



ARENA Working Paper 9/03

Understanding the Common Foreign and Security Policy: Analytical Building Blocs

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Forthcoming in Sebastian Princen and Michelle Knodt (eds):
Understanding the EU's External Relations, London: Routledge

Abstract

This paper asks how we can make sense of the efforts in the late 1990s to strengthen the Common Foreign and Security Policy (CFSP) of the EU and build common institutional structures and shared capabilities in security and defence. Was it only a passing phenomenon, dependent on a particular and temporary state of affairs? Or can we consider such efforts as evidence of a more lasting trend in foreign policy integration in the EU? It is suggested that if we rely exclusively on a realist approach, where political processes within the EU are defined as processes of bargaining between self-interested actors, we risk underestimating the longer-term changes involved in political processes within the second pillar. We need an alternative analytical perspective, in addition to – not instead of – the realist one. If nothing else then this perspective can at least measure if there is something more to the CFSP than a coalition of interest, which by definition is likely to be temporary. This perspective will be referred to as a deliberative perspective.

¹ This article is a contribution to the CIDEL project financed by the Fifth Framework programme of the European Commission. It was also supported by a grant from the Norwegian Ministry of Defence.

Introduction

To many it has been considered unrealistic to expect member states to build a common foreign, security and defence policy, as integrating in this area of so-called 'high politics' has been described as synonymous with 'surrendering sovereignty' altogether. It is true that although throughout the history of European integration there have been attempts at establishing a common external policy, when put to the test, national perspectives have seemed to prevail over such efforts. Nonetheless, at the end of the 1990s, several decisive moves were taken in this direction.

The important turning point came in the autumn of 1998, when Britain under the leadership of Tony Blair declared its support for a more independent security role for the EU and thus abandoned its position as defender of the political independence of the WEU. With the Franco- British 'St. Malo declaration' work on strengthening the EU's security and defence capacity was given new life.² The St. Malo declaration was followed by systematic discussion amongst the member states of the EU on the practical shaping of co-operation in security and defence. The question then arises of how we can make sense of these developments. Were these efforts in the late 1990s to strengthen the Common Foreign and Security Policy (CFSP) and build common institutional structures and shared capabilities in security and defence only a passing phenomenon, dependent on a particular and temporary state of affairs and thus likely to remain at the planning stage rather than to be fully implemented? Or can we consider these developments as evidence of a more lasting trend? – And if so, what is the glue that keeps this policy together?

No doubt both internal and external factors influence development of the EU's foreign and security policy. Identification of the most important factors does however depend on what kind of process we consider the EU to be. They depend on what kind of driving forces we see as most influential in the development of foreign, security and defence co-operation. In this chapter it will be suggested that if we rely exclusively on a realist approach, where political processes within the EU are defined as processes of bargaining between self-interested actors, we risk underestimating the longer-term changes involved in political processes within the second pillar. We need an alternative analytical perspective, in addition to – not instead of - the realist one. If

² "Franco-British summit – Joint declaration of European Defence" 4 December 1998.

nothing else than this perspective can at least measure if there is something more to the CFSP than a coalition of interest, which by definition is likely to be temporary. This perspective will be referred to as a deliberative perspective.

The distinction between the realist and the deliberative perspective should be seen as analytical. They are not empirical descriptions of reality. Thus, they provide different concepts allowing us to analyse different dimensions of foreign policy co-operation in the EU. If one restricts oneself to one of these perspectives, important dimensions of the EU's foreign policy are likely to be ignored, because we lack the concepts necessary to capture them. The first part of the chapter will look at the realist perspective and at what kind of “story” it would tell of the prospects for a common foreign and security policy, as well as discuss any limitations to this story. The second part of the chapter turns to the deliberative perspective and asks in what ways this might supplement a realist analysis.

Co-operation as interest-driven

From the perspective of the first analytical model, policy is seen as driven by material self-interest. In the classical realist literature, interests are defined in terms of power (Morgenthau 1946). The international system is seen to be composed of sovereign states that act on the basis of self-interest, without reference to common norms, identities or values. The international system is defined as anarchical; in other words, there is no overarching authority to identify common rules. Order is considered to be maintained as a result of a balance of power rather than as a result of a common authority as the case is in domestic politics. What counts in the end is power, measured in material terms as economic or military capabilities, not an assessment of whether or not actions are normatively right or ‘good’. International institutions such as the CFSP are not attributed any independent role in this perspective. Co-operation will only be possible if national interests coincide for example because states face a common external threat, as they did during the Cold War. When their interests cease to coincide, one would also expect co-operation to disintegrate. Thus, in the case of the EU, if or when other groups of states emerge as more attractive allies in terms of serving the national interest, loyalty to the EU would disappear.

