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# EDITOR'S NOTE

## CRACKING REGIONAL RIDDLES: ARAB INSTABILITY IN PERSPECTIVE

DESPITE THE SELF-GRATIFYING need to describe the yet unfolding instability among the Arab states as the natural outcome of decades of dictatorial styles of governance or somehow hem them in as democratic movements which simultaneously combusted such simplifications are erroneous and leading decision-makers, in the region and beyond, to make ill-judged policy choices. From London to Jerusalem, Washington to Riyadh, Paris to Tripoli and Beijing to Tehran, it seems that the international community is in dire-straits resulting in mass confusion, insecurity, conflict contagion and the 'who said what' game of political brinkmanship. This is compounded by the general apathy which has greeted this latest – but by no means first – bout of intra-Arab contests.

Those segments of the international public which are desperate to inform themselves on the actions of their governments and the forces for change (both positive and negative) in the Middle East are thwarted by the ineptitude of many modern media outlets, which tend to be preoccupied with attempts at shaping public opinion rather than reflecting on events through more objective lenses. At the same time, armies of scholars are caught on the side-lines of history and perpetuate the mythology of democracy, human rights and justice as the spinal cord of motivations guiding behaviours in this Season of Arab Discontent.

While it is accurate that certain democratic values – particularly those which encourage freedom of economic activities – underscore the goals of the Yemeni, Tunisian and Egyptian public disobedience and ultimately revolts, other motivations inspired the Bahraini and Syrian campaigns while the Libyan situation remains an utter fiasco; a civil war waged by two Libyan tribes reinforced by lackey mercenaries to control that country's vast oil reserves. Unfortunately, in the latter case, NATO forces have transformed into such mercenaries, hoisting a more comprehensive understanding of the Libyan conflict to a priority. But yet and still public discourses on the particulars of Arab discontent are lost in the language of democratisation which if said enough times, and with enough vigour, is taken as truth.

To be sure, there are three identifiable typologies of political movements currently embroiled in transformative conflicts in the Middle

East, each with very different objectives and consisting of very different actors. These are: the popular revolt (re: Egypt, Tunisia, Yemen); the ethno-religious (re: Bahrain, Syria); and civil war (re: Libya). It is essential to provide some insights into these to be able to recognise what is at stake and how to best formulate adequate policies.

*Editor's  
Note*

#### THE REVENGE OF THE ARAB STREET

Commentators in Europe and the US have written volume after volume on the pressures and power of the so-called *Arab Street*, a synonym for an unruly mass of people who, if deployed, can produce regional and international chaos. This was a scapegoat tactic used by the Ben-Ali's and Mubarak's of the region for the better part of their reigns in bids to reduce Western (re: European and US) attempts at directing domestic and foreign affairs. 'We can't do this ...' they told Europe and the US '... or our Arab Street will revolt.' While many grew weary of the notion of the Arab Street, an everything-fits-in answer to arrested political development, history has shown otherwise. There was, after all, an Arab Street and it has now revolted; consuming Ben-Ali and Mubarak (Yemen's Saleh is surely next) and literally using the "book" as a projectile for political reform. So, a part of the instability in the Middle East was based on the Arab Street's internal combustion. Too many leaders thought that they could control, or at least placate, it for their own ambitions and they were wrong.

The people power in Tunisia and Egypt was based on democratisation, though it is not at all clear whether the first free and fair elections in either country will produce the changes necessary for democratic rule or if they will in fact also mark the last of such elections. Whatever the end result, it is clear that political reform was the key demand of the famed "demonstrators," and they are on the brink of obtaining it and thus should be revered for their courage and determination. After all, this is precisely the types of mass popular movements many have been waiting and in some quarters even wishing for.

However, as the old saying goes, 'be careful what you wish for.' It is not that spectators to the Tunisian and Egyptian revolts should tread cautiously when dealing with the new governments; rather, before jumping onto the "democracy-now" bandwagon, thoughtful reflection – not gut reactions – should have preceded policy alterations, at least among Western states, since these accepted the logic of the governed Arab Street as augmented by Ben-Ali and Mubarak, and granted them tremendous military and political support. It stands to reason that the outcome of these revolts will empower Ben-Ali's and Mubarak's

opponents and European and US interests are likely to be undermined as a result of their political duplicity with the previous regimes.

In the case of Tunisia, the first European victims have already been claimed; French Foreign Minister Alliot-Marie was forced to resign while many more in the establishment have gone “underground” to insulate themselves from public scrutiny. However, such internal moves are too little too late and as the Tunisian dust settles it is likely that France’s (and the EU’s more generally) influence will be further diminished. Tunisia will reshape its identity in stark contrast to its previous subjugation at the hands of the Ben-Ali crew and their primarily French support network. This is said against the backdrop of increasing intra-European tensions which have been produced by the Tunisian revolt; tensions which are unravelling a half-century of European labours to remove the internal border. Indeed, France and Italy are at loggerheads over the latter’s granting of visas to Tunisian refugees who quickly migrated to France. What a sad and ironic commentary that France’s prime tourist destination, a place where untold millions have rested and relaxed in the sweltering south Mediterranean sun, was not staffed by pliant docile workers living simply to cater to European travellers but had their own sense of political pride. The tables have now turned and Tunisians are on their own tourist adventure only this time the tourists are here to stay and Europe is left holding the towel.

Likewise in Egypt, Mubarak’s labours are piecemeal being undone. The country’s first elections are rapidly approaching and the Muslim Brotherhood, previously outlawed, not least for its role in the assassination of President Anwar Sadat (1980), is creeping back into public life and will participate. The international repercussions are likely to be enormous. Already Egypt has made moves to heal its cracked Muslim identity at the expense of its pandering to Europe, the US and Israel. In the month and a half since the ousting of Mubarak Egypt has facilitated intra-Palestinian talks which successfully ended the Hamas-Fatah impasse and constructed a National Reconciliation Government; it opened the Rafah Crossing to the Gaza Strip ending the blockade and, rather uncomfortably for Israel, has allowed an Iranian naval vessel to sail through the Suez Canal and into the Mediterranean Sea. While some of these moves are well within the more traditional interests of Egypt (it has been brokering a Palestinian deal for years), its cozying up to Iran is upsetting the tenuous balance of regional power and will likely fuel Israeli suspicions and could lead to a renewed arms race in and around the Sinai.

Within this unfolding reorientation, the EU has to be especially prudent so as not to further alienate itself from the emerging political and



military elites while pursuing its more enduring interests of retaining freedom of navigation through the Suez Canal for all EU members, working towards a just solution to the Palestinian-Israeli conflict and generally maintain its deep economic relationship to Egypt; a preferred partner. Traditionally, Egypt's foreign policy priorities swing back-and-forth between the twin peaks of Europe and the Arab-Muslim belt in North Africa and the Middle East. Only by anticipating the result of the current upheaval can the EU secure its regional position; it will not be able to preserve the status quo if it continues to analyse Egypt through archaic and uninformed eyes.

*Editor's  
Note*

#### ETHNO-RELIGIOUS REVOLTS

Unlike popular revolts in Egypt and Tunisia, the conflicts in Bahrain and Syria bear the hallmarks of ethno-religious violence, where ruling classes represent a privileged ethno-religious minority and the rest of the country want to reconstruct the state and redirect the flow of privilege. Yet, even these cases need to be analysed separately since Bahrain is a very tolerant, excessively wealthy, Sunni Arab Sheikdom whose ruling elite has depended on the power of the purse to pre-empt political discontent while Syria's ruling Alawite minority has used explicit forms of political coercion since the al-Assad family consolidated power in 1969.

The largely concluded, but still simmering, Sunni-Shiite battle which occurred in Bahrain, needs to be understood geopolitically, especially regarding Iran's drive for regional hegemony as opposed to a black and white struggle for democracy emanating from the suggested Shiite "underclass." In fact, evidence is mounting which suggests that the demonstrators' leadership received encouragement and vital material support from Iran. This would hardly be the first time Iran sought to stoke the seeds of discontent in Bahrain. In 1981, the Bahraini authorities uncovered an Iranian plot to overthrow the monarchy and forcefully export the Iranian revolution to the shores of the Arabian Peninsula. This is logical given the dubious legitimacy the Iranian leadership retains; its revolutionary zeal requires further embers to quell domestic pressures in a typical "rally-around-the-flag" attempt and Bahrain is a relatively vulnerable, ethno-religiously divided polity where the opportunity of interference is high and easily exploitable by Iran.

A glimpse at the rallying crowds that swelled the central square of Manama should have hinted to the style of revolution unfolding there; men and women gathering in separate crowds, the men aggressively chanting while the majority of women, clothed in black Chadors,

angrily chanted anti-government slogans on their own. Indeed, honest reflection reveals two simultaneous sets of demonstrations and demands, one led by men and the other by women. Surely this initial segregation acts as an indication of the type of “democracy” that would emerge if the Iranian-backed Shiite’s of Bahrain were successful; a system that encourages gendercide and the purging of all-too-rare moderates in the Middle East. In Bahrain, it is probable that the first elections would also be the last.

Unlike in contrast to the dynamic geopolitics which sparked the Bahrain conflict, the intifada in Syria – also not driven primarily by demands for true democracy – is simply another round of the civil war of attrition which has incrementally been waged since 1976 with a long break after 1982 when Rifaat al-Assad, (then) President Hafez al-Assad’s younger brother, massacred between 17000-40000 people in Hama. That six-year conflict was fought between the Alawite dominated state security apparatuses and a Syrian Muslim Brotherhood militia comprised exclusively of Sunnis. A disquieting air of repression followed, ensured by the tribal bonds of the ruling elite and the (often forced) coercion of a moderately empowered Sunni aristocracy answerable to the al-Assad regime.

The death of Hafez coupled with Bashar al-Assad’s power inheritance, opened space for political reform, which the majority Sunni religious community hoped would produce the right environment for their own political consolidation and the reconstruction of a functioning Sunni governing class. The Sunni demands were voiced as democratic reform, but for all observers of the ethno-religious divisions in Syria, such calls amount to revolution since, if given the chance at the polls, Syrians would undoubtedly vote the Alawites from power, a move likely to spark civil war as the Alawites know that ethno-religious retribution, for the decades of wholesale suppression, would be close at hand. So, while rhetorical democracy underlines the demands of the current serial protesters, it is the brand of democracy that would empower the majority at the expense of the minority and in the tribal politics of the Middle East, the transfer of political power in the current climate would result in renewed violence, this time directed at the Alawite community.

From both ethical and practical perspectives, the al-Assad family should be deposed and the Syrian people freed to construct the polity of their choosing. However, the continuous popular (re: Western) depictions of the intra-Syrian conflict as evidence of a democracy surge reveals a lack of political awareness and produces the wrong policy orientations. For instance, the EU has placed a sanctions regime against

the state (re: embargo on arms sales) and certain individuals within the Alawite political and business classes. Considering Syria's miniscule level of military support from, and its periodic relationship to the EU, it is clear that this policy choice is meant to answer the 'why are you not doing something' questions of the uninformed rather than a more thoughtful policy with a clear set of objectives, since al-Assad will hardly change his or the state's behaviour in fear of EU actions.

*Editor's  
Note*

Indeed, just as Ben-Ali and Mubarak's replacements are in the process of undoing the labours of the former ring-leaders, it is conceivable that a Sunni Muslim state in Syria would do the same and abandon Iran and Hezbollah, two actors which had helped legitimise Syria's Alawites at the expense of its Sunnis. Such a result would be, of course, positive for the region and the international community at large. However, the cost of such a transformation – in blood and monies – will be tremendous, especially since the stakes are so high and both ethno-religious communities (among many others) believe that their very existence is at stake. So, instead of simply praising the "democratic" movements, and punishing the state for its crimes, thoughtful policies would be aimed at explicitly supporting the forces for change while protecting civilians, Alawite and Sunni (et al) from ethnic cleansing, genocide or other forms of post-conflict communal violence. But the EU and the West more generally has an aversion to such direct military conflict and choosing sides in other peoples' conflicts ... or do they?

## CIVIL WAR

The prolongation of civil war in Libya speaks volumes to the level of political mismanagement by the Euro-Atlantic axis of arrogance, which is aiding and abetting the wholesale destruction of the dictatorial but contained Libyan state. In short, NATO has hijacked, and liberally interpreted, UNSC Resolution 1973 – which calls for UN members to use all means necessary to 'defend civilians' – to achieve more remarkable goals such as regime change, hydrocarbon redistribution and, in the process, first degree murder.

What began as a militarised intra-state dispute by an increasingly clear *minority* of Libyan's has deteriorated into a conflict abyss in which NATO is a culpable key protagonist. Target selection by superior NATO air forces never aimed simply at imposing the coveted 'no-fly zone,' but rather systematically attacked a wide variety of "ground targets," usually manned by 18 year old conscripts, and 'dual use facilities' such as hospitals and apartment blocks. While debates may rage over why the conflict began and why France, the UK and the other usual

suspects were so eager to jump headlong into it, these are eclipsed by more immediate concerns such as where this ends, and what post-conflict Libya will look like?

In the first case, the conflict will not terminate until the Kaddafi clique is destroyed (killed or exiled) or Libya is subdivided into two independent states. The continuous cease-fire calls by Kaddafi routinely fall on deaf ears. If the “democracy-seeking” rebels don’t accept a cease-fire, why should NATO, after all the latter has become the servant of the former. Kaddafi though, is not going anywhere and thus a two state solution is being anticipated; at least until the rebels gain more ground. However, imagine what a two state solution would look like; two militarised entities guarding an ill-defined frontier each seeking to exploit the first opportunity of perceived weakness of the other to launch fresh attacks. Not to mention that the stakes involve more than territory or political legitimacy; they centre on the country’s rich hydrocarbons and everyone wants their share. Such a solution is no solution at all; it is a recipe for long-term devastation in which civilians on both sides of the new, even more arbitrarily defined, border would shoulder the full weight of the consequences.

Through the fog-o-war, it is also evident that there are preferred civilians; those which do not support Kaddafi and are (wrongly) labelled as democracy fighters. But a picture speaks a thousand words and the images broadcast back from the front bespeak a fractured rebel movement where the ranks are a motley crew of gun-toting liberal democrats, Islamists, criminals and the disenfranchised who will likely turn the guns on each other as soon they are forced to debate the contours of the new state.

In a situation where all the millions of Kaddafi supporters are considered legitimate targets and the rebels are legitimate democrats there is no wonder that this conflict is intractable and unless a new leader, which can act for the greater good of Libya, emerges it will remain so. Where to find such a leader? Surely the hermetically sealed state of pre-war Libya has no real alternative leadership?

Enter the EU ... with a smashing idea. Prep a dictator who has never stepped foot in Libya to replace a dictator who seldom steps outside of it. While the international community has been busy waging or debating war in Libya and the shape of Kate Middleton’s wedding dress, the EU has been grooming the Great Nephew of Libya’s exiled monarch, King Idris. In mid-April (2011) the EU played host to Crown Prince Mohammed El Senussi and while the particulars of what was discussed will remain (for the time being) a mystery, it is clear that the EU is falling victim to the Chalabi-syndrome and buy into the rhetoric of exiled

elites longing to return home and heal the damage done in calculated moves meant to shore up assistance for their own rise to power with the helpful hands, eyes, ears and guns of the democracy-loving, civilian population protecting West.

#### TOWARDS DEMOCRACIDE

*Editor's  
Note*

The popular misappropriation of the term “democratic movements” to capture the full spectrum of political unrest throughout the Arab world is more than irresponsible, it is outright dangerous. The EU and to a lesser extent the US, have spent – over the past decades – considerable resources and political energies trying to convince the world of their normative intents, to lead by example into a world where politically inspired violence was criminalised and met by collective efforts to defend the integrity of human rights and dignity. Currently however, these labours are being denigrated and the example being set is rooted in the old dictum that might makes right and that material interests, wrapped in the correct rhapsody, can dissuade critics and generally push the internationally community to the whims of the West. This is the first step towards democracide, or the death of democracy, where the term devolves from a political ideal into a hollow slogan synonymous with Western interests and raw power rather than the legitimate socio-political aspiration of millions of people throughout the Middle East and the world.

*Mitchell A. Belfer*  
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Central European Journal of International & Security Studies

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CEJISS is owned and operated by Metropolitan University Prague, ISSN: 1802-548X

Published in 2011 by Ales Cenek in the Czech Republic

Ales Cenek Printing House, Kardinála Berana 1157/32, 301 00 Plzeň, Czech Republic

Typeset in Calluna typeface. Calluna® typeface is the copyright of Jos Buivenga (EXLJB1S).

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# THE MELTING POLES: BETWEEN CHALLENGES & OPPORTUNITIES

ANIS H. BAJREKTAREVIC

*ABSTRACT: The Arctic and Antarctica have traditionally been treated as footnotes in larger international relations. However, the polar caps have recently entered the priority lists of a multitude of international actors and captured the attention of the international community at large. Despite popular opinions to the contrary, nearly all characteristics of these poles are different; morphological, climatic, anthro-biological, and their political and legal standings. For instance, Antarctica is governed by an international treaty while in the Arctic politics are underscored by a special legal framework which continues to be negotiated over. Due to the speed of global warming, vast perennial ice sheets are melting and presenting clear environmental challenges and, simultaneously, economic opportunities such as alternative shipping routes, new hydrocarbons and large mineral deposits. This work asks whether the absence of a comprehensive treaty in the Arctic and the increased focus on national interests by the five circumpolar states might raise tensions, and endanger international security. This article provides a dense geopolitical overview of the two polar regions to determine their impact on wider international relations, economics and security.*

**KEYWORDS:** Arctic, Antarctic, Security Structures, UNCLOS, Arctic Five, NATO, EU, International Relations, Energy Security

## INTRODUCTION

The Arctic and Antarctica, two regions within the polar circles of the Northern and Southern hemispheres, rarely featured in the geopolitical, legal and international relations scholarship in the past, have rapidly grabbed the attention of the international community. At first glance it seems that the two opposite, but complementary, polar caps have much in common, however on closer inspection, significant differences are apparent: the two opposing poles are of a different morphological and tectonic, climatic,

anthropo-biological, political and indeed different legal standing. The South Pole (Antarctica) is governed by treaty, which is fully accepted by the international community (including all neighbouring and interested parties), though is of a limited timeframe (50 years). In the North Pole (the Arctic), the construction of a similar special legal framework is still under negotiation.

