

# The EU and the Prospect of Common Defence

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## *The EU and the Prospect of Common Defence*<sup>1</sup>

### **1. How the European Union came to take up arms**

When thinking of the overall image of the European Union, one would not first come to visualise soldiers with the twelve starlets on blue background on their uniforms. During its 40 years' existence, the Community/Union has consolidated itself in quite other fields: in agriculture, trade, competition policy. Its own portrait as the 'ever closer Union' has gained resemblance with reality, notably through the economic and monetary union and cooperation in justice and home affairs. Common foreign and security policy, then, has from the very beginning been a central aspiration in the process of integration. Many would, however, treat such a goal as some sort of idealism, a wish, and the recurrent formulas about the Union that should speak with one voice in international affairs as some sort of a mantra of the Europeanist faith. Even a cursory acquaintance with the CFSP shows the divergence between the member countries' views when it comes to essential questions of foreign policy and tends to convince that if such a policy was ever to become a reality, it would at least not imply real common defence or a transformation of the Union into a military alliance - particularly so since following the division of labour between the different international organisations, there are others than the Union to take care of military cooperation.

The past months' discussions, however, seem to bring defence cooperation closer than perhaps ever before, surprisingly so when taking into account the usual problems encountered in achieving common foreign policy. In the light of the latest developments, some of the provisions of the Amsterdam Treaty seem more worth taking seriously than before. The Union, according to the objectives listed in the treaty, aims at asserting its identity on the international scene. This is done in particular through the CFSP, which, in turn, aims at safeguarding the common values, fundamental interests, independence *and integrity* of the Union and at strengthening the security of the Union *in all ways*.<sup>2</sup> That these provisions could delineate the first phases of the formation of a politico-military actor gets confirmation in the declarations of the latest European Council Summit in Cologne in early June. There, the Union resorted to a wholly new vocabulary: the Union's capacity for autonomous action, credible and effective European military forces, need for a EU capacity for analysis of

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<sup>1</sup> An earlier version of this paper was presented at the Twelfth Nordic Political Science Association (NOPSA) Conference (Workshop 4: Framtiden för Europeiska Unionen), Uppsala 19-21 August 1999.

<sup>2</sup> Consolidated version of the Treaty on European Union, articles 2 and 11. Luxembourg: Office for Official Publications of the European Communities 1997; emphasis added.

situations and strategic planning, need for sources of intelligence and interoperability of national forces were not only talked about but, indeed, largely agreed upon.<sup>3</sup>

This paper ponders on the role of common defence in European integration and the different interpretations of the latest developments in the field of the CFSP. Are we soon to see the European Union defining as one of its objectives the defence of territory, being prepared to repel threats abroad with military means? Will the European Union become a military alliance with not only a commitment to common defence but also shared military capacities - including the two nuclear powers' arsenals as well? These are central questions not only for the non-aligned EU members, but also more generally as they have to do with the Union's nature as an actor and, accordingly, its impact on international relations.

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That the EU seems now to have decided to take up arms is, thus, surprising in the sense that defence has thus far been a non-field of European integration. As a matter of fact, even foreign policy has for a long time been such; its reaching the institutionalised EC cooperation was a lengthy struggle, and it has certainly still not become part of the communitarian or supranational side of the Union. When the word 'defence' eventually appears in the treaties, it still seems more rhetoric than real. The basic differences in views of the member countries have seemed to guarantee that the aim of common defence will also remain rhetoric.

Indeed, the basic positions of the major member countries on defence, and European defence in particular, have seemed irreconcilable. On the one hand, there is the perennial debate on whether European defence should be purely European or organised within the Atlantic Alliance, relying on a continuous involvement and a notable role of the United States. France, in disagreement with the United States on the conditions of its re-entry to NATO's military structures, would favour more European say, or, put differently, a more equitable structure of the Alliance. The United Kingdom, on the contrary, has been careful not to damage its special relations to the United States, positioning itself against too autonomous European forces. On the other hand, there are different views about the role and function of defence and armed forces: a France developing its armed forces for more outside projection and professionalism

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<sup>3</sup> Declaration of the European Council on strengthening the common European policy on security and defence, 3 June 1999, and Presidency report on strengthening of the common European policy on security and defence, Cologne. *European Foreign Policy Bulletin Online* document number 99/098 (at <http://www.iue.it/efpb/>).

differs strikingly from a Germany which constitutionally excludes the use of armed forces abroad and favours the concept of traditional conscription army for territorial defence.

Cooperation in the fields of foreign and security policy has been characterised by reservations and exceptions aimed at safeguarding the variety of positions of the member countries, including the non-aligned, and the compatibility of EU commitments with those of NATO. One might also see them as preserving the member states' authority in these politically delicate, or sovereignty-sensitive, policy fields. Despite the evident tension between the repeated declarations on the need to achieve cooperation and act cohesively in international relations and foreign policy,<sup>4</sup> foreign policy was in institutional terms carefully kept separate from other fields of cooperation and outside the Community structures till the Single European Act signed in 1986. Foreign policy cooperation was labelled "European Political Cooperation", thus, not including even in its name the word 'foreign'. Defence, on the other hand, was in practice completely carried out within the North Atlantic Alliance. In particular Denmark, Greece and Ireland have opposed discussing defence in the Union, the UK being at least not openly supportive. As a compromise more in tune with the Union's nature, the SEA incorporated merely the "political and economic aspects of security" in the realm of EPC.<sup>5</sup> The Treaty on European Union, signed in Maastricht in 1991, apparently changed the state of affairs by turning EPC into CFSP, thus making foreign and security policy one of the three

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<sup>4</sup> Declarations stating the importance of developing a common foreign policy have tended to deviate from what takes place in reality, making some observe burst to desperation for the paradoxical nature of the Union that, as Zielonka puts it, aspires to be a powerful international actor without aspiring to becoming a super-state, that aspires to have a strategic impact in Europe and elsewhere without working out any specific strategy, that favours both strong Atlantic links and development of institutions that make it more independent, and has (at least until very recently) ambitions of preventing and managing conflicts but refrains from acquiring the means to do so. See Jan Zielonka (1998) 'Constraints, Opportunities and Choices in European Foreign Policy' in Jan Zielonka (ed.) *Paradoxes of European Foreign Policy* (Kluwer Law International), p. 11.