Many studies of the CFSP, although not always explicitly theoretical, implicitly rely on the basic assumptions of this perspective. These are studies that primarily focus on describing the EU's foreign policy behaviour and assessing the EU's performance in the international system. They assess the CFSP on the basis of its policy output and more often than not, the EU seems to come up short in these assessments (Pijpers 1991, Ifestos 1987, Hoffmann 2000). Sometimes these analyses contain a prescriptive element as well; indicating what needs to be done, with the explicit or implicit aim in mind of making the CFSP an "effective" instrument, which would then be able to provide utility for the participant states (Kintis 1997). Two issues are often in focus in these analyses: the institutional structure or decision-making system, and the instruments or capabilities of the EU's foreign policy. The CFSP is often criticised for having a slow decision-making system and for being incapable of acting decisively, in particular in situations of international crises, such as Kosovo, Bosnia or the Gulf wars. The institutional structure suffers from the need for consensus between member states on all decisions. This takes time and may lead to timid results. There are also broader problems of coherence both vertically and horizontally. The problem of vertical coherence has to do with ensuring that the foreign, security and defence policies of individual member states "mesh" with the other states (Smith 2001: 173). The problem of horizontal coherence has to do with the extent to which the various external activities of the EU are logically connected or mutually reinforcing each other. This problem is to a great extent the result of the compartmentalisation of the EU's external relations in two different decision-making pillars. Most observers suggest that the nomination of a high representative for the CFSP has not helped this, and the new committees and institutions established as a result of the strengthening of defence and security do not promise to make coherence much better. These characteristics of the CFSP make it difficult to respond effectively to crisis-situations and reduce the effectiveness of the EU's external policy: the policy output is often unsatisfactory.

A second issue in focus is the EU's capabilities/policy-instruments. The CFSP is often seen to be incapable of letting words be followed by action. Thus, in the 1990s the CFSP was criticised for failing to take the lead in European politics at the end of the Cold War. This role was filled by the United States, it is argued, not the EU and its new Common Foreign and Security Policy (Allen 1998 and Kintis 1997). An often-

quoted historical example of the same problem is the Venice declaration of 1980 where the EU officially recognised the Palestinians' right to self-determination (Ifestos 1987). This happened at a time when the United States was far from accepting such a principle. Yet, it was not followed up with concrete policy initiatives. The United States was still seen as the actor that determined the policy-agenda in the Middle East and any symbolic value of the EU declaration was not considered. This is what the development of capabilities in security and defence should resolve. However, scepticism is often heard as to whether or not the EU will live up to its headline goals. And even if it does, whether or not this will be enough in terms of ensuring that it has sufficient "muscle" to follow words with action.

The difficulties of the EU in building strong common institutions in foreign policy and in developing policy-instruments that allow them to "effectively" pursue collective goals can easily be explained with the help of the realist perspective. In fact, a realist perspective would lead us to expect such limitations to co-operation in security and defence, as no state will voluntarily agree to a policy that challenges its national interest. The institutional structures of the CFSP can from this perspective only be seen to reflect the interests of its member states. Institutions can not be expected to put limits on the foreign policy initiatives of the member states, to shape their interests or to bring them to stick to common policies if they collide with their own interest. It is also logical from such a perspective to dismiss the CFSP as irrelevant and to simply conclude that the EU does not have a foreign and security policy.

However, several empirical observations suggest that there is something else going on inside the second pillar of the EU in parallel with these apparent "policy-failures" and that in fact EU membership has modified the unlimited effects of states' self-interest, even within the area of "high politics". Furthermore, it is clearly documented that the EU has considerable impact on the international system, despite the fact that its foreign policy is often defined as almost "non-existent". These observations are more difficult for realists to explain. It is in fact difficult for the realist perspective to explain why the CFSP occasionally succeeds, why member states sometimes comply with common positions even if there is no evident gain for them in doing so, or why most member states seem to acknowledge that there will be no return to the pre-

Maastricht situation of European Political Co-operation (EPC). It becomes difficult from this perspective to understand the criticisms that emerge towards member states when they act unilaterally, as for example Germany did on the issue of the recognition of the former Yugoslav republics Croatia and Slovenia as sovereign states in 1991-2. If one expects that the CFSP will not create any ties on member states and that states at all times will act according to their own interest, this kind of independent action should neither be perceived as surprising nor unacceptable, but rather as legitimate and logical. Finally, it is difficult to explain why the member states keep spending time and resources on seeking a consensus and building common institutions if the output can only be expected to be limited.

Before discussing if an alternative theoretical perspective can help answer these questions it is useful to look more closely at some of the empirical observations of change.

