the region and to the peaceful settlement of conflicts, including through the promotion the return of refugees and internally displaced persons.¹⁵⁵

Practices the non-deployment enacts

The non-deployment of a full ESDP BMO operation illustrates recurring patterns in ESDP. The process of deployment proves politically sensitive and contentious. It is dependent on reputational concerns and political realignment both internally, among the ESDP bodies, the member states and the EC, and externally, with regard to upholding the EU's international image. The missions finally deployed are carefully selected, vague enough not to invite failure and trimmed in the course of multi-level political contest. Despite the political malleability of the process, symbolised by such assertions as: 'we make them [ESDP operations] up as we go'¹⁵⁶ and 'we are frequently unsure how a particular negotiation over a possible mission might end up',¹⁵⁷ within the Solana milieu the stakes are definitively if tacitly defined. Accordingly, although operations are formally responses to crises on the ground, in practice they are products of strategic fishing for suitable opportunities to convey a message of the militarised civilian power. Whereas 'the intervening variable' remains political opportunities and constraints,¹⁵⁸ these become framed in accordance with a specific agenda and only brought into political play as such.

In this regard, the non-deployment of BMO vividly illustrates the means of endorsing ESDP. The SG/HR did not see sufficient institutional or ideational interest to lobby the BMO in an energetic manner. The issue was too controversial among the member states, perceived as too risky diplomatically considering its possible pay-off and potentially too antagonising in view of the highly pragmatic agenda.

Reflecting on the possible conditions that might have enabled an ESDP BMO operation, three hypothetical scenarios present themselves: the materialisation of a 'coalition

¹⁵⁴ Ibid.

¹⁵⁵ Article 2(b) of Council Joint Action 2006/121/CFSP.

¹⁵⁶ Interview at the Secretariat General of the Council of the EU, Private Office, Brussels, 14 November 2005.

¹⁵⁷ Interview with a functionary from Council Secretariat Policy Unit, Turin, 8 February 2007.

¹⁵⁸ Interview at the Secretariat General of the Council of the EU, Private Office, Brussels, 14 November 2005.

of the willing', either within the policy as an instance of 'strengthened cooperation' or outside its framework; a trimmed formula mediated by a committed lobbyist; and an emergency solution forced by a major crisis on the ground. I thus examine these counterfactual scenarios, and consider the peculiarities of ESDP making and the role of the Solana milieu therein.

The conception of the coalition of the willing outside of the ESDP framework is perhaps best interpreted as an attempt to gain an advantageous bargaining position within the policy itself. Importantly, such an enterprise would not only have had little legitimacy inside the EU but it would have brought international protests on the part of Russia. A coalition of the willing would have caused turmoil among the member states, consciously avoided in the post-Iraq-clash period marked by a tacit consensus that displays of divergence should be prevented. The disarray over the Iraqi invasion and the failure of the constitutional treaty have been decisive in this respect. They effectively mobilised the Solana milieu and induced the insistence that foreign policy activities be converted into a catalyst for "mobilising our public opinion so that to give value to the EU, to recuperate the respect, the love to what has been the EU, is the EU, and has to be the EU" (Solana 2005b). They also marshalled the member states into paying more careful attention to the EU's international image, which typically suffers under any hint of disagreement inside the EU. Consequently, although internal dispute is often fierce, they are more disciplined in presenting their positions to outside audiences. While an autonomous coalition of the willing would have been unlikely, a case of 'strengthened cooperation' may have however materialised.

This brings us to the second scenario, including either a consensus on a muscled commitment towards the post-Soviet space or, more plausibly, the emergence of some kind of division of labour among the member states in terms of foreign policy specialisation. While the former is hardly in view at the present time, the latter has already made its mark. Foreign policy specialisation would denote that some group of states is more involved in drafting concrete initiatives towards specific regions, while others do not aggressively breach on this implicit rule. In the case of BMO, the already active Baltic states with keen UK backing in the South Caucasus might have been empowered enough to realise the project by bringing into play enough discursive resources for the BMO to materialise. In such a case, the commitment of small states could have been supported by the UK's present policy on the post-Soviet space, set on advocating a decisive posture toward the Russia of Putin.¹⁵⁹

¹⁵⁹ Interview at the EUISS, Paris, July 2005.

Another hypothetical setting could involve a particularly contingent scenario. One of the defining features of ESDP operations being their political malleability, they can be moulded in accordance with emerging political needs. With only a few formally established templates and the dominance of un-codified practices, the policy would appear a convenient tool for tackling political emergencies. The successful story of ESDP thus hinges largely upon seizing fitting opportunities of contingencies in international politics, framing them in line with the policy vocabulary (i.e. the necessity to act vis-à-vis the EU global role and the expectations of both its citizens and the world at large), and later portraying the results as triumph over adverse conditions. In the BMO case, the most possible scenario would involve a political moment significant enough to trigger substantial alert. This could have been a major incident on the border or a humanitarian disaster in the border zone extensively covered by media. The latter might have added significant visibility to the Georgian case in the eyes of the international community, and, consequently, evoked the feeling (as it was in the case of Themis and Lex) that ‘something needs to be done’. Acting on political contingency, both in terms of a crisis on the ground and grabbing the possibility to further the policy, has proved to be a factor in ESDP making. Skilful political lobbying would have been necessary to paint the picture fitting with what the internal institutional and member states audiences act upon. With a mandate trimmed to the ESDP capabilities, the EU could have then depicted itself as a neutral party, furnishing the Georgian border system with the best European practices, and fostering home-grown solutions along with the best European tradition of respect for the local context. Interpretation of the event pushed hard enough, Russia would have but been compelled to agree to some kind of international involvement and the EU would have been the lesser evil.

More broadly, launching a politically sensitive operation, with seemingly no immediate payoff for the EU position but with considerable reputational risks involved, would mark a route towards making an unambiguous foreign policy choice, a move hardly in the EU’s repertoire to date. This is not to raise criticism towards the EU’s overcautious positioning. Rather, with the EU system of governance, one should avoid the conventional (and imaginary) presupposition that such an unambiguous choice is indeed possible and it reflects the entity interests. The means of crafting the EU’s international role become highly mediated domestically. What emerges on the world stage is an outcome of intense political contest to be again contingent on international interaction. With these two processes operating simultaneously and mutually constitutively, the EU’s performance is obscure yet hardly impenetrable.

EUJUST LEX – how to manage and outgrow reconciliation

Lex has a different background to Themis, thus requiring altered narration. Less than the actual state of play in wartime and post-war Iraq, Lex was shaped by debates within the EU and its positioning towards the US. Here, the recurring theme is the concern with how the EU should react to the US's militarism and the discordant response to the latter from within its own body. Whereas Themis proved an important if fleeting fancy on the wave of the international appeal of the Rose Revolution, Iraq appears an instance of 'high politics' in the making. In this context, the shapers of Lex found themselves under continuous pressure to frame the picture of the operation in line with the intersecting agendas of different actors involved. The mission hence offers an example of image management in a precarious political contest over the viability of the EU's international involvement. With the divisions over Iraq allegedly yet another illustration that, when put to the test, national perspectives prevail and CFSP is no more than declaratory politics, Lex served the purpose of proving otherwise, particularly towards the EU internal audience. While Themis remains an exercise in EU institutional build-up in serene conditions, Lex was delivered amongst substantial turmoil. The Iraqi operation thus relates to the EU's major catharsis in international politics, a test of ESDP/CFSP which the EU passed in its own manner, i.e. going to great lengths persuading that it has indeed done well and being trusted on that in a long run.

Framing scope for action

Similar to the Georgian case, that of Iraqi induced the belief that some kind of EU involvement was necessary. This conviction stemmed from different sources, however. Themis materialised on the EU's confidence that it matters as an international actor and a model of governance. Accordingly, its support for reform in a fragile community has a significant bearing on the reform process. With regard to Iraq, the EU reacted to being challenged as an international player per se, and as a compound polity. Lex correspondingly aimed at reconciliation between the member states after the clash over Iraq. Against this backdrop, a civilian mission could and has manifested the possibility to come up with a common schema.¹⁶⁰ Lex being primarily a training intervention, some assert likewise that the

¹⁶⁰ Focus group and interviews at the DGE 9, Council Secretariat, Brussels, 16 November 2005.

actual substance of the mission is fairly accidental. It reflects what was possible to agree on at the time of decision taking,¹⁶¹ with a broader domestically oriented aim behind the enterprise.

The birth process of the mission featured concerns of political and security nature. Initially, with the notion of a possible mission already instilled, there was little idea of what such an operation may involve. After a short visit in August 2004 aimed at instituting a political dialogue, an exploratory and preparatory mission was despatched in November 2004 to establish whether there was a scope for an ESDP involvement. This visit concluded that there existed room for an ESDP rule of law mission, with an important caveat that more research needed to be done in advance.¹⁶² In this regard, one should emphasise the importance of exploratory visits to a potential field of deployment before a formal fact-finding mission takes place. While they might set the terms of future debate about an operation, they function within certain political boundaries, producing conclusions highly mediated by imported political imperatives. Their terms of reference are thus contingent on the agenda of the sending institution, i.e. the Council Secretariat functionaries in case of informal exploratory missions and member states' seconded experts accompanied by Council Secretariat functionaries in case of officially despatched fact-finding missions. The exploratory mission to Iraq included Javier Solana's deputy, an important political figure in the ESDP milieu. It is further striking that rule of law was chosen as a deployment area, rather than civilian protection or civilian administration. It may appear that in a fundamentally conflict-ridden society, the immediate needs revolve around basic protection and administration issues. These two areas are little exercised in ESDP's civilian repertoire so the policy performers were glad to accept and advocate an initiative with a rule of law label.

The rule of law conclusions of the preparatory mission consequently determined the way in which the fact-finding mission would be constituted. The mission took place in December 2004-January 2005 and, due to security conditions, it conducted its investigation in various countries in the region rather than in Iraq itself. In the process, about 150 people were interviewed, both Iraqi judges and other functionaries and international advisors.¹⁶³ The research team finished their work in January and only commenced drafting CONOPS (Concept of the Operation) and OPLAN (Operational Plan) in March. Accordingly, February 2005 saw the most intense political debate with the commitment by the EU Council to launch the mission on 21 of February.

¹⁶¹ Interviews at the DGE 9, Council Secretariat and DGE Relex, EC, Brussels, November 2005.

¹⁶² Interview at the Council Secretariat, Brussels, November 2005.

¹⁶³ Interview at the DGE 9, Council Secretariat, Brussels, November 2005.

The PSC received the report and the proposal of integrated training mission aiming at eradicating the mistrust between judges and police officers and thereby bringing about more coordination in the justice system at the beginning of the month. The actual formula of the mission was still negotiated, in particular regarding whether the training could take place in Iraq or should rather be conducted in other countries in the region or solely in the EU. France was fundamentally against a major EU involvement on the ground as a symbolic representation of its opposition towards the military operation in the first instance. The compromise reached concluded that the training of high level judges, police officers and prison governors takes place outside of Iraq, with only a small liaison office in Baghdad located in the British embassy. The Baghdad Liaison Office (BLO) was to comprise five people, a police expert, a penitentiary expert, and a judge with two general coordinators staff. The Brussels Coordinating Office (BCO) includes the HoM, his deputy a judge, a political advisor of the mission who is a Council Secretary functionary and a number of expert course coordinators. In February 2005, it was also decided that an EC representative should join the Lex team on the ground, and the individual duly assumed the position of one of the general coordinators. She was 'double-hatted', in that half of her duties were to be concerned with the daily activities of the mission and half were to comprise the preparation of the future EC programmes on the ground. The roots of this particular arrangement have been construed in various ways. This was a common sense move on the part of the Commission as the Community had had vast experience in civilian training and it had operated in Iraq through its Iraqi section in the Amman EC Delegation.¹⁶⁴ Conversely, the inclusion of an EC representative into an ESDP operation might have served as a 'gesture of good will' towards the Commission practically sidelined in the process of constructing ESDP. Yet another reading saw it as a 'smuggling' of the Commission into the project.¹⁶⁵

The Joint Action adopted on 7 March stated that the EU is committed to a secure, stable, unified, prosperous and democratic Iraq.¹⁶⁶ The initial mandate of Lex covers four major areas. First, the mission shall address the urgent needs of the Iraqi criminal justice system through providing training for high and mid-level officials in senior management and criminal investigation. Second, the mission should promote closer collaboration between the different actors across the Iraqi criminal justice system and strengthen the management capacity of the officials and improve skills and procedures in criminal investigation in full

¹⁶⁴ Interview at DGE Relex, EC, Brussels, April 2006.

¹⁶⁵ Interview with an EC Iraq desk officer, DGE Relex, 11 April 2006.

¹⁶⁶ Council Joint Action 2005/190/CFSP of 7 March 2005, Introduction paragraph 1.

respect for the rule of law and human rights. Third, an effective strategic and technical partnership should be developed throughout the mission. Finally, Lex should complement and coordinate with efforts of the other international interventions. In the words of the HoM, the overarching principle of Lex is its integrated (cross-sector) approach, which aims to address not just police reform, prisons reform or judicial reform individually, but to tackle all these areas simultaneously by forging relations of trust between these areas. The idea is therefore to bring senior professionals from these areas together to engage in joint learning and dialogue at strategic level, developing mutual understanding by presenting best practices in Europe.¹⁶⁷

In order to cover the mandate, two courses were designed, on senior management and on management of investigation with the goal to train 770 people. The explicit implementation of the principles established in the mandate was the notion that professionals from all these area should attend the courses together. At the same time, three principles of the operations were framed, an attempt to cater for the member states' concerns and reflect the spirit of ESDP. These are: security of the member states personnel is paramount; Iraqi involvement at every stage (which denotes that the new government must be involved); and flexibility and responsiveness to Iraqi needs (which denotes that the mandate must allow flexibility to respond to the Iraqi requests, conditions on the ground and member states participation).¹⁶⁸ With the European Council decision, the planning phase of the mission began during which, at the end of May 2005, the HoM managed to obtain a formal invitation for the mission from the Iraqi authorities as required by the Joint action 2005/190/CFSP.¹⁶⁹ The mission was assigned a budget of 10 million euros from the EU budget whereas member states would contribute training courses and trainers.

The position of the Commission in the pre-launch negotiations was different from that in Themis. With training traditionally its competence domain, the EC has yet no means to operate in a non-benign environment. The only way to be engaged in Iraq, then, was in cooperation with an ESDP operation.¹⁷⁰ Next to the security situation, the mission's activity does not fit with the Community's established approach. In line with the institutional differentiation between these two entities, an EC functionary emphasised that the Community method hinges on funding projects defined by the local government or, optionally, it assists

¹⁶⁷ Interview at DGE 9, Council Secretariat November 2005 and April 2006. See as well Stephen White, 'The EUJUST LEX mission', *EuroFuture*, Winter 2005, pp. 2-4.

¹⁶⁸ Ibid.

¹⁶⁹ Interview at the DGE 9, Council Secretariat, Brussels, November 2005.

¹⁷⁰ Focus group at the DGE9, Council Secretariat, Brussels, 16 November 2005.

the local government in drafting such projects. However, at the time of launching Lex there was not even a local government in place.¹⁷¹

Uncomfortable realities of the mission

The operation phase of the mission started on 1 July 2005 with an initial twelve-month mandate. In order to paint a clear picture of the operation, I elaborate on several of its key elements. First, I look into the establishment of the mission on the ground together with its reported perception by the local authorities. Second, I explore the engagement of the EC in connection with the ESDP mission. Third, I discuss the practical implementation of the courses. Finally, I examine the self-perception of the mission at its crucial threshold when the decision to prolong and extend its mandate was taken.

Reports pertaining to the first operational period of the mission (from July to October 2005) maintained that it had established strong and trusting working relationships with the relevant Iraqi authorities, in particular with the ministry of justice and the chief justice, and it had been thoroughly supported by the local authorities.¹⁷² One of the major operation principles as formulated by the HoM, namely that the Iraqi involvement needs to be secured at every stage so as to provide for lasting solutions, was particularly highlighted. The attempt to apply local ownership signifies a qualitative difference in comparison with earlier initiatives.¹⁷³ This is juxtaposed with the alleged EC failure to involve Iraqis, the illustration of which was International Donors' Conference in January and April 2005 in Amman organised by the Iraqi section of the EC Delegation in Amman: there, Iraqis were practically absent.¹⁷⁴ Again, the insistence that the EU should foster home-grown solutions with regard to the local traditions of governance is portrayed as a unique feature of the ESDP project.

The first accounts also reported that the mandated coordination of Lex with other international donors was being implemented. The practical illustration thereof was to be the setup of a Rule of Law Sector Working Group (ROLSWG), chaired by the Iraqi Chief Justice and tasked to coordinate the international donors' initiatives in the rule of law sector with a view to producing a comprehensive strategy of reforming this area. The opening ceremony of ROLSWEG took place in October 2005. Only in February 2006, however, were some initial

¹⁷¹ Interview at DGE Relex, EC, Brussels, 24 November 2005.

¹⁷² Interview at the DGE 9, Council Secretariat, Brussels, November 2005.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

initiatives formulated. The ROLSWEG conundrum can be attributed to volatile domestic situation where the Iraqi representatives change overnight, invalidating previously adopted arrangements.¹⁷⁵ It may, however, also be a function of limited importance attached to the body by the Iraqi authorities, which prefer to operate within bilateral relations. Yet the examination of ROLSWEG may be instructive in tracing the relations within the EU family and with other international actors. Officially, the EU is represented in the group in a threefold way with an EC representative, a mission representative and the current Presidency. In practice, however, the EU functioning within the group is coordinated by the EC representative in Lex, which gave rise to a particular hijacking of the forum by the EC.