<sup>5</sup> See, e.g., Antonio Missiroli, 'Towards a European Security and Defence Identity? Record - State of Play - Prospects', in Mathias Jopp and Hanna Ojanen (eds.) (1999) *European Security Integration. Implications for Non-alignment and Alliances* (Programme on the Northern Dimension of the CFSP; Finnish Institute of International Affairs, Institut für Europäische Politik and the Institute for Security Studies of WEU; Helsinki), p. 22.

pillars of the Union - even though the very pillar structure at the same time marked the member countries' wish to keep foreign policy separate from other Union activities, the communitarian ones, through reserving the intergovernmental mode of operation for this second pillar.

Still, in Maastricht, defence was for the first time included in the treaty. According to article J.4.1, "[T]he common foreign and security policy shall include all questions related to the security of the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence."<sup>6</sup> Somewhat indirectly, it was acknowledged that the Union already at its present stage could and would take decisions and actions which have defence implications. In practice, the recently awakened WEU, now defined "an integral part of the development of the Union", was to be "requested" to elaborate and implement these decisions and actions (J.4.2). Moreover, qualified majority voting was introduced, and common positions and joint actions were created.<sup>7</sup>

The new formulas sounded a bit pompous: to assert that a common foreign and security policy was "hereby established" did not suffice to make it materialise. Progress seemed to remain mainly verbal.<sup>8</sup> To some extent, the Amsterdam Treaty of 1997 reflected the need for more modesty and narrowed the gap present in the Maastricht Treaty between the high-flying expressions and the meagre actual contents. The introductory statement of title V, "[A] common foreign and security policy is hereby established" was omitted, the title now beginning simply with the words "The Union shall define and implement a common foreign and security policy" (article 11).

On the level of wording, the Amsterdam Treaty slightly reformulated the CFSP. It now includes, according to article 17, "the *progressive* [instead of "gradual"] framing of a common defence policy", while the development of common defence is no longer left for an indeterminate future ("might in time lead to") but to a simple decision: "[...]which might lead to a common defence, should the European Council so decide". Furthermore, common strategies were created, as well as the post for a High Representative of the CFSP, and a

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<sup>6</sup> The cumbersome formula 'common defence policy which might in time lead to a common defence' was actually a banal compromise by Belgium to combine "common defence policy" proposed by the United Kingdom and the Netherlands, and "common defence" proposed by France and Germany. See Paul Luif (1995) *On the Road to Brussels. The Political Dimension of Austria's, Finland's and Sweden's Accession to the European Union* (The Laxenburg Papers LP 11, Austrian Institute for International Affairs, Laxenburg), p. 42 (quoting Yves Doutriaux).

<sup>7</sup> Treaty on European Union. Europe Documents (Agence Europe) 1759/60, 7 February 1992.

<sup>8</sup> For instance, the impression of increased unity was underlined through replacing the expression "high contracting parties" with "the Union", as happened in the case of declaratory statements, which were earlier issued in the name of the Community and its member states, and now in the name of the Union. Cf. Luif (1995) *op.cit.*, pp. 38-40.

common planning and analysis unit<sup>9</sup> to assist in achieving shared assessments and common views, and thus have something more to ground the joint actions on.

The most important novelty was, however, that the Amsterdam Treaty made the EU extend its activities to the field of peace-keeping and crisis management through the inclusion of the so-called Petersberg tasks<sup>10</sup> - humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peacemaking. For these tasks, the Union can use military instruments as well. WEU provides the Union with access to an operational capability and supports it in framing the defence aspects of the common foreign and security policy, while the Union will “avail itself of” WEU to elaborate and implement decisions and actions of the Union which have defence implications.

The closer link between the EU and WEU, a military alliance in turn linked to NATO, is not to be underestimated, either. Crisis management is not the only field that links the EU to WEU. The possibility of integrating WEU, with its entire field of action, into the EU, is also present: “The Union shall accordingly foster closer institutional relations with the WEU with a view to the possibility of the integration of the WEU into the Union, should the European Council so decide.” Finally, the treaty opens up to the field of armaments as well: “[T]he progressive framing of a common defence policy will be supported, as Member States consider appropriate, by cooperation between them in the field of armaments” (article 17).

The immediate reactions to the new treaty were pessimistic. The aim of achieving progress in the field of foreign policy and external relations, one of the major goals of the Intergovernmental Conference leading towards the Amsterdam Treaty, was for many observes not reached. The disappointment was without doubt made even greater by the growing expectations of the new CFSP and the disillusion after the experiences of the EU being a mere paper tiger in ex-Yugoslavia. It was seen that the Amsterdam Treaty, to a large extent, preserved the status quo.<sup>11</sup>

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<sup>9</sup> Political Planning and Early Warning Unit, PPEWU. See the declaration attached to the Amsterdam Treaty.

<sup>10</sup> Originally, these tasks were assigned to WEU (in the Council of Ministers meeting in Petersberg in 1992), partly to reactivate the organisation, partly to change its profile from being a pure defence organisation.

<sup>11</sup> E.g., Sophie Vanhoonacker, ‘From Maastricht to Amsterdam: Was it Worth the Journey for CFSP?’. *EIPASCOPE* (Institut Européen d’Administration Publique) No 1997/2, pp. 6-8; cf. the titles chosen by Simon Nuttall (“an exercise in collusive ambiguity”) and Hanspeter Neuhold (“a poor record and meagre prospects”) in *CFSP Forum* (Institut für Europäische Politik, Bonn) 3/1997, or Monar’s conclusions (“the Treaty of Amsterdam brings only fragments of a reform”), *European Foreign Affairs Review* 1997 (2) 413-436. - In part, the pessimistic tone can perhaps be explained by the fact that those most eager to express their views on the new treaty were also those who expected most from it.

However, before the treaty even entered into force, a rather sudden agreement emerged on the fact that not only it was now time for the EU to enter the international stage as a crisis management organisation, but that it was also to have autonomous military capacity. The discrepancy, which many certainly found comforting, between the views held by the major EU members started to give signs of rapid diminution. A less Atlanticist United Kingdom appeared, as well as a less Europeanist France, more inclined to conform to increasing multilateralism or a status as a not-so-powerful-member of European organisations, even a Germany which during the Kosovo crisis participated for the first time in a military operation abroad.