Elements of transformation or change

Several authors note a change in the way European states formulate their foreign policy as well as increasing institutional constraints on national foreign policy-making as a result of participation in the CFSP. Hill and Wallace (1996) observe that the preparation of foreign policy now takes place in the context of European consultation and that, as a result, ‘Officials and Ministers who sit together on planes and round tables in Brussels or in each others’ capitals begin to judge “rationality” from within a different framework’ (Hill and Wallace 1996: 12). This is similar to the so-called “co-ordination reflex” first referred to by Simon Nuttall (1992), which has brought the member states of the EU to develop the habit of automatically consulting with their partners before defining their own national positions. According to Tonra a former participant in the CFSP process noted a “...habit of thinking in terms of consensus” that went beyond formalised diplomatic consultation and another stressed that “...where there is ever any new foreign policy initiative in the making, the first reflex is European. The question is now ‘what will our European partners say – what is the opinion in Europe’” (Tonra 2001). Elsewhere Hill has noted tendencies according to which European foreign policy is formulated within a system of multi-level governance, or a *logic of diversity*. He argues here that the emergence of a system of European external relations has had a considerable impact on national foreign policies.

Even though the system is still composed of states, he considers the behaviour of these states to be constrained by increasing institutionalisation at the European level. Furthermore, the interest of other EU states as well as the EU as a whole are increasingly taken into consideration when states formulate their own foreign policies: “the limits set by the logic of diversity on European actorness are just as firm as those set by the *acquis politique* on unilateralism” (Hill 1998: 37).

A further indication of change in the way European states formulate their foreign policy is what Allen (1998) has referred to as the process of ‘Brusselsisation’ of European foreign policy. Although foreign and security policy remains formally in the control of the nation state and has not been transferred in any substantial way to the European Commission, it has in practice become more difficult for the foreign ministries of the Member States to control the foreign policy process. National representatives increasingly make foreign policy in Brussels. This gradual transfer of decision-making from national capitals to Brussels has developed in parallel with efforts in the Treaties of Maastricht and Amsterdam to increase cohesion between the first and the second pillar. One consequence has been that rivalries have developed between the Political Directors (who traditionally deal with the CFSP) and the Permanent Representatives, and later also between representatives of the Commission and the High Representative. The important point however is that this tendency towards Brusselsisation suggests that centripetal forces within the EU are quite strong and that the foreign policies of member states undergo important changes as a result of membership in the EU and participation in the CFSP.

Jolyon Howorth has stressed similar developments in what he calls “Brussels-based intergovernmentalism”. He expects that the tendency to locate co-ordinating committees such as now the Political and Security Committee in Brussels will lead to a new balance within the intergovernmental framework, between national capitals and their Brussels-based permanent representatives. The most likely outcome in his view is that the member states will develop a collective ethos of their own and generate transeuropean perspectives on CFSP and CESDP (Howorth 2000). This process also has implications for the administrative structures and procedures in national foreign ministries. Smith (2000) highlights three important changes here. The first is the nomination of officials who are permanently devoted to political co-operation. He highlights in particular the “European correspondents” who prepare meetings for the

political directors and liaise with their counterparts in other EU states. The second and third ones are the expansion of most national diplomatic services and the reorganisation of national foreign ministries towards the EU. Between 1972 and 1978 seven out of nine EU member states increased their missions in third countries (Hill and Wallace 1979) and in order to improve their participation in the CFSP member states made structural changes in their national bureaucracies. Denmark for example reorganised its foreign ministry from a functional division between economic and political to a geographical dimension for this reason (Smith 2000: 623).

There is also a documented change in the content of foreign policy of member states as a result of participation in the CFSP. In the case of Holland, Pijpers notes that: “Although a certain amount of individual leeway remained possible, while from the formal point of view national sovereignty is still largely preserved, in practice Dutch foreign policy gradually had to abandon many of its peculiar traits, due to the nature of intensive European consultations on South Africa, the Middle East, Central America and Eastern Europe.” (Pijpers 1996: 252). A similar change is noted by Torreblanca in the case of Spain. He writes that ten years after EU membership “...Spanish foreign policy had acquired a clear EU profile: all the positions Spain had adopted in areas such as disarmament and non-proliferation, multilateral trade and investment, international financial co-operation, human rights and democratisation, peace-keeping and global warming, could only be understood in the framework of Spanish membership of the EU. Clearly, in all these matters, Spanish preferences and interests were pre-determined by its participation in the EU.” (Torreblanca 2001:11-12). Likewise, the ability of the norms of the CFSP to penetrate into core areas of national foreign policy and provoke changes is illustrated by Sweden’s and Finland’s reinterpretations of their status as neutral states.

With regard to the international impact of the CFSP Hazel Smith (2002) shows that the EU has developed sophisticated and influential policies towards a number of states and regions in the world. The example of Norway is also telling. The strengthening of the CFSP has had important effects for almost all dimensions of Norway’s foreign relations and the Norwegian Ministry of Foreign Affairs spends an increasingly large proportion of its time and resources on the CFSP (Sjursen 2000). The interest of the other Nordic states in co-ordination and co-operation within the Nordic Council has