From the perspective of the EC, Lex is a useful training intervention, which could not have materialised within the first pillar due to the security conditions on the ground. Substantively, however, it is “a drop in the ocean”:¹⁷⁶ incapable of affecting the system as the courses last three weeks only and, being conducted abroad, relying on practical decontextualisation of the beneficiaries.¹⁷⁷ In brief, it is a short political intervention, which ought to be followed by other EC programmes. At the very outset, the Commission declared its willingness to get more involved in Iraq with substantial projects after the closure of Lex. The focal point of this involvement has now become the ROLSWEG. In 2004, the EC established its Iraqi section of the EC Delegation in Amman, following the steps of other international donors that headquartered their organisations in Jordan owing to the dangerous situation in Baghdad. The section has been busy drafting assistance programmes for Iraq as it commences a full reconstruction programme beginning of 2007.¹⁷⁸ The Commission announced in May 2005 its intent to open an EC Delegation in Baghdad.¹⁷⁹ Its staff should comprise six individuals, tasked exclusively with the work of the ROLSWEG.¹⁸⁰ Accordingly, the Iraqi section in Amman will supervise reconstruction programmes while the Baghdad EC Delegation, headquartered next door with Lex in the British embassy, shall take up all the assignments performed now by the EC representative in the mission. As summed up, the EC/EU representation in the ROLSWEG is a practical arrangement enabled by Lex.¹⁸¹ The ROLSWEG also provides another clue about the division of labour between the EU and

¹⁷⁵ Interview at the DGE 9, Council Secretariat, Brussels, April 2006.

¹⁷⁶ Interview with an Iraq desk officer, DGE Relex, EC, , Brussels, 11 April 2006.

¹⁷⁷ Ibid.

¹⁷⁸ Ibid.

¹⁷⁹ Interview DGE Relex, EC, Brussels, November 2005.

¹⁸⁰ Interview DGE Relex, EC, Brussels, 11 April 2006.

¹⁸¹ Ibid.

the US in Iraq and how this is arranged in practical terms. On the record, the EU was officially asked to lead the group by the Iraqis; off the record, it was the US lobbying for EU to take the lead, an opportunity seized by the EC representative.¹⁸²

The organisation of Lex courses further illustrates interesting themes in the making of ESDP. A considerable number of member states have conducted the courses while other have been involved in various ways, including joint partner arrangements.¹⁸³ A degree of diversity necessarily follows from this arrangement. Although there exists a core syllabus drafted by the Lex team, emphasising cross-sectoral cooperation, human rights and management, the courses designed in different EU states by national trainers differ significantly. While this ensures greater dynamism, the EC should be able to offer a unified service.¹⁸⁴ Here, however, the indication of potential superiority of the EC approach goes with an observation about the current shift in the EU where a preference is given to executing diverse tasks (also those that might have been previously performed under different labels and, possibly within the first pillar) in the framework of ESDP.

This may possibly result in a less streamlined approach. Lex also struggles with more mundane concerns in terms of course organisation, e.g. its poor control over the local selection procedure. Despite the requirement of formal supervision, the selection is carried out by Iraqis exclusively with the Lex team given a post factum access to the CVs. This amounts to occasional arrival of students who seem ill suited for the specific courses offered through the mission.¹⁸⁵ Likewise, the reintegration of the former students into the Iraqi system cannot be monitored due to the understaffing of the BLO. On a slightly different note, the feedback by students and the ‘lessons learnt’ from the first round of courses led to significant compromising of the overarching philosophy of the mission. The endeavour to place professionals from different areas of justice system (and thus social strata) in one classroom to breed trust and partnership relationships among them produced numerous requests for courses organised separately for different groups.¹⁸⁶ This illustrates how the European standards

¹⁸² Interview with a member of Lex, Rome, November 2005.

¹⁸³ Countries that have provided the courses so far include Belgium, Denmark, France, Germany, Italy, Holland, Poland, Portugal, Spain, UK; Finland, Sweden, Estonia, Lithuania provided trainers for two courses conducted in Denmark; Slovenia, Greece and Austria will provide trainers for courses in Italy; Hungary and Luxembourg offered some finance to be distributed among the countries conducting the courses. Information obtained during an interview with a course coordinator at the DGE 9, April 2006.

¹⁸⁴ Interview with the desk officer for Iraq, Relex, EC, Brussels, April 2006.

¹⁸⁵ Interview with a course coordinator, DGE 9, Council Secretariat, Brussels, April 2006.

¹⁸⁶ *Ibid.*

(however ideally framed) encounter significant resistance, in this case opposition to the perceived encroachment on social status rules.

From the outset, and in light of the claim that the Iraqis would not be able to assume the training effort soon, there was an insistence that the mission should continue beyond its original mandate and proper arrangements in this direction should be taken well in advance. Already in the early stages, Lex management advocated that the extension of the mission should be based on the experience, expertise, and networks Lex had already accumulated. In November 2005, the efforts directed in organising further Lex engagement in Iraq were in full swing, notwithstanding the official assertion that at that point any solution, performed by the Community follow-on programmes, the extension of the Lex mandate, a follow-up to Lex, or even a different ESDP operation, remained conceivable. In particular, arguments were made that a high profile and effective involvement could only be accomplished through ESDP,¹⁸⁷ preferably as an extension of the (already successful) Lex—this in view of the fact that the ESDP seconded personnel from top positions in national systems who could be deployed relatively rapidly.¹⁸⁸

One can detect some resemblance with a threshold moment in the Themis story when the Georgian mission feared not to drop the momentum already created and dissipate what had been achieved. This may point to the unease on the part of the experts with quick-fix nature of ESDP. The earliest reports similarly assert that the operation managed to establish considerable visibility; it is indeed recognised to represent the EU as such in Iraq, providing for an appreciatively neutral but supportive presence.¹⁸⁹ This verbiage belongs to the repertoire of the EU's role construction and is drawn extensively upon when painting the picture of the mission to the internal, institutional and member states audience. With the rationale of highlighting the EU's presence in Iraq against the background of the US monopoly and thereby bringing out the distinction of the EU involvement, Lex had to managed its image and legitimise its existence particularly actively.

In April 2006, after a fervent presentation of the mission's achievements by Lex HoM a month earlier, the PSC agreed to extend the mission for another eighteen months. It further acquiesced to the HoM's propositions about the expansion of the mandate, together with plans for new courses introducing apprenticeship for course graduates in the MS institutions.¹⁹⁰

¹⁸⁷ Focus group at the DGE 9, Council Secretariat, Brussels, 16 November 2005.

¹⁸⁸ Ibid.

¹⁸⁹ Interview at DGE Relax, EC, Brussels, April 2006.

¹⁹⁰ Interview at DGE 9, Council Secretariat, Brussels, April 2006.

This on-the-job training may to some extent substitute collocation. Formally a reverse arrangement, its aim is no different, i.e. to instil in the participants certain ideas about policing and the judiciary that would seem naturally to represent best practice.

ESDP making in practice – conclusions

In this chapter, I have dealt with the question what specific security practices ESDP has engendered. To conclude, I should start with a number of distinct themes associated with ESDP making in practice.

A particularly salient aspect is the emergent belief among the member states that the EU should face up to its projected image as an international actor. This becomes tangible during instances of international crisis, when the resolve to demonstrate the EU's involvement and the avoidance of exposing internal clashes finds its expression most clearly. Arguably revealing the contingency-driven character of the policy, it also indicates common expectations of member states as to the role of the EU. According to this reading, events of crisis in international politics call for the EU's reaction and possible engagement, while failure to act on them may entail spoiling the EU's image. As regards Themis, after the Rose Revolution the EU saw itself as obliged to express support for the reform path adopted by the new regime. An ESDP operation with its high political profile provided a gesture in that direction. Such an initiative was perceived as contributing to the aspired image of the EU as an important security player. In connection with Lex, it often supported the view that the EU should be engaged in any form in order to uphold its image as an international player. This indicates that a certain self-perception of the EU has crystallised, which, in turn, acts as a catalyst for initiating further action in accordance with the image. While the EU has not acted on all opportunities to get engaged, and it has oftentimes shrunk from taking action, there has nevertheless emerged a trend towards proactive management of the EU image.

This image remains a dynamic phenomenon, malleable enough to allow considerable room for manoeuvre in terms of justifying the link between a given mission and the EU security. The role of the civilian ESDP is striking here in that police and rule of law missions are portrayed as serving the function of ensuring the EU's security. While explicitly framed along the lines of spreading good governance along the EU's borders, both in the interest of the communities involved and the EU itself, the employment of a security policy to this end is of interest. Until recently within the remit of EC projects, civilian assistance becomes a

contentious issue within inter-pillar struggles. The shapers of the ESDP policy have meanwhile also been busy with establishing a reverse to the EC motto understanding that security is prior to building civil society. They have managed to rally enough support around this vision in order to naturalise rule of law, etc. interventions under the aegis of a security and defence policy. If it is perhaps too early to claim that their conception has prevailed, they have definitely secured enough political capital to destabilise the previously central principle of forging security through development.

At the heart of this process lies the Solana milieu's strategic investigation of possibilities for deployable missions. They are expected to boost the EU's image and confirm the uniqueness of the EU approach to security while restrained to a scope agreeable by the 27. This is not to diminish the value of any mission, and neither does it denote that missions are merely a product of the lowest common denominator. They rather represent multilevel political negotiation with certain agents empowered to a greater extent than others. This negotiation is mediated by the different political positions of the member states who, however, do subscribe to a particular conception of the EU as they become persuaded to give consent to corresponding actions. The mission's portrayal, both to internal and external audience seems vital here. Illustrative in this regard is the manner of missions' evaluation and the procedure of drafting the 'lessons learned'. Like Themis, where establishing good working conditions with the EC Delegation was claimed while in fact the relationships were tense, first reports Lex asserted that all the four main objectives of Lex were being achieved, including coordination with efforts of other international donors. Drafting the final lessons learned of Themis took several months and was subjected to numerous correctives aimed at diluting the most controversial points. The process of compiling reviews, reports and lessons learned is thus indicative of how missions are a politically conditioned exercise with strategic concerns beyond the substance of a mission.

The process of evaluation has thereby come to constitute a specific genre, difficult to explore comprehensively as the documents relating to missions assessment remain confidential. Still, some insights are instructive. The wording of the reports reflects a reluctance to admit institutional competition explicitly as much as it demonstrates disagreement among the member states. If any inadequacies are admitted it is through rather moderate suggestions and the very generic mantra of the necessity of coherence across the EU tools. Above all, however, the construction of the reports conveys the (surprisingly successful) positioning of the EU among other donors. Such a spin seems a deliberate move in light of the precarious member state consensus on missions. The guidance given to heads of

missions on how to manoeuvre among the member states positions similarly appears the major task of political advisors to missions. The process is also symptomatic of growing self-awareness or institutional identity of the DGE 9 and other Council Secretariat bodies related to crisis management. Along these lines, the attainment so far in the realisation of ESDP projects should be shielded from any public contestation. The accounts of Themis and Lex fittingly show that the exaggerated depiction of a mission's achievements and enthusiastic lobbying significantly impinges on the perception of the mission by the member states and, correspondingly, their fate.

ESDP's delve into previously civilian aspects of security and defence has caused considerable friction between the Council and the Commission. Widely acknowledged as embodying two different philosophies of action, the Council and the Commission are busy asserting their position vis-à-vis one another. Here, the Solana milieu attempts to wrestle the civilian crisis management out of Commission hands through differentiating the nature of the tasks and somehow denigrating the Commission's role through insisting on its mainly technical relevance. Within this organisational identity building, ESDP operations are portrayed as a task of a more strategic and horizontal character, that offer a quick impact in order to come up with tangible political results.¹⁹¹ The Commission's task, conversely, should be to reinforce this strategic vision with technical assistance and long-term development programmes.¹⁹² In this context, the rule of law area remains inherently contentious between the Council and the Commission. Until recently, the Commission regarded development and institution building as its exclusive task although according to the Treaty this can be interpreted as a shared competence.¹⁹³ As it is not a clear-cut area, it is not immediately visible who is responsible for what, which inevitably causes overlaps and institutional tensions.

In each particular case of a civilian operation, the negotiations with the Commission over the formula of the mission are conducted from scratch as the setting and context of each mission are specific. The state of affairs is additionally complicated by the fact that the Community has often been long present in a given country before an ESDP operation is deployed and it therefore has substantial institutional interests there. Moreover, the Commission sees the development area as time-consuming, and as a long-term investment

¹⁹¹ Interviews at the DGE 9, Council Secretariat and DGE Relex, EC, Brussels, November 2005.

¹⁹² Ibid.

¹⁹³ Focus group at the DGE9, Council Secretariat, Brussels, 16 November 2005.

that the Community is better suited to tackle.¹⁹⁴ The Rapid Reaction Mechanism¹⁹⁵ created within the Community and designed to activate speedily financing resources for concrete projects, demonstrates, however, that the Commission is eager to expand on the understanding of reconstruction projects as durable and, consequently, that it is keen on catching up with ESDP mechanisms.¹⁹⁶

The embodiment of the EC's attempts to offset the growing position of the second pillar in civilian crisis management, and more broadly in the EU's domestic system of governance, is the European Neighbourhood Policy (ENP). Initially locked into the traditional tenets of its technocratic approach, the EU began to try to emulate the ESDP's venture as a way of asserting how best to project order and security to the EU's periphery. The EC increased activity has indeed been interpreted as catalysed by the robust ESDP action.¹⁹⁷ Yet it is perhaps more adequately seen as strategic emulation that does not mechanistically copy but instead involves political choices and judgement. In this reading, the ENP is a way for the Commission to upgrade its profile in the field of external policy, i.e., it is the realisation of a certain political project.

In spite of these frictions, the Council appears determined to expand its civilian realm and differentiate its nature from the mode of activity traditionally embodied by the Community. Justification thereof is now elaborate. First, the high political profile and strategic nature of ESDP interventions generate a powerful momentum for reforms in post-crisis societies. This provides the scope conditions for the successful implementation of EC technical programmes.¹⁹⁸ Second, given its political nature, ESDP is neither constrained by institutional rigidity nor impaired by overly complex and time-consuming procedures.¹⁹⁹ It is thus a highly flexible tool, quickly adaptable to different situations;²⁰⁰ missions can be fine-tuned to tackle unique challenges on the ground. Third, the fact that member states retain control over missions and their national staff makes them more willing to engage in hot spots around the world. Fourth, missions are rapidly deployable and have access to experts from the highest echelons of the administrative systems of member states.

Active search for opportunities to deploy missions proves the most conspicuous

¹⁹⁴ Interview with an EC desk officer, Relex, Brussels, 18 November 2005.

¹⁹⁵ Now Stability Instrument.

¹⁹⁶ Interview in a national permanent representation in Brussels, November 2005.

¹⁹⁷ Interview with a functionary from DGE 9, Council Secretariat, Turin, 10 February 2007.

¹⁹⁸ Focus group at the DGE9, Council Secretariat, Brussels, 16 November 2005.

¹⁹⁹ Interview with a researcher from the EU Institute for Security Studies, Paris, 4 July 2005.

²⁰⁰ Interview with a functionary from the Private Office of HR/SG, Brussels, 14 November 2005.

feature of this framing exercise. This becomes particularly evident in the operational shaping of the substance of the missions, which is far from a straightforward extrapolation of needs prioritisation as regards a particular region. Instead, it rather is negotiated arrangement between a number of intersecting positions. Yet ‘fishing for opportunities’ takes a brisk form and reveals a great deal of engagement. One illustration is the practice of dispatching a number of exploratory, or pre-fact-finding missions before the actual fact-finding mission. Frequently, several strictly political visits consisting of a few high rank officials from the Council Secretariat are paid to a given region before any call for experts for a fact-finding mission is organised. It is reasonable to argue that from the moment the actual fact-finding mission has set off for its destination, the EU has substantially committed itself to make it a success. The conclusions of any pre-mission undertakings are confidential and the fact of any such activities is barely publicised if at all. Both Themis and Lex furnish examples of these practices but so do other operations. Arguably, it should be a common diplomatic practice to carry out thorough groundwork before any significant action is taken—particularly in domains where reputational stakes are high. While ESDP shapers subscribe to this credo, however, their over-conscious approach represents what has been mocked as ESDP choosing its own enemies, carefully enough at least so that it can be certain of victory using its preferred methods.

Along with risk aversion, distinct political self-interests beyond the mandate of a mission are also easily identifiable. The deployment of Themis signified an engagement in the country that assumingly marked a highly political moment on the post-Soviet space. It provided the Council Secretariat with possibilities to test a new form of security commitment in the form of a rule of law mission. There were other areas of possible engagement such as the conflict zones of South Ossetia and Abkhazia, but the equivocal type of a rule of law mission better suited to serve the purposes at hand. Similarly, the later possibility of launching a fully-fledged ESDP mission on the Georgian-Russian border was avoided. This accentuates an important facet of the Council Secretariat seeking to mould the substance of a mission on its own terms. Although local needs are identified, the consequent mandate is drawn up as much in consideration of these needs as it is carefully composed with regard to the EU’s image. Further, the resolve on the part of the Council Secretariat to actually implement a mission once it has been identified as a promising opportunity is evident. In Themis, this was revealed through far-reaching compromises reached with the EC on the contents of the mandate. In Lex, it surfaced during negotiations with members states ardently opposed to any profound EU involvement in Iraq. Eventually, the tasks of the mission were drafted in such a

way as to be acceptable for the major protagonists in the debate, including the position of the EC, which was granted the position of the deputy head of the mission. Some member states diplomats engage (half-derisively) in figuring out the major idea behind other missions.²⁰¹ Here, the Monitoring Mission in Aceh (AMM) was allegedly intended to demonstrate the global scope of EU crisis management activity. Accordingly, at the consecutive gatherings of CIVCOM, new and more elaborate versions of the concept of the operation were presented, despite the overt protests of some member states.²⁰² Not surprisingly, the aims and scope of AMM are indeterminate enough. Similarly, EU Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) aims at validating the EU assertion that it is actively and prolifically engaged in the Middle East peace process. Curiously, the mission is tasked to provide a Third Part *presence* (emphasise mine) and should not undertake any substitution tasks (ESDP Newsletter 1, p.5). This provides for a mandate vague enough to be realised.