Due to the pace of global warming, vast perennial ice sheets are melting, simultaneously producing environmental challenges and economic opportunities (including alternative Sea Lanes, notably the Northwest Passage, the Northern Sea Route and the Arctic Bridge, and large mineral resources including hydrocarbons). The emerging environmental reality has unleashed a commercially-driven run over the Arctic; often described as *land grabs* or a *new gold rush* with the five circumpolar states striving to acquire substantial geoeconomic and geopolitical shares in the region and, in doing so, risk conflict over demarcation lines.

The question of whether the absence of a definite legal setting in the Arctic, and the increased focus on national (geoeconomic and geopolitical) interests (and prides) by the five concerned states might trigger border tensions, domestic unrest, an open armed conflict and hence, endanger global security becomes paramount. Indeed, among the five: two are P-5 (UNSC) members (the US and Russia), four are NATO members (the US, Canada, Norway and Denmark), three are European (Norway, Denmark and Russia) in contrast to two North American states (the US and Canada), one in the EU (Denmark), three in the G-8 (the US, Russia and Canada), and all of them are OSCE members.

Before turning to the analysis which centres on potential ruptures to the status quo in both the Arctic and Antarctica, this work turns to constructing a theoretical basis for understanding the Polar Caps.

## THE POLAR CAPS AT A GLANCE

Despite a few geophysical similarities shared by the two poles –permafrost encircling the geographic and magnetic poles of the planet –nearly all other characteristics are different. This section provides a brief, but dense, overview of the Arctic and Antarctica, to highlight their differences and thus acts as an important first step for the work

conducted throughout the bulk of this article. This section is broken into three complimentary parts. The first defines and details the geographic disparities, the second looks at the internal regional characteristics and the third pays close attention to environmental factors.

### *Defining the Poles*

Anis H.  
Bajrektarevic

Geographic literature defines the Arctic by the limitation of the Arctic polar circle; a line drawn at latitude 66°33', which marks the area where at least one day per year the sun neither rises nor sets (other definitions which are less accurate but more descriptive claim that the Arctic is situated further north of the tree line). The name *Arctic* originates from the old Greek word for bear (*arktos*) due to the stellar constellation of the Bear Polaris visible from the Arctic. In contrast, Antarctica is a continent located around the South Pole, hence presenting the opposite of the Arctic (which is the original meaning of its word: 'opposite of the Arctic'). Antarctica is referred to as the area south of the Antarctic Convergence, including oceanic areas as well as all of the gravitating islands.

The Arctic is often regarded as an oceanic mass completely covered by ice, however this holds true for only (approx.) 2/5 of the region. The remaining areas – dispersed landmass without continental continuity – are characterised by tundra and boreal forests (e.g. Greenland). Alternatively, only 2% of Antarctica's total land-mass is not permafrost (covered by ice). Therefore, it may be argued that the Arctic is 'an ocean surrounded by land,' and Antarctica is 'a continent surrounded by ocean.' Another significant difference is the annual average air temperature; while temperatures in Antarctica hover around -50°C, the Arctic's average is -17°C.

Regarding flora and fauna, the two regions diverge as well and this divergence accounts for the sustainability of life. Indeed, public awareness of these regions – limited as it is – typically knows that polar bears' habitat is in the North while penguins can be found in the South Pole. Yet, the Arctic hosts a variety of species including reindeers, caribous, bears, foxes (etc) while Antarctica is not inhabited by *any* terrestrial mammals. In adjacent oceanic areas whales, porpoises and seals have been observed, and in the Arctic Ocean also amphibious mammals. Regarding fauna, Antarctica is only sparsely populated with plants on its edges and has no tree line while the Arctic has tundra marked by a visible tree line.

## *Population of the Polar Regions*

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1/2011

The Arctic is inhabited by (approx) 4 million people; 10% of which are of indigenous origins. The Canadian part of Arctic is home to roughly half of the population of the indigenous tribes; in Greenland, the indigenous Inuit people hold the majority, but throughout the rest of the Arctic, non-native settlers outnumber native peoples (this demographic change coincided with the increased economic activity throughout the 20<sup>th</sup> century). There are more than 30 different indigenous peoples and dozens of languages (some on the brink of extinction) cohabitating in the Arctic though it is clear that natives will have to adapt to the current economic development as well as to the socio-political and demographic changes unfolding in the region.

In contrast, Antarctica is uninhabited and no evidence of *any* human presence has ever been recovered, the exception being in modern times where expeditions of scientists, residing on a short-term basis, are scattered across the continent.

## *Environmental Hazards and the Impact of Global Warming*

Now that a short depiction of the differences and similarities between the Arctic and Antarctica has been undertaken, it is important to shift gears and commence on depicting the security implication of the ever-evolving situation at the Earth's poles.

Climate change has affected the Arctic more widely than other regions and average temperatures are rising twice as fast than any other spot on the planet. The perennial ice sheets are melting with unexpected speed, coupled with an ever-shorter winter snow season. With deglaciation (shrinking snow-cover), less sunlight is reflected back to the atmosphere; a pattern which further accelerates temperature rises due to increased sun-radiation and absorption by more absorptive dark-coloured ocean. The WMO/IPCC expects an increase of about 6°C to 7°C in the 21<sup>st</sup> century. Although there is no scientific consensus on the cause(s) of such a transformation, the effects are difficult to disagree with: the Arctic is responding rather quickly to climate change.

Alternatively, based on incomplete and indecisive scientific data, it has been (falsely) argued that Antarctica was experiencing

trends in stark contrast to the types of climate change being recorded around the world. It was assumed that Antarctic would cool while the rest of the planet warmed; however, the latest satellite images reveal that in the western parts of the Antarctic Peninsula climate change is ever-present and glaciers are rapidly melting. The thinned, and in some places punctured, ozone layer is further accelerating warming in this area.

*Melting  
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In addition to the stabilising role the polar caps play for global climate – all weather patterns – these areas are home to the largest reserves of fresh water. With the rapid deglaciation of Greenland and Antarctica, and the melting of the Arctic ice sheets, a torrent of fresh water is being released, seriously affecting: 1. oceanic volumes (sea level rise); 2. oceanic temperatures' density and salinity which finally, through the oceanic conveyor belt affects the 3. oceans' circulation system and consequently 4. climate around the world. It remains unclear what consequences this might have to Europe's (and international) climate and general weather conditions; future scenarios range from substantial warming (coupled with severe droughts and extreme weather conditions), to severe "coolings."

Another consequence affecting the Arctic is the thawing of permafrost and through such thawing; methane – trapped for centuries – is being released into the atmosphere, contributing to the greenhouse gas effect. In addition to dangerous methane releases, the very thawing of permafrost will cause the destruction of buildings, communications infrastructure and industrial facilities in the Arctic Circle. Flora and fauna will undergo significant changes too, unable to sustain themselves in the changing environment they will migrate north along with the animals that require them as food-stuff. In short, the Arctic is experiencing profound changes and facing severe challenges, which are already being felt far beyond its polar parameters.

## LEGAL REGIMES

Just as the morphological, climatic and other characteristics of the Arctic and Antarctica differ, so does the legal status of the two. While Antarctica is governed by international treaty (proclaimed de facto as *res communis*), the Arctic lacks any acceptable legal formula applicable to the region as a whole. Indeed, and as discussed

in further detail below, Antarctica is governed by an intricate treaty system (ATS, 1961) brokered by the 12 nations, active in the Antarctica during the International Geophysical Year (IGY) 1957–58.<sup>1</sup> By banning *any and all* military activities on the only continent without permanent human presence, the ATS opened Antarctica for scientific use to *any* nation and is often regarded as the very first arms control accord established in direct Soviet-American negotiations during the Cold War. Celebrated as a sweeping success during such turbulent decades of US-USSR discord, the ATS was simply born from collective necessity as it was geographically remote, militarily inaccessible and an economically nonviable, unpopulated continent. Declaring it a demilitarised zone, free to “all peace loving nations”, was a relatively simple procedure.

While Antarctica had not been home to any human civilisation before the mid to late 19<sup>th</sup> century, the Arctic has always been inhabited by indigenous peoples. Already in pre-modern times, most Nordic and Russian peoples had established the parameters of their state territories exercising domestic jurisdiction well into the Arctic and over its native populations. This, combined with the absence of any comprehensive international instrument on the Arctic, opened the road for the so-called Eight Arctic States to govern the polar territory through their respective national legislations.<sup>2</sup> Historically, major portions of the Arctic (beyond economic zones – EZ) have not been (successfully) claimed by any external party, as the territories are practically inaccessible. In addition to political frictions, the harsh climatic conditions kept the Arctic – for most of the 20<sup>th</sup> century – out of negotiations for a comprehensive legal framework. However, climate change in the late 20<sup>th</sup> century, and the rapid ice-cap melting has revealed prospects of an accessible and economically exploitable Arctic; facts which are necessitating such a comprehensive legal framework.

The economic, political and legal race for the Arctic has (again) begun. Responding to this new situation, the EU and the UN have attempted to create a legal framework similar to the ATS. However, since some claimants view the Arctic as their own, inner “lake,” strong opposition to the internationalisation of the Arctic is visible and mounting. In fact, the Five Arctic States (the circumpolar states: Russia, the US, Canada, Denmark and Norway), through the *Ilulissat Declaration* rejected the creation of a new legal regime,

arguing that the UN Convention on the Law of the Sea (UNCLOS) should remain as the basic applicable law and asserted that UNCLOS was the only governing framework for the Arctic's continental shelf, seabed, the protection of the marine environment (including ice-covered areas), freedom of navigation, marine scientific research and other uses of the sea.<sup>3</sup>

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## UNCLOS

Since Hugo Grotius's famous *Mare Liberum* (1609), accessibility of international waters (free naval regime) has been an international custom. Gradually, the so-called *Freedom of the Seas Doctrine* elaborated on a multitude of sea-related issues including the notion of territorial waters, continental shelves, economic zones and demarcation distances. As technological advancements made economic exploitation possible and military adventurism probable, the international community repeatedly attempted to codify the customary rules into the text of a comprehensive, universal legally binding instrument though it was not until the end of WWII, extensively fought on the seas, was critical momentum reached. The first two rounds of negotiation were conducted in the 1950s which lead to UNCLOS I (1956) and UNCLOS II (1958, 1960). With over 160 participating states, and nine consecutive years of negotiations, UNCLOS III was concluded in 1982.

### *Maritime Zones*

Without presenting all stipulations in UNCLOS, for this study it is essential to highlight the most pressing; those related to maritime zones. UNCLOS recognises the right of states to extend national territories by several maritime zones from their respective coastline.<sup>4</sup> UNCLOS identifies seven such zones:

1. **Internal Waters** (land-coast – baseline) = no passage prior to explicit permission;
2. **Territorial Waters** (from baseline to 12 nautical miles (nM) seawards, with the possible extension of an additional 12nM of so-called *Contiguous Zone*) = innocent passage right;
3. **Inner Sea** (archipelago states only) = innocent passage right;

4. **Prolongation of the Continental Shelf (PCS)** (territorial extension of up to 150nM seawards from baseline, rooted on confirmed geo-morphological evidence) = innocent passage right;
5. **Exclusive Economic Zone (EEZ)** (from baseline up to 200nM seaward, upon the UNCLOS ratification) = innocent passage right;
6. **PCS & EEZ** (up to 350nM seawards from baseline approved by the CLCS 10 years after UNCLOS ratification);
7. **High Seas** (beyond the limits of 200nM/350nM) = open for free passage and exploitation to all states.

The recognition of EEZs and PCSs by UNCLOS obliges the Arctic states to grant innocent passage rights to *all* vessels. However, it awards the Arctic Five – since both zones are exclusive belts of economic activity – in seabed exploitation (ore, gas, oil, etc) and exclusive fishing rights (marine biota).

#### *Commission on the Limits of the Continental Shelf (CLCS)*

UNCLOS established the CLCS as *the* standing (scientific) panel of the instrument to deal with the claims beyond the 200nM parameter. The CLCS is mandated to examine maritime claims following individual state requests. Recommended deliberations of the CLCS are becoming final and binding if no contradictory claim is lodged (art. 76). In case of disputes, the final settlement is subjected either to the Hague-based International Court of Justice (ICJ) or the International Tribunal for the Law of the Sea.

The above clarifies the position adopted by the Arctic Five in its reaffirmation of UNCLOS since any Antarctica-like treaty would deprive the Five of their exclusive economic rights. Despite considerable geomorphologic disadvantages (as lacking the continental shelf extension or credible proof of it) facing a few of the Arctic Five, none favours an international instrument which would ultimately turn the Arctic into *res communis*. No matter how tedious the extension verification process is or how cost-intensive specific technologies for Arctic exploitation, the Five remain dismissive of the region's internationalisation and assertively seek to protect their interests.



The strategy of the Arctic Five is strikingly similar to the so-called *Eastern Diplomatic Question* of the late 19<sup>th</sup> century, (and its related 2+3 formula);

1. **Dismissive:** Slow down the process of the dissolution of the Ottoman Empire and of external parties' interference (re: undermine international efforts for creating an Antarctica-like treaty, by keeping UNCLOS referential);
2. **Assertive:** Maximise the shares of the spoils of partition (re: extend the EEZ and continental shelf to divide most, if not the entire Arctic among only the Five);
3. **Reconciliatory:** Prevent any direct confrontation among the European powers over the spoils (re: pass the claims without arbitration of the 3 parties preferably through CLCS).

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Poles*

By 2009, the deadline to submit their claims for extended continental shelf expired for numerous states. With the present number of claims and several UNCLOS articles – of imprecise wording (which leaves room to interpret the continental shelf extension as well as modalities of EEZ) – it is estimated that the comprehensive evaluation of the CLCS will not be successfully completed over the next 15 to 20 years. Noting these difficulties, some voices called upon the creation of a special (sub-) commission to deal exclusively with the Arctic claims. With looming political deadlock (at best), or active competition (at worst), expected in the Arctic over the next decades, it is important to better understand the political and legal situation in Antarctica and its applicability to the Arctic.

### *The Antarctic Treaty*

The Antarctic Treaty System (ATS) forms the comprehensive international legal regime in Antarctica and was negotiated in the late 1950's by the twelve parties which formed its original signatories (1959). These are: Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, Russia (originally USSR), the UK and the US. The main treaty entered into force by 1961 with 47 participatory states. Declaring the Pole as *res communis*, free of any military activity, this instrument further stipulates the freedom of scientific investigation, enhanced cooperation and data exchange. Importantly, ATS prohibits nuclear testing and nuclear waste disposal, marking it the first nuclear arms agreement and, to

some extent, the first environmental accord. Any territorial claim on land or ice shelves south of 60°S latitude cannot be recognised while the treaty is in force. For the stationary scientific personal the treaty suggests their respective national jurisdiction as applicable.

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### *Antarctic Treaty Consultative Meetings (ATCM)*

The ATCM acts as the governing body of the Treaty – monitoring of compliance and acting as legislative machinery – is essentially a clearing house that meets annually. Decision-making powers in administering and managing Antarctica are unevenly distributed among the current 47 parties: the signatory states, the consultative and other parties to the treaty. Based on explicit scientific interests and the active research presence in Antarctica, only 28 states maintain decisive says in the decision-making process; besides the original 12, there are another 16 states which joined the ATS in the last decades of the 20<sup>th</sup> century namely: Brazil, Bulgaria, China (PRC), Ecuador, Finland, Germany, India, Italy, Korea (ROK), the Netherlands, Peru, Poland, Spain, Sweden, Ukraine and Uruguay.

On its monitoring of a compliance role, the ATCM oversees that no activities contrary to the treaty occur in Antarctica and that any disputes between parties is peacefully resolved. Necessitating prior, explicit consent of all contracting parties, any eventual amendments or modifications to the treaty are to be directed through the ATCM and the accession of new members is also channelled through this body.

Serving as the principal legislative machinery, the ATCM has brokered over 200 recommendations, of which many have turned into legally binding instruments that gradually brought the comprehensive ATS into existence.

### *The Antarctic Treaty System*

Celebrating 50 years of the original treaty in Washington (December 2009), the ATS parties organised an Antarctic Treaty Summit entitled: '**Science-Policy Interactions in International Governance**' as a brain-storming session for scientists, politicians, scholars and other interested share-holders to discuss existing regulations and future developments of the Antarctic Treaty System.

The ATS is composed of the main treaty (1961) and of additional instruments, notably the Convention for the Conservation of Antarctic Seals (1972), the Convention for the Conservation of Antarctic Marine Living Resources (1982), the Convention on the Regulation of Antarctic Mineral Resource Activities (signed in 1988, not yet in force), and finally the Protocol on Environmental Protection (1998).

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The ATS is often referred to as one of the most outstanding, fair and transparent agreements ever concluded. Still, the dismissive notion of the ATS participatory parties towards the rest of the international community is nearly identical to the dismissive Arctic Five.

Pre-empting the large-scale exploitation of natural resources, the ATS consultative parties have formulated the Convention for the Conservation of Antarctic Seals (CRAMRA) through which they declared that no commercial activity could be undertaken at the expenses of the environment. However, the convention was never ratified as it lacked the high-standards environmental regulations demanded by many members, especially France and Australia.

Consequently, another agreement was required and the Protocol on Environmental Protection to the Antarctic Treaty, also known as the Madrid Protocol, was brokered, prohibiting any commercial activity for 50 years (until 2048) and describes the Antarctica as a 'natural reserve, devoted to peace and science.' Additionally, the instrument provides guidelines and principles for other activities such as tourism or the construction and maintenance of Antarctic research bases.

In order to monitor compliance, the Committee for Environmental Protection (CEP) was founded. The consultative parties may call for a review of the Protocol within the set timeframe of 50 years but amendments require unanimity. The ban on mineral resource activities cannot be declared void unless another binding instrument is in place.

It is apparent that beyond the declared (but hardly enforced) environmental considerations, the ATS parties meant to use the Protocol as an operative tool to discourage and alienate externals (re: a dismissive stance), and maintain and prolong their exclusivity in Antarctica with all its scientific and commercial benefits (re: assertive stance) revealing that, politically, the two poles are not in fact

polar opposites and economic-opportunity-driving-competition is likely to extend to the far reaches of Antarctica as well as the Arctic. This work now turns to some of the more pressing claims and competitions unfolding on both sides of the international environment.