been seriously reduced after their entry into the EU and the dynamics of interaction within Nato are changing as a result of an increasingly more cohesive European bloc, leaving Norway increasingly marginalised (Utenriksdepartementet 2001). Norwegian authorities are also concerned that Norway's non-participation in the CFSP will reduce its ability to protect its own interests in its relations with larger neighbours such as Russia, where difficult questions regarding environmental safety, immigration and disputes of resources in the Barents Sea are almost permanently on the agenda (Aftenposten 2002). In order to compensate for this situation, Norwegian governments, regardless of their position on Norwegian membership in the EU, increasingly align their foreign policy stances with the CFSP. Furthermore, Norway has developed a foreign policy strategy that consists in seeking to make itself an "interesting partner" for the EU, amongst other things by taking on mediating tasks for example in the Middle East, on Sri Lanka and in Central America. In the same vein Norway has also committed troops both to the EU's military force and to the EU's international police force and it has worked ardently and consistently to ensure European Nato-members' participation within the EU's new security and defence structures. Finally, several reorganisations in the ministry of foreign affairs have also been prompted in attempts to increase the efficiency of Norway's input into the foreign policy of the EU.

Several of the above observations point to national foreign and security policies as being formulated in interaction with European partners within the CFSP. What seems to characterise this interaction is a consideration for the perspective and interests of the other. A norm of consultation has developed and the expectations that individual interests must be curbed and occasionally give way to common positions seems to be increasingly accepted. The CFSP seems to have a transformatory capacity vis a vis national foreign policies. How should we make sense of this? How can we explain the emergence of the "centripetal forces" within the CFSP? Why do member states seem increasingly to take into account the common interest and not only the national interest when formulating policies?

Can an improved, more sophisticated version of realism do the job?

More sophisticated versions of classical realism

The classical power politics perspective has been further elaborated upon and modified into the neo-realist and neo-liberal perspectives on international relations. A central difference with the power based theories is that from the neo-realist and neo-liberal perspectives, the different strategies of negotiation, the calculations of actors, also contribute to explain the outcome in international politics. In the older, or 'classical realist' perspectives, the focus is mostly on the power resources of actors. Amongst themselves, neo-realists and neo-liberals disagree on the likelihood of co-operation. Both perspectives accept that the anarchical nature of the international system put particular constraints on co-operation. Yet, neo-realists consider international anarchy to represent a greater hindrance to inter-state co-ordination than the neo-liberal institutionalists do. The two perspectives also disagree on whether or not states have a common interest in co-operating: the neo-liberal institutionalists consider states to be mostly interested in relative gains, whereas the neo-realists stress states' interest in maximising their absolute gains. Nonetheless, when it comes to their basic assumptions about the central driving forces in international politics, the differences between these perspectives are small. They share the same assumption of actors as rational in the sense that they seek to maximise their own interests. Politics is in other words the outcome of adverse self-interested behaviour. Furthermore, their underlying scientific position leads them to over-emphasise material structures and to neglect "ideational" or social structures in their analyses. They operate with a conception of monological actors to whom "...other people are just external, objective facts of reality, on the line with material things, only with the distinctive quality that they carry out strategic actions too." (Eriksen and Weigård 1997: 221). According to Risse 'neo-liberal institutionalism should not be regarded as part of the liberal paradigm. This 'co-operation under anarchy' perspective shares all realist core assumptions, but disagrees with structural realists on the likelihood of international co-operation among self-interested actors' (Risse-Kappen 1995). Others have suggested that the difference between the classical realists and the neo-realists/liberals is principally one of methodology (Linklater 1995). Thus, although the rational choice perspective can go a long way in modelling international co-operation, in terms of providing an alternative perspective from the classical realist position on the CFSP, with alternative micro-foundations, these recent theories are of limited use. They still

define state behaviour as self-interested behaviour of states as crucial and that it can not be weakened. Thus, they see collective institutions come about "...because they distribute goods in a way that are in somebody's interest" (Eriksen and Weigård 1997: 224).

Several alternative ways of studying the EU's external policies that do not rely on rational choice assumptions have however been suggested.

Alternative conceptualisations

Allen and Smith have emphasised the difficulty in studying Western Europe's international role as long as "the notion of a 'foreign policy' carries with it a conceptual framework which is inseparable from the state-centric view of world politics" (Allen and Smith 1991: 95). They identify the problem to be that we tend to get stuck in a state-centric view when analysing Europe's external policy, and therefore find it difficult to account for the growing significance of the EU's international role. They suggest that by using the concept of international 'presence', it is possible to study the impact of the EU in different policy areas of the international system, and to show that the EU 'has considerable structure, salience and legitimacy in the process of international politics' (Allen and Smith 1991: 116).

Building on the notion of the EU's 'presence' in the international system, as well as Sjøstedt's (1977) analysis of the EC's international actor-status, both Brian White (2001) and Christopher Hill (1994) have suggested that the EU is best seen as a system of external relations in which 'the Europeans represent a sub-system of the international system as a whole... a system which generates international relations - collectively, individually, economically, politically - rather than a clear-cut 'European foreign policy' as such' (Hill 1994:120). In order to understand policy-making in external relations we should thus pay attention to the following three dimensions of this European sub-system: 1) the national foreign policies of the Member States, 2) the CFSP and 3) the 'external relations' of the first Community pillar.