Interestingly, the formal legitimacy of a mission appears to be a fundamental concern for the Council Secretariat. In each case, local authorities are expected to issue a formal invitation for an ESDP mission in accordance with already previously negotiated mandate. In each statement on the occasion of launching an ESDP mission, the SG/HR underlines that the mission has been undertaken at the request of the local authorities. As the material of Themis and Lex reveal, the invitation is usually obtained after most operational arrangements have been completed. Rather than instigating a debate in the local community, the invitation is then more of a signpost of completing a crucial phase of a mission.

In terms of constructing the definition of missions' success, the top-down and bottom-up actors, i.e. policy designers and implementation experts, form a tacit alliance, despite their division everywhere else. The Solana milieu has been busy imbuing the official discourse with ESDP's tangible contribution to international presence in troubled regions. The experts involved in operationalising these assertions come up with detailed accounts of how the success of a particular mission fits into this picture. I described in depth the Themis definition of success and the attempts of Lex to position the operation as a particularly successful story, lauding the achievements of the EU presence on the ground and its effectiveness from the managerial perspective, aptly maximizing the budget and institutional opportunities. Along these lines, the notion of success becomes a crucial operative category. It is a matter of self-definition and of sustaining a particular interpretation of events through the categorizations

²⁰¹ This emerged in numerous interviews during the research.

²⁰² Interview in the Polish MFA with a former Polish representative to CIVCOM, 3 January 2006.

and causal connections established by the policy model (Mosse 2006: 943).

Yet, the implementation dynamics of each ESDP operation acquires its own particular self-perpetuating and self-sustaining logic. Importantly, heads of missions are granted vast scope of managerial freedom and operational flexibility. In case of Themis and Lex, they already participated in fact-finding missions before their formal appointment. Having substantially contributed to drafting the fact-finding missions' terms of reference they displayed genuine commitment to their realisation and ambitious plans of their operationalisation. Interestingly, in Brussels, heads of missions are viewed as stars and emblems of the success of operations, which additionally fuels their aspirations to meet the expectations to deliver. Experts on the ground, conversely, are typically overwhelmed by the mandate's underspecification. Confronted with the necessity to design the mission from scratch without much instruction from Brussels, they are also baffled by the intricacies of its politics, which appears a major hindrance to their mission's performance.

The story told here hardly features in the official ESDP narrative. Only varnished accounts of the missions are presented to the public and the institutional actors. They thus represent what good evaluations are, namely an acceptable story that mediates interpretative differences in order to sustain relationships and the flow of resources (Phillips & Edwards 2000). In so being, they are important building blocks of the Solana milieu's strategic project where antagonising is avoided and informal, pragmatic negotiations constitute the major way of resolving daily crises and consolidating the institutional position. One concrete ramification is that even member states representatives at CIVCOM and PSC might not be fully informed on the actual performance of a particular mission.²⁰³ This points to a considerable discreet power of the Council Secretariat, a power that hinges on the non-codified practices developed incrementally over a number of years. Since the establishment of the HR/SG position, there has materialised a whole pattern of rules and procedures. They constitute a tacit code of conduct in the realm of the policy making. The scarce secondary literature on the subject matter similarly shows that the policy area remains a realm of numerous exceptions to generic provisions on CFSP (Duke and Vanhoonacker 2006). Strict confidentiality attached to the policy, intertwined with a pursuit to come across as a highly successful crisis management actor result in the public getting a very crude picture of the situation. This curiously happens against the backdrop of legitimising policy through the reference to numerous opinion polls, which confirm European citizens' support for the EU

²⁰³Interview in the Polish MFA with a former Polish representative to CIVCOM, 3 January 2006.

enhanced role in international politics.

Indicative of a political urge, this resolve to endorse ESDP can be illustrated further by the exploitation of the civilian domain to boost the project. Civilian operations were not in the forefront of the agenda of crisis management as it was introduced in 1999 and the Feira Council where the Civilian Headline Goal was established did not immediately lead to any improvements in this area. However, it soon became clear that although ESDP would not yet develop along military lines, the opportunities to enlarge the policy via civilian realm abound and should be adequately handled. As no civilian scenarios for conflict management were yet prepared, military scenarios had to be modified in such a way as to fit the civilian option.²⁰⁴ As Renata Dwan asserts, because the military staff have been far larger than civilian planning capacity, the “military were responsible for setting the framework and drafting the first texts for EU crisis management concepts and guidelines” (2005: 16). Planning staff in the Council Secretariat admit to following the guidelines where they can save time, but do not do so consistently (Hansen, A. 2006: 22). The labels of the consecutive documents in the run-up to the missions, e.g. concept of operation and operational plan, are indicative thereof. While similar projects could conceivably be launched by the EC, the changed institutional landscape and the ensuing shifting conceptions of security push the civilian projects to be executed via a security and defence policy.

Interestingly, the Council Secretariat has not only succeeded in portraying ESDP as a must for the EU, as much as for the wider world, it has also managed to convert the seemingly deadly blows to the policy into moments of ‘catharsis’ or catalysts for the policy. Two instances are particularly evocative in this regard, namely the clash over the Iraq invasion and the failure of the Constitutional Treaty. They deserve attention as illustrations of how a skilful agenda-setter manages to frame unfavourable events into building blocks of his/her strategy. The degree of distress evoked in the old member states by the defiant position of the new member states allying with the US served to socialise the new comers into the conviction that such disagreements should not be played out in public as they do disservice to the EU’s image. The reputational harm evidently done was thereby transformed into the urgency to compensate. This spirit predates the watershed events in the ESDP story in 2003, i.e. the adoption of the ESS and the launching of first ESDP missions, as well as the deployment of Lex.

The failure of the Constitutional Treaty has been heralded by many as a deplorable

²⁰⁴Interview with EC desk officer for Georgia, Brussels, 18 November 2005.

example of the EU's non-viability as a polity and the EU citizens' defiance towards the idea of further integration. Leaving aside numerous discussions on the bankruptcy of the Treaty, some CFSP-connected aspects are of interest. Although the Treaty was to bestow coherence on the EU's foreign policy/external action and despite the fact that all institutional parties officially grieve over its failure, one gets an impression of partial relief towards the non-ratification. On the Commission side, the Treaty would have finally codified the first pillar subjugation in the foreign policy realm. On the Council Secretariat side, the Treaty codification would have ruled out many of the practices executed now in an informal and pragmatic manner, imposing heavy procedural requirements that the second pillar has evaded preferring to negotiate off the record. On a different note, the failure of the Treaty has hardly prevented ESDP development, partly because of its un-codified nature from the inception of the policy. 'Business as usual' is perhaps the best description of the state of affairs as regards ESDP after the Treaty's failure.

In effect, ESDP becomes a strategic tool for promoting a certain EU security claim. This security claim has been discursively woven out of ideas that circulated for decades. Yet it has a certain air of novelty about it as new vocabulary and new conceptions have been introduced via old formulations. The means of making the policy appear to work are missions deployed within its framework.²⁰⁵ They have proved the most efficient way of boosting ESDP. Nevertheless, the process of choosing what mission to launch is far from straightforward. As agreeing on military operations is problematic for the 27, the current focus is on civilian crisis management. The introduction of ESDP was initially justified by the necessity to build military capabilities in order to make CFSP work. However, meanwhile, there has been an interesting discursive twist to the project, in that civilian aims can be achieved under the heading of 'defence policy'. Crucially, civilian missions are more ambiguous and carry less potential for outright failure, or, in other words, the potential fiasco is easier to disguise as a partial or even complete success. The second pillar's attempts to hijack the realm of civilian crisis management has nonetheless caused friction with the Commission, which has so far regarded rule of law and institution building as its exclusive competence. This has instigated the reconfiguration of the domestic arena and the rise of intra-EU politics in the construction of EU external policy, a politics fuelled by distinct institutional identities and different visions of the EU's role in international security. Thus,

²⁰⁵ Interviews at the EUISS, Paris, July 2005 and at the Secretariat General, Private Office, Brussels, November 2005.

interestingly, the development of ESDP, launched to address the outside of the EU, has served effectively to modify it internally.

CHAPTER V A NEW SECURITY IDENTITY IN THE WORLD POLITICS?

We are destined to be a barrier against the return of ignorance and barbarism. Old Europe will have to lean on our shoulders, and to hobble along by our side, under the monkish trammels of priests and kings, as she can. (Thomas Jefferson to John Adams, August 1, 1816)

Following on from the analysis of the practical development of ESDP, where the enabling discursive repertoire was explored, the operative agency identified, and the non-codified but crucial practices of ESDP making pinpointed, this chapter revisits the question of whether this has grown to be a defining quality of the EU on the international scene. It thus deals with the issue of the extent to which there has emerged a new EU security order of which the ESDP framing is a factor.

A role approach to the EU internationality

Academic works dealing with the nature of the EU as an international actor have burgeoned in recent years (Allen and Smith 1990, 1998; Bretherton and Vogler 2006; Carlsnaes *et al.* 2004, Elgstrom and Smith 2006; Hill 1993, 1998, Hill and Smith 2005; Knodt and Princen 2003, Petersen and Sjursen 1998; Smith, H. 2002; Smith, K. 2003; Tonra and Christiansen 2004; White 2001; Whitman 1998). My aim here is less concept-driven in terms of constructing a new analytical apparatus for approaching the EU international activities. Rather, I acknowledge these different propositions as having varying amounts of appeal, but nevertheless remaining distant from the body of my narrative. The latter relies on a specific interactional view on the EU posture as an international actor and the contingent character thereof.

Taking an interactional view of the EU in international politics brings to the fore role theory and symbolic interactionism (Mead 1934). Roles refer in this context to patterns of expected or appropriate behaviour and are determined both by an actor's own conceptions and the role prescriptions of others (Holsti 1970: 238-9). A role of an internationally present actor further involves a claim on the international system, recognition thereof by other international actors, and a conception of an identity (Le Prestre 1997: 5-6). Accordingly, borrowing from Horrocks and Jackson, a role taken presents the observer with a picture of identity in action (1972: 115). While 'the sharing of expectations on which role identities depend is facilitated by the fact that many roles are institutionalised in social structures that pre-date particular interactions' (Wendt 1999: 227), the roles an actor engages in are an effect of learning and

socialisation in interactive negotiation processes where self-conceptions are confronted with expectations (Aggestam 2004). Importantly here, role definition of an actor is not approached from a systemic perspective. It has multiple sources and, rather than being a result of an objective distribution of power, it takes shape in the process of interaction where overlapping and cross-fertilising (self-)expectations have a bearing.

I thus focus on the substance of expectations as they emerge in the process of interaction in order to examine the dense web of meanings each of the partners assigns to its own and others' position in international security. Expectations are demands for rule-governed behaviour in accordance with a commonly accepted norm, and roles are stabilised bundles of expectations that define the relationship of role bearers to given objects (Kratowil 1978: 29). The question thus arises to what extent rules and norms determine behaviour (Ibid.). Wittgenstein argues that "a rule stands there like a sign-post. Does a sign-post leave no doubt open about the way I have to go?" (Wittgenstein 1953: 85; cited in Kratowil 1978: 30). According to this line of reasoning, rules are not 'labels' underlying facts, and they do not refer to mental states of the actor but they rather are 'signals' for social action (Ibid.). Accordingly, a great deal of interpretation is involved in a definition of the situation both by participants and players, and by the researcher exploring the context. The latter should therefore avoid converting particular events into building blocks of her empirical data. S/he should instead construe constellations of events by exploring the discourse within which they have been moulded.

Exploring the notion of the expectations of expectations is instructive here. In particular that:

A's expectations of B will include an estimation of the B's expectations of A. This process of replication, it must be noted, is not an interaction between the states, but rather a process in which decision-makers in one state work out the consequences of their beliefs about the world, a world they believe to include decision-makers in other states, also working out the consequences of their beliefs. The expectations which are so formed are the expectations of one state, but they refer to other states (Keal 1984, part I: cited in Kratowil 1986: 46-47).

While the process of expectation formation does not in strict terms equate to interaction, it would be hardly conceivable in a non-interactional manner. This is because different degrees and forms of interaction fuel the process of shaping expectations, and, subsequently, role construction. The establishment of roles would thus not be possible if it were not for engagement with other actors. The establishment of this bundle of intertwined expectations, i.e. the intersubjective role assignment in the system, hinges on particular rules of the game set within the system as the latter develops. The institutionalisation thereof is

hence weak. While role assignments are not inherently malleable since their very existence induces a degree of orderly arrangement, they are hardly constant. This finds its expression in the fluctuations of the post-Cold war world politics, and, more particularly, in the change as regards the international security role specification ESDP has contributed to.²⁰⁶

In the context at hand, the argument is that whereas the current role-taking in the EU-US-UN triangle has deep historico-ideational roots, the inception and strategic moulding of ESDP sets new parameters for role-taking by the partners to the relationship. This proceeds in a Goffman's fashion where the Self (political entity) has a certain leeway to shape its image within the interaction and it engages in continuous impression management while seizing opportunities for strategic moves. Two stipulations are due here. First, as 'there is never a first encounter' (Smith S. 2001: 245), the failure to recognise discursive and material 'path dependency' would be a serious omission. Second, the fibre of the interaction is intersubjectively constructed. Thus, while the actors' conceptions contribute to producing and reproducing their milieu, the latter cannot be single-handedly altered to suit the actors fancy. Still, this should not exclude the possibility of change. Although 'there is no individual apart from the network of systems in which he or she is embedded' (Rosenau 1987: 45), the native rules of the game remain inherently contestable and should not be viewed merely as overdetermining and constraining structures. Similarly, despite the formative impact of socialisation and material resources, we should not be blinded to the acknowledgment that particular rules of the game become invariably internalised and, as such, draw the borders of the conceivable. The concept of mechanical internalisation both contradicts human reflexivity and it constrains the scope of strategic action, which constitutes much of daily practice. It further takes too lightly the phenomenon of 'role distance', which in the famous essay by Goffman implies a fully-fledged dichotomy between an ironic distance and a wholehearted commitment (Goffman 1961). Following on from that, and in line with the performativity of the social life that the Goffmanian dramaturgical metaphor entails, it hardly seems fruitful to assume any social/political action as inherently authentic. What we witness instead is the politics of everyday dealings across all social levels.

In the case of a political entity, the EU with its ESDP tool, it should be considered that what provides for a potentially successful action on the world stage is less the non-reflexive internalisation of the rules of the game, but rather its thorough digestion and cunning application (i.e. politics). As March and Olsen state, political actors calculate consequences

²⁰⁶ This remark relies in broader terms on Kratochwil 1986: 46.

and follow rules, and the relation between the two is often subtle (1998: 12). Moreover, a role taken is far from a constant, thereby allowing for considerable scope of ‘role-playing’ and room for manoeuvre. This take on the EU should be instructive in terms of changing role conceptions in the triangular relationship of the EU with its significant others; without, moreover, losing sight of the actual performers and shapers of ESDP, i.e. the actors who contribute the most to the deliberate moulding of ESDP on the world stage and the materialisation of the policy through calculated political action.

Chapters III and IV aimed at identifying the web of domestic actors involved in the endeavour while the present chapter seeks to situate the outcome of their performance in the world game. As I centre the research around such actors, I adhere to the position that agency matters in social life and agents are not simple ‘throughputs’ of some structures working behind their backs (Kratochwil 2006b: 6).

Borrowing from Elgstrom and Smith (2006: 6-7), I first spell out more clearly the different categories of role approach that I apply in the analysis below. Accordingly, role conceptions encompass actors’ self-image and the effects of others’ role expectations together with the interplay between the two. In the literature, there has been a multitude of conventional propositions pertaining to the EU international role such as a balancer of power, a regional pacifier, a global intervenor, a mediator of conflicts, a bridge between the rich and poor, and a joint supervisor of the world economy (Hill 1998: 34-6). Others have conceptualised the EU role more broadly, e.g. normative power Europe (Manners 2002). The latter notion wears a particularly heavy normative scent and it adds to what I later empirically develop as the EU’s drive to lead by virtuous example and thereby civilise others. In order to capture this dimension, I resort to the EU-US-UN triangle with the self-understanding aspect examined in Chapter III. Considering the origins of particular roles highlights the extent to which roles are strategically conceived and are thus linked to design or choice, or are more a result of contingency and incrementalism. I have argued that deliberate action has been a crucial constituent behind the present standing of ESDP. Continuing this line of argumentation, in Chapter V I attempt to extend the analysis to the eternal dimension of the ESDP strategic moulding.