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## CIRCUMPOLAR STATES: THE ARCTIC FIVE

The dense concentration of naval and air bases, marauding submarines and intercontinental missile silos throughout the Arctic, turned the region into the world's most militarised maritime space. At present, with the melting of sea ice, the Arctic Ocean is again in international vogue, owing to both its (actual and potential) material riches and the cast of its five littoral circumpolar states (Russia, the US, Canada, Denmark and Norway). Demonstrating their geographic proximity, power and presence, the "Arctic Five" are steadily submitting competing claims on northwards territorial extension aimed to: reduce the portion of international waters in the Arctic; and maximise national rights of navigation and effective controls over resources (EEZ).

Alternatively, and on the other side of the planet, the ATS is successfully restraining the neighbouring states, and interested parties, from submitting any territorial claims and marking it out as a legally "less contested region" though no less attractive as it is the final, significant and dividable geoeconomic and geopolitical territory on the planet. While the following discussion elaborates on the five littoral states and their increasingly assertive positions, the lessons learned may be instrumental for solving any future issues in Antarctica.

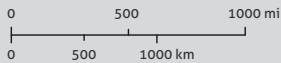
### *The Russian Federation*

Russia is the largest territorial state in the world, containing some 17,075,200 km<sup>2</sup> (or 1/8 of the world's total land surface), where roughly 142 million inhabitants live. Russia has nearly one-third of its territory located in the Arctic and sub-Arctic regions. Even a cursory glance at a map will reveal that roughly half of the entire circumpolar territory is currently under Russia's jurisdiction.

Russophones penetrated the Arctic as early as the 11<sup>th</sup> century but systematic exploration only began in earnest in the mid-16<sup>th</sup> century.

# Arctic Region

The Arctic region promises to become one of the hottest political spots on the planet in the nearest decade.



Azimuthal Equidistant Projection  
Source: ESRI Maps: David Erkomashvili  
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The late Tsarist and early Soviets settled nearly 2 million people in the polar circle for the purpose of large-scale research, economic and military activities, which with some oscillation, continues uninterrupted and Putin was the first of the “Five” to submit an official request for northwards territorial extensions. This policy has continued with Medvedev and Russia is very assertive in its Arctic policy.<sup>5</sup>

Consequently, Russia’s territorial claims are rather ambitious: extending to an area of about 1.2 million square kilometres of the Arctic seabed with the (geographic) North Pole as the outermost point. In 2001, Russia submitted its prolongation of the continental shelf claim to the CLCS, which includes parts of the Barents Sea as well as the Lomonosov and Mendeleev Ridge. However, in 2002 the Commission informed Russia that it should further research its claims as the information provided was insufficient for the Commission’s final recommendations. The revised version was submitted in 2009, and the Commission continues to examine it.

Russia’s economy is heavily dependant on the cash-flows stemming from gas and oil exports to Europe and other parts of the world. Its Arctic region already plays a significant role in the national economy, accounting for 11% of the country’s GDP and 22% of all export earnings. With the northwards territorial extension, these figures will surge, as the additional hydrocarbons, ores and other minerals locked in the Arctic seabed are likely to be very profitable.

Despite promising off-shore and costal mineral deposits, Russia will depend on foreign cooperation regarding the high-tech know-how in exploitation under harsh Arctic conditions and Russia’s Gazprom and Rosneft are already planning joint exploration sites, like the Shtokman field, with Norway’s StatoilHydro and France’s Total.

Visibly demonstrating the capability to patrol, secure and defend its territory has also become a high priority for the Kremlin,<sup>6</sup> which allocates considerable funds into the development and construction of new ice breakers, submarines and polar patrol ships. To better monitor the vast area, the government recently added three nuclear ice breakers to its already large and well-equipped fleet. Russia has increased its military budget and has taken to assertive patrolling on, above and below the surface of the sea. Indeed, the rearmament programme is

the largest, and most comprehensive, since the collapse of the Soviet Union.

### *The United States*

Ironically, it was Russia which made the US an Arctic actor.<sup>7</sup> With unhindered access to both the Atlantic and Pacific oceans, it is no wonder that the US adopted the old British geostrategic imperative that “who rules the oceans rules the world.” While US naval preoccupation rests its self-portrayal as a “fish of the high seas” it is, in reality, a “fish of warm seas;” not a typical Arctic state. Firstly, its polar border is detached from mainland US and secondly, at its northern tip the US has a relatively small circumpolar share. Despite the US technological leadership, it has not deployed adequate energies for the ultimate goal of utilising the Arctic’s resources;<sup>8</sup> it has not even invested in extensive maritime patrolling. However, if the US intends on prolonging its hegemony, it will be forced to deal with the unfolding Arctic scramble, retain its shares in the strategic and economic competition and prevent an unfavourable partition of the territories and distribution of its resources.

Currently, the US’s Arctic position is the weakest of all the Arctic Five since it never ratified UNCLOS and therefore, cannot access the CLCS claims mechanism. Indeed, only recently the US embarked on a joint project (as a junior partner) with Canada (as the leading partner) to properly map the US’s Arctic coastal reefs, precise baselines, the adjacent seabed and ridges. In other words, at the time of this writing the US is not in a “know-how” position to map its own Arctic territories and requires the assistance of others to achieve that objective. Given the gross imbalance between the US in the Arctic and the US in the rest of the world, it is interesting to trace the seeds of its policy lethargy.

### *The US Position on UNCLOS*

In 1982, (then) President Ronald Reagan rejected the ratification of UNCLOS with the argument that the instrument creates unacceptable limitations and is therefore unfavourable for the US. After treaty revisions (1994), Bill Clinton signed UNCLOS but ratification was rejected by the US Senate. A decade later and attempts by

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the Bush administration (2004) also failed. In other words, no matter the colours of the President and his administration, navigating congressional labyrinths and its intrinsic bipartisan confrontations – in this case over the US Navy’s high seas patrolling rights – and interest groups (re: deep seabed resources exploitation), has proven no easy task and navigation rights, according to the US, should be compatible with most archaic of international customs that “might makes right.”

As all great powers have, the US actively participates in negotiations over the construction of legal instruments, including UNCLOS, and encourages others to ratify them – in a bid to establish a level of international obedience – but often opts out itself to avoid constriction and to reserve its freedom of action.

Recently however, Obama prioritised passing UNCLOS ratification through both houses in a bid to reconstruct some of the sapped US normative power. Indeed, the US is one of the few UN members and the *only* Arctic Five state not to have ratified the treaty – which actually impairs its Arctic position – and thus such a prioritisation is likely to produce a burst of “good-will” for US diplomacy, though in the murky worlds of the US Congress and House of Representative even such a well-intended, logical and “national-interest-enhancing” issue could be arrested by more narrow interests.

#### *Position of a Non-Party Claimant*

As a non-member of UNCLOS, the US centres its claims on the continental shelf customary law reinforcing Truman’s Presidential Proclamation (No. 2667) that ‘any hydrocarbon or other resources discovered beneath the US continental shelf are the property of the US.’<sup>9</sup> Despite the unilateralist approach favoured by the US, it has shown some inclination towards negotiated settlements of Arctic tensions and the division of resources, and participates in a variety of bilateral and multilateral debates, negotiations, conferences, and summits such as the Ilulissat Arctic Ocean Conference.

The US has used such forums to articulate its positions – bypassing UNCLOS – and has, thus far, seized the opportunity to claim rights on the continental shelf extension in nine different areas of the Arctic region,<sup>10</sup> in three areas off the US’s West Coast (including



the extension off the west coasts of Guam and the Northern Mariana Islands), and in two areas in the Gulf of Mexico.<sup>11</sup>

### *Canada*

The world's second largest country (est. 60% the size of Russia), Canada retains the second longest circumpolar border at about 244,000 kms. While one-third of Russia's territory lies within the Arctic Circle, Canada's share is even greater, roughly 40%, equivalent to Europe's entire land mass.<sup>12</sup> Canada is one of the most disproportionate countries when comes to the relation between physical size (9,093,507 km<sup>2</sup>) and the number of inhabitants (33.5 million) and their concentration. The entire northern and central portions of Canada are practically empty, either inhospitable or extremely under-populated, and over 90% of the population lives within 125 kms of the US and are mostly concentrated in urban centres such as Vancouver, Toronto, Ottawa and Montreal. While Canada *should* be regarded as a typical Arctic state, it has committed few resources and mobilised scant domestic support to effectively exercise its military and/or economic presence in the region.

More recently however, and in direct response to Russia's renewed assertiveness, Canada is attempting to rally popular support and mobilise the government, businesses and the research community to comprehensively assert control over *its* share of the Arctic. Similar to Russia, Canada's Arctic policy is replete with symbolism intended to heighten the legitimacy of its claims. For instance, policy enhancements include: the location for the 2010 summit of the G-7 Finance Ministers (Iqaluit, Nunavut), orders of new polar-patrolling planes and vessels, including ice-breakers for its armed forces, and the joint US-Canada mapping project entitled: the 2009 Extended Continental Shelf Project.

One of the main security concerns of Canada is to protect the northern shipping routes and the entire Arctic and sub-Arctic territory against environmental disasters through increased transportation and the exploitation of natural resources. Canada's Environmental provision, the so-called Arctic Waters Pollution Prevention Act, defines a (environmentally contagious) zone of 100 nM seawards from its coastline as an *environmental protection area*.<sup>13</sup> In conformity with that provision, Canada persistently claims sovereignty

### *Melting Poles*

on the Northwest Passage, justified by its environmental concerns related to increased transportation of environmentally unfriendly vessels. Believing that environmental concerns are merely a “cover” for Canada’s geopolitical and geoeconomic ambitions, both the US and the EU have repeatedly protested the treatment of the Northern Passage as Canadian territorial waters.

Since 2008, Canada requires prior notification of all vessels flying foreign flags sailing the Northwest Passage. However, it remains unclear how Canada will enforce such requirements, owing to its modest surveillance and patrolling capabilities. In the unfolding Arctic contest Canada’s position is growing increasingly weak as the Northwest Passage, due to melting ice, becomes a more attractive international shipping route and neither international customary law, UNCLOS, nor its enforcement capabilities are able to prevent Canada’s geopolitical and/or geoeconomic losses.

Concerning the CLCS, Canada (as party to UNCLOS) can lodge its continental shelf extension claims until 2013 and is preparing to extend the continental shelf on its North/North-East Coast as well as in the central and western portion of the Arctic (an area of about 1.75 million km<sup>2</sup>). Currently, Canada is making considerable investments into geomorphology and related research while tripartite expeditions (Canada, the US and Denmark) are working on several Arctic assignments together. One such assignment produced the controversial finding that the Lomonosov Ridge is connected to (extended from) Greenland and the Northern American continent, and is therefore not, as Russia claims, an extension of the Eurasian continent. Canada also claims the Alpha Ridge (adjacent to Ellesmere Island), the Beaufort Sea, and the Mackenzie River Delta, where (allegedly) riverine sediments are pouring into the Arctic seabed well into the far north. Canada is currently locked in a dispute over Hans Island (located in the Nares Strait between the Ellesmere Island and Greenland) with Denmark. Acting pragmatically, Canada and Denmark reached an agreement on the delimitation of the continental shelf, in force since 1974, with amendments added in 1994. The agreement clarifies fishing zones and defines territorial borders between the two over a length of 1,450 nM, however, Hans Island is excluded from the agreement and continues to be unresolved.<sup>14</sup>

## *Denmark (Greenland and the Faroe Islands)*

Denmark owes its circumpolar status to its colonial past as the Kingdom boasts a rich heritage of naval power which produced an expansive domain including lands to the far north/northwest. Denmark, through its (increasingly formal) overseas possessions of Greenland (the largest, least populated island in the world) and the Faroe Islands, is entitled to make Arctic claims. Both territories were granted home rule, with only foreign and defence policy under the direct control of Copenhagen.<sup>15</sup>

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### *Towards the Danish Commonwealth*

Denmark is the only EU member state of the Arctic Five, but strangely, Greenland and the Faroe Islands are not.<sup>16</sup> Both territories are predominantly inhabited by indigenous peoples, and while Greenland is a vast 2,166,086 km<sup>2</sup> with a miniscule and disproportionately situated population of 57,600 (or 0.025 inhabitants per km<sup>2</sup>), the Faroe Islands are a considerably smaller territory comprised of 18 major islands totalling 1,399 km<sup>2</sup> and evenly populated with some 48,000 inhabitants of which 92% are Faroese. Although neither territory is officially part of the EU, the Faroese Islanders may choose between the Danish or Faroese citizenship while the Greenlanders are all Danish nationals.

Moves towards full independence (induced from Denmark) are gaining momentum: during Greenland's consultative referendum (November 2008), as many as 75.5% voted for an extended autonomous status granting those more powers to control the justice and home affairs as well as subjecting them to international law. Furthermore, Danish subsidies are now linked proportionally to Greenland's revenues, which besides fishing is mainly through the exploitation of natural resources. Agreement was also reached where in the event of Greenland independence all invested monies would be paid back to Denmark through revenues gained by the exploitation of minerals.<sup>17</sup> For the time being, Greenland remains financially dependent on Denmark, and even if clear economic prospects are wide open, Greenland's infrastructure requires a steady capital flow to realise economic opportunities.

Greenland's future depends on its level of economic emancipation and the huge deposits of resources; allegedly under the island's

massive ice sheets and offshore, require further exploration and expensive preparations for viable exploitation. Even (relatively) wealthy Denmark cannot do it alone and several oil and mining companies have already begun to make investments and prepare for massive extraction projects. For instance, Scotland's Cairn Energy, together with Malaysian Petronas, are planning to invest some €310 million for exploring off Greenland's coast. It is estimated that there are oil deposits ranging from 16-47 billion barrels offshore, as well as key minerals (gold, zinc and lead) onshore. Furthermore, substantial investments aim at exploring the seabed and Greenland's continental shelf in order to file a credible claim with the CLCS rule; Denmark's submission is due in 2014.<sup>18</sup>

Similar to the other members of the Arctic Five, Denmark is strengthening and renewing its northern military capabilities and its most recent defence plans (2010–2014) call for the formation of a special Arctic (joint) Force to patrol its territorial waters and beyond. As a founding member of NATO, Denmark has steadily and actively contributed to this collective security system and expects that NATO will assist it resolve any territorial challenge in the Arctic.

### *Norway*

Norway, a country of some 385,252 km<sup>2</sup>, of which nearly 40% is situated within the Arctic Circle, and a total of 4.8 million inhabitants, is the smallest country of the Arctic Five with the smallest Arctic share. However, Norway is the most advanced in lodging its claims to the CLCS: by 2006 Norway had filed *all* its Arctic border claims (over 248,000 km<sup>2</sup>), which if confirmed, would be a territorial gain equal to 2/3 of its present territory, including the areas of the Banana Hole in the Norwegian Sea, the Loop Hole in the Barents Sea as well as the Western Nansen Basin in the Arctic Ocean.<sup>19</sup>

In March 2009, the CLCS positively responded to part of Norway's Arctic claims, making Norway the first of the Arctic Five to obtain such recommendations. The government is preparing national legislation to domesticate the CLCS deliberations (promulgating the legally binding text on the renewed/extended border limits through its constituency). However, there are several Arctic areas with overlapping claims and confronting claimants where the final settlement is pending.<sup>20</sup>

### *Smallest in Size though Grandest in Expertise*

Beyond national pride and geopolitical aspirations, Norway's prime interest in the Arctic is to maintain its current prosperity which is heavily reliant on oil as the oil industry is the main pillar in Norway's economy. However, Norway's current oil fields have reached beyond "peak," and the latest estimates predicting that known sources will be exhausted before 2030. For an oil-driven economy, this is a "red alert" to locate and exploit alternatives. Reconstructing its economic policy to respond to such changes, Norway aspires to: decouple and further diversify (support and stimulate innovations in other economic fields); and divert/expand the oil know-how (off-shore and joint-venture oil exploration in the Arctic waters).<sup>21</sup>

*Melting  
Poles*

To demonstrate Norway's assertiveness and capabilities, the government allocates considerable funds to the development of state-of-the-art technologies for an all-season presence. At the same time, Norway is modernising its commercial and military capabilities for off-shore exploitation, deep sea exploration and research of environmental effects, or the patrolling and surveillance of its outmost Arctic limits; to end "pirate fishing" among other intruders.

Norway is also a founding member of NATO,<sup>22</sup> and has traditionally occupied a vital controlling and deterring function on the outermost northern flank (similar to Turkey on the southern flank). More importantly, Norway has unrivalled historical experiences and knowledge in polar exploration, which when coupled with specific technological developments hoists Norway to the position of "know-how" leader among the Arctic Five.

### *Svalbard*

The Svalbard Islands (formally Spitsbergen) are situated to the north of the European mainland, far into the Arctic Ocean, about halfway between Norway and the geographic North Pole. The archipelago – of some 61,000 km<sup>2</sup>, are inhabited by 2,200 settlers, of which 55% are Norwegian and 45% Russian – consists of nine main islands and is a formal mandate given to Norway. Svalbard has rather a unique position, which is determined by the Svalbard Treaty, in force since 1925 with the so-called Svalbard Act.

Svalbard has been the object of sporadic interests for several littoral and non-littoral states, but none ever claimed the archipelago prior to the treaty. Only commercial and military advancements (including the discovery of promising coal deposits), coupled with the confrontational course between post-WWI Europe and early Bolshevik Russia brought the need for a comprehensive legal framework regulating the ownership and clarifying the territorial claims.

In the Svalbard Treaty (original name: Treaty concerning the Archipelago of Spitsbergen), signed in Paris (1920), the nine original signatories<sup>23</sup> recognised the formal mandate of Norway, but also agreed that every (*bonae fidei*) nation has equal rights; to inhabit the islands and, to exploit its natural resources (including the right to fish and to hunt under the legislation of Norway).<sup>24</sup>

As the Svalbard Treaty was not decisive on the full set of territorial rights, there are certain calls to reopen and renegotiate the terms of the Treaty. While the archipelago is strategically important for both Russia and Norway (NATO), any possible territorial extension (maritime zones, continental shelf) via Svalbard is of direct concern for each of the Arctic Five as well since the archipelago promises extensive geoeconomic geopolitical enhancements.