For the United Kingdom, the field of foreign policy was found to be a suitable vehicle for manifesting its new pro-European stands, if not altogether for exerting leadership. In the informal EU Summit of Pörtlach last October, Prime Minister Tony Blair expressed frustration over European inability to act (in Kosovo), showing willingness to strengthen the CFSP even through a WEU merger, which the country previously had opposed to.<sup>12</sup>

Soon afterwards, on 4 December in Saint-Malo, France and the United Kingdom declared in their bilateral summit that “[T]he European Union needs to be in a position to play its full role on the international stage” and that “[T]o 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 a readiness to do so, in order to respond to international crises”. Further, they noted that “[E]urope needs strengthened armed forces that can react rapidly to the new risks, and which are supported by a strong and competitive European defence industry and technology.”<sup>13</sup> The suitable military means were to be found either within NATO’s European pillar or outside the NATO framework, in multinational European arrangements. For the latter eventuality, it was declared, the Union needed independent capacities for strategic planning, analysis of situations, and sources of intelligence.

The EU Vienna Summit on 11-12 December 1998 welcomed the new impetus given to the debate on a common European policy on security and defence, as well as the Franco-British declaration, and considered in similar vein that in order for the EU to be in a position to play its full role on the international stage, the CFSP must be backed by credible operational capabilities.<sup>14</sup>

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<sup>12</sup> In the press conference, Blair stated that “A common foreign and security policy is necessary and overdue. It is needed and it is high time that we got on with trying to formulate it” and that “As Kosovo has shown, it is important that Europe plays a key and leading role, that we enhance our defence capability and show the political will to act”. (The Guardian on 26 Oct 1998, online version, visited on 4 Nov 1998.)

<sup>13</sup> Joint Declaration issued at the British-French Summit, Saint-Malo, France, 3-4 December 1998.

<sup>14</sup> Vienna European Council 11 and 12 December 1998. Presidency conclusions. SN 300/98, paragraphs 76 and 77.

The Cologne Summit in June 1999 issued a declaration on the further development of a common European security and defence policy and invited the General Affairs Council “to deal thoroughly with all discussions on aspects of security [sic?], with a view to enhancing and better coordinating the Union’s and Member States’ non-military crisis response tools.” Deliberations might include, the presidency conclusions continued, the possibility of a stand-by capacity to pool national civil resources and expertise complementing other initiatives within the common foreign and security policy.”<sup>15</sup>

While the conclusions of the presidency dealt with non-military crisis responses, the rest of the Saint-Malo elements, that is, the more clearly military side, was approved in the form of a declaration and presidency report on the strengthening of the CFSP. The Summit stated that the Council should have the ability to take decisions on the full range of conflict prevention and crisis management tasks, something that allows the Union to respond to international crises and increases its ability to contribute to international peace and security in accordance with the principles of the UN charter. To this end, it was confirmed following the Saint-Malo declaration word by word that the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so. What is needed, accordingly, is commitment to further develop more effective European military capabilities (national, bi-national, multinational and “our own”). This poses requirements to the member states, notably regarding maintenance of a sustained defence effort, implementation of the necessary adaptations and reinforcement of European capabilities in the field of intelligence, strategic transport, command and control. It also requires efforts to adapt, exercise and bring together national and multinational European forces, as well as to strengthen the industrial and technological defence base and foster the restructuring of European defence industries, seeking harmonisation of military requirements and the planning and procurement of arms.<sup>16</sup>

The general idea of an enhanced crisis management capacity seemed thus surprisingly uncontroversial. Crisis management was even put into a larger framework, allowing for a further development of military cooperation. While crisis management within the scope of the Petersberg tasks is noted to be the area “where a European capacity is required most urgently”, the development of an EU military crisis management capacity “is to be seen as an activity within the framework of the CFSP (Title V of the TEU) and as a part of the progressive framing of a common defence policy in accordance with Article 17 of the TEU.” To this effect, and, as the declaration puts it, to ensure the political control and strategic

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<sup>15</sup> Presidency Conclusions. Cologne European Council 3 and 4 June 1999, paragraphs 55 and 56.

<sup>16</sup> Declaration of the European Council on strengthening the common European policy on security and defence, 3 June 1999, and Presidency report on strengthening of the common European policy on security and defence, Cologne. *European Foreign Policy Bulletin Online* document number 99/098 (at <http://www.iue.it/EFPB>).



direction of EU-led Petersberg operations, new forms of cooperation between the military staff of the member states are proposed. The declaration foresees General Affairs Council meetings including, as appropriate, defence ministers,<sup>17</sup> a permanent political and security committee in Brussels with political and military expertise, a EU military committee consisting of military representatives which would make recommendations to the political and security committee, a EU military staff including a situation centre, and other resources such as a satellite centre. To meet the requirements of an effective European crisis management capacity, the member states, then, need to develop further forces suited to crisis management, without unnecessary duplication, the main characteristics of which are to be deployability, sustainability, interoperability, flexibility and mobility.<sup>18</sup>

The discussion on the relationship between the EU and WEU, which with the inclusion of the Petersberg tasks had seemed to reach a working compromise between those aiming at merging the two organisations and those opposing to this, started anew. The compromise was perhaps but a temporary standstill: even though no clear signals of merger were made, a *de facto* merger came closer through the protocol (and similar WEU declaration) on arrangements for enhanced cooperation which included, e.g., measures to facilitate links between the new Planning Unit and WEU's Planning Cell, Situation Centre and Satellite Centre. Incidentally, as Missiroli remarks, these steps largely coincide with the first of the three stages envisaged in a merger proposal presented by six member states in the Intergovernmental Conference - a proposal which, however, was rejected at that stage in favour of the Swedo-Finnish compromise proposal on including the Petersberg tasks.<sup>19</sup>

The Cologne Summit, in turn, asked the General Affairs Council to do preparatory work for putting in practice "the inclusion of those functions of the WEU which will be necessary for the EU to fulfill its new responsibilities in the area of the Petersberg tasks". After this, not much would remain of WEU as an independent organisation. The aim to take "the necessary decisions" (on its fate) by the end of the year 2000 was also presented in the declaration, stating that "[I]n that event, the WEU as an organisation would have completed its

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<sup>17</sup> The first ever meeting of the defence ministers of the EU member countries took place during the Austrian presidency. (The idea of defence ministers' meetings is mentioned also in Saint-Malo.)