Perhaps most relevant for the argument here however is Michael Smith's (1996) suggestion that we should conceptualise the EU's external policy-making as an evolving negotiated order. He argues that within the administrative, institutional and

political structures established over the life of the EU there is a constant, rule-governed process of negotiation between actors, which produces policy positions and international policy outcomes. He further connects this conceptualisation to broader processes of transformation at the global arena.

These transformations are characterised by the fact that they challenge the privileged position of the state. The challenges are both domestic and international. The state can no longer control political, economic and in some cases even military movements across national borders. The nation state is not, either, able to draw on the same type of loyalty from domestic actors, as it has traditionally been assumed able to do. Actors' loyalties will follow other logics and be defined according to other premises in addition to loyalty to the nation states. At the same time, the state has to relate to an increasing number of international agreements that put constraints on its behaviour. Most importantly, political, legal and normative dimensions are considered to have a direct influence on states' behaviour at the international level. In short, other types of actors than states have a foreign policy of sorts and contribute to shape the international political agenda. The EU can be considered to be one such actor. One might of course argue that after the events of 11 September 2001, the state has come back with a vengeance. However, these events also illustrate some of the new types of vulnerabilities of the state and the processes of global transformation that affect even the area of security. Often, however these alternative conceptualisations of the EU's international actions are not explicit in identifying the driving forces in the political process or in specifying an alternative set of micro-foundations to that of the rational choice/ interest based model. In other words, they suggest alternative ways of conceptualising the EU but do not help us that much in terms of explaining how we got to this peculiar international "actor". If the process that leads to change in national foreign policies and to an increasingly important international "presence" for the EU is not a process of bargaining between exogenously determined national interests, what is it? How is an actor such as the EU constituted? What are the mechanisms of change?

The "constructivist" perspective in international relations seeks to put such issues in focus. They start from the insight that the structures of international society are not only material but also "ideational" and explore the role of identity and norms as the

social basis of global politics. Norms are intersubjective beliefs about the social and natural worlds. They define actors and constitute their preferences and worldviews. In contrast to rationalist approaches the constructivist take would be that the nature of actors' interests and goals depends on their identities and social roles. Furthermore, these preferences and worldviews are shaped and reshaped through social interaction rather than defined as exogenous to the policy-making process. Thus, the "constructivists" problematise what realists take for granted, they are interested in the content and the source of state interests and identity.

Of the many variants of "constructivism" several rely the institutionalist account in which actors conform to institutional roles by following a "logic of appropriateness" (March and Olsen 1989). Actors behaving according to this logic would consider what kind of action that would be appropriate given their particular role or identity. They would in other words seek to be rule followers rather than utility-maximisers. March and Olsen argue that "...the logic of appropriateness is a fundamental logic of political action. Actions are fitted to situations by their appropriateness within a conception of identity. Second, we see action – including action in politically important and novel situations – as institutionalised through structures of rules and routines." The fact that actors most of the time follow rules rather than calculate costs and benefits of alternative courses of action does not preclude disagreement: "...although rules bring order we see rules as potentially rich in conflict, contradiction and ambiguity thus producing deviation as well as conformity". (March and Olsen 1989: 38) Central to these processes is also the element of trust that develops between actors: "We see the network of rules and rule bound relations as sustained by trust, a confidence that appropriate behaviour can be expected most of the time. Trust, like the rules it supports, is based on a conception of appropriateness more than a calculation of reciprocity" (1989: 38).

Such perspectives are also increasingly adopted in analyses of the CFSP (Aggestam 1999, Tonra 1997, Manners 2002, Bretherton and Vogler 1999). From such perspectives for example the habit of co-ordination is more easily understood if we have a conception of actors as rule-followers. "Appropriateness" as a logic of action seems to fit with the observations that co-ordination is a "reflex" - a habit - and not an act that is based on rational calculations of utility. Furthermore the "constructivist"

take might help understand both the amount of criticisms that Germany was presented with on the issue of the recognition of the former Yugoslav republics and that those member states that were strongly against this recognition did not revert to independent national policies in the face of German pressure but worked hard to achieve a compromise. What is more after this failure the EU continued to develop stronger institutions in order make sure that in future such solo-playing becomes more difficult to pull off. Germany's behaviour was a breach of agreed norms of appropriate conduct. As for the gain of the other EU's members' solidarity it is not automatically evident and must be better understood as a commitment to a particular community and a belief that they must act collectively.

Actors as communicatively rational

However, what are the mechanisms that lead to an accumulation of norms? Why are these norms accepted? In order to explain the binding character of norms we need a theory where the actor is conceived of as capable of assessing the validity of norms. We need a conception of actors as communicative and not only strategic (Eriksen and Weigård 1997). Without this competence collective norms will not be produced in the first place. Neither will they be adhered to and reproduced in concrete situations (Eriksen 2000). Some norms will be adhered to and others not, depending on the actor's rational assessment of their validity and legitimacy. Hence, it is the commitment to norms that are considered legitimate that allows us to understand particular decisions. Such a conception of actors as communicative is missing in much of the "constructivist" literature.