#### *Additional Arctic Parties*

In addition to the five littoral circumpolar states, other actors retain both explicit and implicit interests in the region. Even geographically distant countries like China and Japan have expressed interest in Arctic affairs; interests primarily driven by increasing energy demands and alternative transportation routes. Indeed, if an investigation were undertaken to disclose the full spectrum of interested actors, this work would read less like an academic contribution and rather like a lengthy encyclopaedic volume. While such an undertaking is necessary, it is not undertaken here. Instead, while this work recognises actors beyond the Arctic Five – especially the other Arctic Council members (Iceland, Finland and Sweden) which each have real influence over regional dialogues and will be impacted on by any settlement meted out through legal or extra-legal means – research is limited due to spatial constraints.

While this section demonstrated some of the geopolitical and geoeconomic positions of the Arctic Five as they deploy their resources

and utilise their energies in pressing for their claims to be internationally accepted, some indications of the nature of the unfolding competition and potential flash-points were made visible. This work now turns to assessing some of those flash-points and seeks to distinguish the rights of claim and more archaic exploitation.

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#### WHAT'S AT STAKE?: TERRITORIAL CLAIMS IN THE POLES

Territorial disputes, spiralling into open hostilities, have been responsible for a significant percentage of inter and intrastate hostilities and in the absence of violence, impedes cooperation between states. Conversely, at times, states sharing spaces, or forced to negotiating tables to resolve outstanding territorial issues may find themselves increasing the positive dimensions of their relationship. When such territorial disputes occur in a dyad, associated problems are easier to solve, then situations of multiple actors and therefore multiple interests and areas of contest.

Arctic geopolitics is currently defined by four major areas of overlapping claims and each disputed area contains immense resource deposits and is endowed with some form of geopolitical importance, such as the control of transportation routes. For the most part, the Five agree on demarcation lines. However, control over the remaining areas, including the geographic North Pole, is disputed and agreement not forthcoming.

In Antarctica, claims – dating to pre-system times – are more seldom declared, though claimants have formally agreed to maintain the ATS system and none has attempted to revise the status of the continent. For how long this situation will continue is uncertain and thus it is important to include territorial issues related to Antarctica in this section.

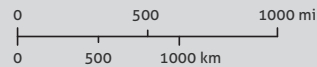
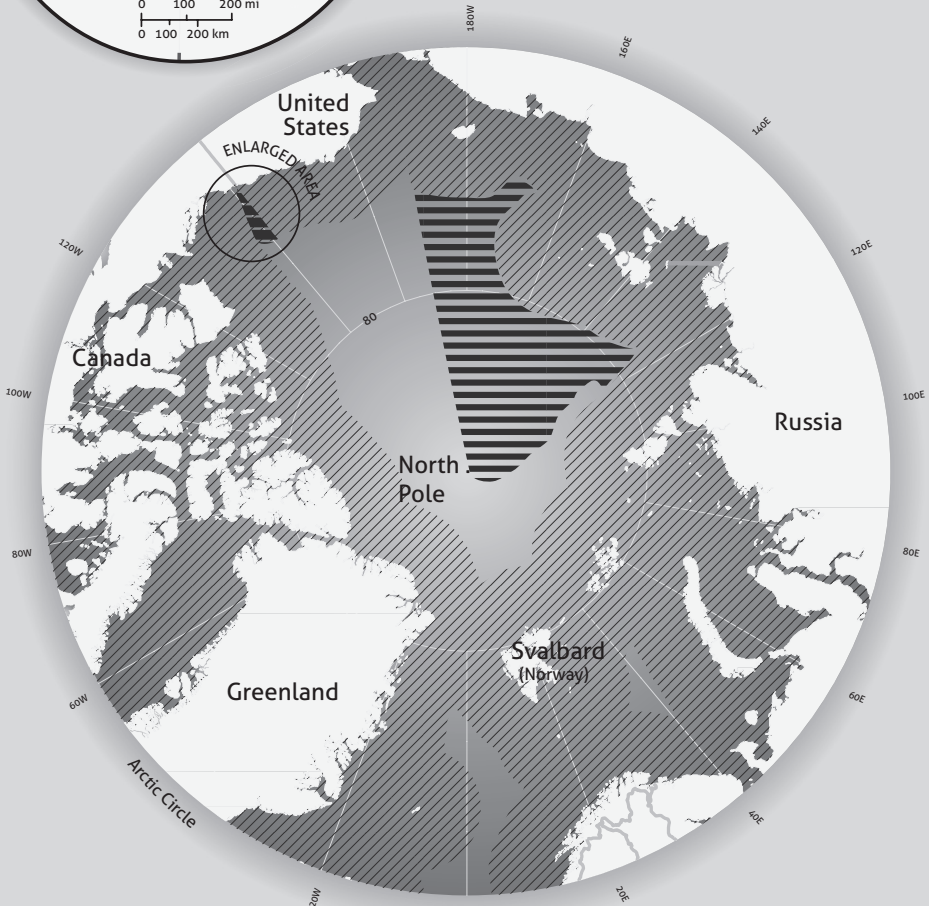
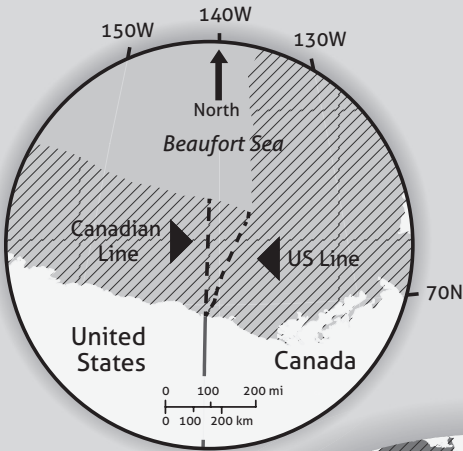
#### *Arctic Claims*

##### *The Lomonosov Ridge*




The Lomonosov Ridge is an 1,800km long seabed mountain chain stretching from the New Siberian Islands, across the Arctic Ocean and the North Pole, to Ellesmere Island (Canada) and Greenland.

# Arctic Boundaries

The Arctic is a contested region. Since it may possess wealth resources bordering states claim their ownership over certain territories. Complicated mixture of international law and politics intervene.



North Pole Azimuthal Equidistant Projection

-  Russian-claimed continental shelf beyond 200 nm territory
-  200 nautical miles territorial sea and exclusive economic zone (EEZ)
-  US and Canadian claims



Three Arctic Five members claim the Ridge (Canada, Denmark and Russia) as an extension of their respective continental shelves. Russia argues that the Ridge is a prolongation of the Eurasian continent, giving them the right to exploit the seabed beyond the 200 nM limit (set as the EEZ). In 2001, Moscow submitted the CLCS a claim on the Ridge. Reacting to Russia's move, Canada and Denmark formally objected and made contradictory claims that the Ridge is an extension of *their* respective continental shelves.<sup>25</sup> The CLCS has not yet decided on the claims, but in 2002 gave Russia more time to resubmit a more scientifically researched claim.

Researching claims and presenting accurate scientific information (for all three) poses a challenge since the Ridge is located beneath thick polar ice, on a seabed of extremely rough waters. As mentioned, Canada and Denmark have embarked on a joint programme exploring and mapping the seabed and one its priorities is to collect sufficient geological data to determine which continent extends to the Ridge.

Alternatively, Russia has been patrolling beneath the Arctic ice for decades and there is evidence that Soviet and later Russian submarine fleets made detailed and precise maps of the Pole's seabed including its ridges and seabed peaks. In this case, it seems that Russia retains the more convincing data, though the political nature of the disputes will ultimately attest to this, particularly with regards to the CLCS.

As the map (above) indicates, the party favoured by the CLCS and receives the Lomonosov Ridge and its 150 nM extension of a select continental shelf will gain a "lions share" of the disputed territories and tremendously enhance their geopolitical and geoeconomic position. Although scientists argue that most resource deposits are off the coasts and not near the Pole, evidence is inconclusive and nearly all future transportation routes would traverse the Ridge. If a single state wins ownership of the Ridge it would also assume control of the majority of the Arctic. This, perhaps, maybe the reason why four of the five Arctic states (Canada, Denmark, Norway and the US) would like to see the Ridge co-shared: divided between the three claimant parties.

#### *Mendeleev Ridge*

A less impressive (in its range, heights and size), but equally important disputed territory is the Mendeleev Ridge. Located in the

Eastern Siberian Sea area of the Siberian Shelf, the ridge is the central portion of the Ocean. The Mendeleev Ridge is vital for Russian's claim since it would give Moscow direct access to the North Pole. Any success in the claim over the Lomonosov Ridge (as continuation of the Eurasian continent) would first necessitate gaining the Mendeleev Ridge.

### *Hans Island*

Hans Island is an uninhabited islet between Greenland and Canada's far north-east (in the middle of the Kennedy channel on the Nares Strait) and is only, 1.3 km<sup>2</sup> in size.

The islet forms the centre of an acute territorial dispute between Canada and Denmark. Besides repeatedly claiming it (after an unsuccessful attempt in the 1980s for joint administration), both countries have demonstrated symbolic and actual presence on the islet; from displaying their national flags, to the Canadian Defence Minister visiting the islet in a military escort (2005); a move which Denmark replied to by dispatching an ice-breaker to patrol offshore the island. Two other proximate disputes, in the Lincoln Sea to the north of the Ellesmere Island and Greenland, were resolved through bilateral agreements, however, Hans Island was not subject to this agreement, and remains unresolved.

Canada centres its territorial rights on the so-called "Sector Principle" and Denmark fears that, in case of success, Hans Island could set a precedent on the applicability of this principle elsewhere in the Arctic (in contradiction to the Delimitation Agreement). Denmark's counter claim is based on customary law, based on the argument that the island is a traditional hunting ground of Western Greenland's Inuit people.<sup>26</sup>

Located in the bottleneck straits of the Kennedy Channel, and controlled by both Canada and Denmark, it is by most accounts an irrelevant territorial gain for either side. Why then is the islet so hotly disputed? Girshovich explains that Hans Island is, morphologically speaking, a surface "tip" of the Lomonosov Ridge; so, the party controlling the islet may claim the Lomonosov Ridge.

## *The Barents Sea – Loop Hole*

For more than 30 years, the main and most disputed area in the Arctic is the Barents Sea. The area in dispute is 176,000 km<sup>2</sup>, and is well beyond the EEZ parameters of the 200 nM of both Norway and Russia.

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(Re)confirmed geological evidence that in the exploitable and (relatively) warm (re: oil-platform friendly) Barents Sea there are considerable deposits of hydrocarbons acts to heighten tensions. Bilateral Russo-Norwegian talks on the partition of this zone began in the 1970s with negligible progress. The only success was a temporary agreement on fishing rights in the Loop Hole (re: the so-called ‘Gray Zone’ Accord 1978, which grants both state exploration rights of the marine biota within the Loop Hole, also within the portions Russian and Norwegian EEZs) limited in extent since it must be renewed annually. Frustrated over the deadlock in bilateral talks, both sides submitted applications to the CLCS. However, it is beyond the Commission’s mandate to decide on the demarcation line, the parties need to find consensus and communicate them to the CLCS.

The original Norwegian proposal was to divide the disputed area by the so-called “Median Line” (to identify the closest points of both countries’ baseline and draw a dividing line exactly in the middle of them, e.g. Svalbard on the Norwegian side and e.g. outmost tip of Novaya Zemlya and France Josef Land’s archipelago on the Russian side).

The Russian proposal was to draw a dividing line at the meridian from the Varanger Fjord to the North Pole.

Russia based its demarcation proposal on the fact that any acceptance of the Norwegian proposal would mean an implicit recognition of full territorial sovereignty of Norway over Svalbard, which is incompatible with the Svalbard Treaty.

Despite previous odds however, it seems that Russo-Norwegian talks are scoring a breakthrough and negotiations are based on the following terms: Russia agrees on Norwegian jurisdiction in the Svalbard fish protection area if Norway accepts dividing the disputed area in the Barents Sea further to the west (accepting the Russia’s demarcation parameters). In these *quid pro quo* negotiations, Norway and Russia allegedly agreed how to divide 80% of the area

and the remaining 20% (with promising Fedinski-structure deposits beneath) is soon to be closed.

### *The Beaufort Sea*

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The Beaufort Sea dispute is equivalent to the Barents Sea dispute though on the American continent (part of the Arctic Ocean, the Sea itself is of nearly a half million km<sup>2</sup>). The US and Canada dispute some 21,436 km<sup>2</sup> north of Alaska and the Yukon, which is *probably* rich in hydrocarbons. The northern land demarcation line between Canada and the US was established along the 141<sup>st</sup> degree of longitude west, which leads Canada to argue that the same demarcation line should be followed at sea. The US disputes this by claiming that the sea border should be established by drawing a line under the 90° angle relative to the coast line (diagonal to the coast line). If the US claim were accepted it would receive a significant wedge-shaped area of the Beaufort Sea.

Both Canada and the US are tempted by rich resource deposits (marine biota and minerals), but also because the dispute must be resolved in direct negotiations since the US, as a non-party to UNCLOS is hindered from the III-party/LOSC, neutral arbitrational platform. An alternative to partition would be, of course, to declare a joint development regime, for fishing and exploitation of hydrocarbons, over the disputed area. A similar, alternative approach has been in place between Iceland and Norway on the sea portion near the Norwegian Island of Jan Mayen. So far, there is no indication of such a regime: Canada justifies its position by expressing environmental concerns, questioning whether the US would enforce suitable living marine environmental protection. The US is indeed very active in oil exploitation in the western Beaufort Sea (including several extensive searches for the oil deposits in the disputed belt itself). Extensive overfishing in the belt resulted in the US's self-declared fishing moratorium in the zone, which Canada repeatedly called for in the entire theatre of the Beaufort Sea.

At any rate, it is not (always) clear whether declaring protected marine zones in certain sections of the Arctic Ocean and the introduction of stricter environmental regulations beyond territorial waters is indeed an expression of environmental concerns or compensation for a lack of exploiting and patrolling capabilities.

Prior to the ATS's entry into force, several polar exploring states had laid claim to particular parts of Antarctica. In the late 19<sup>th</sup> and early 20<sup>th</sup> centuries numerous Antarctic expeditions, by several states occurred, with the first stationery research personnel dating back already to the 1930s. This eventually led seven (Argentina, Australia, Chile, France, new Zealand, Norway and the UK), among many exploratory states, to claim particular portions of the continent.

When the Antarctic Treaty entered into force (1959), all territorial claims south of 60°S were suspended as article 4 stipulates that the 'treaty does not recognise, dispute, nor establish territorial sovereignty claims; no new claims shall be asserted while the treaty is in force.' Clearly, the Antarctic Treaty neither denies nor recognises existing territorial claims. However, article 10 underlines that the 'treaty states will discourage activities by any country in the Antarctica that are contrary to the treaty' and the subsequent, article 11 calls for the peaceful settlement of any dispute, ultimately recognising the jurisdiction of the ICJ.

Recognising Antarctica as a demilitarised continent, open to all for research and scientific exploration, the ATS denies the right to lodge any new territorial claims. Despite this, both Russia and the US (as non-claimants) reserved rights to make future territorial claims. Similar to the situation in the Arctic, such amendments to the status quo are largely driven by promising deposits of natural resources and advanced technological capabilities to access explore and exploit those resources. Even though the treaty prevents states from economic activities on land and offshore, beyond the parameter south 60°S, the UK, for example, handed in its extension of the continental shelf claim (east and south of the Falklands). Trying to *relativise* the impact, a Foreign and Commonwealth Office (FCO) spokesman stated (2007) that 'it would be a claim in name only; we wouldn't act because doing any mineral exploitation contravenes the treaty.' It is worth mentioning that the tiny archipelago (the Falklands, the South Georgia and the Sandwich Islands) which is the UK's entrance to Antarctica, witnessed a brief armed conflict between the UK and Argentina in 1982.

The moratorium on mining (and other extensive economic activities) in the Antarctica will be reviewed in 2048, as the Madrid

Protocol (in force since 1998) prohibits the exploitation of natural resources for 50 years. However, some 30 years before the expiration of the legal regime, interested (and capable) parties are quietly positioning themselves for a future land and resources grab.

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Tangible resources only account for part of the growing interest, and rising tensions, in the Arctic and Antarctic regions however. Another significant draw of geopolitical and geoeconomic gravity is based on the new shipping lanes likely to be open (re: ice-free, at least part of the year) as a result of rapid climate change. This work now turns to briefly presented the looming Arctic competition over control of the sea lanes, also known as the Sea Lines of Communications (SLOC).

### *Arctic Shipping Routes*

With rapidly melting ice, prospects of shortened SLOCs in the Arctic region have become an unfolding reality. There are three possible SLOCs, the:

- **Northwest Passage** – connecting North America to East Asia;
- **Northern Sea Route** – reducing transport time between Europe and Asia along Russia's Arctic coastline;
- **Arctic Bridge** – connecting Canada and Russia.

There is great potential for trade with shorter distances made possible through the new SLOC between the continents. At present, amidst the Arctic thaw, such alternative routes continue to be risky and thus sea-faring traffic prefer to utilise existing transport routes which traverse the Suez and Panama Canals. However, the use of the Arctic Bridge has gained momentum and is used during summer months for shipping between Murmansk (Russia) to Churchill (Canada).<sup>27</sup> With this in mind, it is essential to look at these three routes with more detail, to better understand what is truly at stake in the Arctic competition.

### *The Northwest Passage*

The Northwest Passage is an Atlantic-Pacific corridor navigating through Arctic waters from the Davis Straits and Baffin Bay all the way to the Bering Sea. This SLOC shortens the distance between East Asia and the East coast of North America (travel which

typically passed through the Panama Canal) by some 7,000 kilometres, allowing for greater, more efficient movements of goods and services at a reduced cost and consumption of hydrocarbons. Summer 2007 was the first season, in modern times, that the Northwest Passage was completely ice-free and the latest information suggests that the route will be accessible for non-ice-breaker cargo ships by summer 2013. Such a development will have wide implications (both negative and positive), not least in defining a peculiar North American relationship: between the US and Canada. In this case, while Canada claims the Davis Straits and Baffin Bay as its territorial waters, the US considers them high seas or, at least, an international corridor; an argument supported by the EU.

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In 1985 Canada (re-)defined its internal waters through an act of domestic legislation which included substantive paragraphs on the status (claim) of the Northwest Passage.<sup>28</sup> When Canada acceded to UNCLOS (1993), agreement with the US was reached where Canada would be notified prior to any US shipping through the Northwest Passage. However, this limitation (the right of prior consent) is hardly enforceable since Canada has no sufficient Arctic patrolling capabilities. Still, Canada verbally defends its position by expressing environmental concerns of foreign vessels. Yet, despite Canada's provocation, the straits continue to be recognised as international waters by the international community (save Canada) implying that there are no restrictions on rights of usage under any conditions, as long as international law is considered; a solution unfavourable to Canada.