‘Role institutionalisation’ focuses on the formalisation of the contingent division of labour through institutional frameworks. There are but few moments in the EU international role making through ESDP that have received a prescribed status, and the impact of ESDP has proven discretionary and non-codified. This further points to the tendency towards particular political means for action as revealed by ESDP’s shapers both in the domestic arena and on

the world stage. 'Role performance' deals with how a role becomes enacted and how enactment both empowers the actor (as it acts upon an expected pattern which adds legitimacy) and constrains it through social prescription (which requires adherence for the sake of credibility). As it would be deceptive to expect that role conception (as analysed in Chapter III) impeccably translates into role performance, Chapter IV and V explore what becomes lost (wittingly or less so) in this translation process and how declaratory politics affects and matches the 'on the ground' materialisation. The focus is on how the range of possibilities created in the framing exercise is seized upon in the actual performance. Here, I proceed with the analysis of the interplay between the EU's shifting identity induced through ESDP, and the response to it of significant others, including threads of manipulation and mutual disenchantment. Finally, 'role impact' concerns the extent to which the set goals become realised and it brings in the issue of effectiveness as well as the legitimacy question. The legitimacy plot recurs repeatedly in the course of the analysis, while effectiveness belongs more to the 'ESDP conventional story', featuring a distinct theme of ESDP's alleged failure to deliver on its promises.

Stage performers - the EU and its significant others

The multilayered governance inherent to a complicated system of accountability, such as that of EU foreign policy making, significantly shapes the making of policy. While domestic struggles over security conceptions might hamper its effectiveness, other actors in the world performance hardly go to great lengths to trace these intricacies. The EU here is perceived as it appears to those on the outside, and the kind of sophisticated thinking about the institutional structure of the EU external policy does not feature as constitutive in this process. ESDP is thus interpreted as it presents itself on the world stage. Here, the policy has contributed to the process by which the EU revisits and significantly updates relationships with its two 'significant others', the UN and the US.

As the analysis deals with the pragmatic dimension of the ESDP recognition on the world stage, I find the heuristic of the EU-US-UN schema particularly instructive. Although perhaps oversimplified, it brings out the most significant parameters within which the EU's international agenda, and consequently, its international identity, find expression. Further, this three-dimensional interaction appears crucial in the ideational constitution of ESDP where the US and UN feature as recurring points of reference. The ESS may serve as an evocative example in this respect. Approached as the EU's international mission statement and the

reflection of its self-perception, the substance of this statement has not been contrived one-sidedly in a manner of arbitrarily creating the EU image. To the contrary, it unravels the mediation of the EU's image in relation to its significant others. In this reading, the ESS is a product of intense interaction in the course of which both self-perception, and a consequential if contingent division of labour, have been interwoven. Correspondingly, when interacting with others the EU strives to position itself in a favourable manner and thus engages in intense impression management.

Literature on the subject struggles to pinpoint any stable elements of this process of establishment on the world stage. This is where the *sui generis* notion emerges. Accordingly, the EU is unique in a number of aspects: in its constitutive features and the character of its goals and values; in the configuration of political instruments used; and in its peculiar institutional construction (Elgstrom and Smith 2006: 2). In particular, unlike many of traditional actors, the EU objectives are milieu goals, i.e. rather than 'possession goals' linked to national interests, milieu goals aim to shape the environment in which the actor operates (Ibid). Less sympathetic critics of the EU's assertiveness maintain that this ambition of shaping the EU neighbourhood reveals a policy of nascent neo-colonialism. The enhanced focus on effective multilateralism should be the recent form thereof as 'the transmission of the European miracle to the rest of the world has become Europe's new mission civilisatrice' (Kagan 2003: 61).

Modes of agenda setting

Within the contours of the EU-US-UN relationship, the EU finds itself between a 'thin' global organisation—with diluted influence and fraught with charges of inefficiency—and traditional modern state, with international preponderance and high degree of traditionally conceived efficiency. This is revealing as regards the chaotic security order the EU co-constitutes. A thorough investigation into the role taking in this triangle would require a study of its own. Instead, I examine the character of each participant's agenda setting and the part-played therein of the doctrine of multilateralism.

The UN pursues an open security agenda, focussing on particular salient issues taken within its global scope, and with minimal degree of strategic agenda development. The established practice of handling with (unfounded) pride the most devastating blows to its reputation has made the UN rather less susceptible to reputational concerns than is the case with other political entities. In other words, the UN can somehow afford to fail, which is a

highly useful quality in the world of crisis management and humanitarian intervention. The experience of failure has not, however, been acknowledged to the extent of emasculation. With attempts at reform occurring regularly, the organisation remains at the heart of maintaining global security and a useful reservoir of international legitimacy.

The EU agenda is more streamlined in that there exists a core identity, which allows for deliberate investigation of opportunities for asserting the interests of the polity. The framing of the agenda, heavily focused on the ethical dimension and traditionally connected with the urge to civilise international politics, involves the moral obligation to respond to the conscious-shocking situations if the EU credibility is to be upheld. The US fares much better in the messianic respect, however. Rather than implicitly hinting at its superiority, the US, as a modern state with clearly formulated objectives, is not shy about its perceived supremacy. Whereas the UN can somehow afford to fail out of habit, the US can afford to fail thanks to its status as a superpower. An evocative quote concerning the US's performance in Iraq is illustrative:

America will remain the world's most powerful country regardless of how Iraq turns out and how much U.S. foreign policy is blamed for it. The U.S. will continue to enjoy a benign international context in which it faces no great power rival, as it did throughout the cold war and as great powers have traditionally done throughout history (Haass 2006).

Failure affordability does not appear so generous in the EU case. Perpetually charged with ineffectiveness and inability to deliver on its promise to contribute to international security, the EU's role creation via ESDP acquires an air of urgency as it functions under considerable pressure to perform. This, rather than smothering the policy, has proven a momentous factor behind its creation.

Multilateralism – code to differentiation in the triad

If we regard multilateralism as an organisational form, which links contextual practices and focuses predominantly on pragmatic usefulness (Kratochwil 2006b: 140), we can look at the intricacies of the EU-US-UN triad through the lenses of one of the ESS's strategic objectives, i.e. 'the promotion of an international order based on effective multilateralism'.

As expressed by one of ESDP ideational shapers:

Multilateralism and the rule of law have an intrinsic value...Multilateralism – for which the EU stands and which is in some way inherent in its construction – is more than a refuge of the weak. It embodies at the global level the ideas of democracy and community that all civilised states stand for on the domestic level (Cooper 2003: 164, 168).

Multilateralism's core revolves around superior legitimacy as it is currently conceived in international relations. It involves seeking the UN Security Council authorisation for any operation carried out by a regional organisation. While this perhaps exceeds the requirement of the UN Charter, which obliges obtaining consent only for forceful action, it reflects the current conceptions of the UN. Here, effective multilateralism requires meaningful and consistent communication with the UN throughout the course of the operation as a reflection of Article 54.²⁰⁷

The UN puts forwards an elaborate understanding what the role of the EU could be with regard to its newly developed capabilities and ambitions (Annan 2005). The report by the UN Secretary-General delineates the EU possible contribution to the UN conceived understanding of security system in a threefold way. First, the EU, as a regional organisation, can help the UN in peacekeeping where the UN capacity is stretched, in particular due to the 'negative' trend of many states preference to supply capabilities to *ad hoc* ventures. Second, *qua* watchdog, the EU could work for spreading the adherence to international norms, a part already appropriated by the EU through the ESS. Third, the EU could adopt significant function in implementation by leading by example and thereby solidifying some codified practices. Along these lines, the UN welcomes the EU as an intimate ally with converging interests in terms of advancing multilateral international relations. Presumably in need of substantial support, the UN still promises a tangible reward in return. Joining forces with the UN on upholding global values effortlessly brings rhetorical legitimacy. It conveys an impression of integrity and goodness, which may be implicitly played out in the interaction with the 'mighty' significant other.

Yet, appearances aside, it is rather the EU that sets the agenda and defines the terms of the relationship. This becomes apparent through the divide between what the UN wants and what the EU is willing to offer. Seemingly, the UN can be taken advantage of to seize global opportunities and thereby broaden and provide the EU agenda with an aura of righteous legitimacy. The UN further conjures up a slant of weakness, which may be quite squarely brought into play in order to highlight the EU unique approach. "We are not the UN!" was a mantra adopted by the EUPM planning team to Bosnia and Herzegovina prior to the mission's

²⁰⁷ For the requirements of effective multilateralism as currently set by the UN see a contribution by the UN deputy secretary general for peacekeeping operations Jean-Marie Guehenno 2005.

launch.²⁰⁸ It illustrates the EU's desire to differentiate itself from the UN on the ground as well as find its own niche in the international policing /rule of law 'market'.

One may argue that the EU-UN relationship resembles a process of factual emancipation of the former in conjunction with taking over agenda setting and under the disguise of serving the function of Chapter VIII. Although the EU cannot be legally classified as a regional arrangement in the sense of Chapter VIII, it is nevertheless a regional organisation, which has gone the farthest in its relationship with the UN, and the one that appears most promising in terms of fruitful cooperation on crisis management. While Brussels has invariably supported the UN as a champion of effective multilateralism, ESDP has given it (potentially) even more powerful means than those available to the UN to promote values shared by both institutions. Illustratively in this respect, ESDP provides "oxygen for the United Nations" (House of Lords Minutes of Evidence 2004: 7). Importantly, the EU upholds the principle of the primacy of the Security Council in the maintenance of international peace and security, and it commits to contributing to the objectives of the UN in crisis management in accordance with the UN Charter.²⁰⁹ The salience of this theme came evocatively to the surface in the process of negotiating the final version of the ESS, highlighting particularly the central importance of the UN.²¹⁰ While in the initial draft the UN was acknowledged as a primary framework for international relations based on international law and thereby a European priority, the final framing includes a major elaboration. The UN becomes the main area of effectively fostering multilateralism where the EU's objective of boosting multiparty governance of the world affairs can find its full expression.

²⁰⁸ 'Future of ESDP: Lessons from Bosnia', *European Security Review*, No. 29, June 2006

²⁰⁹ See e.g. Joint Declaration on UN-EU Co-operation in Crisis Management, 24 September 2003.

²¹⁰ A brief comparison of the text of both documents in the part devoted to the role of the UN shows not only the literal increase in number of words in the latter, but it also points to the qualitative change analysed. The draft ESS as of June 2003 states: 'The fundamental framework for international relations is the United Nations Charter. Strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, must be a European priority. If we want international organisations, regimes and treaties to be effective in confronting threats to international peace and security we should be ready to act when their rules are broken' (Solana 2003a: 9). The final version of December 2003 elaborates and injects a new function of the UN as an arena of fostering multilateral governance: 'In a world of global threats, global markets and global media, our security and prosperity increasingly depend on an effective multilateral system. The development of a stronger international society, well functioning international institutions and a rule-based international order is our objective. We are committed to upholding and developing International Law. The fundamental framework for international relations is the United Nations Charter. The United Nations Security Council has the primary responsibility for the maintenance of international peace and security. Strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is a European priority. We want international organisations, regimes and treaties to be effective in confronting threats to international peace and security, and must therefore be ready to act when their rules are broken' (Solana 2003b: 9).

Despite this acknowledgment, while the UN plays the role of a legitimising body for ESDP, its consent may not always be indispensable (Tardy 2005: 49-51). The examples of ESDP operation launched without a UNSC resolution are numerous, both in Europe, such as the EU police Mission in Bosnia and Herzegovina, Concordia and Proxima in Macedonia, and beyond, for example with Themis (Georgia), Lex (Iraq) and EUPOL Kinshasa (Congo). Whereas the EU recognises the primacy of the UN, it does not want to be bound too strongly to it by means of an explicit mandate for each of its operations (Chinkin 2001: 1). There emerges a telling dualism where the recognition of primacy has to be reconciled with the EU's drive to set its own principles of cooperation (Novosseloff 2004: 7-8). In effect, through ESDP, the EU has become a major saviour of the UN reputation and an endorser of its declaratory politics, while at the same time forging a distinct profile for itself.

The relationship with the UN is somehow a reverse to the modalities of the EU-US relationship. A distinct appeal of the UN is their unswerving recognition of the EU role in international crisis management. This differs significantly from the EU position vis-à-vis US or its protégé NATO, where the EU is compelled to strive to assert its standing. The EU might take pride in providing the UN oxygen for acting; it usefully falls back on the legitimising capacity the UN can provide and takes the UN as an ally in championing the effective multilateralism, the ideology within which the EU feels best. The imbalance between the two is well captured through the UN insistence on institutionalising the cooperation and the EU recoiling from this. As Tardy illustrates, the UN has advocated an institutionalised partnership with the EU which would not be confined to the subcontracting model and *ad hoc* assistance, but committed the EU to direct contribution to the UN operations (2005: 67). While confirming the necessity of this cooperation, the EU favours its flexible, case-by-case variation, where its political autonomy would prevail and with no guarantee that the UN needs will ever be met (Ibid, 67-8).

The US overtly challenges effective multilateralism and the Bush administration opts for 'selective' or 'à la carte' multilateralism (Nye 2002: 154). Paradoxically, the EU's positioning of itself as an agent amicably containing the US's vigorous unilateralism adds particular legitimacy to the EU's action. It enhances its image as a good-natured crisis manager, sending the signal of a non-confrontational posture and the desire to make the world a better place in an agreeable fashion. This appears to be yet another rendering of the projection of Europe's Utopia on the rest of the world, a long tradition of many labels, from

enlightenment to colonialism, civic imperialism, or civilian power.²¹¹ The historical core of this notion is a depiction of Europe as a vanguard that has something to teach the rest of the world and its function is to assert some form of control over the rest of the world. In the situation at hand, the rhetoric of the EU's uniqueness in the triangle re-emerges continuously in efforts at positioning and differentiating itself. The most fundamental message in this process is the implicit historical superiority disguised under rhetoric of equality. This finds its expression particularly vividly on the ground of the missions where the EU approach, however ineffective and admittedly flawed with numerous imperfections, is framed to fare better as it embodies the 'European' solution.

Illustratively, a recurring narrative in the Themis story was that the mission represents the embodiment of providing international assistance in the EU mode. The adopted *modus operandi* was correspondingly considered exceptional as compared to other donors in the field. Along these lines, the human capital aspect (as opposed to the US's financial capital) was emphasised, and mentoring, instead of imposing solutions (the American 'one size fits all' where no consideration is taken of the local context and instead US remedies thoughtlessly inflicted) was placed to the fore. In particular, the already described practice of collocation facilitated the operationalisation of the European approach. Georgian accounts were more nuanced on this score. Next to the opinions that without tangible financial carrots the EU might be wasting its time engineering human capital projects, Georgian's close to the mission rather accurately recognised the decontextualisation of the experts and their vague grasp of the socio-political situation.

US change of attitude – instrumental approval of ESDP

The evolution of the US's stance towards ESDP, and thereby the EU's global role in general, has been an important determinant of the rise of ESDP. Initially concerned with the potential of ESDP to undermine NATO (Giegerich et al. 2006: 388),²¹² the US has evolved into an important backer of the enterprise, and the ESDP's record can be capitalised upon across other transatlantic issues. The picture has changed significantly. Whereas previously the EU's attempts to design its security were approved provided they involved defence capabilities

²¹¹ For a conception of EU as a narrative power in the form of Europe's Utopia, which has tangible political translation, see Nicolaidis and Howse 2002.

²¹² See the American insistence on the three Ds, which outline the limits Washington wishes to place on the ESDP (no decoupling of European security from that of America's; no duplication of effort and capabilities; and no discrimination against the allies who are not the EU members), Albright 1998.

development within the European pillar of NATO, and that they aimed at transatlantic burden sharing, now, despite the abandonment of the NATO option in favour of autonomous policy, the US sees ESDP as instrumental in cases when its status as the sole superpower and its correlated international image prevents it from effective crisis management. The EU is thus welcome as a deputy, preaching the same values but doing so in a less confrontational manner, which makes its involvement in certain regions more acceptable.

The shift in the US approach has still been an incremental and contested development. The context of launching Althea in 2004 in Bosnia and Herzegovina, a UN-mandated and NATO-supported first ESDP operation, illustrates the US's wavering position. The possibility of the EU taking over in Bosnia and Herzegovina was first suggested at the European Heads of State Summit in Copenhagen in December 2002, following the conclusion of negotiations on the 'Berlin-plus' agreement. Initial reactions to the proposal were mixed. The UK and France strongly advocated the move, while the US expressed concern over the EU's ability to take over the Bosnia operation successfully. An article in *The Independent* in August 2003 reported:

NATO's military commander has cast doubt over plans to launch the European Union's biggest military mission - a peace-keeping operation in Bosnia - in a sign of new transatlantic tensions. General James Jones, a United States Marine and NATO's supreme allied commander in Europe, said the proposed date of 2004 might be "too early" for the EU to step in. He also questioned whether a European military mission in Bosnia would be needed [...] While the US initially seemed anxious to scale down its force in the Balkans, it has been having second thoughts. Washington sees the region as increasingly important for counter-terrorism operations, and has been less enthusiastic about the EU's military ambitions since the transatlantic rift over Iraq.²¹³

Following extensive negotiations, NATO foreign ministers announced in December 2003 that an assessment of the possible termination of the operation by the end of 2004 and the transition to a new EU-led mission within the framework of 'Berlin-plus' would nevertheless be undertaken (Ibid, 51). Analysts suggested that the decision to conclude SFOR and accept the possibility of the EU takeover had been made with reticence. The International Institute for Strategic Studies concluded that "even though the US military, severely overstretched, was eager to palm-off one of its many commitments, the Istanbul agreement on actually doing so was more than a minor achievement".²¹⁴ This marked a moment of reconfiguration towards the instrumental approval of ESDP. More than a desire for burden-sharing, this arrangement reflects the realisation that the American international posture has

²¹³ "EU troops not ready to take on Bosnian role, says NATO chief", *The Independent*, 5 August 2003.