Such mechanisms can be found in a deliberative approach.³ Here it is posited "... that co-operation comes about when the process of reason-giving generates a capacity for change of viewpoints." (Eriksen and Fossum 2000: 257). This deliberative approach builds on Jürgen Habermas' theory of "speech acts" and communicative action. Habermas considers that our communication through linguistic expressions – "speech acts" – "play a central role in regulating and reproducing forms of social life and the identities of actors." (Cronin and de Greff 1998: X) This perspective is similar to rational choice analysis in the sense that they are action theoretical approaches. Social

phenomena are in other words considered to be products of individual action. However, rather than focusing on monological actors with fixed preferences the theory of communicative action focuses on dialogical actors “...who co-ordinate their plans through argumentation, aimed at reaching mutual agreement.” (Eriksen and Weigård 1997: 221).

A further difference with the rational choice perspective is that according to Habermas’ theory of communicative action actors are rational when they are able to justify and explain their actions and not only when they seek to maximise their own interests (Eriksen and Weigård 1999). These reasons could be material gain, but they could also be formulated with reference to an actor’s sense of identity or understanding of the “good life”. Finally, actors could explain their actions with reference to principles that, all things considered, can be recognised as 'just' by all parties, irrespective of their particular interests, perceptions of the 'good life' or cultural identity. This is indeed a condition for the functioning of liberal democracy, where citizens are expected to be able to distinguish between different forms of justification for policy-choices and to assess which of them are acceptable and which are not (Eriksen 1999).

In such a perspective, institutions and norms are not only practical arrangements, held together through “...mutual agreement about their advantageousness or through the use of coercive power.” (Eriksen and Weigård 1997: 224-5). Rather, social norms and institutions are upheld because the actors consider them valid. Contrary to rational choice perspectives, the theory of communicative action can thus show how shared respect for norms and institutions is established as the outcome of a process of deliberation in which different viewpoints are communicated and scrutinised.

As the empirical literature confirms, most of the interaction that takes place in the context of the CFSP takes the form of language, and very little interaction takes the form of monetary payments or military action. Important instruments in the CFSP are for example the COREU network, through which the member states of the EU share information and exchange ideas, analysis and comments as well as draft common

³ The deliberative approached as outlined here is based primarily on Eriksen (1999) and Eriksen and

statements (Cameron 1998). With over 17.000 messages per year this constitutes an enormous pool of information and the network is crucial to the whole functioning of the CFSP. It is on the basis of this network that the formulation of common foreign policies proceeds. Consequently it makes sense to employ a theory of action that gives weight to the importance of language as action. However, a distinction between verbal and non-verbal behaviour is not a suitable indicator for distinguishing interest-based bargaining process from a deliberative process (Eriksen 2000). In bargaining processes parties employ speech acts strategically in order to achieve results, or even to misrepresent their preferences and deceive others. Thus in order to distinguish strategic bargaining from what takes place in a deliberative process we need other indicators. We need to show that standpoints have been moved not because actors are persuaded (through threats) but because they are convinced that an alternative course of action or objective is in the equal interest of all. Typically in such cases agreement has been reached because the actors make use of the force of a norm, a principle or a common authoritative value. Agreements are created because the participants agree to let their divergences and grievances be regulated by impartial norms or common good considerations. This would also mean that they have similar reasons for complying with an agreement. In a bargaining situation on the other hand, parties will have different reasons for complying (Eriksen and Weigård 1999).

This approach would be helpful if we sought to substantiate a description of the CFSP as a process of ‘Europeanisation’ of foreign policy in which shared norms and rules are gradually accumulated (Hill and Wallace 1996). The binding force of norms and institutions, and thus the resilience of the CFSP, is perhaps less of a puzzle if it can be documented that at least part of the *acquis* in this policy-field is the outcome of a process of argumentation where actors “... aim of reaching a mutual understanding based on a reasoned consensus (Risse 2000).” Furthermore the suggestion that foreign policy making within the EU is a dynamic process where interests and objectives are not exogenous but emerge as a result of interaction at the national, European and international level seems more plausible if this process of interaction is conceptualised as a process of exchange of arguments. Finally the possibility that the clear distinction between the ‘national’ and the ‘European’ might gradually be

Weigård (1997 and 1999).

blurred, even in the area of 'high politics' would perhaps appear as less fanciful if we consider actors to be capable of reasonable argumentation aimed at common understanding. Thus, the transformative effects of the CFSP on member states might be easier to explain if we have a conception of communicative rationality.