### *The Northern Sea Route*

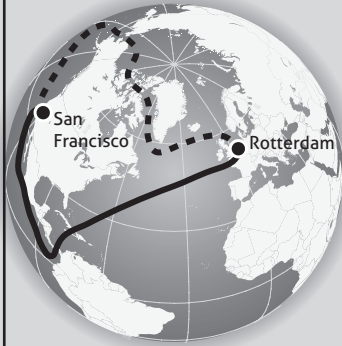
This route – aka: the North East Passage – connects the Atlantic coast of Western and Northern Europe with the Pacific coast of Northeast Asia via the Russian Arctic coastline. Traversing this route, distances between Europe and Asia could be shortened by as much as 40% compared to transport routes which depend on the Suez and Panama Canals. Soviet Russia (following the Tsarist model) forcefully settled its polar regions which necessitated advanced critical infrastructure and the impressive array of urban centres, and harbours along the Arctic coastline has been in place since the end of WWII though until 1987, the Northern Sea route was forbidden for all foreign flagged (non-Soviet) vessels, as this acted as the

## NORTHWEST PASSAGE

### Approximate Distances of Shipping Routes

Northwest Passage  
8.500 mi/13.600 km

Panama Canal route  
15.000 mi/24.100 km



# The Route

Comparison of the current trade routes versus Arctic routes.

## NORTHERN SEA ROUTE

### Approximate Distances of Shipping Routes

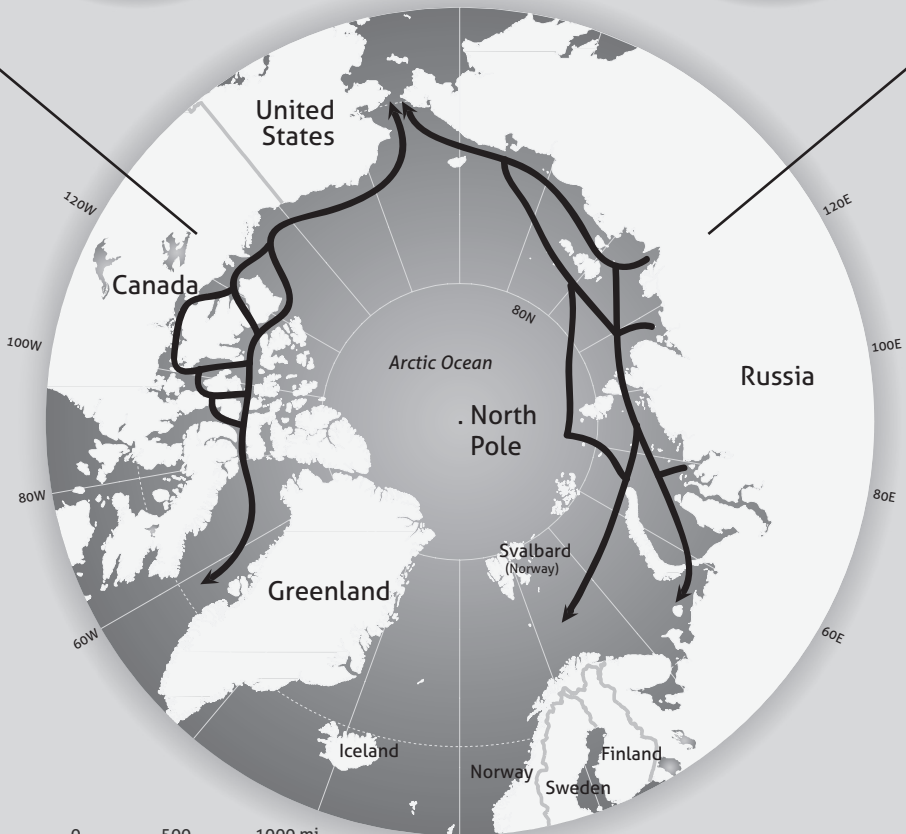
Northern Sea Route  
8.000 mi/12.800 km

Suez Canal route  
13.000 mi/20.900 km



— — — —  
Arctic route

—————  
Current route



0 500 1000 mi  
0 500 1000 km

Azimuthal Equidistant Projection

Source: ESRI, United Nations  
Maps: David Erkomaishvili  
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only life-line which connected the Soviet Baltic and Pacific fleets. At present, the passage is mostly utilised for intra-Russian trade and military manoeuvres since the waters are regarded as very dangerous – some segments of the passage are too shallow for heavy container ships – and unpredictable. The passage is internationally accessible only after the submission of tax for Russian ice breaker guidance.

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Russia is set to invest billions of Rubles into the port of Murmansk with the aim of doubling its capacity by 2015 and to further develop and modernise its Arctic coastline. Since deglaciation is occurring and the unhindered passage is transforming into a reality, Russia wants to stay atop the competition and provide solutions to EU, Japanese and US transportation needs.

### *Arctic Bridge*

The Arctic Bridge is a seasonal route which shortens the connection between North America and Europe continent via the Arctic Ocean. The Bridge concept was offered to Russia by Canada in the 1990s, but regular shipping began only in 2004. Currently, for roughly four summer months, it is used for shipping grain and fertilizers from Canada to Europe (via Canada's principal northern port, Churchill to Russia's port of Murmansk; both have rail-links with the rest of their respective continents). Russia is keen on further developing the concept of the Arctic bridge, and is already positioning Murmansk as a transit hub for future inter-continental shipping between North America, Northwest Europe and Pacific Asia.

### CONCLUDING REMARKS

As noted, the Arctic and Antarctica are global climate stabilisers, retaining rich marine biota, hydrocarbons, minerals and tremendous fresh water reserves and thus have the potential to act as sources for ending resource scarcity around the world. However, instead of utilising the continents' vast resources for absolute gains intended for the entire international community, those responsible for "resource management" continue their quest for more narrowly defined self-interests and have used the lack of clear demarcation lines for

increasing their national military and economic presence in a bid to secure *their share* of polar resources. However, scholars must avoid the error of classifying both poles according to the same or even similar logic, and instead analyse each pole as a separate entity with different legal regimes, potential challenges and solutions. For instance, in Antarctica the ATS is in place, providing a comprehensive security, economic and environmental arrangement to protect the unique environment by restricting the pursuit of national interests (including military activities), focusing instead on preserving rights of scientific exploration of the region by all interested parties. Pre-ATS territorial claims were not settled but rather frozen, and parties to the Treaty have explicitly committed themselves to refrain from commercial activities and resource exploitation which has resulted in a stabilisation process where competition and conflict are greatly reduced and the prospect for their recommencement remote. Alternatively, the Arctic is not subject to any specific legal provisions, with the minor exception of Svalbard. The Five littoral, circumpolar states began (through UNCLOS's CLCS) to articulate territorial claims in the Arctic. Due to such inter-regional discrepancy, it is important to conclude this work with a brief recapitulation of the main Arctic protagonists and their claims since conflict is more likely in the north rather than the southern pole.

Although **the US** portrays itself as a "fish of high seas," it is primarily a "fish" of warm seas. The US suffers from territorial discontinuity with Alaska separated from mainland US by thousands of kilometres, though this has not prevented the US from emerging as an active Arctic state, pursuing its self-interests and engaging in balancing and counter-balancing strategies, especially against Russia. US presence in Antarctica is less substantive and more symbolic for prestige, though to, more practically, observe the activities of others. Finally, by not ratifying UNCLOS, the US cannot lodge official claims and cannot assist in deciding on the claims of others.

**Canada** is neither a typical polar state nor a considerable naval power. Its Arctic border has proven more of a burden than an advantage for Ottawa. Canada retains huge territories, though is sparsely populated with the majority of its 32 million (est) inhabitants inhabit a thin southern corridor along the US border. Most of the rest of the country is exposed, unexplored and literally empty. Long green and blue borders, as well as the lack of substantive

Arctic expertise, will keep the US close to Canada for security and geoeconomic reasons.

**Russia** is very well positioned with the longest Arctic coastline of the Five and a historic Arctic presence, which produced invaluable know-how. Since the times of Peter the Great, the Arctic has consistently featured high on the priority list of Russia's geopolitical imperatives. This is coupled with its geoeconomic drive; recently reinvigorated with Putin and Medvedev looking to enhance the exploitation of hydrocarbons for sales to the EU. Russia's "vocal" Arctic policy signals that it will not likely further retreat from global politics and economy – as it had steadily been doing since the end of the Cold War – and will seek to enhance its power projection as through direct control of energy sources and their transportation.

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**Norway**, although a relatively "small state," has successfully navigated the Arctic political scene by carving out a niche for dealing with a multitude of shared challenges deploying its impressive knowledge and advanced technologies to better utilise the region's resource wealth. Yet, Norway has chosen to pursue more independent policies than many of its neighbours resulting in its geographic proximity increasing its vulnerabilities as well as its security since it is wedged between the EU and Russia, and is a key part of the Northern Flank of NATO; part of the GIN Gap (Greenland-Iceland-Norway).

**Greenland** directly connects the EU to the Arctic. The world's largest island will be confronted with acute environmental, economic and political challenges in the upcoming decades. Greenland's road-map is rooted in a gradual but decisively independence-oriented goal; this is less organic and more Danish inspired. However, at present Greenland is highly dependent on Danish subsidies, including in international diplomacy and because of Denmark that NATO's Arctic base is in Greenland, an important ingredient in the deterrence needed for Greenland to maintain its territorial integrity and avoid outside interference.

It seems unlikely that the Arctic Five will agree on constructing a legal system, comparable to the ATS, to govern the Arctic. Through the Ilulissat Declaration, the littoral states have unanimously reaffirmed UNCLOS as the *only* applicable framework for Arctic territorial matters. This declaration demonstrates their dismissive stance towards the larger international community, assertiveness in the

Arctic and reconciliation among them. The sporadic calls made by members of the Five to invite different non-governmental actors into the Arctic melee (re: NATO, the EU, the Arctic Council, the Nordic Battle Group, etc.) or particular states (re: China or Japan) are tactically determined to deter others within the Five rather than actual calls for intervention. The Arctic Five will continue to keep external actors away from substantive participation in polar matters. However, this is no guarantee for smooth relations between the Five: the Arctic was the most militarised region in the world during the Cold War and continues to hold vast military arsenals. This may be nicely contrasted against Antarctica which was, and still is, the *only* demilitarised continent on the planet.

In Antarctica, a sudden change to the current legal regime is equally unlikely. However, in 2048 the ATS needs to be renegotiated and the signatories will decide whether or not to extend the treaty. Additionally, Antarctica is a great distance from the centres of existing and emerging international political power: the US, the EU, Russia, China, India and Japan; all situated in the northern hemisphere.

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#### NOTES TO PAGES 17-52

- 1 The ATS International Regime is comprised of a cluster of related conventions and treaties, signed by 46 treaty members, 28 consultative and 18 acceding states. The ATS defines Antarctica ‘as all land and ice shelves south of 60°S latitude.’
- 2 The “Arctic Eight” is comprised of: Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, and the US.
- 3 In May 2008, Danish Minister of Foreign Affairs (Per Stig Møller) and (then) Premier of Greenland (Hans Enoksen) invited representatives of the Arctic Five to Ilulissat, Greenland. The outcome, the so-called Ilulissat Declaration rejects interference of external parties including Finland, Iceland and Sweden (members of the Arctic Council), and representatives of indigenous

peoples, except as observers. For the full text of the Ilulissat Declaration see: *The Ilulissat Declaration* at: <<http://arctic-council.org/filarchive/Ilulissat-declaration.pdf>> (accessed 11 November 2010).

- 4 This is done by drawing baselines along coastal lines either by following the low water mark or by following the general direction of the land-coast.
- 5 A pressing geopolitical handicap facing Russia is the impossibility to connect its 5 fleets: the Baltic, Northern, Pacific, Black Sea and Caspian and since Peter the Great, Russia pressed west and south to connect its fleets through a 'warm-seas' policy. Rather unexpectedly, the opportunity to connect these fleets is now possible due to the rapidly melting north.
- 6 Including symbolic acts such as replacing the brown with a polar bear on the flag of the most influential political party: *United Russia* (2005) and displaying the Russian flag on the (geographic) North Pole from the Lomonosov Ridge (2007).
- 7 Joining the other European powers, in the 17th century Russia crossed the Pacific, penetrated the far north of the American continent and parts of California, thus becoming a colonial power in North America. Huge overseas territories were organised in Russian-America from the early 18th century until the Alaska Purchase (1867), when the US bought nearly 1 million km<sup>2</sup> for \$7.2 million (USD).
- 8 The US is a prime importer and consumer of hydrocarbons and other natural resources and should therefore expectedly take a more proactive stance towards the region which holds as much as 20% of the global level of unexploited resources.
- 9 Harry S. Truman, 'Presidential Proclamation, No. 2667,' 28 September 1945. The full-text of this declaration is available at: <[www.presidency.ucsb.edu/ws/index.php?pid=12332#axzz1ILY8kfxV](http://www.presidency.ucsb.edu/ws/index.php?pid=12332#axzz1ILY8kfxV)> (accessed 11 December 2010).
- 10 For instance, those situated in the Gulf of Alaska, the western end of the Aleutian Islands, the Northern Mariana Islands, Hawaii's Necker Island, Johnston Atoll, Kingman Reef and the Palmyra Atoll.
- 11 Christoph Seidler (2009), *Arktisches Monopoly*, München: Deutsche Verlags-Anstalt. pp. 166-175.

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- 12 Formally, Canada is a UK Dominion; part of the House of Windsor's personal union.
- 13 Louise Angelique de La Fayette (2008), 'Oceans Governance in the Arctic,' *The International Journal of Marine and Coastal Law* 23:3, p. 544.
- 14 Travis Potts and Clive Schofield (2008), 'Current Legal Developments,' *The International Journal of Marine and Coastal Law*, 23, p. 160.
- 15 The Faroe Islands gained autonomy in 1948 and Greenland in 1979.
- 16 EU law does not always apply to the entire territory of each member and several members maintain overseas possessions. Many of these special territories abstain from participation in some or all EU policies. Some, like the Faroe Islands, do not have an official relationship to the EU, others (re: Greenland, 1982), have withdrawn, while others still participate in some or all EU policies in conformity with the EU treaties.
- 17 Ministry of Foreign Affairs, the Kingdom of Denmark (2009), *Greenland Referendum*, available at: <<http://www.amblissabon.um.dk/en/menu/InfoDenmark/GreenlandAndTheFaroelands/Referendum/>> (accessed 27 April 2010).
- 18 Denmark attempts to demonstrate that Greenland's continental socket is attached to the Lomonosov Ridge, which would imply vast territorial gains. To support the claim, Denmark initiated several exploratory expeditions to the region (some with Canada and the US). Russia has overlapping claims and argues that the Ridge is a continuation of the continental shelf of the Eurasian plate.
- 19 Seidler (2009), pp. 199-213.
- 20 Brian Van Pay (2009), 'National Maritime Claims in the Arctic,' *Conference on Changes in the Arctic Environment and the Law of the Sea*, Seward, Alaska 20-22 May 2009.
- 21 By the end of 2006, the two largest Norwegian oil companies, Statoil and the Norsk Hydro oil branch (65% state-owned) merged as to improve their international competitiveness including the development of more efficient technologies for harsh Arctic conditions. This merger was a government-supported preemptive move against potential foreign takeover; to increase its leverage when facing Russia's Gazprom.

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# CANADA'S ARCTIC POLICY: PROSPECTS FOR COOPERATION IN A WARMING WORLD

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*ABSTRACT: This assessment of the Arctic is divided into four sections. First, the true value of the region is defined in terms of its environmental, geostrategic, economic and socio-cultural importance. Such a definition stresses the need for countries involved in Arctic expeditions (notably Canada, the United States, Denmark, Norway and Russia), to manage the extraction and distribution of the region's natural resources responsibly and sustainably, while protecting natural habitats and addressing the growing concerns of local indigenous populations. Second, the Arctic Council is presented and its effectiveness, as a regime of regional environmental cooperation with global implications, is questioned. In this respect the main obstacle is of a conceptual nature since, in its current form, the Council lacks a legally-binding institutional structure. Third, the abundance of natural resources, especially hydrocarbons, in the Arctic has attracted the attention of many, including policy-makers, scholars and researchers, among others. Considerable attention in this research is devoted to analysing the impact the exploitation of Arctic oil reserves is having. Finally, given this works argument that the Arctic Council is dangerously limited and incapable, particularly with regards to the management of natural resources, the Antarctic Treaty System (ATS), which is a legally-binding international convention (1959), is presented as a model for future reform in the Arctic region.*

**KEYWORDS:** Arctic Council, hydrocarbons, the Bering Strait, Antarctic Treaty System, North and South poles, environmental degradation

## THE ARCTIC: A SOURCE OF TENSION IN THE 21<sup>ST</sup> CENTURY

In 1985, Oran Young anticipated that the international community was 'entering the age of the Arctic ... in which those concerned with international peace and security will urgently need to know much



more about the region and in which policy makers in the Arctic rim states will become increasingly concerned.<sup>1</sup> Young's insights were extremely acute and much international attention is being directed to the geographic 'North,' where abundant resource wealth lies under a rapidly thinning layer of ice; new sea-lanes are being utilised and where porous boundaries have sparked an international race for border consolidation and the extension of Economic Exclusive Zones (EEZs). Such competition is the direct result of climate change and over time, politicians, members of epistemic communities and international publics have grown aware of its potential devastating impacts as well as the material wealth it is producing.

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This assessment of the Arctic is divided into four parts. First, the true value of the region is defined in terms of its environmental, geostrategic, economic and socio-cultural importance. Such a definition stresses the need for countries involved in Arctic expeditions (notably Canada, the United States, Denmark, Russia), to manage the extraction and distribution of the regions natural resources responsibly, sustainably, while protecting natural habitats and addressing the growing concerns of local indigenous populations. Second, the Arctic Council is presented and its effectiveness, as a regime of regional environmental cooperation with global implications, is questioned. In this respect the main obstacle is of a conceptual nature since, in its current form, the Council lacks a legally-binding institutional structure. Third, the abundance of natural resources, especially hydrocarbons, in the Arctic has attracted the attention of many, including policy makers, scholars and researchers, among others. 'Since oil is one of the resources considered to be of vital importance to the economic and military security of nations'<sup>2</sup> considerable attention in this research is devoted to analysing the impact the exploitation of Arctic oil reserves is having. Finally, given this works argument that the Arctic Council is dangerously limited and incapable, particularly with regards to the management of natural resources, the Antarctic Treaty System (ATS), which is a legally-binding international convention (1959), is presented as a model for future reform in the Arctic region.