²¹⁴ "NATO's Istanbul Summit", *Strategic Comments*, June 2004.

tied the US hands in many areas. A possible way of squaring this circle is to rely on an ally that is ideologically close and increasingly capable of particular (unthreatening) security actions.

Chapter IV provides one example of such US attempts at delegation in connection with the failed initiative of an ESDP border monitoring operation on the Georgian-Russian border. Palestine is another case in point. An honest broker image of the EU emerged in the case of EU BAM Rafah in autumn 2005, where it was actually the US side, and Condoleezza Rice personally, that negotiated EU involvement in the monitoring of the Israeli-Palestinian border. The question was first discussed with the EUSR for this region, who subsequently reported the issue to the PSC.²¹⁵ Reporting on the US image in the region, *European Voice* concluded in September 2006 that:

Because of Iraq, Guantanamo and Abu Ghraib, the feeling is that the US has been discredited in the Middle East to such a degree that it is unable to act decisively. ... Many now question whether high-profile US engagement is still desirable or even possible... While the US has its hands tied, actors in the region are increasingly turning to the EU. After years of favouring US involvement, Israel has ... showed a willingness to see the EU play a greater role.

These instances point to the set of expectations the US holds of the EU's international actorness. The US now sees the EU as fit to become involved in a number of areas where the US's own engagement would prove an irritant but the EU's seemingly neutral approach is acceptable for the third party and politically secure for the US. This instrumental recognition of EU capabilities has given rise to a shift in role assignments and it paints an interesting picture of the transatlantic link in the EU-US-UN triad. The high-flying rhetoric on the EU's role coming from the Solana office could hardly acknowledge a somewhat secondary part to play. Still, ESDP performers are more than happy to seize and skilfully build upon the distinctive scope of possibility that has emerged with respect to both the US and the UN. This again conjures up the notion of situated agency. Socially situated agents bring about change by strategically responding to novel problems via reasoning that is embedded in the ideology they inherit and necessarily constrained through political and material factors. Change is thus possible thanks to the reflexive and purposeful action of the actors involved. While the discrepancy between the vision and the end effect of the deliberate action may be considerable, the transformation cannot be denied.

²¹⁵ Interview in the office of the EC representative to the PSC, 25 November 2005.

This pragmatic change of attitude towards ESDP may also be linked to a broader shift in US foreign policy. As identified by *Financial Times*,²¹⁶ there has been a reformulation of means of conducting diplomacy by the Bush administration, embodied by Condoleezza Rice. In her message in a 2000 article in *Foreign Affairs*, she derided the Clinton administration's proclivity for nation-building: "There is nothing wrong with doing something that that benefits all humanity but that is, in effect, a second-order effect". Now humanity gets a more prominent billing:

I have spent a lot of time at the department in something that we generally call transformative diplomacy. It really is kind of fancy term for something which is quite simple, which is that the civilian side of our security establishment has to be more capable in helping to prevent, and if necessary, repair failed states through helping to build governance structure.²¹⁷

Since this declaration was made, however, the US has earned notoriety for unscrupulous behaviour on the world stage. The old adage, so often invoked by the Bush administration and other unilateralists, that "the strong do what they have the power to do and the weak accept what they have to accept"(Thucydides 1972: 402) may no longer apply so automatically, if it ever has. The weak do not always roll over or fall into line, and the strong are not always strong enough to achieve their objectives on their own or on their own terms. Even a nation as incontestably powerful as the United States today finds that its greatest foreign policy challenges are not about doing what it wants to do but about getting others to do what it wants them to do and ensuring that the outcomes are what it wants them to be (Jentleson 2003/4: 10). The Rice initiative of transformative diplomacy may still be ignored if allies are not actively rallied around US policies.

In the tour around Europe in February 2005 designed to prepare the ground for the European visit of President Bush, Rice launched a revival of the transatlantic partnership, the task of which was not merely to cure the wounds of the Iraq but also to introduce a qualitative change in the American conception of the international division of labour. An interesting speech at the Institut d'Etudes Politiques de Paris bears witness to this endeavour with the centrepiece message being a historical opportunity for both partners to shape "a global balance of power that favours freedom and that will therefore deepen and extend the peace worldwide if the power of the transatlantic partnership is put to good use so as to advance shared ideals and values worldwide (Rice 2005). In this regard, both partners' roles appear

²¹⁶ 'A return to realism? How Rice has learnt to play a weaker US hand', *Financial Times*, 23 April 2007.

²¹⁷ Ibid.

clear: “We on the right side of freedom’s divide have an obligation to help those unlucky enough to have been born on the *wrong* [emphasise mine] side of that divide” (Ibid). Notably, Rice recognises that although the transatlantic partners agree on the “the interwoven threats that we face today”, they “have not always seen eye to eye, however, on how to address the threats” (Ibid). Still, “it is time to turn away from the disagreements of the past. It is time to open a new chapter in our relationship and a new chapter in our alliance” (Ibid).

Although this chapter might be thought to hold a significant place for the EU, it is striking how little Europe itself as such features in the scheme. Instead, the need to relocate diplomats from Europe broadly conceived to Africa and Asia is emphasised.²¹⁸ Arguably, the EU is expected to cope with Europe as a regional manager while contributing to initiatives farther afield, in particular in the Middle East where the EU’s presence proves vital for appeasing the conflicting parties. This, first, points to the accomplished political emancipation of the European continent and its newly acquired capability to think on its own, and, second, it gives the US a particular luxury to look elsewhere while maintaining good faith in the EU’s capacity to deal with the business of day-to-day security in Europe.

That the US is barely able bring about a solution it favours purely unilaterally has been meaningfully illustrated on a number of occasions when the US looks to the EU to smooth the edges of its proposals and to dilute their indigestible extract. Examples provided above illustrate how CFSP/ESDP has become significant for the US. This applies to partaking in the diffusion of shared ideals, even if in evidently dissimilar ways. But above all, it implies a pragmatic recognition of the EU’s potential for crisis management where the US involvement is not welcome but the EU’s image is acceptable and thus capable of influencing the situation in the direction favoured by the US. Here the US profile is wisely decreased and the EU presence visibly enhanced. The EU’s role becomes foregrounded where the US direct and evident involvement would merely exacerbate tensions. This role ultimately relies on the recognition of commonality and difference, a dynamic settlement based on ideological affinity between the two actors. While this should not be construed as an entirely harmonious

²¹⁸ An important part of the reform is global staff repositioning: “At present, the allocation of American diplomatic resources still has vestiges of our Cold War posture. We have nearly the same number of State Department personnel in Germany, a country of 82 million people, as we do in India, a country of over one billion people. Diplomats are generally located in embassies in Europe, and centralized within capital cities. To meet current diplomatic challenges, the Secretary will begin a major repositioning of US diplomatic personnel across the world. In a multiyear process, hundreds of positions will be moved to critical emerging areas in Africa, South Asia, East Asia, the Middle East and elsewhere. [...] Beginning this year, 100 current positions largely from Europe and Washington will be moved. To accomplish this goal, existing State Department resources will be readjusted to fit new priorities”. Source: Secretary of State, Condoleezza Rice’s vision for ‘Transformational Diplomacy’, Fact Sheet, Office of the Spokesman, Washington, DC, January 18, 2006.

marriage, it reveals a relationship reading from common script. The script remaining an output of vibrant interaction, it provides room for manoeuvre within which the EU can play out its role and attempt to manage its image internationally. ESDP's shapers and performers seem to have been rising to this occasion. Subsequently, the EU has increasingly become a repository of capabilities to act in the world, which, in turn, has added new elements to the EU-US relationship. The recent case of negotiating the deployment of European troops in Southern Lebanon after new eruption of violence between Israel and Hezbollah²¹⁹ serves as an illustration of what image of the EU ESDP has generated and how this becomes acted out within the EU-UN-US triangle.

Taking stock - the Lebanese case

There is no time to sit on the fence. Europe must cough up with contingent contributions. This is about Europe's credibility in the field of foreign and security policy.²²⁰

On 25 August 2006 the General Affairs and External Relations Council (GAERC) announced in the presence of UN Secretary-General Kofi Annan that EU member states would make substantial contributions to the UNIFIL II mission in Lebanon. The magnitude of the European contribution to UNIFIL II is remarkable if compared with past commitments. EU member states supply about half of the operation's total personnel of 15,000 troops. With more than 7,000 soldiers, the European contribution to UNIFIL surpasses the troop levels of the Althea operation in Bosnia-Herzegovina, presently Europe's largest mission. Moreover, EU states provide crucial military components as well as the operational command for UNIFIL-II (Dembinski 2007: 2).

The way in which the EU has positioned itself with regard to the conflict in Lebanon was facilitated by the capital previously generated through ESDP's record, with the latter enabling CFSP to function. Formally outside of the ESDP framework, the possibility and actual materialisation of the EU's contribution to the stabilisation forces in Lebanon heavily

²¹⁹ The outbreak of renewed hostilities between Israel and Hezbollah began on 12 July 2006 when Hezbollah militants attacked Israeli forces on the Lebanese border. Seven soldiers were killed and two kidnapped. Hezbollah continued to launch rockets into Israel in response to which Israel sent land forces into Lebanon and attacked targets with continued air strikes. This caused heavy civilian loss and instigated criticism against Israel for using disproportionate force. The offensive however received strong backing from the Israeli population. The USA further backed the Israeli line of only committing to a 'sustainable ceasefire'. This was interpreted as Israel's wish to 'finish the job', which would mean eradicating Hezbollah or at least seriously weakening its forces.

²²⁰ Danish Foreign Minister Per Stig Moeller in an interview with *the Berlingske Tidene* daily as reported by *International Herald Tribune* on 24.08.2006. This is of particular interest as Denmark is the only opt-out country to the ESDP.

relied on the institutional, operational and ideational resources spawned since ESDP's inception. In this respect, the applied strategies of building international credibility and legitimacy through piecemeal pragmatic action, no matter how relatively insignificant in size this action may have appeared, have yielded a tangible outcome. They contributed to the emergence of an intersubjective consensus on the EU as a capable international crisis manager, a muscular civilian power with a strong military dimension. This consensus has a number of aspects. It encompasses the growing perception of the international community, the UN's reliance on the EU to operationalise the Security Council resolution and the US preference for the EU engagement in the volatile region. Importantly, it now constitutes a naturalised tool in the EU's repertoire as seen from the perspective of the EU members. It was not, for example, the initiative of individual EU member states to contribute their troops as individual UN members, but an effort put together under the aegis of the EU, and, as such, carefully engineered by the Solana milieu.

This clearly demonstrates the empowerment of the EU through ESDP. The political mechanisms that gave rise to this empowerment internationally are intimately connected to the strategic moulding of the policy and the act of playing it out within the EU-US-UN triangle. This particular entrenchment should also be read against the backdrop of the EU's international impression management. For the Solana milieu, the Lebanon crisis constituted yet another call for action, an opportunity for deployment, which triggered the urge to uphold and boost the EU's image. As framed by Solana:

Lebanon is another example of where Europe has heeded the call for action (emphasis mine - XK). From the beginning:

- we have been united and steadfast in our approach;
- in our condemnation of Hezbollah's actions and the kidnapping of the Israeli soldiers;
- in our support for the Lebanese government and our solidarity with the Lebanese people,
- in our efforts in New York and elsewhere to bring about an end to the violence;
- in our firm belief that only a broader political effort can address the underlying causes for the conflict;
- and most of all in our willingness to provide the backbone of the reinforced UNIFIL (Solana 2006b: 3).

While this plays down the degree of divergence on the problem among the member states evident in their discussions,²²¹ this framing remains part of an image-consolidation endeavour. Prominent here are grandiose expectations of the EU's capabilities, both in the region and from the European publics, as is the assertion that their presence on the ground

²²¹ The national divergences mainly centred around the French insistence on calling for an immediate cease-fire and other states' (Britain, Germany, the Netherlands and Poland) calling for the immediate cessation of hostilities to be followed by a sustainable cease-fire.

strengthens the EU's footing in the Middle East crisis. The latter provides yet another sign of the EU's aspiration to play a role of importance in resolving an issue perceived as crucial to international security. As a nascent global crisis manager, the EU should prove through concrete action its commitment and deliver success in a conflict regarded as representing the problems of a difficult region. More than merely another building block of the EU's role in the making, the Lebanese case served to build on what had already been accumulated. It offered an opportunity to benefit from the capital generated in order to plough it back into an investment of high revenue promise. Importantly, as the contribution is of military character, a scarce possibility was grabbed where the EU could display its capabilities.

With risk-aversion featuring characteristically high on the agenda, the EU's contribution was mandated by the UN, which undoubtedly played into the hands of all parties involved. The EU would hardly have acted so swiftly and substantively if it had not been for the failure-absorbing umbrella of the UN and the air of legitimacy the organisation provides. The UN itself would barely have been able to mobilise the resources so rapidly and effectively if at all. It seems equally inconceivable that the US would have deployed its troops in the region permeated with openly hostile anti-American sentiments. Instead of soothing the situation, direct US deployment might have exacerbated the tensions. A similar outcome may have been engendered by a US-sponsored coalition of the willing. "We would be glad to help, you know, with logistics and/or command and control," said Bush [but] "most nations understand that we won't have troops there on the ground" (cited in *International Herald Tribune*, 1 August 2006). As the international community could not possibly remain dormant in the face of another episode in the Palestinian-Israeli drama, the EU image-consolidating proposal of contribution was warmly welcomed and perceived as a possible way out of the deadlock. On the day of the EU's decision to commit, Kofi Annan rewarded the EU by saying that "Europe has lived up to its responsibility, provided the backbone to the force, and we can look forward confidently as we're building a credible force that will help the international community achieve its goals in the region."²²²

Not surprisingly, the influence of the United States is again discernible here, and was somewhat defining before and throughout the process of the UN and EU discussions over Lebanon. The Secretary of State was actively negotiating in the region and preparing the

²²² Secretary-General's press conference with EU High Representative for Common Foreign and Security Policy, Javier Solana, EU President Erkki Tuomioja, Foreign Minister of Finland, and Benita Ferrero-Waldner, European Commissioner for External Relations, after attending the Extraordinary General Affairs and External Relations Council, Brussels, Belgium, 25 August 2006, <http://www.un.org/apps/sg/offthecuff.asp?nid=919>, accessed 5 July 2007.

groundwork before further debates could commence. On 31 July 2006, Rice announced an “emerging consensus” and concluded: “I believe our work has prepared the way for the United Nations Security Council to act on both an urgent and comprehensive basis this week” (Rice 2006). On the following day, the Council called for an immediate end to the fighting between Israel and the Hezbollah militia in Lebanon:

The Council calls for an immediate cessation of hostilities to be followed by a sustainable cease-fire. In this context, the Council fully supports the efforts of the UN Secretary General and the Security Council to be rapidly convened to define a political framework for a lasting solution agreed by all parties, which is a necessary precondition for deployment of an international force. Such a force requires a strong mandate from the UN to act in support of a political settlement and the Lebanese armed forces. Once this framework has been established, EU Member States have indicated their readiness to contribute to such an operation together with international partners.²²³

Following this statement, the discussions in the Security Council on possible undertakings and in the EU on their European execution could begin in earnest. The UN became a platform through which the EU could assert its position as a high profile player, having beforehand consulted the options with the US.

Role performance

The crux of the argument is that international politics, as any social forum, is inherently a daily struggle over meaning, a strategic interaction undertaken by actors in pursuit of particular agendas. In this chapter, I have projected this notion onto the performance of actors busy with furthering the plot to their own advantage: Solana-Rice-Annan. Embodying the scripts of their respective communities, their action provides for bona fide operationalisation of the EU-US-UN triangle. It also illustrates how a broad ideational script becomes strategically restructured through political dealings in concrete historical circumstances. Crucially, the performance of the EU’s role should be viewed simultaneously as both the reflection of the EU’s empowerment through ESDP and a specific delineation of possibilities. Within this realm, role performance proceeds through intense image management where commitments declared are extensively framed to be followed. Through this process, the EU’s security identity on the world stage emerges.

²²³ Council Conclusions, Extraordinary General Affairs and External Relations Council meeting, Brussels, 1 August 2006.

The notion that the international role of a post-Westphalian actor depends on how it conceptualises itself (Larsen 2002: 286) and that for the postmodern state, as for the individual, identity is a matter of choice (Cooper 2003: 173), fail to capture the social nature of role formation. The EU role conception relies on a dense web of expectations embracing the EU's self-portrait and pictures thereof ingrained in the mind of others. It would still be unsustainable to claim that the EU's posture results from internalised convictions of what the EU is and how it should 'lead by virtuous example'. The ESDP story to date has illustrated that there is a strategic element to the EU international position. Indefinable as the impact of ESDP may seem, it has translated into a tangible social commitment. This becomes most visible in an instance of an international crisis when the EU is now expected to engage most concretely. Failure to do so puts the ESDP performers seriously ill at ease. It is perceived as a blow to the EU ascending stardom in international security. This fear of failing is partly alleviated by jumping on deployable occasions that are easily digestible by the system and yet contribute to the image enhancement; an effort, moreover, which should pay off in more difficult times. Notably here, insofar as ESDP has become an enabling factor, a means to engage and therefore play a role, it has equally converted into a certain social prescription. Hence, the EU must get involved as much in order to contribute to the well-being of communities under threat as to measure up to the image it has created. This demands concentrated discursive efforts, highflying rhetoric, risk aversion and distinct framing of the EU's performance on the ground, oftentimes in exceedingly flattering terms.