<sup>18</sup> Declaration of the European Council on strengthening the common European policy on security and defence, 3 June 1999, and Presidency report on strengthening of the common European policy on security and defence, Cologne. *European Foreign Policy Bulletin Online* document number 99/098 (at <http://www.iue.it/efpb/>).

<sup>19</sup> The United Kingdom and partly the neutral member states as well opposed to the three-stage merger plan. See Missiroli (1999) *op.cit.*, pp. 29-30 and the Protocol (No 1) on Article 17 of the Treaty on European Union (1997); cf. Council decision of 10 May 1999 concerning the arrangements for enhanced cooperation between the European Union and the Western European Union. *European Foreign Policy Bulletin Online* at <http://www.iue.it/EFPB/>, document 99/103.

purpose.”<sup>20</sup> In the meantime, WEU is occupied in conducting an audit of the assets available for European operations, something that the Vienna Summit already welcomed.<sup>21</sup>

## **2. The role of common defence in union-building: two interpretations**

### *Common defence as one stage of full integration*

How to interpret the development of the defence dimension? For some, this development finally confirms their views - held even despite all evidence to the contrary - that common defence policy and common defence eventually has to be part of a political union. Interpreted this way, defence comes to be an integral part of the process of integration, something that makes its development unavoidable.

Common defence is ultimately an important part of the Union’s *credibility*: ever-repeating failures in reaching common foreign policy views and commitment to common security policy burden the Union – it is not taken seriously. It appears also logical that the Union should not have only policies, but also means to enforce them.

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<sup>20</sup> Declaration of the European Council on strengthening the common European policy on security and defence, 3 June 1999, and Presidency report on strengthening of the common European policy on security and defence, Cologne. *European Foreign Policy Bulletin Online* document number 99/098 (at <http://www.iue.it/efpb/>.)

<sup>21</sup> Vienna European Council 11 and 12 December 1998. Presidency conclusions. SN 300/98. Paragraphs 76 and 77. (See the WEU Ministerial meeting on 10 and 11 May 1999 (Bremen) on the ongoing WEU audit of European defence capabilities.)

Throughout, one substantial strain in integration literature has been to stress the linkage not only between the Union's external appearance and its foreign policy achievements but also between foreign policy positions and the capacity of turning them into reality. Günter Burghardt's (Director General of DG 1A) view that "[T]he Union has not succeeded sufficiently in translating its enormous economic potential into political weight" and that, hand in hand with strengthening the CFSP, the Union should become a serious player in the field of security and defence,<sup>22</sup> recurs in literature.

Seen this way, the halting CFSP steps amount to - in de Schoutheete's words - a "expérience amère de l'impuissance". He deplores the lack of any clarifying discussion on this dimension: "[...] dans la logique de la construction européenne, qui cherche depuis l'origine à permettre aux pays membres d'exercer ensemble une puissance collective, c'est regrettable, c'est même contradictoire" and quotes Tindemans (1975) and Wörner (1990) arguing that the Union cannot be complete, nor have more than a rhetoric role in international relations, without common defence policy or defence identity.<sup>23</sup>

These ideas are well familiar from the writings of the 'founding fathers' of the Communities. Early on, one of the arguments used by the partisans of European unification - particularly in Britain and France - has been that the European Community offered the nations of Europe their last remaining hope of reestablishing the European influence in the world, and that united, Europe would be able to "look the superpowers in the face, to take its destiny in its own hands, and to reestablish a measure of European influence".<sup>24</sup> At the same time, common defence is seen also as a way of gaining distance and independence from the United States - willingly or unwillingly, that is, because of the concern about the continued US commitment to European security, or because of the wish to contest its position as part of the EU's political identity.<sup>25</sup> In addition to the decreased US military presence in Europe, other reasons, too, push the member states to assert the role of the Union; the experiences such as ex-Yugoslavia seem to show that economic and political tools are not sufficient in acute crisis

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<sup>22</sup> Günter Burghardt, 'The Potential and Limits of CFSP: What Comes Next?', in Elfriede Regelsberger et al. (eds.) (1997) *Foreign Policy of the European Union. From EPC to CFSP and Beyond* (Lynne Rienner Publishers, Boulder and London), here p. 332.

<sup>23</sup> Manfred Wörner, the then secretary general of NATO, argued that "[L]'Union européenne sans une identité de défense serait incomplète et condamnerait l'Europe à un rôle essentiellement rhétorique dans les affaires du monde". See Philippe de Schoutheete (1997) *Une Europe pour tous* (Editions Odile Jacob, Paris), pp. 131-132.

<sup>24</sup> Roger P. Morgan (1973) *High Politics, Low Politics: Toward a Foreign Policy for Western Europe* (The Washington Papers 11, Sage Publications), p. 6.

<sup>25</sup> Cf. Helene Sjursen (1998), 'Missed opportunity or eternal fantasy? The idea of a European security and defence policy', in John Peterson and Helene Sjursen (eds.) (1998) *A Common Foreign Policy for Europe? Competing visions of the CFSP* (Routledge), pp. 98-99.

situations and that an organisation that can use force will have more influence than one confined to the use of civilian means.<sup>26</sup>

More theoretically thinking, the background of this first interpretation lies in seeing the process of integration and the EU as, first, a replacement of the state system, with a more or less clearly pronounced normative preference brought by the pacifying influence of the process of integration on relations between the participating states, but then also as a substitute for the state, or a process in which a state-likening unit is being built - indeed, not all is being changed: some basic principles such as defence remain. In the background, there is a certain logic of integration and union-building: ultimately, the union has to be able to defend itself, more or less as a state would do.<sup>27</sup>

The logic further compels to continue these promising steps of strengthening the CFSP. At least two measures seem necessary: strengthening the common institutions and decision-making, and broadening the contents of the CFSP. Should the common institutions not be strengthened, the argument goes, “there would be danger of disintegration and renationalisation, if not a revival of thinking in terms of balance of power politics”.<sup>28</sup>

Ultimately, thus, if the Union does not take steps forward, it is compelled to go backwards. In practice, this leads to envisage forms of decision-making which allow for progress in the defence dimension even when some of the member countries are unwilling to participate (such as the so-called “constructive abstention”). As a logic, this thinking comes close to that linked to EU enlargement, namely the need to tighten the internal structures of the Union before broadening the circle of participants.