This work is not only concerned with the current status of the Arctic, it pays particular attention to one of the region's primary protagonists; Canada and argues that as climate change intensifies it is imperative for Canada to reclaim its status as an environmental

leader within the international community especially regarding issues such as the exploitation of natural resources, adaptation practices of indigenous communities and the protection of the planet's biodiversity. It would be naive however for Canada to remain strategically lethargic – using its energies only in pursuit of environmental protection – while the Arctic's balance of power shifts. This work also examines Canada's strategic imperatives in the unpredictable Arctic climate.

### *Recognising the Arctic's Value*

There are three principal ways to determine the regional boundaries of the Arctic: the Arctic Circle, the 10°C summer isotherm demarcation, and the timberline.<sup>3</sup> While the circumpolar isotherm line and the straight, upward growth of trees denoted by the timberline are two plausible demarcations, the Arctic Circle is widely accepted as setting the limits of the Arctic ecosystem. Referred to as the 'Bear's Circle'<sup>4</sup> by ancients, the Arctic Circle coincides with the 66° latitude parallel north of the Equator – on the day of the summer solstice the sun does not set and during the winter solstice it does not rise. Predominantly a frozen ocean, the Arctic is widely described as fragile. As Sale notes, 'it is such an unforgiving environment, and because its ecosystem is young, dating from the last Ice Age, it may not be as stable as older systems.'<sup>5</sup>

When it comes to climate change, the Arctic's fragility translates into greater vulnerability. One of the main impacts global warming has on the region is the thawing of permafrost, permanently frozen land. In fact, 'an increasing number of experts feel the North Pole will be ice free, during summer months, by 2030 at the latest.'<sup>6</sup> Valuable natural resources such as nickel, copper and platinum are found in abundance in the Russian Arctic and 'diamond mines are either in operation or are pending construction in Canada, Finland and Russia, with gold mines in Alaska and Canada.'<sup>7</sup> Furthermore, 'as the polar icecap melts, huge deposits of gas and oil below the seabed will become accessible for the first time.'<sup>8</sup> From the perspective of international relations, the Arctic's natural resources have sparked the interest of policy makers from several countries, namely Canada, the United States, Denmark, Russia, Iceland, Norway, Sweden and Finland; and evidence is mounting which seems to validate

Young's argument. While access to such resources may provide economic advantages, these must be measured against the severe consequences likely to be produced by the thawing of permafrost areas. For instance, it is likely that as such large quantities of ice melts into the seas, global water levels will rise and may submerge parts of or entire island-states (re: the UK, the Maldives) and low-lying coastal areas (re: the Netherlands), destroying or damaging human and animal habitats, forcing relocations and putting tremendous strain on local environments, economies and social structures.

Even though extensive research has confirmed the commercial over-exploitation of marine animals such as whales, cod, tuna and seal, the polar bear remains the most vulnerable Arctic species. The melting ice dramatically alters the consumption patterns of the polar bear, as fish, seal and other aquatic mammals migrate, food becomes scarce. Politically, Canada recently signed an agreement with the local governments of Nunavut and Greenland in order to protect such animal habitats.<sup>9</sup> The director of the Arctic programme at the World Wildlife Fund Canada, Craig Stewart, welcomes the news '(t)hat shared population (between Canada and Greenland) is probably the most endangered population of polar bears in the Arctic [. . .] This agreement would provide the structure between the two countries to collaborate on stabilizing it.'<sup>10</sup>

During an expedition to the Northwest Territories, Burkeman observes how the displacement of animals, as a response to climate change, affects the fishing and hunting Inuit populations.<sup>11</sup> In *Environmental Challenges and Opportunities: Local-Global Perspectives on Canadian Issues*, Boardman explains that '(f)or members of Aboriginal communities, polar bears create modest economic opportunities, serve dietary needs, and contribute to community-building efforts and spiritual values.'<sup>12</sup> These communities express themselves through organisations such as the Inuit Circumpolar Council, established in the early 1970s as 'the need for Inuit to meet as one indivisible people became clearly evident.'<sup>13</sup> However, the political representation of indigenous populations still remains to be constituted. The Arctic's true value is thus, first and foremost, understood in terms of its precious animal habitats, indigenous communities and the richness of its natural resources. As a high-ranking EU official recently emphasised, it will be fundamental for countries penetrating the Arctic to 'keep the right balance between the priority

goal of preserving the environment and the need for sustainable use of natural resources.<sup>14</sup>

### *Administering the Arctic*

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While the question of jurisdiction is fairly recent, the need to protect the Arctic ecosystem has been on policy makers' agenda since the late 1980s. In fact, following a conference in Rovaniemi, Finland held in 1989, heads of governments from 8 northern countries (Canada, Denmark (Greenland and the Faroe Islands), Finland, Iceland, Norway, Russia, Sweden and the United States) adopted the Arctic Environmental Protection Strategy, laying the foundation for the Arctic Council.<sup>15</sup> Convened in Ottawa (1996), delegates from the eight nations confirmed their commitment to the protection and sustainable development of the Arctic ecosystem by signing the Ottawa Declaration which 'formally established the Arctic Council as a high level intergovernmental forum to provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic Indigenous communities.'<sup>16</sup>

Central to the Council's operations is a multi-lateral commitment, on behalf of the 8 permanent member states, to sustainable development. In fact, 'sustainable development links the notions of economic development and environmental protection; it suggests that economic growth should be promoted in a manner that preserves and protects the environment.'<sup>17</sup> According to Daly, it is crucial to perceive the economy as 'a subsystem of the ecosystem. When viewed as a subsystem of the ecosystem, economic growth eventually comes up against the earth's natural limits on resources and sinks.'<sup>18</sup> To this effect, the permanent members of the Arctic Council, in collaboration with the Inuit Circumpolar Council, established the Sustainable Development Working Group (SDWG) in 1998 in Iqaluit, Nunavut.<sup>19</sup>

Furthermore, experts within the Arctic Council 'focus on scientific research in a number of areas, including monitoring, assessing and controlling pollution in the Arctic, climate change, biodiversity conservation and sustainable use, emergency preparedness, prevention and response, and the living conditions of Arctic residents.'<sup>20</sup> Since its conception in the late 1990s, several other working groups

have also been created, namely, the Arctic Monitoring and Assessment Programme (AMAP), Conservation of Arctic Flora and Fauna (CAFF) and Arctic Climate Impact Assessment (ACIA).<sup>21</sup>

While the Arctic Council provides permanent members and observer organisations with a framework to discuss, negotiate and share valuable information on fundamental issues, various disputes over Arctic ownership claims nevertheless arise. Indeed, disputes of a territorial nature are emerging at roughly the same rate as Arctic ice is melting. To this effect, 'in 2003, Canada ratified the 1994 UN Convention on the Law of the Sea (UNCLOS), a treaty that defines the rights and responsibilities of nations in their use of the world's oceans and establishes a process to decide maritime boundaries (and the sovereignty of natural resources within those borders).'<sup>22</sup> Among the legal implications of the UNCLOS is the requirement that 'countries must establish sovereignty over disputed territories if they are to exploit their undiscovered, technologically recoverable energy reserves.'<sup>23</sup>

To make sense of the disputed Exclusive Economic Zones (EEZs), a group of British scientists recently charted the various ownership claims within international law. In this respect, Byers explains that 'the United States and Russia agreed upon their boundary in the Bering Strait and Chukchi Sea as early as 1990. Norway and Russia are presently negotiating the boundary in the Barents Sea.'<sup>24</sup> When it comes to the Arctic's oil reserves, Byers suggests that 'we are talking 90 million barrels of oil, nearly 17 hundred trillion cubic feet [...] for any state control is significant as other resources dwindle.'<sup>25</sup>

Recently, increased investments to preserve Canadian Arctic sovereignty shows the federal government will not give up its claims to controversial EEZs anytime soon.<sup>26</sup> Yet, when it comes to the Arctic, some experts believe the term sovereignty is nothing but 'an antidote against those questioning a state's absolute control of territory.'<sup>27</sup> At this stage however, the first nation to physically lay claim to Arctic territory, following a flag-posting incident in the Siberian waters<sup>28</sup>, Russia appears to be the best equipped to benefit from the vast oil and natural gas reserves.<sup>29</sup>

The coveted Northwest Passage is at the forefront of a heated legal dispute between Canada and the US as it may one day constitute a faster and cheaper trading route than the Panama Canal. While the Northwest Passage is considered to be within Canadian

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territory, the US is expected to pressure the International Court of Justice (ICJ) to recognise the Arctic Archipelago as an international maritime crossing, in order to deny Canada relative economic advantage pertaining to duties and taxes imposed on incoming and outgoing ships.<sup>30</sup> Huebert argues that Canada must improve its naval monitoring system noting that the 'melting ice in the Northwest Passage is going to result in more international shipping in the Arctic. Canada needs to be prepared for when it comes, or else the world will simply ignore Canada.'<sup>31</sup>

### *The US and Canadian Oil Exports*

Due to the growing scarcity of easily accessible oil resources, the coming decade may very well be the last in which the world's largest economies rely solely on conventional sources of energy. But, 'competition for scarce or unevenly distributed resources is not a new phenomenon; throughout history such competition has often been the cause of conflict or war.'<sup>32</sup> Within this context, the US has been, for many years, the major recipient of Canadian oil<sup>33</sup> and this trend is set to continue as exports reached new peaks in 2009.<sup>34</sup> Nevertheless, contrary to common perceptions, no clause within the 'North American Free Trade Agreement (NAFTA) requires Canada to sell a fixed percentage of its total oil production to the United States.'<sup>35</sup>

Along with the controversial tar sands projects in Alberta, the Canadian government may also opt to refine Arctic oil supplies in Western Canada. If such an economically-profitable yet environmentally-destructive enterprise is to continue, massive investments in carbon capture and storage (CCS) technology will be required. Furthermore, given its proximity to the Arctic, through Alaska, the US might enter into direct competition with its northern economic partner. While outright military conflict between the long-time NATO allies is unlikely, the US, under President Obama, might opt to gradually reduce its reliance on foreign oil. This would force Canada to find new trading partners; the European Union being one option. However, as the EU has intensively reduced its dependence on oil in recent years, it may also be time for Canada to turn to alternative energy. Etcheverry sees great potential in hydroelectricity, wind and solar energy projects but highlights that 'Canada currently lacks leaders who understand the multiplicity of strategic

advantages and prosperity opportunities that the sustainable energy path offers and who are willing to innovate and launch a different industrial paradigm that will employ large numbers of people in our nation.<sup>36</sup> Thus, even though the US's decision to reduce its dependence on Canadian oil supplies would hurt the economy in the short-term, investments in clean energy would provide greater long-term economic benefits, while preserving valuable ecosystems for generations to come.

### *The Antarctic Treaty System as a Model for Reform*

Looking at the Arctic Council's development since its establishment in the late 1990s two elements would improve the organisation's effectiveness, one logistical, the other legal. First and foremost, policy makers involved in the region must consider the possibility of the Arctic Council evolving into a legally-binding regime. With the Nordic region's growing vulnerability to weather disruptions associated with climate change, it is also crucial to sharpen information-sharing synergies, while widening the participation of local communities.

In the first instance, one must note the 'lack of a permanent and stable secretariat, and primary reliance on the goodwill of national government departments, ministries and officials that are often over-taxed with existing responsibilities, have been problematic for the Council.<sup>37</sup> A potential solution would entail institutionalisation of the multi-lateral agreement into a legally-binding treaty. Scholars argue this would increase the Council's overall efficiency through various political, financial and bureaucratic benefits.<sup>38</sup> In this respect, the Antarctic Treaty System (ATS) developed during the post-Cold War era is often highlighted as a model of regional environmental governance. While the ATS formalised multi-lateral cooperation in the Antarctic, it took considerably more time in the North Pole as 'the Arctic, in contrast, was one of the main sites of strategic confrontation between the two rival camps of the Cold War.'<sup>39</sup> Even though it may take time, and the Arctic Council could face opposition from free-riding nations, it could nevertheless develop an institutional structure in order to definitively solve the sovereignty question. Furthermore, according to Linda Nowlan, institutionalising the alliance would increase its authority, while

strengthening the competences of its various working groups.<sup>40</sup> While Nowlan highlights the utility of the Arctic Council, she also points out the need for 'appropriate institutional arrangements and substantive rules, perhaps similar to those applied in the Antarctic, to ensure that agreed obligations are respected and enforced.'<sup>41</sup>

In the second instance, the Arctic Council's permanent member states must further recognize the importance of local communities and their valuable adaptation skills. 'The ability of these groups to thrive in a harsh climate depends on a detailed knowledge of their environment, its patterns and anomalies, and the characteristics of the animals and plants they use for food, clothing, and shelter.'<sup>42</sup> Granting local communities participation rights has been a step in the right direction, yet politicians must understand that endowing their best institutionalised organisation(s) with decision-making power, or the right to veto decisions, would constitute a considerable move forward while benefitting all members involved in the enterprise. By the same token, it remains crucial to avoid imposing consumerist values and western ideals upon such communities since, as history shows, the slightest feeling of domination might frighten these valuable individuals to the point of rendering them uncooperative.

### *The True Value of the Arctic and Environmental Governance*

In recent years, the thawing of permafrost in the Arctic has provided several countries, three of which – namely Canada, the United States and Russia – are G-8 economies, with vast natural resources and a potential trading route across the North Atlantic into the Pacific market, and back. Still, the Arctic remains a highly fragile ecosystem with vulnerable animal habitats and indigenous communities.

Having pursued intensive research on topics such as climate change, whaling and invasive species, Stoett is a valued advocate of a strong eco-political governance regime compatible with the needs of local populations. According to Stoett, while it is primarily a question of political will, 'environmental policy making also incurs cultural implications many of which surface most visibly when a dysfunctional relationship exists between international institutions and the local implementation of global environmental



governance.’<sup>43</sup> Hence, the urgency to enhance the representation of indigenous communities as their survival is threatened by climate change.

Experts agree that ‘Canada can lead the Arctic nations on the environment through its example at home.’<sup>44</sup> However, heavily criticised for his government’s poor record notably with respect to climate change, Prime Minister Stephen Harper is faced with the daunting task of convincing Canadians – and the international community – that he is committed to multilateral cooperation on environmental issues. In fact, Canada’s current inaction can mainly be attributed to a dependence upon its major trading partner, the United States, a country where economic competitiveness still prevails over environmental considerations. Yet, even though the federal government’s history with respect to Aboriginal communities is mixed at best, current policy makers have the tools and the responsibility to play a leading role in the Arctic by striking a clear balance between imperialist exploitation and the protection of human rights. Today, Canada must encourage the establishment of a legally-binding environmental governance regime in the polar North in order to reduce tensions between those involved and thus prevent the competition over the Arctic’s resources from escalating into a military conflict tomorrow.

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# THE CHIMERA OF EUROPE'S NORMATIVE POWER IN EAST ASIA: A CONSTRUCTIVIST ANALYSIS

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*ABSTRACT: Utilising constructivism, this work analyses contemporary relational complexities between East Asia and the European Union (EU). Mindful of the social constructivist themes of identity and interests, it is argued that there are fundamental difficulties found in these interregional relations, which must be urgently addressed. The EU continues to be under-valued and misunderstood in the eyes of East Asian publics despite the relatively strong economic and political engagement of the Union. With the growing influence of China, the EU must reinforce its political capital amidst the failures of the Union to reconcile its policy inconsistencies juxtaposed with its self-perception as a “normative power.” This becomes more evident in the EU’s recent engagements with ASEAN as the former has been seen as undetermined in promoting human rights and democratic norms in the region. Nonetheless, EU-ASEAN relations may still be construed as a promising case for the EU to export its model of multi-level governance, and enhance its ‘actorness’ and institutional legitimacy. Finally, in order for interregional relations to be reinvigorated, the two regions must identify and pursue their mutually-shared interests such as economic development, democratic proliferation, and human rights provisions.*

**KEYWORDS:** ASEAN, EU, constructivism, interregionalism, East Asia, China

## INTRODUCTION

Amidst mainstream discourses in global politics which emphasise the purported shift of the balance of power from the Atlantic to the Pacific, there appears to be a dearth of scholarly interest and public discussion over the critical relevance of interregional relations between Europe and East Asia. On the one side of the Atlantic is where the world’s most successful experiment of regional integration is located as seen in the European Union – characterised

as a 'supranational polity pursuing a project of post-national democracy.'<sup>1</sup> Replication of the EU project appears to be elusive in Pacific East Asia. Despite the Association of South East Asian Nations' (ASEANs') reputation as the 'world's most successful third-world regional institution';<sup>2</sup> regional unity is still regarded as 'decades away.'<sup>3</sup> Notwithstanding the notable contrast in perception between ASEAN (and its prospects) and the EU model of supranationalism, there appears a wealth of learning and experience on regional integration and cooperation in which Southeast Asian states may cull profound lessons from the EU. The examination of this possible juncture of learning may indeed be gleaned from the inter-regional cooperation between these two critically-relevant regions in international relations. More importantly, such an investigation necessitates a theoretically informed, yet empirically grounded analysis of the current interregional dynamics between East Asia and Europe.

#### REVIVING CONSTRUCTIVIST THEORISING

Scholarly inquiries into the interregional relationship between Europe and Asia merit not only haphazard, more materialist analyses, but necessitates the deployment of theoretical analytical lenses that would unlock both the ideational and materialist interregional complexities. In this regard, a reconsideration of constructivism as an adequate international relations tool may serve such a purpose. Prior to engaging with the analysis of this interregional relationship, this work first provides a brief overview and justification of the usage of constructivism to set the tone for the subsequent sections of this research.