Yet the political malleability of ESDP means that it would be misguided to focus solely on the extent to which the goals set in the ESDP doctrine have been realised. The declared goals primarily act as labels and, as such, are not necessarily pursued in their entirety. Providing as they do political fibre and the necessary ideological justification, they contribute to the constitution of a political reality and its legitimacy criteria. In the daily political struggle, however, the declaratory goals are approached instrumentally and the pursuit of more piecemeal objectives of a day comes to the fore. Further still, the actual completion of the declaratory goals alters in the process of attempted implementation. Although they might maintain the same wording, transformation of their substance seems a rule rather than an exception. On top, the alleged accomplishment of certain goals is without doubt subjected to heavy framing, the example of which ESDP endorsement supplies in abundance.

A new security order as the EU perspective – conclusion

Having elaborated on the precarious yet consequential cluster of role assignments within the EU-US-UN set and, more specifically, on the EU role construction through ESDP, the question remains whether this specific division of labour amounts to a new international/world/security order. Here, it is perhaps impossible to avoid the question when we can say that a fully global international system came into being (Buzan and Little 2000: 18). Depending on the definition of an international order adopted, i.e. whether we are after its thick version or remain satisfied with any indicators of quasi-orderly arrangement, the answer varies significantly. Likewise, the conceptualisation hinges on whether the state-centeredness is a nucleus of the approach, or whether transnational and domestic factors are foregrounded. Traditionally, the former has carried the label of correctness in the discipline. My proposition of the EU-US-UN functionally differentiated triad as a useful take on the problem conversely betrays allegiance to a state-centred view. After Buzan and Little (2000: 87), I argue that functional units' differentiation, i.e. the specialisation within a system, is key to understanding change in international systems. In my reading, the differentiation is expressed by the role assignment that becomes fixed through contextual recurrent patterns of interaction. This role distribution cannot be regarded as a pivot on which the world order hinges, however. It rather expresses an arrangement enacting practices that regulate the code of conduct in a given domain. This further indicates the possibility of many such arrangements simultaneously unfolding, overlapping and permeating each other.

Accordingly, whereas I do not defy the salience of the nation state (its action in EU diplomacy has been amply demonstrated in this thesis), I point to the importance of other parallel arrangements generating distinct international practices. Having argued that ESDP heavily influenced the shape of the EU domestic system of governance, I do not immediately consider member states as primary units of analysis here. Although this system is in itself an inter-state one, the politics of ESDP has produced a phenomenon where political action formally negotiated by member states acquires its own self-governing status. More concretely, even if it is the member state which takes decisions, the process of instigating particular initiatives and their execution is hardly inter-governmental in the conventional sense of the word. Intergovernmentalism obtains a new negotiated meaning with the mediation of the EU institutions yielding practices previously divorced from the concept.

The focus on the EU-US-UN triangle may also breed criticism of falling for the Eurocentric assertion that the world revolves around Europe, the fixation on the US preponderance being yet another indication that only some obsessions are liable to analysis

while others should be neglected. Traditionally conceived, world order can be defined as a governing arrangement among states, meeting the current demand for order in major areas of concern (Sorensen 2006: 343). Why should the EU constitute such a pivot of examination with other centres barely acknowledged and yet others ignored altogether? This apparent bias of the analysis has easily traceable sources in the research process. The major fibre of the argument has been accessed through the accounts of important participants to the constitutive events under study. Theirs was the perspective of the EU stance, both in terms of the EU domestic system of governance and its international posture. In adopting this research strategy, I agree with the notion that world order can hardly be an objective concept but instead it becomes a perspective on the world and the place therein as perceived by a particular entity. The concept of world order thereby becomes inevitably contextual and inherently variable. This variability not only depends on major historical shifts, but it is also heavily influenced by local transformations of the entity's own pursuits and their legitimacy as recognised by other players. Thereby, the question of 'what kind of order' loses its cognitive grip and converts into a set of questions on division of labour and role assignments in the current world arrangement.

The main body of the argument here is that, through ESDP, the shapers of the idea embarked on persuading the international audience of their definition of the EU's role in world affairs. By doing so, they had but to confront head-on the question *whose* security order they were about actively to engage with. The issue of the hedonistic American hegemony, and the UN's shameful bankruptcy, indicate entrenched signposts in this endeavour. Although the role of the EU member states seems diminished in this regard, this is more a result of emphasising the role of the Solana milieu as an organising agency. This remains in line with tracing the contours of the world order according to the notion of a perspective rather than a concept. The latter involves bringing in the conceptualisation of actors engaged in negotiating this order and grasping the roles players assign to each other. Here, the major interest of the Solana milieu appears the advancement of the policy despite national incongruence, domestically conditioned resistance and international dismissal that has meanwhile transformed into incremental acceptance and granting a role to which concrete expectations are attached.

While ESDP performance is heavily embedded in old scripts about the EU, these have been exploited so as to bring about a new vocabulary and with it a conceptual change. In this respect, ESDP appears an artefact through which skilful political actors have been endorsing a set of notions about the EU both domestically and internationally. Certainly, an argument

about smooth translation of their framing into an established international practice would be unsustainable. First, the substance of the agenda itself hardly features a thorough plan of action. It is more constructive to conceive of the ESDP idea as an ideological vision, operationalised 'on the ground' in the political conversion and in accordance with opportunities at hand. Second, the shape of this agenda is mediated by the social modalities of international interaction. Thus, although its main message is identifiable and can be succinctly put as the pursuit of a meaningful role in security affairs, the concrete conceptual methods of implementation have been changing in response to contextual requirements. This highly uneven character of the process acknowledged, the claim remains that the policy has been an enabling factor in the EU's international presence and as such has contributed to the shifts in the role assignments on the world stage.

CONCLUSIONS

[...] the social world does not present itself to us in the form of a thesis, monograph, or journal article. The data that we accumulate day by day, week by week, and month by month do not automatically yield an understanding that is organised in terms of themes and chapters. We all have to struggle to turn the dense complexity of everyday life into a linear structure - an argument that starts on page one, and progress through a logical sequence, and ends on a final page. The transformation of cultural life into 80,000 words (or whatever) and a series of more or less uniform chapters is achieved through the imposition of some major – more or less arbitrary – frameworks and constraints. (Atkinson 1992: 5)

In an effort to understand the contextual logic of the EU's development in the area of security, I have presented a multifaceted argument. In this concluding chapter, I revisit the substance of the argument as it has been developed here and put it to a final theoretical trial. Firstly, I discuss the EU's mode of securitisation, indicating how it differs from the classical reading of the theory, i.e. that it breeds debate rather than forecloses it, and that it hinges on 'moulding others' in order to create a secure world for the EU, a practice that I contend amounts to 'creeping imperialism'. In order to avoid a misdiagnosis that exaggerates the significance of one line of reasoning, I then sketch other possible explanations of ESDP. Finally, I point to further research paths, both in terms of additional testing of the argument presented here and with regard to paths yet unexplored but worth including in the research agenda.

Development of ESDP ²²⁴

The argument is a multilayered story about the EU's development, told from a particular angle but with a desire for a broader appeal. Hence, while expanding on particular elements of the argument has been the task of preceding chapters, here I sketch the main body of the case.

The establishment of the office of the High Representative/Secretary General for CFSP and the appointment of Javier Solana to the post has been the driving force behind the strategic development of ESDP. This challenges the claim that there is no evidence of top-down initiatives within the policy apart from the European Defence Agency (Khol 2005; Biscop 2005) and the European Security Strategy (Bailes 2005). Assuming a substantial entrepreneurial role in ESDP, the Council Secretariat exploits opportunities to paint a particular picture of the EU as a crisis manager that is 'active but non-threatening' (Solana 2006). ESDP operations represent in this respect its most significant, if not its defining,

²²⁴ This section is based on Kurowska 2007b.

feature. Formally, missions are reactions to crises on the ground²²⁵ as the EU engages with what it encounters (Serrano 2006: 39). However, the decision-making process leading to deployments challenges this assertion. Notwithstanding the critique that missions come about in an accidental fashion and that they represent a case of ‘putting a tool ahead of the analysis’, the decisions to launch them never arise out of thin air. Deployment decisions rather reflect the strategic investigation of opportunities. They make a statement about the EU directed towards external audiences (thereby contributing to the EU’s international positioning of itself). Crucially, however, this process also creates useful institutional precedents and evidence that can be used in internal political struggles, i.e. turf battles among the institutional actors over the viability of what the EU should be like in terms of security policy. The preoccupation with seizing suitable possibilities to deploy missions might result in less emphasis being given to the actual substance of mandates. This reflects the mediated character of the ESDP enterprise where a number of intersecting agendas are in confrontation with one another. Yet it also indicates the Solana milieu’s proactive approach to the construction of an EU security role in which different possible roles are conceived.

In a similar vein, ESDP deployments are viewed by the Council Secretariat as testing grounds for establishing whether and how the EU is capable of delivering substantive positive results. The Laeken declaration announcing ESDP’s operationality provided an enabling *carte blanche* in this context. Regarded by many as merely declaratory politics, it nonetheless initiated a number of missions and led to the accumulation of institutional experience. While the challenge of the Laeken declaration of operationality was to convert intention into deed, the relationship between ESDP and the ESS represents a case of cross-fertilisation. The perceived need to provide conceptual and political grounding for missions and to strengthen ESDP at a time when CFSP seemed to be in a shambles over Iraq were important reasons underlying the formulation of the strategy (Mawdsley and Quille 2003). The perceived necessity to operationalise the latter and demonstrate its feasibility generated a demand for more missions in line with the goals outlined in the strategy. In this sense, the ESS has become a constant point of reference providing justification for further action where the expansion of ESDP missions is seen as an endorsement of the ESS. ESDP operations are, therefore, as much a response to an international security issue as they are a political means to advance a particular agenda. The process of choosing what mission to launch is therefore highly nuanced. The Council Secretariat looks for deployments that promise to generate

²²⁵ Interview with a functionary from the Private Office of the HR/SG, Brussels, 14 November 2005.

maximum political capital whilst avoiding radical positioning and challenges that might end up in total disaster. This strategic approach has resulted in making ESDP an impressive success story.

The decision by the member states to establish the Rapid Reaction Force as part of ESDP has been variously described as ‘Europe’s military revolution’ (Andreani et al 2001) and as breaking the ‘glass ceiling of Europe’s self-denying ordinance on EU access to military competencies’ (Deighton 2002). Yet, although the build-up of military capabilities tends to dominate debates (public and academic) on ESDP, it is the number of *civilian* ESDP missions that has rocketed over the last few years. Likewise, although the launch of ESDP proceeded under the motto of the necessity to add a military option if the EU is to be a credible international actor, the success story of ESDP is, in fact, its civilian crisis management. Indeed, of the 15 ESDP operations launched at the time of writing (May 2007), only three were military in nature.

This having been said, considerable effort has been made to build up a pool of capabilities readily available for military crisis management. The Berlin Plus agreement with NATO on EU access to NATO assets, the Helsinki Headline goal 2010 on capabilities improvement, the establishment of the European Defence Agency, and the concept of battle groups, come to mind at once. So too does the set-up of military structures in the Secretariat General. Moreover, the symbolic dimension of actually launching military missions should not be underestimated. With the deployment of Concordia (around 400 troops) to Macedonia, the EU has demonstrated for the first time that it is capable of mounting a military peacekeeping operation. Althea showed off the EU’s growing actorness in Bosnia as it deployed approximately 7,000 troops. And Artemis symbolised that ESDP also functions without NATO support under the Berlin-plus agreement. The operation, which was led by France as its framework nation, was conceived as a vehicle for asserting the autonomous capability of the EU to intervene militarily abroad. In short, just like the civilian ESDP, the military ESDP is at least partly the manifestation of the Council’s desire to develop and institutionalise its security vision rather than simply a response to (human) security threats abroad.

Not only, however, has the military ESDP so far failed to spawn a parade of operations similar to the civilian ESDP, it has also lacked the kind of institutional, bottom-up inventiveness present in its civilian counterpart. A conventional explanation of these differences might point towards, first, the circumspection towards military missions among member states due to their allegiance to NATO, and, second, the scarcity of military resources

at the EU's disposal. However, another reason appears to be equally important in accounting for the particularities of ESDP development. Early on, the Solana circle realised that the military dimension of ESDP remained controversial, while there were many political opportunities to deepen and widen the policy via civilian missions. The Council Secretariat has adopted a position that may be seen as thoroughly pragmatic. Setting the grandiose goal of becoming a fully capable military actor has not blinded the institutional entrepreneurs to becoming stuck with these infeasible objectives. To take advantage of deployable opportunities as quickly as possible, mission planners even employed modified military scenarios inherited from the WEU as there were initially no civilian conflict management scenarios. Traces of this strange origin of civilian missions persist in mandates and planning documents in the form of military terminology such as concept of operations (CONOPS) and operational plan (OPLAN).

The greater dynamism of the civilian ESDP is thus explained by the fact that civilian missions are a comparatively easy option to advance the security profile of the EU. Troop deployments are difficult to agree on and the high end of military operations is unlikely to be accomplished soon. Against the backdrop of controversies surrounding military operations, the Council Secretariat ventured on to the field of civilian crisis management, traditionally occupied by the EC, to boost ESDP. From the perspective of the institution-builders in the Secretariat, civilian missions have a number of advantages. To begin with, they are more ambiguous and hence are less likely to fail, or, more precisely, their shortcomings can be easier disguised as a partial or even full success. The formulation of their mandates is evocative in this respect. For instance, it is difficult to imagine any scenario that would allow critics to describe the EU Border Assistance Mission Rafah as an outright failure. Its mandate tasks it to provide a 'Third Party *presence* [emphasis mine - XK] at the Rafah Crossing Point in order to contribute to the opening of the Rafah Crossing Point and to build up confidence between the Government of Israel and the Palestinian Authority' (Council Joint Action 2005/889/CFSP). Moreover, civilian missions represent a nuanced engagement with little risk of radical positioning, which might otherwise clash with member state agendas. Finally, they are good 'value for money',²²⁶ enabling the EU to engage in relatively low budget ventures that nonetheless highlight its presence in a given international situation.

ESDP's deep intrusion into the area of civilian crisis management has caused frictions with the Commission, which until recently regarded the promotion of the rule of law and

²²⁶ Interview with a member state representative to the PSC, Brussels, 24 November 2005.

institution-building as its exclusive competence. Its institutional resentment of this encroachment on its turf is further aggravated by the current trend that sees the Council reclaim political influence it had previously ceded to the supranational body. In response, the Commission seeks to be involved at every stage of the ESDP policy cycle. This is facilitated by, first, its role as a budget manager and executor of the civilian ESDP and, second, its mandate to ensure consistency and procedural integrity of EU external action at every level of CFSP. In practical terms, the involvement of the Commission becomes politically tangible in the course of negotiating the formats of particular mission as well as their budgets and adherence to procurement policy rules.²²⁷

In light of the empirical record, it is thus premature to claim that the proliferation of ESDP missions implies a second-pillarization of EU crisis management. Rather, political struggles are in full swing with both pillars strategically employing different media and channels to affirm their respective institutional distinctiveness in external policy. The concept of emulation is useful to account for this process. Emulation does not refer here to an attempt to imitate or copy but points to a political contest over how to frame reality. Opportunities for engagement open to both pillars give rise to battles over the definition of situations and issues and, consequently, the choice of appropriate policy instruments. The examples recounted before, namely the involvement of the Commission in EUJUST Lex and the intricate structure and status of the EU Border Assistance Mission to Moldova/Ukraine underscore this point.

To conclude, I argue that the development of ESDP has contributed to the emergence of EU domestic politics. There the Council Secretariat and the European Commission represent actors who produce and reproduce certain beliefs and ideologies about what the EU should be like, and work at constructing alliances around these conceptions (Wodak 2004). Inter-pillar relations in crisis management reflect the larger phenomenon of the Community and the CFSP pillars functioning according to differing working philosophies. This has to do not only with the fact that the Commission is a supranational body and CFSP is an intergovernmental policy, but also with the increasingly diverging ideational principles sustaining their institutional identity. The two institutional entities hold disparate standpoints on best practices in crisis management. Their policies and channels of implementation accordingly reveal contrasting beliefs about the image of the EU as an international actor, including dissimilar security conceptions. Although they essentially agree on what is to be

²²⁷ Each time a civilian mission is planned, negotiations over its format between the Commission and the Council begin from scratch as no template of co-operation has been agreed as of yet. Interview with the EC representative to CIVCOM, Brussels, 24 November 2005.

achieved to make the world a better place – the usual ‘European’ values of democracy, rule of law and so forth, – they nonetheless characteristically diverge on the matter of best strategies, means and practices to reach that ideal state.

Conceptually, whereas the Commission inhabits the world of ‘civilian power Europe’, even if modified in accordance with the changing historical conditions, the Solana milieu has ventured to make the EU a ‘militarised civilian power’, believing such a transformation is the proper response to the exigencies of a globalised world. Solana, as the personification of EU foreign policy, represents the trend of the EU ‘coming of age’ and shedding the clothing of a civilian power only. He generally advocates an approach according to which the security situation has to be stabilised before major long-term development assistance can be initiated. He further favours high-profile political action, which should generate substantial even if cursory political capital with immediate impact in a particular environment. Because of the large publicity they generate, military and civilian missions have become the cutting edge of ESDP, its essence and, simultaneously, a vehicle for implementing ‘militarised civilian power’. This notion was codified in the ESS, a manifesto of Solana’s vision of the international security role of the EU.