The second measure, then, is to secure that common defence policy will not be limited to the Petersberg tasks: it should embrace the whole range of security problems, including the defence of vital interests or common defence.<sup>29</sup> As a next step after crisis management capability, therefore, a more serious look at the proposals of common security and defence policy (*CSDP*) follows. While ‘common defence’ itself can be interpreted in different ways, common defence policy is seen to mean that the members of the Union determine how they can integrate and use their armed forces in common for the various functions for which an

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<sup>26</sup> See examples of arguments in Karen Smith, ‘The Instruments of European Union Foreign Policy’, in Zielonka (ed.) (1998) *Paradoxes of European Foreign Policy* (Kluwer Law International), pp. 78-79.

<sup>27</sup> See such writers as Deutsch and Haas; for a more detailed analysis, see Hanna Ojanen (1998a) *The Plurality of Truth: A Critique of Research on the State and European Integration* (Ashgate Publishing), pp. 34-53 and notably on the intrinsic and/or instrumental value of integration in theories, pp. 158-174.

<sup>28</sup> Mathias Jopp (1997), ‘The Defense Dimension of the European Union: The Role and Performance of the WEU’, in Regelsberger *et al.*, (1997) *op. cit.* p. 167.

<sup>29</sup> See Laurence Martin and John Roper, ‘Introduction’, in Martin and Roper (eds.) *op.cit.*, p. 2.

individual country uses them, comprising the coordination of policies for collective self-defence.<sup>30</sup>

This would then imply a formation of common views also on what to defend, and on what the common interests of the members are. Analogously to what is the case for a state and its defence, one could expect decisions on what would be considered as vital interests (starting with survival; defending the territory, life, liberty, possessions and way of life of the citizens), essential interests (security, peace and stability in Europe, economic interests), or general interests (values, juste and stable international order). The criteria for action would then follow: should vital interests be threatened, then all the means necessary would be applied without hesitation to defend them - as outlined by, e.g., Stainier - including even nuclear weapons.<sup>31</sup>

*Common defence being beyond the reach of the process of integration*

The latest CFSP developments can also be interpreted in a different way, considering them as more of a (still another) rhetoric move than actual change of course. The declarations might serve other ends than that of actually strengthening the CFSP; looking at their contents, one can find not only a considerable measure of ambiguity, as in the expressions concerning the autonomous European military capacity which should, however, not imply any problems for the continuing Atlantic cooperation, but also in the lack of concrete steps taken.<sup>32</sup>

This interpretation emphasises the fact that the usual reservations and exceptions concerning defence cooperation are still valid and the most difficult questions still unanswered. While progress has been made as regards crisis management, there, however, emerges a borderline between joint crisis management and defence, contrary to the argument of the first interpretation which saw that the two are necessarily linked to each other.

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<sup>30</sup> John Roper, 'Defining a common defence policy and common defence', in Laurence Martin and John Roper (eds.) (1995) *Towards a common defence policy* (WEU Institute for Security Studies, Paris), p. 8.

<sup>31</sup> Luc Stainier, 'Common interests, values and criteria for action', in Martin and Roper, *op. cit.*, esp. pp. 18-21. In the same volume (p. 103), Michel d'Oléon and Mathias Jopp come back to the idea that once the vital interests have been defined, the EU's position is that these should be defended at all costs, with all available military means, including nuclear deterrence. They quote François Mitterrand noting "[T]o picture this [European] security without the support of nuclear force would be illusory" (joint press conference with John Major and Eduard Balladur following the Franco-British summit at Chartres, 18 November 1994), and the Preliminary Conclusions on the Formulation of a Common European Defence Policy, WEU Council of Ministers at Noordwijk, 14 November 1994 ("Europeans have a major responsibility with regard to defence in both the conventional and nuclear field").

<sup>32</sup> Blair's proposal to create a new European defence identity, for instance, was in the Guardian's view "long on broad principles and short on detailed proposals", in part because it is the subject of heated dispute in Whitehall (the Guardian, 26 Oct 1998, online version visited on 4 Nov 1998).

Sjursen, for instance, comes to conclude - though writing before the latest developments - that while a European security and defence policy certainly is on the agenda, and perhaps is therefore not an eternal fantasy, it is a far more distant project than what was often assumed in the early 1990s. As the main reasons she sees the 1990s Europessimism, more attention paid to the EMU, and the fact that the development of such a policy is “to a large extent” dependent on the development of a coherent, cohesive foreign policy. In her view, there will be no common security and defence policy without a common foreign policy.<sup>33</sup>

Confirmations for this view can be found when looking at the possibilities given by the treaties of retaining one’s own positions which make it apparent that common defence will not appear easily. In the modes of decision-making and the stipulations of the Amsterdam Treaty, both the basic idea of unanimity as well as respect for the differing security political statuses of the member countries are respected. Decisions having military or defence implications are taken by the Council acting unanimously (at least the article 23 of the Amsterdam Treaty can be read this way).

Designing common defence policies seems in practice repellingly complicated. Reasons for downplaying the credibility of the goal of a common defence policy can easily be found in the complexity of the notoriously confusing ‘European security architecture’. Several different organisations should be made to work together, adjusting their capabilities, resources, political leadership and memberships, while each of them, and perhaps notably the EU and NATO, are careful not to let their internal decision-making or power structures be revolted in the process. The basic problem of safeguarding good transatlantic relations while developing truly autonomous action by the EU obviously remains, too.

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<sup>33</sup> Sjursen (1998) *op.cit.*, pp. 111-112.

The variety of the standpoints and institutional affiliations of the countries concerned is reflected in all declarations. The Saint-Malo declaration stresses the need to act in conformity with obligations in NATO and maintaining the collective defence commitments of WEU and NATO while, at the same time, developing autonomous European capabilities. Both the Saint-Malo declaration and the Vienna Summit note that the reinforcement of European solidarity must take into account the various positions of European states, and that the different situations of countries in relation to NATO must be respected. The Cologne declaration, in turn, states: “We want to develop an effective EU-led crisis management in which NATO members, as well as neutral and non-allied members, of the EU can participate fully and on an equal footing in the EU operations.” On the other hand, “[T]he different status of Member States with regard to collective defence guarantees will not be affected. The Alliance remains the foundation of the collective defence of its Member States.”<sup>34</sup> Repeating the wording of the Amsterdam (and Maastricht) Treaty, it further states that the policy of the Union shall not prejudice the specific character of the security and defence policy of certain Member States.<sup>35</sup> Finally, the member states “will retain in all circumstances the right to decide if and when their national forces are deployed.”