By historicising on the "great debates" in international relations theory, it is clear that the end of the Cold War (1990/1) provoked a fierce, double-edged IR debate, particularly between so-called rationalists and constructivists, and critical theorists and constructivists.<sup>4</sup> On both streams of the debate, it has been remarked – over the last ten years – that the framing of the discussion was that these "isms" focused on actual international relations rather than contrasting epistemological approaches to the field.<sup>5</sup> In view of the continued popularisation of constructivism for examining problems in international politics, it is indeed insightful to deploy

some of the methodological strengths of this approach in scrutinising the newly-emerging research area of EU-ASEAN/East Asian interregionalism.<sup>6</sup>

Constructivism is typified by its resolute accentuation on the relevance of 'normative as well as material structures, on the role of identity in shaping political action and on the mutually constitutive relationship between agents and structures.'<sup>7</sup> Hence, the social identity of global political actors are not solely determined by materialist considerations; an argument strongly advanced by neo-realists who also emphasise that state survival is contingent on the maximisation of military power. In contrast, while constructivists recognise the centrality of materialism in international relations, they suppose that 'material resources only acquire meaning for human action through the structure of shared knowledge in which they are embedded.'<sup>8</sup> Thus, within the constructivist paradigm, both ideational and normative structures – including institutionalised norms and ideas – shape global political actors' interests and consequently their identities. Moreover, critically evaluating the neo-realist fixation on material-based structures, constructivists also emphasise the significance of the order of 'shared ideas, beliefs and values' that have structural characteristics and that may have a formidable influence on 'social and political action.'<sup>9</sup>

Additionally, constructivism also explores questions of identity and interests where, by understanding how ideational structures are indeed essential, one may discover that the actors' formation of identity actually has direct ramifications on shaping interests, and in turn, actions.<sup>10</sup> Hence, normative and ideational structures are deemed to shape actors' identities and interests through three modes of action: *imagination*, *communication* and *constraints*.<sup>11</sup> Through *imagination* actors recognise a gamut of necessities and possibilities through which they can act upon, based on the ideational structures, and with both practical and moral considerations. Also, via *communication*, these structures may influence actors' actions through, perhaps, the invocation of norms of legitimate conduct. Finally, *constraints* – when influence falls short of its intentions – may be instructive in the performative actions of political actors.

Over the past two decades constructivism has clearly gained ground in rectifying the centrality of 'methodological individualism

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and materialism' that had previously dominated much international relations scholarship.<sup>12</sup> Since this work aims to thoroughly examine EU-ASEAN interregionalism through the deployment of international relations theory, it is essential to note that both constructivism and attempts at contextualising interregionalisms are by-products of the international conditions produced in the post-Cold War era. In terms of the growing use of constructivism, a variety of scholarly research, particularly conducted on European issues has been undertaken based on this paradigm. For instance, the roles of ideas and beliefs in EU integration processes;<sup>13</sup> post-Cold War "security constructions" in Europe (by examining how weak states are "empowered" without undermining sovereignty);<sup>14</sup> Iceland's relationship to the EU;<sup>15</sup> the role of "subsidiary" as a norm in the competence regime of the EU;<sup>16</sup> are among the research priorities of the modern wave of constructivism. Notably, most of these constructivist analyses are intra-European, or at least introspective. Similarly, as EU interregionalism is also relatively new, it may indeed be illuminating to use the constructivist method as an analytical tool that can give light to interregionalism as a foreign policy instrument of the EU – a topic of study that situates the EU as an active actor beyond its frontiers.

#### THE GENESIS OF EURO-ASIAN RELATIONS

*Identity* and *interests* – both of which are core concepts of constructivism – are embedded in *historicity*, examining first the historical genesis of the two regions' relations to each other is the first critical step in this analysis. Beyond the long colonial histories experienced by several parts of East Asia (especially in south east Asia), the relationship between the European Community (EC) and ASEAN is considered to be a model of group-to-group interregionalism.<sup>17</sup> In this case, interregionalism refers to the 'interaction of one region with another' and is often portrayed as a 'double regional project' responding to the need to pool an ever greater percentage of resources in recognition of other interregional or the global dynamics.<sup>18</sup> Although Gilson's notion of the exportation of regional structures to other regions (EU to East Asia) is usually not (explicitly) intended,<sup>19</sup> these two regions' relations focused on information exchanges and collaboration in specific policy areas; often trade,



investment and the EU's emphasis on the promotion of normative values such as human rights and democracy.<sup>20</sup> Indeed according to the European Economic and Trade Office the official policy of the Union is 'to expand and deepen relations with other countries and regions' and to conduct regional dialogue that covers 'investment, economic cooperation, finance, energy, science and technology and environmental protection, as well as political matters such as the global war on terror, international crime and drug trafficking, and human rights.'<sup>21</sup>

Considering that the task of capturing EU-Asian relations as monolithically is absurd,<sup>22</sup> the European Commission divides its relations with Asia into South Asia, Northeast Asia, Southeast Asia, Central Asia, Australasia and several bilateral (EU-to-state, or state-to-state) relationships. With this in mind, this work is geographically limited to the south eastern and the north eastern regions to better explore a certain brand of EU-Asian relations. By considering the concrete cases of EU-ASEAN Dialogue and the more inclusive Asia-Europe Meeting (ASEM), the EU apparently singles out East Asia (both Southeast and Northeast Asia). Based on the European Commission's Regional Programming for Asia Strategy Document for 2007-2013,<sup>23</sup> the priority for strategic cooperation between the EU and Asia is foundationally based on support for regional integration initiatives primarily facilitated by the ASEAN and the ASEM member countries. Moreover, the Singapore-based Asia-Europe Foundation (ASEF), which is a pivotal organisation supported by the EU and ASEAN, organises most of its cultural, intellectual and political exchanges involving East Asian and EU member countries.

Historicising on the origins of ASEM, the European Commission (July 1994) published a policy document entitled: 'Towards a New Strategy for Asia,' emphasising the urgency of modernising the EU's relationship to East Asia, which has recently gained political, economic and cultural significance.<sup>24</sup> In November 1994, Singapore and France proposed that an EU-Asia summit meeting be held, in which the agenda of reviving a new partnership strategy between the two regions would be discussed. Consequently, the first ASEM Summit was held in Bangkok, Thailand in March 1996, marking the inauguration of the ASEM Summit.

Since ASEM is more representative of the main political actors in East Asia, it is worthwhile to characterise the main features of

such collaborative instrument between these two regions.<sup>25</sup> Firstly, since it is considered informal, ASEM is an open forum for policy-makers and state officials to deliberate on any number of political, economic and social issues of common interest and to complement efforts conducted bilaterally or multilaterally. Secondly, multi-dimensionality refers to the intentionality of the ASEM to comprise the full spectrum of relations and to dedicate political, economic and cultural dimensions of equal importance. Thirdly, espousing the virtues of equal partnership, ASEM discards an “aid-based” relationship and claims to embrace on ‘mutual respect and mutual benefit.’ Fourthly, ASEM is a forum designated for heads of states and/or government which aims to further strengthen exchanges between polities in all sectors of the two regions.

Notwithstanding the lack of a systematic social science research on the multi-dimensional benefits that can be directly attributed to ASEM’s activities, it does function as a high-level management mechanism for some of the most important economies and aims to balance geostrategic interests in a volatile and rapidly changing region.<sup>26</sup> Also, for the EU ASEM operates as a venue to promote democratic values and the espousal of human rights among states whose record has yet to satisfy EU expectations. Meanwhile, from the East Asian perspective, ASEM functions as a first-hand examination forum of the practices of regional integration and helps build a framework in which East Asia can present itself as a regionally coherent political and economic body. This is perhaps best seen in the discursive rhetoric and power of highly-publicised ASEM activities in the global media – presenting an image of mutually-reinforcing regional organisations (ASEAN and EU) and asserting their institutional existence and legitimacy on the international political level.

Using a geopolitical perspective, ASEM may be broadly contextualised within a “global tri-polar context,” in which the dramatic shift from geopolitics to geo-economics, and from communist-capitalist bipolarity to inter-capitalist tripolarity is visible.<sup>27</sup> On the level of economic cooperation, according to the ASEAN (2010), the aggregate value of ASEAN trade with the EU has grown from \$186.7 billion (USD, 2007) to \$202.5 billion (USD, 2008). This is a remarkable 8% growth over the span of a single calendar year, while EU flows of foreign direct investment (FDI) also grew from \$10.6 billion (USD, 2006) to \$12.4 billion (USD, 2008) marking a 15% increase.

Notably, ASEAN statistics shows that the EU-25 (excluding Bulgarian and Romania) stood as the second largest export market for ASEAN countries in 2008, trailing behind only ASEAN countries themselves, and ahead of Japan, the US and China.<sup>28</sup> While this may be accurate the data reveals that the EU-25 is significantly behind China and Japan in exporting its products to ASEAN countries.

Reflective of the historic transformation of the post-Cold War international political economy, triadic economic dominance remains extreme in which 85% to 95% of international production, trade, finance, foreign investment and new technological development is accounted for the aggregate value of economies of the EU, East Asia and North America.<sup>29</sup> Examining more recent EU and East Asian interactions particularly last May 2009, top-level cabinet or ministerial heads attended the 17<sup>th</sup> ASEAN-EU Ministerial Meeting in Phnom Penh, Cambodia and strongly agreed, in principle, that it is critical for the EU and the ASEAN to deepen cooperation in addressing the global economic and financial crisis as well as food and energy security.<sup>30</sup> Two significant documents were produced as a result of the Phnom Penh meeting: the 'Joint Co-Chairmen's Statement' and the 'Draft Phnom Penh Agenda for the Implementation of the ASEAN-EU Plan of Action (2009-2010)'. The latter document is notable as it covers collaborative areas of action in economic, socio-cultural activities as well as political and security. This specific mode of engagement at the ministerial level transcends economics and also covered post-9/11 security issues such as terrorism, disarmament, and the non-proliferation of weapons of mass destruction and even human and drug trafficking.<sup>31</sup> ASEM – and its related modes of action including the Ministerial Meetings – offers an insightful and classic case of interregionalism where it tenders new ways of managing changes that cover both the political and economic agenda and may have spill-over effects on intra-regional cooperation development.<sup>32</sup>

It is also essential to underscore that the EU is considerably more progressive than the US in its recognition of ASEAN's Treaty of Amity and Cooperation (TAC). TAC was originally signed in 1976 by ASEAN's founding members, and not only determines ASEAN's organisational rules and modes of conduct, but also explicitly notes key principles that have intensified political confidence among member countries which was crucial for regional peace and

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stability.<sup>33</sup> As one of the more quintessential documents of ASEAN, the TAC articulates collectively-held principles of peaceful coexistence and active cooperation among Southeast Asian states.<sup>34</sup> As a means of fostering its institutional legitimacy ASEAN welcomes political support from other non-ASEAN states and regional partners by formally acceding to the TAC. Unlike the US which has only recently proclaimed its intention to accede to the TAC (2009) reflective of a key change in US diplomacy,<sup>35</sup> the EU had already formalised its intention to accede to the TAC. In May 2009, the EU signed two key documents: 'ASEAN Declaration of Consent to the Accession to TAC,' and the 'Declaration on Accession to the TAC;' both of which enable the EU to accede to TAC represent significant steps to intensify engagement with ASEAN.<sup>36</sup> The eventual, formal accession of the EU to the TAC regime will represent the most symbolically-important political action of the EU in exhibiting its long-term interest to engage with ASEAN as one of the developing world's most advanced regional organisations. At the symbolic-discursive level, the EU's accession to the TAC will strongly enhance its formal recognition of ASEAN as a regional institutional actor which has a share in global governance in much the same way that the EU has assumed a similar international role.

#### IDENTITY AND INTERESTS OF THE EU IN EAST ASIA

Despite the economic successes and political dialogue between the EU and ASEAN, a tremendous amount of work remains to be done on redefining the EU's relationship to East Asia since the states and publics of ASEAN members tend to hold negative and problematic perceptions of the EU and the only credible, empirically-based research on EU perceptions in the Australasian region based on an EU-funded research project at the University of Canterbury in New Zealand, implying that ASEAN states do not feel vindicated in understanding and/or challenging problematic images of the EU.<sup>37</sup> Such research – conducted through the Centre for Research in Europe – presents a transnational comparative analysis employing tripartite methodology (public perception surveys, media coverage and elite surveys) which includes the Australasian countries (New Zealand and Australia), Asian countries (both Northeast and Southeast) and Pacific countries.<sup>38</sup> The research time-frame spanned

2002-2008, and concluded that the EU is largely seen as a 'European actor, acting somewhere-out-there-in-the-world' (Middle East Africa, former Soviet republics), which indicates that the EU is regarded as a distant political actor, irrelevant for the domestic Asia-Pacific political and economic discourses. Additionally, the EU is also negatively perceived in Asian countries vis-a-vis its treatment of Muslim minority populations and Asian migrants to Europe; issues which were generally considered as symptomatic of Eurocentrism. Among Australasian and Northeast Asian countries, the EU's self-perceived "normative power" is seen as remote, unknown and marginal in terms of external perceptions.<sup>39</sup> Surprisingly, the EU's international campaign against poverty and its human rights promotion is only minimally visible while EU actions as environmental, developmental and human rights leaders were diagnosed as inefficiently communicated.<sup>40</sup>

The economic relationship was cast in a more positive light with the EU being generally viewed as a 'ubiquitous economic giant,' though is seen as an important global counter-balance to the US.<sup>41</sup> Irrespective of such perceptions, there is an urgent need for the EU to develop a more strategic and effective public diplomacy approach in the Asia-Pacific region.<sup>42</sup>

The above findings referred to aggregate results (re: the full spectrum of Australasia and Pacific countries). In the particular case of Southeast Asian countries, research findings were telling. For instance while the EU is Indonesia's second largest export partner, the former seems to be extremely under-appreciated, given that only 8.9% of the total number of respondents listed the EU as among Indonesia's most important international partners.<sup>43</sup> Such irrelevance of the EU is also reflected in the case of Singapore where, in a student survey involving respondents from Singapore's three main universities, the EU received a 'middle to low assessment' in its importance for the country.<sup>44</sup> Accordingly, it has been opined that there is no immediate correlation on this assessment level of the EU as measured against variables such as sex, nationality, number of years of study, subject of study or frequency of accessing the local media for international news as key determinants for such perceptions.<sup>45</sup> Considering these unfavourable views of the EU it has been suggested that

If the European Union is serious about taking a greater role in the world affairs it will require a public diplomacy capability to match ... For the Union to prosper it must project a positive image of itself to opinion formers and to the 'man in the street' both within and beyond its borders.<sup>46</sup>

Unfortunately, the EU as seen by the "others," in this case by East Asians, is an under-appreciated, under-valued and misunderstood actor. This dominant narrative reveals how distant the EU is from East Asian affairs, and whose image is tarnished by perceived controversial policies on migration, Islam and Euro-centrism. Despite the EU's self-perception as a "civilian" or "normative" power, dedicated to "civilising" international relations as a function of a broader transformation of international society,<sup>47</sup> the EU is left unrecognized in East Asia in the former's work on normative issues of global governance such as: poverty reduction, human rights promotion and environmental sustainability. Comparatively, there seems to be a noticeable mismatch between "other's" perceptions and the self-perception of the EU. This identity conundrum has been re-echoed by the EU itself through Margot Wallstrom, Vice President of the European Commission for Institutional Relations and Communication Strategy. She confessed that

The real problem in Europe is that there is no agreement or understanding about what Europe is for and where it is going. We need a new consensus, a "common narrative." A shared perception of the new, modern story of what Europe is about.<sup>48</sup>

On the question of which interests link East Asia to the EU, economic interests appear clearly predominant. This is important since historically the EU (and EC, 1950s) was established with strong economic interests in mind while the creation of the ASEAN (1967) was in response to geo-politics. Since then, the EU has evolved into a more complex political entity and the political discourses within the EU have been characterised not only by economic interests such as trade and investment but also other normative political values that it must consistently uphold<sup>49</sup>. The evolution of the EU as an institutional actor with more complex interests and competencies was made possible after the enactment of the 1987 Single European Act and the 1993 Treaty of European Union. From a broader

perspective, the end of the Cold War paved the way for a more dynamic global political economy such that a tri-polar world has emerged with the materialisation of a triadic economic dominance of East Asia, North America and the EU.<sup>50</sup>

Against the backdrop of a tripolar global political economy, ASEM was created in 1996 amidst a myriad of divergent interests. The EU, known in East Asia as an economic giant, must still capitalise on its 'social and political capital' and reinvest in a more strengthened trade and investment relationship with East Asian actors. As the aforementioned figures suggest, the EU has experienced a dramatic increase in trade transactions with ASEAN, which should be fully maintained. Also, in spite of the figures that speak of a sustained and strengthened bi-regional trade relationship between EU and East Asia, the EU must ensure that this trade relationship is also felt in local communities in East Asia as publics in the region are still fixated on the US as an economic pivot.

Similarly, on the economic front, it is critical for the EU to realise that it has much to gain as it attempts to strengthen its political capital in East Asia. The continued rise of China – due to its sustained economic growth – has provided the country enhanced bargaining power in the realm of regional and global governance.<sup>51</sup> Thus, it has been opined that it is only the core countries of the EU (and not the EU itself) which try to bargain with and against China which consequently results in disappointing outcomes.<sup>52</sup> For instance, the UK lobbied for the opening of Euro markets for Chinese goods, yet the Chinese financial services sector has remained severely restricted as this is also similar with France and Germany whose national commercial diplomatic powers have proven to be inauspiciously inadequate such that a growing trade deficit with China continues to be the trend. Such a prognosis of the absence of a coherent EU actorness towards China may also be reflected in its economic interactions with ASEAN and the Northeast Asian economic giants whose economies are still largely tied to the US.<sup>53</sup>

Additionally, apart from economic interests, the self-perception of the EU as a “normative power” is another considerable starting point by which the EU can reinforce its relationship to East Asia. Confronting the diversity of actors in the ASEAN and North East Asia, the EU is generally composed of high-income countries while some ASEAN members are economically lethargic and unable to

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revive or construct their own versions of the region's so-called "economic miracle." The EU has much to gain if it were to invest development aid in the relatively weak economic actors among ASEAN members not only as a reinforcement of the EU's self-perception as a "normative power," but also as a means of boosting its regional image. Strengthened trade relations and a more strategic development aid approach could present promising economic opportunities for EU firms as well as chances for the EU to gain regional and international political capital.