The European Commission, although initially lagging behind, eventually established the European Neighbourhood Policy (ENP) as the embodiment of its conceptual stance on how best to project order and security to the EU’s periphery. A comprehensive attempt to emulate the robust ESDP venture, the ENP is a way for the Commission to upgrade its profile in the field of external policy, i.e. it is the realisation of a certain political project. The objective of the ENP as articulated by the Commission is for the EU to act coherently and efficiently in the world by integrating related components from all three pillars; as such, it should also support efforts to realise the goals of the ESS (Communication from the Commission 2004:6). Importantly, by arguing this no challenge to the payoff of the ENP is meant, neither is its potential diminished or equated with taking underhanded institutional revenge. Instead, the process is rather perceived as the materialisation of politics within the EU. More specifically, the differing political discourses that the two bodies have brought into being provide for political action as they produce and reproduce beliefs and rally support around them.

The external dimension highlights another concurrent phenomenon that ESDP has had a role in producing. ESDP operations and more broadly the endorsement of the policy through diverse channels have served the political aim of actively fostering certain expectations towards the EU. This can now be capitalised along a wider spectrum of international

activities. The distinct quality of the EU's new makeup in security affairs can be fruitfully approached through the EU-US-UN interactional triangle. Within this relationship, there emerges a dynamic division of labour constituting scripts which the actors fall back on. In effect, the EU acquires a certain international identity, which is now recognised and acted upon by other international players. Although the regions of ESDP application and further centres of influence in international relations (e.g. China, Russia, India) should hardly be downplayed in the analysis of the EU international image, the treatment they receive in the EU external agenda is largely a reflection of the stance within the triad. Further, in spite of its postmodern characteristics, the EU hangs on to fairly traditional conception of carrying the torch of civilisation, ESDP being yet another if very specific instance thereof.

The main 'significant other' in the EU's international impression management remains the US. Some may crudely construe that the US ultimately sets the terms of reference for the EU international presence. This would diminish the actual impact of ESDP developments on the EU international performance and its own ascendance on the world stage along with a genuine strategic effort at constructing a niche in which the EU can excel. I argue instead that ESDP has added to new recognition of the EU on the part of the US. First, the European continent seems to have now been largely conceded to the Europeans to deal with. What was once a main theme of European leaders' nightmares, i.e. being abandoned by Big Brother, has incrementally happened as a result of the EU's own actions. The entrepreneurial role played by the Council Secretariat in initiating ESDP missions and building on the political capital they have generated prove effective in fashioning the EU as a unique crisis manager. The tangible, high-profile presence on the ground has contributed to the enhancement of the EU's political status, giving its security policy greater clout. Second, the US has grown to treat the EU as a kind of deputy in world security affairs where it is preferable for the US to keep a low profile so as not to exacerbate potential tensions. Accordingly, the EU takes the lead, after thorough consultation with the US counterparts and their consent, in many instances where its image of a benign broker acts as a lubricant in negotiations. The EU is thus welcome as a deputy, preaching the same values but less confrontationally, which makes its involvement in certain regions more acceptable. This does not denote harmonious settlement of the EU-US relationship. Similarly, as the issue of Iraq clearly demonstrated, national differences within the EU itself come to the surface at transformative moments. It is still important to see the willingness and ability of the EU to transform the diplomatic fallout among member states over the US-led invasion of Iraq from a crisis into a catharsis and an impetus to ESDP

development (cf. Menon 2004). This indicates strong commitment both in Brussels and in national capitals to continue despite many hurdles on the way.

The UN in this regard often becomes a forum on which certain games are played out. Although the importance of this facilitating function can hardly be discounted, seeing the organisation only as a playground would be deceptive. The UN has a discernible agenda at work. Brussels has always been an important supporter of the UN as a champion of effective multilateralism, and ESDP has given it even more powerful means than those available to the UN to promote values shared by both institutions. This changes the parameters of the EU-UN relationship. ESDP thus provides “oxygen for the United Nations” (House of Lords Minutes of Evidence 2004:7). With such equipment at its disposal, it is rather the EU that sets the agenda and defines the terms of the relationship with the UN, the latter playing the role of a legitimising body for ESDP whose consent, however, may not always be indispensable (Tardy 2005: 49-51). This is clearly a breach of the spirit of the UN Charter. The long-established view on the global-regional relationship in security matters posits that a dominant UN would delegate tasks to subordinate regional institutions. In this conception, the region is simply an intermediate actor that undertakes tasks determined at the multilateral level. The main purpose of regional agencies, according to this perspective, is to contribute to a multilateral system controlled by the UN Security Council (Hettne and Söderbaum 2006: 227). In the case of the EU, the roles are reversed. Somehow it is the global organisation that seeks legitimacy through reliance on a regional performer invoking the UN authority. Mutually advantageous as the relationship indisputably is, the traditional terms of reference have shifted and the enabling character of ESDP for the EU can hardly go unnoticed.

Having examined the shift in role assignment via ESDP, one should address what in particular the EU role involves. This has been partly attended to in the course of the analysis above. A further conclusion should follow that ESDP is a fundamentally curious label for the EU's role as it has been enacted to date. At its core, the policy is that of crisis management broadly conceived, but it also includes acting on situations, which can be called crises only thanks to extensively framing them as such. On other occasions, conversely, the EU has often failed to act in security matters of acute international importance. Still, this should not evoke criticism that fails to acknowledge substantial achievements in generating innovative scenarios of (civilian) crisis management/reform assistance and robust attempts at their implementation. If substance were to be a defining category, the policy should thus rather be named European Crisis Management Policy. Such a label, in line with the analysis of the EU's relationships with the US and the UN, further implies that the EU's role is to carry out

auxiliary functions sooner than an independent undertaking. According to this reading, the EU lubricates the actions of the UN and US while the latter two enable its crisis management activities by providing recognition and the actual room for acting. This would again be too hasty a conclusion. One might instead venture a claim that the EU has skilfully carved a particular niche for itself in the realm of international civilian assistance. It can hardly be sustainable denigration if this has been performed via climbing the shoulders of others.

Securitisation the EU way

The analytical framework employed here features two central tenets, namely the intersubjective discursive variability of the concept of security, and, secondly, the constitutive role therein of actors who strategically act to endorse their political projects. These are theoretical lenses through which to look at three important dimensions of the politics of European security: the institution of different security conceptions within the EU, the internal politico-institutional struggles that have been inherent to this process, and the accompanying EU repositioning on the world stage.

I analyse the framing of a particular meaning of security at the EU level from the generic perspective of securitisation, i.e. the discursive process of rendering certain issues security issues. On the premise that security is a historically variable condition, I see ESDP as an instance of contextualised securitisation. Along these lines, the shaping of ESDP is not an objective or ahistorical phenomenon but it rather represents a contextual political project. The referent object of security in this exercise remains the notion of the EU as a cherished common good that provides for the peaceful wellbeing of its more than 450 million citizens. The way to guard this achievement is through moulding others in accordance with the EU's successful model and by instilling ideologies within which the polity operates most comfortably. In this sense, the EU is busy constructing its 'creeping empire' and portraying its laws as a natural arrangement of things. Protagonists across the EU spectrum wholeheartedly concur that the aim to be achieved is to foster good governance and rule of law within the EU's neighbourhood. Illustratively, ESDP and the ENP overlap in their efforts to create good neighbours, the kind who conforms not only to 'EU values' generally speaking, but also to EU standards and laws in specific areas. In short, the objective is to extend the EU's values and norms to neighbours through conditionality and thereby 'make the world a better place': effectively one in which the EU feels at ease. Whereas actors agree on this abstract objective, they nonetheless characteristically diverge on the matter of best strategies, means and

practices to reach the ideal state. Hence, while the Solana milieu and the Commission already differ in language relating to the same goals, they produce thoroughly diverging conceptions of how to accomplish them.

Security being a realm of intense struggles over meaning, ESDP has thus become a field of turbulent political interaction with distinct internal and international political actors pursuing their competing agendas. This empirical conclusion trespasses upon the major proposition of securitisation theory, the principle that security claims eradicate the possibility of politics. The major thesis of securitisation according to the Copenhagen School is ‘the move that takes politics beyond the established rules of the game and frames the issue as a special kind of politics or as above politics’ (Buzan, Wæver and de Wilde 1998: 23). In other words, the enunciation of security itself creates a new social order wherein ‘normal politics’ is bracketed. The development of ESDP, conversely, defies the assertion that the label of security entails the rejection of ‘normal politics’ in favour of exceptional measures. The politics of security appears a major field of politico-institutional struggle in the EU domestic arena and as such becomes a realm of fierce debate rather than foreclosing it. In particular, the inception of this securitising project opened rather than precluded debates about what EU security is about and how it should be pursued.

The creation and institutional endorsement of the project similarly aroused resistance and emulation attempts within the EU’s system of governance. This denotes the involvement of judgment and strategic game as well as it weakens clear legalistic rules that previously regulated the conduct of many institutional bodies. Here politics enters the scene from backstage, i.e. it involves the transferral of the decision making process onto the realm of the informal and setting in un-codified practices of policy making. The introduction of security thus prompts a move from a technocratic legalistic culture to a robust political one. This marks the moment at which legal regulations alone can no longer be relied upon, and political choices must be made. The ensuing power relations enact practices that empower one group of actors while disabling another. However, power being something that is inherently contestable, the arrangements are far from settled. The political struggle in the realm of security goes on, both in discursive terms of constantly framing and reframing, and as regards institutional battles where concrete projects become grounds for building up political capital. Still, paradoxically, the rise of politics has in fact strengthened the contours of the domestic arena in that ESDP has forged a distinct framework where the institutional conflict could unfold. This is because despite the differences, there is commitment to on-going negotiation, both among the member states and across institutions.

At the heart of this struggle lies the experience of nuisance with civilian power vocabulary and the desire to break free from its constraints. The entrenched vocabulary of civilian power features a sense of inferiority and unjustified marginalisation despite the perceived importance and ability to make the world a better place. ESDP's performers brought back to bear what the EU had been occupied refuting after the Second World War, i.e. great desires to be a player with 'a say', preferably more considerable than others and at least as vital as the US. Security being at the core of posturing in international affairs, there must have emerged a tool empowering the EU in this respect. Here, ESDP represents the pursuit for recognition as an eligible security player. This attempt has then yielded tangible acknowledgment of the EU's instrumental role in security affairs.

Provocatively, one may approach the EU as a typical instance of a neurotic personality (Horney 1936). Inherently convinced of its uniqueness, it acts to the contrary towards the outside, with this guise of inferiority aimed at alleviating the pain of exceptionality not recognised. As the direct wish-fulfilment involves a great deal of anxiety, allaying this anxiety becomes more urgent than a direct fulfilment of the wish. Never entirely unforeseen, there might, however, come a moment of major breakthrough when aspirations are finally admitted and acted upon. This comes with actual acknowledgment that any kind of achievement presupposes taking risks and making efforts. Modestly but tangibly, ESDP seems to have freed the EU from the most debilitating traits of neurotic personality. In effect, ESDP making has proven transformative both domestically and internationally. A policy addressed towards the outside has significantly reconfigured the inside, shifting the local rules of conduct as much as it contributed to particular recognition of the EU as an international crisis manager.

As regards the theoretical perspective of securitisation, one may have doubts whether selecting this theory is an appropriate choice for the research at hand. If it has been so thoroughly defied in some of its major principles, perhaps it is no longer securitisation theory that I am testing. Two qualifications are in place. First, it is part of conventional scientific procedure to dissect theories and confront their failings, as much as it is to expand/narrow their scope of application by modifying their fundamental tenets. In this project, I interpret securitisation as a mode of agenda-setting and political framing. I thus approach it as productive of a field of political action and I attempt to restore politics to the theoretical perspective that seems unduly devoid of it. Second, manifestly, the choice of theories we make for our projects is not an innocent endeavour. In line with the assertion that theories are always 'for' someone and 'for' some purpose (Cox 1986), they perform a particular job upon

our work. Ole Wæver suggests in this respect that theory should be as a speech act, enabling the researcher to claim what s/he would otherwise be unable to argue. Were the theory not there, the conclusions would accordingly turn out different²²⁸ for we never see the ‘world out there’ as it is, but comprehend it through our concepts (Kratochwil 2007:25). In this thesis, securitisation theory allowed to bring out the security aspect of the EU integration in the present context. This hardly denotes the conventional reading of the EU project as a way of ‘making the war impossible among its members’. It rather appeals to the EU as an active securitiser towards its outside where securitisation involves moulding others according to one’s own model, labelled as ‘making the world a better place’. Fundamentally here, the theory is essential to illustrate how security is a variable concept whose meaning cannot be determined philosophically, or by social scientists’ conceptual analysis, but it is instead an attribute of a community. As an intersubjective phenomenon, it can be framed politically in accordance with the local rules of the game. This is where politics comes in and where domestic struggles over meaning enter the scene.

‘Empire in denial’

There is an interesting consequence of the EU growing out of its civilian power clothing. A policy initiated to add a military dimension to the EU has flourished through the launching of missions of strictly civilian character, in particular police, rule of law and border monitoring operations. Characteristically, civilian crisis management within ESDP may resemble different variations of development aid the Commission has engaged in to date. Yet ESDP is no development aid by definition. Its crisis management capabilities bear witness to it, so does the emphasis on the military aspect development aid stuns from. The presentation of ESDP is designed so as to differentiate it from the conventional Community tools in the realm of development assistance. The shift the policy has marked from inducing security via boosting development, the traditional Community approach, to first guaranteeing security as a *sine qua non* of development is similarly evocative here. There are, nevertheless, many traits of ESDP that look a lot like a practice historically rooted in the Europe’s self-acclaimed and self-interested civilising vocation.

In this reading, ESDP acquires characteristics that conjure up the ‘white man’s burden’ of civilising others. No suggestion at the tutelage of backward people is thereby

²²⁸ Remark by Ole Wæver in the panel ‘Desecuritization and security as a common good’ in the 6th Pan-European International Relations Conference, Turin, 14 September 2007.

implied. This would constitute a substantial breach of the received language surrounding the EU's role. Rather, while the genuine urge to help and the respect for equality have become universal principles, a paternalistic and coercive (in the form of conditionality) strain remains a clear undercurrent. One can argue after Michael Merlingen and Rasa Ostrauskaite that the ethos of care at the heart of ESDP, even while it promotes ethical security policies that downplay the moral and political significance of the difference between citizens and foreigners, still licences practices solidifying the power of internationals (Europeans) over the locals (2006: 3). Such practices may subsequently congeal into patterns of paternalism and domination, which stifle what David Scott (1999) calls the local demand for a future constructed in its own vernacular image.

On the wave of 'imperialism coming back into fashion in the West' (Easterly 2006: 270), ESDP may stand as a new byword of an ideology of contemporary neo-imperialism. The question arises what the benefit for the donor should be in this context. In the traditionally conceived development aid, the latter is often 'tied'. This denotes that with the flows of cash, etc. there comes the requirement on the recipient to purchase some products in the donor country, to facilitate tenders for the donor's country companies or to provide political alliance, e.g. in UN voting. How is the EU rewarded for its engagement? Most recently, promoting democracy and good governance has often meant engaging in state-building in fragile states. Such an intervention denotes significant influence on the structures of the state, which may be swayed in a preferred direction. The EU aims at building 'a ring of well-governed states in its neighbourhood' and wider. Accordingly, the impact on reconstituting the institutions of fragile societies becomes crucial for the EU own wellbeing. Moulding others according to its model is the EU's preferred method of providing its own security.

This is, however, also a particular way of building an empire, a practice fervently denied or rather meticulously backgrounded in the official discourse. The main feature of this 'empire in denial' (Chandler 2006) is that the EU seeks to deny accountability and responsibility for the power it effectually exercises (Ibid, 8). Officially, the EU strives to be a subtle donor who fosters homely-grown solutions and spreads best practices without prejudice to the local tradition. Wielding considerable influence on the shape of local institutional arrangements, it still takes a posture of a facilitator, or a broker providing advice while emphasising the principle of local ownership. It thereby accepts no liability for actions that go to the core of the local governance system. This is because admitting imposition and power hardly belongs in the EU's vocabulary.

As Cooper has argued, although the most logical way of coping with chaos is through colonisation and all the conditions for imperialism are there, the phenomenon has long been a synonym for abuse and therefore impossible to apply (2002). There are no colonial powers today willing to take on the job, though the opportunities, perhaps even the need for colonisation, is as great as it ever was in the nineteenth century. What is needed then is a new kind of imperialism, one acceptable to a world of human rights and cosmopolitan values. The EU with its postmodern personality may offer such a system, which, like all imperialism, aims to bring order and organisation, but which in the EU case rests on the voluntary principle. Here, the EU's way stands out favourably against the rough and ready empire of the US, and the bungling and bureaucratically-impaired UN. The uniqueness of the EU as a crisis manager allegedly derives from the civilisation standing of the EU. The EU should thus exert a large degree of influence since it represents 'Europe' and because it constitutes some kind of alternative thinking to the one embraced by the US. Many Europeans truly believe the Union to be the world's leading moral authority and they are convinced that it can lead by virtuous example both when it comes to a number of issues of global governance and being capable of bearing the historical responsibility towards the former colonies (Vogt 2006b: 3). The discursive salience of this theme crops up repeatedly across the whole range of ESDP activities. One may then conclude that the policy has become a new form of denied neo-imperialism.

Alternative perspectives

This thesis embraces and implements a non-causal research approach as a viable option for understanding a particular social setting. While Chapter I presents the conventional ESDP story as a misguided vantage point for grasping the policy, this section grapples with a conventional element of a doctoral thesis, i.e. alternative explanations. Here I bring back some well-entrenched theoretical positions in order to reflect on what I might have silenced in the narrative underpinning this thesis. The most prominent among alternative hypotheses is the conception of CFSP/ESDP as a counterweight to US preponderance.