For example the findings on the role of small states in the CFSP might be given a stronger foundation with this perspective. In his study of Ireland, Denmark and Holland in the CFSP Ben Tonra (1997) has found that in the cases of 'political co-operation improved the effectiveness, broadened the range and increased the capabilities of foreign policy making' (Tonra 1997: 197). He further reported that these smaller states have not only adapted to the CFSP but that they themselves considered that their influence on the foreign policy of their European partners had increased as a result of participation in the CFSP. Given that these are small states, this influence can not have been gained on the basis of preponderant power, as the realist perspective would expect. It must have been based on something else. In a deliberative process one would indeed consider it possible for small states to be able to influence processes in manner disproportionate to their size. This would be due to particular knowledge or ability to convince others through argumentation, rather than as a result of disproportionate economic or military power. Other examples of the ability of small states to influence decisions within the CFSP would be the establishment of the Northern dimension, launched by Finland, or the Baltic Sea Co-operation Council (Østersjøsamarbeidet) promoted by Denmark.

However, also the understanding of the role of large states might be improved with the help of this perspective. In a study of France, Britain and Germany's role in the CFSP Lisbeth Aggestam (1999) finds that there is a process of "Europeanisation" also of the foreign policies of the larger states in the EU. She also notes that a sense of solidarity between EU members in foreign policy. Central features of the CFSP are she argues: transparency, consultation and compromise. To support this proposition she quotes the former British Foreign Secretary, Malcolm Rifkind (1996) and former European Correspondent and Political Director of the British Foreign and Commonwealth Office Pauline Neville-Jones. According to Rifkind: "consultation and co-operation are now instinctive." And Neville-Jones underlines that "... the foreign policy process has become Europeanised, in the sense that on every

international issue, there is an exchange of information and an attempt to arrive at a common understanding and a common approach – compared to how things were in the past, where most issues were looked at in isolation without addressing the attitudes of other member states or a European dimension. [Interview January 1996].” (Aggestam 1999: 6)

Likewise our understanding of the changes in Germany’s foreign and security policy that is also at least in part due to participation in the CFSP can be improved with this approach. Takle (2002) argues that the change that emerged towards the end of the 1990s in Germany’s security posture was possible and considered legitimate because it was justified with reference to human rights. As a state whose tradition since the end of the Second World War has been a commitment to multilateralism, peaceful conflict resolution and emphasis on non-military means – in particular economic means – in security policy, a fully sovereign and reunified Germany was in many ways ahead of its West European colleagues in terms of adapting to the new security environment. However, the “normalisation” of Germany also meant facing difficult choices about the degree of political and military involvement in international affairs. This became traumatic for both public authorities and citizens at large. The argument used to justify such participation shifted the focus from concerns about German historical legacy towards a focus on Germany’s responsibility to contribute to uphold respect for human rights and democracy also outside its own borders.

A central element in the CFSP is in Aggestam’s view “...the high density of multilateral interactions and the continuous communication and adjustment” which she suggests leads to a learning process. This concept is central to the “constructivist” perspective (Ruggie 1998). Learning here is seen as something else than mere adaptation as a result of external constraints or as a result of calculations of expected benefits of changing behaviour. They argue that learning is, or at least can be, a more fundamental change in beliefs “...whereby actors change not only how they deal with particular problems but also their very concept of problem solving – resulting from the recognition that they and other actors face similar conditions, have mutual interests, and share aspirations” (Ruggie 1998: 20) In order to understand how such learning is possible we must have a conception of actors who are communicatively

competent, that they are able to make normative evaluations about different courses of action.

The EU's international role

Can this approach help us to understand not only the basis for internal cohesion in the CFSP and for the transformation of national foreign policies but also the EU's international role?

A growing literature highlights in various ways that the EU not only has an impact on the international system but that it has a *particular* impact due to its emphasis on international co-operation and respect for human rights (Rosencrance 1998, Menéndez 2002, Manners 2002, Aggestam 2000). In a study of the EU's international pursuit of the abolition of the death penalty Manners (2002) argues that the EU represents a normative power in world politics. He argues that the EU's work for the abolition of the death penalty can not be understood on the basis of material incentives and instrumental bargaining because there are few rewards for promoting this issue in terms of domestic political support and because this policy creates difficulties for the EU in its relations with close allies such as the United States. He thus concludes that the EU can be conceptualised as a changer of norms in the international system. Rosencrance (1998: 22) also defines the EU attainment in international politics as "normative rather than empirical". Furthermore he observes that it is paradoxical that the European states with their history as imperial powers that ruled the world with the help of physical force now sets normative standards for the world.

These conceptions of the EU as representing something different from states in the international system seems to some extent to be reflected in the way member states describe the EU. In France for example there is "...an emphasis on Europe as an ethical and responsible power" (Aggestam 2000). Thus, the emphasis on the need to maximise interests seems to have been if not abandoned altogether then at least modified by an emphasis on the universal principles and the rights of individuals under a collective security regime. This is further illustrated by the following quote of Jacques Chirac: "So a Europe which is more ethical, which places at the heart of

everything it does respect for a number of principles which, in the case of France, underpins a republican code of ethics, and, as far as the whole of Europe is concerned, constitute a shared code of ethics.” (Aggestam 2000: 75).