The Cologne documents give further consideration also to the EU-NATO relations, the need to ensure the development of effective mutual consultation, cooperation and transparency between NATO and the EU, the importance of assuring EU access to NATO planning capabilities in order for it to be able to contribute to military planning for EU-led operations, and the availability of pre-identified NATO capabilities. The modalities of participation and cooperation are a puzzling field: the EU member states include both allied and non-allied members, both of which have to be able to participate fully and on an equal footing. Further, satisfactory agreements are to be found for European NATO members which are not EU members, without, on the other hand, prejudice to the principle of the EU’s decision-making autonomy. Finally, the modalities of the involvement of WEU Associate Partners have to be considered.<sup>36</sup>

Theoretically speaking, the way in which matters get more complicated the closer they are linked to defence can be seen as an example of the architradiational difference between low

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<sup>34</sup> Declaration of the European Council on strengthening the common European policy on security and defence, 3 June 1999, and Presidency report on strengthening of the common European policy on security and defence, Cologne. *European Foreign Policy Bulletin Online* document number 99/098 (at <http://www.iue.it/efpb/>).

<sup>35</sup> The exact meaning of this sentence is never spelled out, though.

<sup>36</sup> Declaration of the European Council on strengthening the common European policy on security and defence, 3 June 1999, and Presidency report on strengthening of the common European policy on security and defence, Cologne. *European Foreign Policy Bulletin Online* document number 99/098 (at <http://www.iue.it/efpb/>).

and high politics, and as evidence for the idea that integration, beginning in the lower sector, might never actually reach the domain of high politics.<sup>37</sup> In a newer form, the idea of a borderline beyond which integration does not proceed is now expressed by arguing that to bring crisis management into the EU does not imply a step towards common defence. In other words, there is no direct link between enhanced capacity for action in order to prevent crises and help in their management, and common defence. This is actually the position Sweden and Finland were leaning on when presenting their compromise proposal on the inclusion of the Petersberg tasks in the Amsterdam Treaty. There would be a border between crisis management and defence, the former belonging to the sphere of joint union action including all members on an equal footing, the latter being a matter of national choice between alliance and non-alliance.<sup>38</sup>

Evidence for the validity of this borderline drawing could be found in the cautious approach to using WEU by the EU. The formula of request of the Maastricht Treaty was formally recurred to only once, in November 1996 for the organisation of a humanitarian operation in the Great Lakes, but even this did not actually take place. Recently, the EU has asked WEU for some pre-planning, but only on actions which are at the lower end of the Petersberg missions - police operations, technical assistance or monitoring. The EU Council defined itself in October 1998 as suitable actions for this cooperation the strictly humanitarian operations, disasters and evacuation<sup>39</sup> - thus giving the impression that one would not be planning, e.g., to use troops in peace enforcement.

### **3. And still, imperceptibly towards common defence?**

Both interpretations of the latest burst of dynamism in developing the defence dimension of the EU share one fundamental problem: they carry easily too far in one direction. The first interpretation, the one that welcomes the development as the final proof of defence being logically one part of the Union, may lead to claim that the EU actually needs common defence and cannot be credible, perhaps not even survive, without this functional extension. The second interpretation, in turn, risks putting too strong an emphasis on continuity and the formal side of the treaties and may conclude that defence will remain outside the scope of the Union, neglecting the signs of change. Putting these interpretations together actually helps to pose two central questions: first, whether or not common defence is indispensable, and,

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<sup>37</sup> For examples of what can also be seen as the well-rehearsed debate between neofunctionalists and realists or intergovernmentalists, see Ojanen (1998a) *op.cit.*, pp. 53-67.

<sup>38</sup> For an analysis of the proposal, see Hanna Ojanen (1998b) *The Comfort of Ambiguity, or the advantages of the CFSP for Finland* (UPI Working Papers 11, Finnish Institute of International Affairs), notably pp. 6-7.

<sup>39</sup> Mentioning, though, also political crises. Cf. Missiroli (1999) *op.cit.*, pp. 27 and 32.



second, whether or not common defence can actually become a reality despite signs to the contrary.

Some authors make a strong point arguing that defence is not an indispensable part of the Union - after all, if defence (at least the old-time conception of territorial defence) at all is relevant in today's Europe, the Union does not have to take care of it; it has thus far well been able to evolve in other realms without taking on the military. Moreover, normatively thinking, defence *should not* be incorporated, either. Not only could the ideas of a 'logic' of the defence dimension lead to the formation of a superpower union, some kind of omnipresent world police or Zorro which would involve itself in world affairs<sup>40</sup>, but enhanced military cooperation as such might be counterproductive: the Union's specificity, perhaps also its potential success, is based on its 'civilian' nature.

The Union, the argument goes, has other than military means at its disposal in international relations - in particular diplomacy and negotiation and economic means, both positive (agreements, loans) and negative (embargo, withdrawal of aid). It is a security actor in that it aims at stability and security in Europe, but it maintains security in its own way through its particular means, notably the dense network of agreements and the enlargement policies. The Union's strength can be seen to lie in its ability to act as a 'civilian power' and promote and encourage stability through the use of economic and political instruments. One potential advantage it has over other security institutions might also be that it does not carry the image of being a Cold War institution to the same extent than the military alliances - something that could make it a more acceptable security agent for, e.g., Russia.<sup>41</sup>

The Union also has considerable normative power. As Rosecrance argues, Europe is coming to set world standards in normative terms, perhaps as a new form of European symbolic and institutional dominance - the requirements for joining the EMU being in his view the most arduous admission standards for any international organisation.<sup>42</sup> The conditionality applied to EU assistance can be seen as part of the exporting of community norms and standards.<sup>43</sup>

Moreover, it is by no means clear that military force can help resolve conflicts: as Smith notes, one should not be over-confident in this. In her view, a civilian EU is to be preferred

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<sup>40</sup> Cf. assertions such as "It is likely that the future Europe will be forced to involve itself in world affairs with an intensity that few dare to envisage today." Eberhard Rhein, 'The European Union on its Way to Becoming a World Power'. *European Foreign Affairs Review* 3 (3) 1998: 325-240.