The theory of the balance of power from which this hypothesis springs offers a neat explanation that we can expand to the problem at hand. I take here the Waltzian and Mearsheimerian framing of the notion (Mearsheimer 2006). While the former reading represents a version of neorealism labelled as defensive ("Waltz has a rather benign theory of international politics. He believes that international anarchy encourages aggression, but not

too much of it, mainly because he thinks that states balance efficiently against aggressors. If a great power gets too greedy, according to Waltz, the other great powers will gang up on it and crush it”, Ibid, 110), the latter is termed ‘offensive realism’. The crux of its claim is a structural determinism that produces an unending quest for hegemony (Ibid, 111). These two readings of international politics might be considered together in order to examine the modalities of ESDP explanation through the neorealist lenses.²²⁹

The Waltzian position rests on two assumptions: (1) the system is anarchic, and (2) states seek to survive. He explicitly maintains that he does not assume that states are rational actors. Offensive realism theory is based on five assumptions: (1) the system is anarchic, (2) all great powers have some offensive military capability, (3) states can never be certain about other states’ intentions, (4) states seek to survive, and (5) great powers are rational actors or strategic calculators (Ibid, 112). The resulting claim should thus be that all great powers at all times behave aggressively because the system makes them do so.

Two lines of reasoning may be pursued. A true Waltzian would perhaps conceive of ESDP as a tool to equip the EU with means to act in the dangerous and chaotic world with an aim to protect the EU project from extinction. No matter how frivolous this may sound in the light of the neorealist emphasis on national sovereignty as a core value to be safeguarded (the EU being a synonym of pooling national sovereignty for broader communal purposes), and how close it is to the Weaver/Buzan line, the plausibility of such an argument cannot be discarded. In fact, an exact translation of such a position into a policy guideline recurs repeatedly in the discursive repertoire of Solana and Cooper. If one delves into the matter more deeply, an idea emerges that behind the discursive moulding of ESDP there must keep themselves busy the conscientious students of Waltz’s theory, conceding to the assertion by Posen that:

ESDP is best explained by the international relations theory known as structural realism, the modern guise of balance of power theory. Balance of power theory is contrasted with balance of threat theory. Though European states are not motivated by a perception of an imminent threat from the US, they are balancing the US power. The concentration of global power in the US, unipolarity, is uncomfortable even for its friends who fear the abandonment that the US freedom of action permits and who wish to influence the global political environment the US could create. (Posen 2006: 149).

²²⁹ Importantly, an attempt to account for ESDP by means of a neorealist theory poses a fundamental methodological difficulty. First, the EU is not a state whereas the state is a primary unit of analysis in the theory, and second, even if for the purpose at hand we agree to take the EU as an actor, few neorealists would concede that the EU represents a great power. The exercise above still seems justified, however, so as to place the subject of the analysis within the scope of a different logic and thereby offer a fresh insight for the argument.

There is an important analytical corollary to this perspective. Despite the amount and intensity of politics involved in policy making, the researcher is ill-advised to study the latter as an independent variable for eventually structures will determine actors' behaviour. According to this reading, the emergence of ESDP was thus pre-determined by the regularities of the international system.

Two aspects seem neglected in this account. First, the rejection of the role of agents in the theory in favour of systemic variables denies the very achievement behind the ESDP, the strategic political struggle towards empowering a certain notion about the EU that facilitated the emergence of the policy. Second, such commitment seizes the phenomenon as a natural occurrence and not a contextual development from within a range of possibilities.

Mearsheimer's argument emphasises the rationality of the actors involved and the strategic calculation they bring to bear. Quite apart from the fact that he perceives only states as rational actors granting no leeway for crucial domestic contention, a fundamental flaw seems to be the literal fusion of rationality and deliberation with the strong emphasis on the genuinely logical nature of these two. Accordingly, being rational means deliberating on all the options available (how can this be exhaustively covered?) and then consciously choosing the one, which maximises one's interests (how is this to be known?). The subsequent step is to design a meticulous plan of how to proceed in order to realise one's choice, and painstakingly sticking to the method throughout the process. This explicitly means the denial of politics along numerous important dimensions. First, it downplays the extent to which what is 'rational' is socially conditioned. Put differently, the set of priorities that we cherish is endogenous to our position and not autonomously put together. The intersubjective conceptions of what is right to be wished for come to play. Second, the situation of choice is hardly lucid even in the most seemingly unambiguous moment of facing two alternative options, e.g. whether to invade Iraq or not. In addition to a lingering possibility that the decision has been taken before the choice situation is staged, little appears obvious. An evocative quotation elucidates the matter:

The usual choice situation is one of befuddlement and insecurity in which neither the options nor the situation are obvious. When we finally have acted in any reasonably way in complex situations and are not simply "acting out", we usually did so on the basis of "all things considered". This process involved several goings back and forth, examining the situation, the alternatives, weighing the urgency and the possibilities of *avoiding choices* etc. Also when we have made a decision there are usually several "reasons" that were in the motivational set and they are frequently clearer to an observer than to ourselves. While we, of course, might be deceiving ourselves (and also might have reasons for wanting to deceive our audience by providing different justifications), good reasons for actions resemble more like the different "legs" that support a chair in

conjunction with each other, rather than a “link” that bind one element of a chain to the other. (Kratochwil 2006a: 18).

Third, the managerial perspective on strategy as a clear-cut methodological scheme that provides for appropriate solutions throughout the process poorly reflects political dynamics. A ‘thin’ version of the concept seems more appealing. In particular, a loose strategically-informed framework created in a piecemeal fashion, malleable enough to adjust on the way to accommodate new developments better illustrates how a viable strategy is drafted. Likewise, the contentious character of political situations with both internal and external challenges cannot but affect the substance of the strategy and call for manoeuvres that might seemingly defy the strategy itself.

The above considerations make both Waltz’s and Mearsheimer’s proposals incongruent with the argument of the thesis. Foreign to the logic adopted here, they still open interesting ways of playing with ESDP possibilities, or, rather, they show how problems are reconfigured depending on what the starting position happens to be. Importantly, adopting offensive realism entails not merely stating that at the origins of ESDP there lies the intention of curbing the US’s imperial drive (Waltzian), but, essentially ESDP must have been catalysed by the EU’s desire for hegemony, if not on the global scale, then certainly within its own backyard. This argument makes a strange but arresting bedfellow with the idea that ESDP should be another form of Europe’s civilising mission towards the rest of the world.

Another alternative structural explanation of ESDP would be to see ideational factors as predominant, i.e. the notion that the emergence of ESDP has been brought about through the ideational shifts in security thinking and its principles. While neo-realism removes ideas from its concept of world politics, states strive for hegemony for power’s sake regardless of norms and identities, in the ideational perspective norms and ideas prevail because they merit such prominence and not because they happen to embody certain contentious agendas. Paradoxically, this position is not as far from the neorealist posture as it may initially appear given the neorealist disdain for ideas as powerless with regard to the system. Purely ideational explanations similarly overemphasise systemic factors. They lose sight of the (political) actors in performance and downplay the role of contentious politics. In so doing, they reject the idea that agency matter in social life since agents are not simple ‘throughputs’ of some structures working behind their backs (Kratochwil 2006b: 6). Still, actors matter as performers of certain political projects enacted with a view to impose a specific definition of a situation.

Lastly, I might have fallen prey to a typical scholarly malady of exaggerating the salience of the subject under study. Behind this, there lurks the charge that I have

correspondingly been busy with giving substance to an elusive phenomenon deemed to fade away before long. ESDP might perhaps be seen as a paper tiger, a fleeting occurrence yet expanded in the research to appear otherwise. Intimately connected, exploring the subject in a particular way might have proceeded with a view to establishing a specific scholarly agenda. Impossible to defy this in its entirety, in order to avoid such an entanglement I have attempted to report in detail the procedure applied with a belief that narrating the procedure provides for a sound account of how the research has been conducted. Describing the procedure is a means of disclosing to the public what happened in the course of the research that makes the researcher think what s/he claims to be her/his argument over things. It sheds light on the critical moments of the research. Ideally then, while there are many ways of telling the same story, recounting the procedure should somehow diminish the possibility of ‘cooking’ data and bestowing interpretations, which claim unfounded salience.

Where to carry on the research

Within the thesis I advocate a research approach that sees particular value in micro-political analysis as a way to understand broader political orders. I have accordingly attempted to combine discourse analysis and an ethnographic approach in order to problematise the emergence and practices of ESDP making. This has been limited in scope. So as to study the rules of the ESDP game and the politics behind the enterprise more thoroughly, the research agenda on ESDP should include comprehensive politico-institutional ethnographies where different constitutive actors can be observed at work, including those contesting the policy. Such research would ideally cover two critical dimensions. The decision-making milieu in Brussels offers examples of establishing concrete practices in negotiating the policy and struggling over its various meanings, institutionally and conceptually. Research based on thorough embeddedness in this setting could provide material to gauge the extent to which the argument presented here about the rise of the domestic politics within the EU actually reflects the daily practice of the EU. It would further allow for the tracking of the operating power relations within the policy. Different milieus of ESDP operations, conversely, provide ample data for studying the dynamics of implementing the policy. The analysis to date shows that the latter acquire logics of their own, and feature a considerable degree of managerial and operational flexibility. In a sense, each ESDP operation is a full-fledged story in itself. While it reflects the practices of the policy at large, it also presents rich contextual accounts that

deviate from the official ESDP narrative. Engaged study of different ESDP operations settings would provide for a particularly rich picture of the policy.

Regarding the implementation of particular ESDP projects, an interesting and sorely underexplored aspect remains the receptiveness of ESDP on the ground and, crucially, the terms of the EU-local community relationship. This thesis mentions the notion of ‘empire in denial’. Yet it would be of interest to examine more systematically EU practices in concrete cases of engagement in moulding local societies, and, more interestingly, the terms of interaction that underpin these practices. Detailed reports, thorough in substance and strong on conceptual insights that would problematise the EU performance in this regard are rare. This might be because traditional IR approaches have difficulty grappling with the multilevel diversity inherent to ESDP where little is standardised, yet issues are dealt with (in a more or less effective manner). Still, this manner of working at contextually viable solutions despite apparent absence of an overarching formula might indeed capture most aptly the postmodern character of the EU as a polity.

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ANNEX – NOTE ON INTERVIEWS

Interviews for this thesis were conducted throughout the research process, i.e. from the beginning of the empirical phase in spring 2005 until the summer of 2007. While preparing the final version to be defended in winter 2007 I further had a chance to incorporate a number of insights acquired during the fieldwork in connection with my postdoctoral project on the EU's civilian crisis management concepts in Eastern Europe and the South Caucasus. Many crucial interviews occurred on occasions, which could hardly be described as meticulously directed and following a predetermined plan. A lot of them had an informal and conversational character. While criticism can be raised that this mode of empirical inquiry challenges the principle of systematicity and scientific rigour, this research practice remains consistent with an ethnographic approach adopted here. Fundamentally, the research process did follow a strategic if flexible design within which I sought to identify and obtain access to actors who had emerged as defining figures in the field.

As mentioned, numerous interviews were performed when an occasion arose and they barely adhered to a questionnaire model. They rather went along the unfolding of a conversation while still seeking to obtain relevant insights. Additionally, due to the confidential character of many interviews and the repeated requests to remain anonymous (in particular by diplomats), in the text I often only indicate the person's institutional affiliation. Still, several concentrated and planned fieldwork sessions should be distinguished. I list them below together with the names of those persons that consented to be mentioned in an academic context.

The first phase of interviewing took place during a four-week fieldwork in Tbilisi Georgia where the Themis rule of law mission was deployed. I interviewed repeatedly and conversed informally with all the members of the operation, a number of national Georgian assistants and technical staff (drivers, IT experts) employed at that time. The interviewed members of Themis included:

- Sylvie Pantz, head of the mission, with whom I conducted a two-hour semi-structured interview and conversed repeatedly on a number of formal and less formal occasions during my participation in the mission's activities;
- Rafal Pelc, a seconded legal expert collocated in the Georgian office of the ombudsman, with whom I conducted two semi-structured interviews and numerous daily conversations on different aspects of the mission's performance. I also engaged in an extended email interview with him over the

period between summer 2005 and summer 2006 and conducted a two-hour interview in January 2006 in Warsaw regarding the follow-up to Themis;

- Kaupo Kand, a seconded member state diplomat and the second political advisor to the mission with whom I conducted two interviews on the site of Themis, a number of less formal conversations and a two-hour semi-structured interview in Brussels in November 2005 after the closure of Themis when he returned to his function as a national representative in CIVCOM;
- Annette von Sydow, a seconded legal expert collocated in the General Prosecutor's office whom I interviewed together with Maurizio Salustro and with whom I conversed informally on a number of occasions;
- Maurizio Salustro, a seconded legal expert collocated in the General Prosecutor's office whom I interviewed together with Annette von Sydow and individually on two other occasions. I then engaged in email interviews with him until spring 2006 and conducted a three-hour interview in October 2005 in Rome while he served as an expert to EUJUST LEX in Iraq;
- Ole Gaard, a seconded legal expert collocated in the Ministry of Interior with whom I conducted a two-hour semi-structured interview and conversed informally on a number of occasions;
- Gerritjan van Oven, a seconded legal expert collocated in the Procurator's office with whom I conducted a two-hour semi-structured interview and conversed informally on a number of occasions;
- Ellen Best, a seconded legal expert collocated in the Supreme Court with whom I conversed informally on a number of occasions;
- Thomas Baranovas, a seconded legal expert collocated in the Ministry of Justice with whom I conducted a two-hour semi-structured interview and engaged in an email interview in summer 2007 about his responsibilities as a seconded member of the EUSR enhanced border support team in Chisinau, Moldova.
- Uldis Kinis, a seconded legal expert collocated in the Appeal Court with whom I conducted a two-hour semi-structured interview and conversed informally on a couple of occasions.

On the Themis site, I further interviewed four Georgian legal assistants and conversed informally with drivers of the mission. Via the mission's facilitation, I conducted a formal

interview with Sozar Subari, at the time the Georgian ombudsman and a member of the working group on the strategy of the criminal law reform, and Merab Turawa, at the time a high-level judge engaged in the judiciary reform in Georgia. The participation in a number of seminars organised by the mission allowed me to exchange views with numerous employees of the Georgian justice system. Formally, I also interviewed two other members of the strategy working group, Nika Gvaremia, a Georgian MP and Levan Ramishvili, a civil society representative. On two occasions, I talked more broadly about the political situation in Georgia with the Polish ambassador in Tbilisi. For a week, I stayed in the Georgian Foundation for Strategic Studies where I discussed the state of Georgian reform with professor Alexander Rondelli, the director, and two researchers, Archil Gegeshidze and Temuri Yakobashvili.

In July 2005, I spent a working week interviewing researchers from the EU Institute for Security Studies in Paris where I participated in two conferences. In particular, I organised a focus group on ESDP comprising Dr Dov Lynch, Dr Walter Posch, Dr Judy Butt, Dr Marcin Zaborowski and Dr Agnieszka Nowak. I separately interviewed Dr Lynch and Dr Zaborowski.

In November 2005, I conducted a series of interviews in Brussels, both in the CFSP and the EC bodies with the aim to inquire about EUJUST Themis and Lex. Some of the officials interviewed wished to remain unnamed, with most restricting referring to their names while citing certain opinions. I list those who consented to be mentioned in an unpublished annex. In the Council Secretariat, I conducted formal semi-structured interviews with:

- Steven Everts, Javier Solana's advisor and speech writer;
- Michael Matthiessen, at the time of Themis's conception the director of DGE 9 in the Council Secretariat;
- Michael Swann from DGE VI dealing with the region of the South Caucasus among others;
- Paulo Barroso Simoes from DGE VI dealing with the region of the South Caucasus among others.

In the DGE 9 of the Council Secretariat, I conducted a focus group and interviewed following individuals:

- Sandra Paesen, a desk officer for Themis;
- Jonas Jonsson, the first political advisor to Themis and political advisor to Stephen White, the Lex HoM;
- Hannu Taimisto, a seconded official and expert on rule of law issues;

- Stephen White, the Lex HoM;
- Justin Davis, a Council Secretariat official that took part in the fact-finding mission leading to EUJUST Lex;
- Dorota Eggert, an administrator.

In the EC Relex, I conducted interviews with:

- Richard Tibbels, at that time the desk officer for Georgia;
- Patrick Dupont, an EC representative to CIVCOM;
- Angela Liberatore, scientific officer in the Directorate-General
- Rene Leray, at that time a deputy to the EC representative to PSC.

I further interviewed member state diplomats, in particular Polish representatives to CIVCOM Przemyslaw Florczyk and Malgorzata Kosiura Kazmierska as well as other diplomats.

In April 2006, I returned to Brussels to conduct extended interviews mostly concerning EUJUST Lex. I talked again to Stephen White, Jonas Jonsson, the DGE 9-based Lex experts on training, as well as the EC desk officer for Iraq and a number of member state diplomats.

The finishing stage of the doctoral research overlapped with the beginning of my postdoctoral project, particularly vis-a-vis EUBAM. In June 2007, I conducted a number of interviews in Odesa with the members of EUBAM. In October 2007 in Brussels I spoke with a number of CFSP and EC officials concerning EUBAM and from November 2007 until end of April 2008 I am a stagier in the EC Delegation in Kyiv which provides an opportunity for participant observation research. This ongoing project has offered insights for the concluding doctoral research but I should refrain from listing the names of the persons interviewed as this has not been negotiated yet.