Such arguments are reinforced by the fact that there are now several legal sources that create a link between the EU and the promotion of human rights and democracy. Some sources date back a long way, such as the affirmation by the European Assembly in 1961 that respect for fundamental rights and democratic principles was a condition for membership in the EC, although the founding treaties of the EU made little reference to human rights. During the treaty revisions starting with the Single Act, and also the TEU, and the Amsterdam Treaty there was a concern with developing the EU's legal and political basis with regard to this area. The Amsterdam Treaty stipulates that "the Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law" (art. 6), while paragraph 2 asserts that "The union shall respect fundamental rights, as guaranteed by the ECHR". It also refers explicitly to the EU's foreign policy: "The Union shall define and implement a common foreign and security policy covering all areas of foreign and security policy, the objectives of which shall be...to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms" (art 11, TEU). Finally, as Menéndez (2002) argues the legal competence of the Union to promote human rights has been strengthened as a result of the proclamation of the Charter of Fundamental rights. Furthermore, the charter is likely to become a central benchmark in assessing compliance with fundamental rights by third countries. Such developments in the Treaties have led EU foreign affairs commissioner Chris Patten, to state that "we have a legal framework for human rights in our external policy" (Patten, 2000).

However, both the hypothesis that the CFSP is held together by a collective set of norms and that this implies that it will in turn, in its external action, be faithful to these norms need closer examination. It thus seems plausible that the EU is more predisposed to act in this particular way than states but we need not only more empirical data but also better theoretical tools for explaining why this might be the case. The deliberative perspective might be useful in doing so.

It is also important to note that there are clear limitations to such policies – even for a non-state actor such as the EU. Unless the principles of human rights become positive legal rights that can be enforced it is difficult to avoid both that the most powerful only use a “moral” foreign policy for their own interest and that when they don’t they are still suspected of doing so (Eriksen 2001, Sjursen 2002). In turn this leads to arbitrariness, as human rights are not universal principles applied to all. Such arbitrariness is also visible in the EU’s foreign and security policy (Smith 2001). In order to overcome this problem all international relations would have to be subordinated to a common judicial order that would transform the parameters of power politics: “Things look different when human rights not only come into play as a moral orientation for one’s own political activity, but as rights which have to be implemented in a legal sense. Human rights possess the structural attributes of subjective rights which, irrespective of their purely moral content, by nature are dependent on attaining positive validity within a system of compulsory law.” (Habermas 1999: 270). With the strengthening of the United Nations, the principles of human rights have gained more force in international politics. Thus one might see a gradual change in the content of norms at the international level away from an exclusive emphasis on state-sovereignty and a strengthening of the principles of human rights. However, the international system is still one in which legal procedures for protecting human rights are weak and where their enforcement is therefore dependent on the will power of the great powers. Hence, the deliberative perspective might be helpful in providing analytical building blocs that are necessary for understanding both the particular role of the EU in the international system, but also for highlighting its limitations, as actors are seen to be led to act strategically or communicatively depending to a large extent on the specific context that they find themselves in. Hence, internally in the EU the incentives to act communicatively are far stronger than in the international system.

Conclusion

It would be naive to pretend other than that national foreign, security and defence policies remain strong and that reaching a consensus, in particular in situations of crisis which require rapid responses, remains difficult for the EU. Identifying shared interests and reconciling different national policy traditions is a challenge. I have not

suggested, in neo-functionalist fashion, that it is only a matter of time before control of security and defence policy is moved from the national to the supranational level. I have suggested that it is possible to detect a gradual process of change even in foreign and security policy and that perhaps this will follow also in defence. Whereas analysis that conceptualise actors as strategic or instrumental have few difficulties in explaining why the EU's is often an ineffective and incoherent actor in world politics, they have more difficulties in explaining the transformative character of the CFSP with regard to national foreign policies. The continued commitment of member states to building common institutions despite the lack of immediate material gains from such efforts is also difficult to understand on the basis of the assumptions of a rational choice perspective. Certain standards have been set internally in the CFSP and although they are not always upheld they are considered legitimate and set the standard for appropriate behaviour that is used against those who do not respect it.

A deliberative perspective might help by providing the analytical tools necessary in order for us to account for such changes. The underlying assumptions of this perspective stand in contrast to the view of states as 'billiard-ball' actors whose interests are defined exogenously and where the decision-making process is characterised by inter-governmental bargaining and unlimited state interests. This approach focuses on communicative processes and sees the increased co-operation as the product of the spread of supranational norms and identities. Most importantly, on the basis of its conception of actors as capable of assessing the validity of norms, it provides the microfoundations necessary for explaining their gradual accumulation and their binding character. The story of the CFSP as a community of information that later led to a community of views and then a community of action might become easier to appreciate from this perspective (de Schoutheete de Tervarent 1986). Much more research on these issues is required, however, for any firm conclusions to be drawn.

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