<sup>41</sup> See Sjørusen (1998) *op.cit.*, p. 98, also for further references.

<sup>42</sup> Richard Rosecrance (1998) 'The European Union: A New Type of International Actor', in Zielonka (ed.) *op.cit.*, p. 22.

<sup>43</sup> Marise Cremona, 'The European Union as an International Actor: The Issues of Flexibility and Linkage'. *European Foreign Affairs Review* 3(1) 1998, 67-94.

because of the broader meaning security has nowadays, and because of the EU's preparedness to address the long-term causes of insecurity or to have a long-term effect on the environment. Expanding the EU's military capacities could also lead to problems. On the one hand, the EU would thus be giving "the wrong signal", wielding military instruments internationally despite having renounced the use of force among its members. On the other hand, there might be jurisdictional problems with NATO, which is also developing its capacities in peacekeeping and intervention, and a potential weakening of the United Nations might follow from the EU enhancing its role in this field.<sup>44</sup>

In international crises, the EU should thus act preventively, or else *after* the crisis in tasks such as reconstruction and stabilisation. For Lofthouse and Long, evidence (from the Arab-Israeli case) suggests that the EU is at its best when it does not try to be a crisis manager or to project power in the conventional sense. A more civilian mode of action can in their view have clear benefits in that the "low profile" issues can actually be the critical ones, such as the question of Palestinian state building. The problem they point out, however, is that it can be difficult to accept this profile as the only mode of operation because of "all the talk and hype about the CFSP".<sup>45</sup>

These arguments might lead to conclude that the development of the CFSP does not give reason to worry about such large questions at all: the development of a EU crisis management capacity can and will be limited to a domain which is the most appropriate one for the Union - defence being hard to bring to the Union because of both the diverging opinions of the member states and the existence of a wealth of other, specifically military organisations. Still, one cannot completely leave aside the possibility that common defence might in any case be developing, making these questions about the Union's nature again very central.

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<sup>44</sup> Smith, *op. cit.*, pp. 78-79, quoting among others Christopher Hill.

<sup>45</sup> Alexander Lofthouse and David Long (1996), 'The European Union and the Civilian Model of Foreign Policy'. *Revue d'Intégration Européenne - Journal of European Integration* (Conseil Canadien des affaires européennes) XIX (2-3) 181-196, here p. 195.

In other words, even the second interpretation of the latest CFSP development can be criticised: it leads to give too much weight to the exceptions and the possibility of maintaining a borderline between crisis management and defence. It downplays to some extent certain features of both the process of integration and of defence which, despite the fact that there seems to be nothing unavoidable in the development of the defence dimension, might further its development. One of these is without doubt the unwillingness, pointed to by Lofthouse and Long, completely to abandon the goal of full political union including defence, and to find something short of common defence satisfactory. The role of common defence in the process of integration or union-building as the 'goal', as something that gives weight and 'seriousness' to the Union, can be very significant. It can be used as a motor, and something that increases faith in the whole enterprise.

Behind the formal retaining of decision-making authority by the states and the respect manifested for their varying foreign policy positions, there might already be a considerable convergence of the member countries' policies, in a sense a new reality which creeps in unnoticed, and will only subsequently be reflected in the formal treaty texts.

Sjursen - despite her conclusions to the contrary- actually comes up with a similar argument when writing about an emerging pattern of increasingly interwoven security arrangements in Europe. On the surface, intergovernmentalism remains, but in practice, the existing forms of cooperation, such as the functioning of the CJTFs<sup>46</sup>, require close cooperation and coordination "where political control will, to a large extent, depend on control over resources and on military command structures. National 'separateness' is in practice reduced also in security and defence [..]". Thus, she remarks, the argument that CFSP is a prerequisite for CSDP could be turned on its head: as security cooperation is strengthened elsewhere, foreign policy cooperation might follow its lead and the CFSP framework might decrease in importance as a consequence.<sup>47</sup>

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<sup>46</sup> Combined Joint Task Forces, idea adopted in NATO Summit in Brussels in 1994 (forces for tasks other than territorial defence; in Berlin 1996, it was decided that these could be made available to WEU.

<sup>47</sup> Sjursen (1998) *op.cit.*, p. 105.

Common security and defence policy might indeed *precede* a common foreign policy, emerging gradually and by default, as it were. Sjurssen's example of practical cooperation between the armed forces - one needs only to think of IFOR, SFOR and KFOR - is one factor that makes defence cooperation more 'accessible'. Another is without doubt the economic imperative of increasing cooperation between national defence industries. There are, however, at least five more factors that work for the gradual establishing of a EU defence dimension.

The first is the fact that an important basic principle of the process of integration seems to be that no field can be excluded from it *a priori*: should one write down that the EU *will not* be active in a particular field, such as defence, or that integration *will not* proceed to this field, the credibility of the whole enterprise would suffer: there would always be a doubt remaining on the trustworthiness of the Union members' assurances of holding a joint position, should they have the legitimate possibility of backing from them through claiming that the issue belongs to this excluded policy field. Thus, defence will not be omitted, and therefore it always has some kind of a compelling presence in the treaties.

Secondly, there is the general argument about solidarity towards the other members (and the goals of the Union) that EU membership entails.<sup>48</sup> Solidarity implies that unilateral actions become more and more unacceptable (to the point perhaps where national policies disappear). Thus, strikingly different foreign and security political issues become anomalies, and this general foreign policy socialisation reduces the reasons for considering a field such as defence as somehow pertaining to a sphere of unilaterally national competence. On the other hand, solidarity also implies that should some member countries wish to proceed towards common defence, the other members are expected to acquiesce. This kind of solidarity requirement becomes more clear still when flexibility gradually replaces the requirement of unanimity in

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<sup>48</sup> The solidarity argument has been extensively used by Finland, on the one hand when emphasising mutual solidarity as the basis of the union and deducing from this that the specifically Finnish security concerns would be respected by the other members, while Finland would be loyal to their and the Union's concerns, and, on the other hand, by directly admitting that as a EU member, though militarily non-allied, Finland is factually EU-allied.

decision-making: those unwilling to take part are expected not to hamper the others, perhaps even prohibited from doing so in practice.

A third reason is the effect the EU's novel role in crisis management may have. It is clear that the "borderline thinking", dear to Finland at least, is not accepted by all the others. The EU Cologne Summit declaration on foreign and security policy explicitly states that the EU military crisis management capacity is "to be seen as [...] a part of the progressive framing of a common defence policy [...]" The Amsterdam Treaty, in turn, by no means confines security cooperation to the Petersberg tasks. On the contrary, article 17 (subparagraph 2) states that "Questions referred to in this Article *shall include* [the Petersberg tasks]"- together with other tasks, as it were. It might not in practice be possible to distinguish between crisis management and defence, if both involve the use of force, even the same units. On the other hand, crisis management actually *is* one kind of defence, at least if seen as aiming at preventing the spreading of problems to the EU, and perhaps the most timely, one might argue, taking into account the decreased need for traditional territorial defence in Europe.

Fourthly, the process of integration needs goals and motors. The motors can be different: for instance EU enlargement and the Economic and Monetary Union have been playing this role, functioning as a goal which gives meaning to the member countries' efforts and may even force them to rapid measures taken. While the EMU has lost the momentum it had last year, enlargement is too complicated a matter to be equally welcomed by all. Security and defence, on the contrary, seem now to be the field which brings integration forward. For the militarily strong<sup>49</sup> United Kingdom in particular, being - at least for the moment - outside such new developments as Schengen and EMU, harnessing military and defence cooperation as the new draught horse was very appropriate.

That time thus somehow seems ripe for closer cooperation in security and defence can also be expressed in another way. The fifth and last factor that works for the establishment of the defence dimension is the changing nature of defence, its decreasing prestige, as it were: defence integration is simply now easier than before. Defence does no longer seem to belong to the unattainable sphere of 'high politics'. There are few if any reasons left for why defence policy could not be integrated. Previously, among the main reasons were, first, the economic ones, notably protecting national armament industries. This, however, is changing and these industries are themselves now seeking to cooperate to be able to face global competition. Secondly, the international situation is different: notably the involvement of the United States is less self-evident. Thirdly, the era of conscription based armies and classical territorial defence seems to be over, due to the changing nature of military conflict and changing nature

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<sup>49</sup> According to the Guardian, Britain owns 75% of all usable military capacity. (The Guardian 29 October 1998; online version visited on 4 November 1998.)

of threats.<sup>50</sup> National defence forces become divided in two: the ‘local’ defence forces and the ‘international’ entities. And finally, one might add, defence has no longer the old function of keeping a nation together. Thus, the ultimate border line of what has become integrated and ‘unionised’ is pushed one step further: from symbols such as the flag to disappearing border controls, common money and then a joint army.

Theoretically thinking, then, one might conclude that while a distinction between low and high politics might indeed still be relevant in explaining the willingness of engaging in closer integration, both categories are relative: there is always something that is high politics, but now, defence seems less so than what it used to be. And indeed, as if already drawn into the day-to-day sphere of communitarian businesses, talk about convergence criteria for defence - following the model of EMU convergence criteria - has started as one of the operational requirements of a WEU-EU merger. These criteria could include roughly comparable levels of defence expenditure (e.g., a given minimum), professionalisation (rapid reaction capability, interoperability), specialisation rather than duplication, a common market for defence (common defence procurement) and more industrial cooperation.<sup>51</sup>

In the end, common defence and common defence policy thus perhaps cannot be avoided. But are we then to worry about the consequences of such a development? Are we now to take seriously the old Mitranian image that a union or federation of states, if formed, instead of solving the problem of war, would be a “mere change from the rivalry of powers and alliances to the rivalry of whole continents” and actually threaten security through exacerbating the problem?

Mitrany, who emphasised the importance of *universal* peace and cooperation over narrow regional arrangements, saw that a close continental union could rather differentiate than integrate and even imply dangerous antagonism with the outside world. This would happen either as a result of the close internal cooperation or since the stimulation of internal unity could imply the need to invent extraneous dangers. In his view, it is useless to hope that relations between these kinds of unions or a union and other states would be liberal and cooperative: defence (or finance, production and the like, for that matter) cannot be organised tightly in a sectional unit, and at the same time be open on equal terms to other units. The closer the organisation of the sectional unions, the sharper will be their division from other similar unions, and the more tenuous their links with any universal body.<sup>52</sup> A European

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<sup>50</sup> See, e.g., Uwe Nerlich (1995), ‘The relationship between a European common defence and NATO, the OSCE and the United Nations’, in Martin and Roper (eds.) *op.cit.*, p. 77. Nerlich sees these changes as one of the important external driving forces for the common defence policy.

<sup>51</sup> Cf. Missiroli (1999) *op.cit.*, pp. 41-42.

<sup>52</sup> Mitrany, David (1943): *A Working Peace System. An Argument for the Functional Development of International Organization* (The Royal Institute of International Affairs, London) and later works; see Ojanen

defence union would thus be a troublesome entity in the constellation of international organisations.

There is perhaps no need to go that far in painting alarming views on the future. Still, there might not be reason to think complacently that the benevolent EU in its new crisis management garments would not get into difficulties. Starting crisis management is clearly popular among the international organisations these days; yet, to start as crisis managers with the hype surrounding the finally reached agreement on autonomous forces and for the joy of showing them would be to underestimate the task.

It seems pertinent not to think that the steps towards EU crisis management with joint European troops would for all times remain uncontroversial and commendable. On the contrary, several new questions will have to be addressed, starting from a very basic one, that of what will be meant by crisis management, that is, what crises will be managed, how, and who will be responsible for deciding on them - a question that actually could also be put in the form of what will be defended and against whom. This is the question of the EU's nature as an international actor in a timely format. An interventionist union, adding to its already significant power of attraction and norm-giving the power of its new arms, challenges the pattern that the use of force has to be legitimised by a universal organisation. Will the Union become a self-mandatory organisation, at its best respecting the principles of the UN Charter (see, e.g., article 11 of the Amsterdam Treaty)? Indeed, the development of the EU's relations to the UN and the OSCE seems now as timely and important as that of its relations to NATO.