Nonetheless, the EU appears to have an unclear, incoherent and inconsistent human rights policy towards ASEAN-related issues including the on-going political crisis in Burma and illiberal policing practices of post-9/11 governments in Thailand, the Philippines, Indonesia, and Malaysia.<sup>54</sup> To demonstrate such policy inconsistency, the EU was apparently praised for its attempt to extend asset freezes and travel bans to members of the Burmese judiciary after the latter convicted Aung San Suu Kyi.<sup>55</sup> Despite such freezes and bans, and the considerable development aid given by the EU to key countries in ASEAN, it is argued that the EU's promotion of human rights and democracy through development cooperation is 'high on rhetoric but low on achievement.'<sup>56</sup>

There has also been an apparent failure of the EU regarding human rights promotion in East Asia as seen through the EU's Common Foreign and Security Policy in Asia vis-à-vis the case studies of Burma, China and Indonesia.<sup>57</sup> A key reason behind the EU's inability to use its relationship to ASEAN/ASEM as a means for pushing the human rights agenda in Burma and even China is due to the disparity in "normative values" between these two institutions as the apparently dominant policy paradigm in ASEAN maintains that the internal affairs of its members are not within the rightful control of any other supranational body due to sovereignty issues.

Interestingly, it was noted that the marked differential gap in terms of the institutional character between the EU and ASEAN renders the human rights diplomacy of the EU largely ineffective: the EU is more value-driven as noted by its self-perception as a "normative power," while ASEAN continues to embrace the more orthodox principle of non-intervention as human rights promotion is considered a national issue. Evidence of how unique the Asian case is, it was noted that East Asia remains at the "end of the race" when compared to



Latin America and the South Mediterranean with respect to having finalised third-generation agreements pertaining to human rights and democracy-related clauses with the EU.<sup>58</sup>

The EU is unable to overcome this apparent mismatch of institutional values with ASEAN and is thus unable to flex its muscles as a “normative power.” Indeed, the EU continues to be so deeply mired in internal politics that in May 2009, during the last ASEM Ministerial Meeting in Hanoi, representatives of the foreign ministries of Germany, Britain, Italy and Spain were entirely absent and two-thirds of the other EU members only sent junior officials.<sup>59</sup> This was seen as a humiliation for ASEM, and the EU may have lost substantial political capital to China, Japan and South Korea since they, together with the ten members of ASEAN, actively participated in the Meeting.

Amidst of the rise of China as an economic and political power and the emerging discourse on the eventual materialisation of an “Asian Century,”<sup>60</sup> the EU’s continued self-assessment as a “normative power” in international politics remains to be seen in East Asia, especially as the EU disregards symbolic, but important and highly publicised diplomatic events such as ASEM.

Notwithstanding the marked difference of the institutional-historical ontogenesis between the EU and ASEAN, a promising point of collaboration between the two could be the idea of ‘cross-institutional fertilization.’<sup>61</sup> One avenue the EU could take to overcome the “mismatch-of-values problem” with the ASEAN is to eventually export the EU model of integration with regional cohesion and the further institutionalisation among the many aims advanced. When ASEAN’s Charter (December 2008) was ratified, eventually allowing for additional members and establishing a mechanism to facilitate intergovernmental organisations’ diplomatic representation to the bloc, the EU has been able to take the opportunity and formalise their collaboration in terms of furthering the institutional development of ASEAN. Indeed, in February 2010, the EU appointed a new Ambassador to ASEAN, Norbert Baas, who pledged to work on the ‘institutional and capacity building assistance’ of ASEAN by the EU based on the Nuremberg Declaration that espoused the EU-ASEAN Enhanced Partnership.<sup>62</sup>

Concretely, the ASEAN-EC Project on Regional Integration Support (APRIS), an initiative worth around €4.5 million, is a framework

programme meant to assist ASEAN members for the goal of regional integration.<sup>63</sup> It endeavours to learn from the experience of the EC/EU in fostering regional economic integration, to further improve ASEAN mechanisms and communications schemes and to support capacity-building programmes for the ASEAN Secretariat as well as the members including financial support for a business plan on the establishment of an ASEAN-EC Management Centre in Darussalam, Brunei.<sup>64</sup>

#### CONCLUDING REMARKS ON CONSTRUCTIVISM AND EU-EAST ASIAN RELATIONS

Constructivism may be characterised as being primarily concerned with human consciousness and considers the dynamic link between ideas and material factors as derivatives of how agents fundamentally conceive their material reality. Moreover, on the classic agent-structure problem,<sup>65</sup> constructivism is fundamentally interested in how structures generate agents and how agents generate structures. The emergence of EU-East Asian relations through its formalisation in ASEM commenced due to efforts by individual agents such as France and Singapore that first took care of the proposal of the Summit. Inevitably, such agent-initiated proposals in the mid-1990s occurred within the atmosphere of sustained and heightened institutionalisation of the EU as well as increasing economic and political confidence in East Asia amidst the rapid economic growth spearheaded by the so-called East Asian tigers.

On the part of the EU as a political actor, it is argued that it has two primary motivations. First, in the context of the Schengen Pact and the efforts towards the signing of the Treaty of Amsterdam, France and other concerned actors within the EU may have perceived the reinforced momentum of how the EU united as a single institutional entity and, consequently, felt the need to resuscitate its external relationship based on how the EU sought to legitimise itself by directly interacting with another recognised regional body such as ASEAN. Secondly, echoing a 'realist constructivist'<sup>66</sup> tone, the evolving normative structure of global politics was gearing towards the formation of regional groupings and the EU's incentive to the materialisation of ASEM was not only to legitimise itself but was also tied up within a string of EU interests in the markets of

the ASEAN and Northeast Asian countries. Such discursive analysis on interests is historically grounded as some EU powers had centuries-old colonial interests in some territories of what is now called Southeast Asia.

In a post-colonial context, the normative structure of global politics allows indirect influence on trade and markets and, even in some cases, internal politics in light of power accumulation. As may be gleaned with the case of the US, one may examine the attempt of the EU to recreate its post-colonial relationship with ASEAN not only through “messianic rhetoric” (in reference to “normative power” identity vis-à-vis human rights and development problems in East Asia) but also the classic case of how the EU interacts with other regional bodies with the former’s interests as its priority. This analysis has been articulated through referring to the failure of the EU-Mercosur Free-Trade Area (FTA) negotiations.<sup>67</sup> The failure may be attributed to the lack of a “consensual basis” for negotiations as there was disparity between the EU’s rhetoric and the actual reality of negotiations; a critical lesson that must be learned in the case of the ASEAN-EU interregional diplomacy. Notably, it was claimed that the EU will take into account differences of development within ASEAN but, as in the case of Mercosur, the EU dismissed all requests for ‘special and differentiated treatment.’ Moreover, it has been conceded that the birth of ASEM was an outcome of Europe’s rediscovery of Asia when the latter experienced record-breaking economic growth levels presenting new opportunities for cooperation in the early 1990s.<sup>68</sup>

It is still worthwhile to re-examine the logic of how the normative structure in which the EU responds to is not only composed of how the EU can promote normative values but also how such actions can be quintessentially embedded within a cob-web of power interests and great-power considerations of the Union.

On a more critical note, this work has attempted to demonstrate the constructivist logic of the interregional dynamics and complexities of East Asia-EU relations in reference to the politics of identity and interests which consequently dictate the modes of action in examining renewed relations between the EU and East Asia. The analysis commenced by explaining what the general principles of constructivism are as well as historicising the genesis of EU-East Asia relations.

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At the theoretical level, it was argued that the EU suffers an image crisis in East Asia despite the intense engagement of the Union in terms of trade and economic transactions. Also, despite the self-gratifying self-perception of the EU as a normative power, East Asia remains a region where that power has yet to be fully visible as diagnosed by Chaban and Holland,<sup>69</sup> and Crawford<sup>70</sup> and Wiessala,<sup>71</sup> who highlighted the failures of the EU's foreign policy actions and agenda in East Asia.

Historically, a sense of caution must persist among EU decision-makers. Notwithstanding that the EU's recent rediscovery of East Asia is largely founded on economic interests and its quest to sustainably legitimise itself as an institutional entity,<sup>72</sup> the EU must fundamentally rethink its recognition of a "social reality" that engaging with East Asia is beyond purely economic interests and its mere recognition of its identity as a kind of political messiah which will bring salvation to areas of the world where human rights and democratic norms are nothing but chimerical goals that have yet to materialise.

Given the changing regional dynamics in Asia, the EU must realistically assess that it suffers from an acute problem of projecting its identity in East Asia and therefore needs to reassert an identity that matches the Union's self-perception, prudently re-discover its mutual interests with ASEAN and North East Asia and determinedly bridge the gap of the EU's normative power rhetoric and consistent norms-based engagement with Asia. Considering the rise of China as a global power and the apparent prevalence in popular media discourse of an emerging "Asian Century," the interregional relations between the EU and East Asia will be one of the primary testing-grounds for determining the relevance of the Union in international politics over the years to come. Should the EU fail to rectify the current, disappointing failures between its self-perceived identity as a normative power and its practices in East Asia, the EU's normative power will remain an elusive chimera.

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# THE ROLE OF THE EU'S CIVIL SOCIETY DEVELOPMENT ASSISTANCE IN THE PROCESS OF PEACEBUILDING: THE CASE OF EU ENLARGEMENT

ANZE VOH BOSTIC

*ABSTRACT: This article presents the role of civil society in peacebuilding processes and how the concepts of peacebuilding and civil society development fit into a broader EU foreign policy framework. In its empirical part, this article analyses the role of civil society development as part of the EU's current enlargement policy. The reason the EU's enlargement policy was selected for analysis is because it is the only EU policy that comprehensively addresses various causes of instabilities in post-conflict countries, which is crucial for the peacebuilding process. This article demonstrates that through its enlargement policy, the EU addresses various aspects of developing civil society; however, it does not equally emphasise civil society development in individual enlargement countries, while the results of the policy are limited. This article concludes that the EU should address civil society development in a more holistic way, while it should also devote more attention to the inclusion of the local civil society in drafting and the implementation of EU-driven reforms in the region.*

**KEYWORDS:** civil society, enlargement, EU's foreign policy, peacebuilding

## INTRODUCTION

Due to the nature of armed conflicts after the Cold War, peacebuilding activities are gaining in importance. The awareness that new forms of local conflicts can destabilise entire regions and also have profound international effects, assured an increase of studies in the democratisation process, post-conflict reconstruction practices and other related fields. The formation of the United Nations Peacebuilding Commission (2005) is evidence that developing

knowledge in peacebuilding activities to achieve security is placed high on the agenda of the international community, and one – perhaps the most important – task of the Commission is to ‘develop best practices on issues in collaboration with political, security, humanitarian and development actors.’<sup>1</sup> However, developing such practices is believed to be too daunting for the Commission’s scarce resources.<sup>2</sup>

The research question of this work is to what extent the European Union (EU) plays the role of a developer and implementer of such practices in order to achieve its foreign policy goals in the field of civil society development, and how successful is it at playing that role? The article focuses on the EU’s enlargement policy, because, as described below, the policy was identified as the most successful and comprehensive peacebuilding policy of the Union.

The article will first present the concept of peacebuilding and the role of civil society development in that process. Then it will briefly discuss what role peacebuilding plays, and with that, the development of civil society in the EU’s foreign policy. In the empirical part, civil society development policies towards the enlargement countries will be presented and assessed. The empirical analysis will not focus on civil society projects in specific countries, but rather will compare the importance of developing a civil society in the enlargement countries through analysing different EU instruments that encompass civil society development programmes.

#### PEACEBUILDING AND THE DEVELOPMENT OF CIVIL SOCIETY

According to Galtung, peacebuilding addresses the underlying causes of violent conflict in order to assure that the conflict will not erupt again.<sup>3</sup> It is a very complex process that involves addressing the underlying reasons for a conflict on a political, economic and social level in a given society, where the (re)construction of the former is, to some extent, a precondition for the successful (re)construction of the latter two.<sup>4</sup> Developing a civil society during the process of peacebuilding is important for various reasons. First, it is important for political reconstruction of the country. There exists consensus that long-term peace can only be assured through democratic decision-making,<sup>5</sup> and the indispensable part of democratic

governance is a developed civil society. This is because a developed civil society increases the degree of freedom for citizens, reduces state corruption, promotes the rule of law and establishes greater government effectiveness. Civil society organisations (CSOs)<sup>6</sup> are also valuable sources of information to state elites, which can tell what people in a country truly want and expect from the state. In addition, states with a strong civil society are more politically stable, while CSOs can train citizens to be tolerant, co-operative and reciprocal. In a situation where a state has just emerged from a violent conflict, it is noteworthy that states with a highly dense local NGO network have a greater capacity to ‘invite foreign foundations, think tanks, international policy networks, and solidarity groups into their nations to monitor their state’s performance as it relates to democratic state building.’<sup>7</sup>

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There exist two “versions” of civil society with different pro-democratic effects. An *advocacy* civil society is comprised of large, membership-based organisations that are involved in political or social activities and are focused on representing the interests of their members to the political society. Those CSOs which include, e.g. human rights, environmental, women and youth organisations, and CSOs dealing with politics in general, perform the functions of interest articulation and checking state power. The second version of a civil society is represented by smaller, apolitical CSOs that perform the function of strengthening democratic values and are increasing the capacity of the individual for political participation. Uhlin concludes that both versions are essential for a consolidated democracy.<sup>8</sup>

Additionally civil society development in the specific environment of post-conflict countries is important for the purpose of reconciliation between former warring parties, since the process of reconciliation is important for the rebuilding of trust between the former opposite sides in a conflict.<sup>9</sup> Such trust is needed if a society wants to implement reforms that are usually much needed after a violent conflict. Thus, in the peacebuilding process, civil society organisations that develop cross-factional dialogue and co-operation on the grass-roots level are especially precious.<sup>10</sup> Barnes concludes that it is impossible for international actors to achieve long-lasting peace in a given country without the engagement of a wider society in the process of peacebuilding, since CSOs have

the capacity to support change in how individuals address the conflict and are, on the other hand, able to redirect attention to the underlying causes of it, while on the level of a wider society, they are effective in highlighting the potential costs of the renewal of a violent conflict.<sup>11</sup>

#### EU FOREIGN POLICY: PEACEBUILDING AND THE DEVELOPMENT OF A CIVIL SOCIETY

The EU's international actions are officially guided by the principles of 'democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law,'<sup>12</sup> sustainable development and good governance.<sup>13</sup> Adherence to those principles and setting them as foreign policy priorities casts the EU as a so-called "normative power": and to promote those principles on the international stage, the EU uses the power of persuasion rather than physical force.<sup>14</sup> In Manners' opinion, the EU is a much needed actor in the current international arena, since only such normative action has the right answers for what he calls four catastrophic failures that will define the near future of world politics.<sup>15</sup> However, he admits that the EU still does not have a sufficient array of tools to promote those principles holistically,<sup>16</sup> even though it does promote them at least to some extent through some of its foreign policies (Enlargement; European Neighbourhood Policy; African, Caribbean and Pacific Relations; and Strategic Partnerships).<sup>17</sup> On the other hand, Laïdi argues that the EU uses norm promotion to compensate for its lack of hard power and is thus 'forced to impose its norms on the world system on a fragmentary basis [in order] to mollify power politics through norms.'<sup>18</sup> This is why the EU is most effective on issues that address global public goods, such as the environment, international justice and sustainable development, while it is much less effective at achieving harder security or diplomatic goals.<sup>19</sup> However, often the foreign policy behaviour of the EU must not be classified as normative. Indeed, Youngs claims that the EU's foreign policy often contains strategic calculations and rationality that often weaken the principle of normativity.<sup>20</sup> Warkotsch agrees with that critique and emphasises that the EU

invests in norm promotion when it assesses that this promotion could be successful, while in other cases, the EU must behave strategically.<sup>21</sup>

Peace-building activities may be linked to either theory of the EU's foreign policy.<sup>22</sup> Regarding the EU's official commitments; the promotion of democracy, the rule of law and good governance are, by definition, also peacebuilding activities when they take place in an unstable country. In addressing Manners' failure of the international community in fulfilling the 2015 Millennium Development Goals, peacebuilding activities should also play an important role, especially in post-conflict countries. Additionally, peacebuilding policy is not incompatible with Laïdi's more self-centred goals of norm promotion. Development and the promotion of peacebuilding as an alternative to hard power deployments could serve the EU well in the world, where global security threats come in the form of terrorist and criminal organisations that are the product of, or being sheltered by, unstable countries. Since the European Security Strategy names those organisations as main threats to the EU's security,<sup>23</sup> investment into peacebuilding seems to be prudent, even from a realist perspective.

In practice, the EU has already demonstrated an ability to conduct actions in pursuit of such principles.<sup>24</sup> Various policies of the EU include peacebuilding elements; the enlargement policy, Common Security and Defence Policy (CSDP), European Neighbourhood Policy (ENP), policies toward Asia, development policy and others. Concerning enlargement, the EU helps candidate and potential candidate countries<sup>25</sup> fulfil the Accession criteria,<sup>26</sup> provides funds and technical assistance, is actively included in conflict prevention activities, and advocates the needed reforms that would stabilise the countries. The CSDP's civilian missions all contain one of the four following tasks: police activity (training of local police forces); the establishment of the rule of law; support for the civil administration and/or; civil protection, and can all be regarded as peacebuilding activities. The ENP is an example of the EU's pre-emptive<sup>27</sup> peacebuilding activities since the countries that are included in the policy face potentially destabilising problems in the future.<sup>28</sup> The nature of the EU's help in the framework of the ENP is mostly of an economic nature since the political aspects, such as democratisation and the rule of law, are often too sensitive to be

addressed,<sup>29</sup> even though an official goal of the EU is to promote political norms.<sup>30</sup> As regards to relations between the EU and Asia, the EU donates large amounts of aid for the reconstruction of Afghanistan,<sup>31</sup> while the basis for co-operation between the EU and countries of South Asia is economic and development assistance from the EU.<sup>32</sup> The development assistance of the EU is carried out through the Europe Aid Directorate-General, and is composed of financial assistance for different developmental projects in unstable countries.<sup>33</sup>

However, as noted, adherence to different goals of peacebuilding, which are reflected in the EU's official principles of conducting its foreign policy, varies. For the enlargement policy, the pursuit of official principles seems to be the most earnest, since the goal of the EU is the full incorporation of enlargement countries into the Union and enlargement obviously cannot be followed through without focusing on the underlying causes of instability in those countries. However the EU is not ready to officially assume responsibility for its actions; i.e. its involvement makes it co-responsible for the future of those countries, and the policies towards enlargement countries seem to be incoherent.<sup>34</sup> The ENP could better resemble a strategic calculation of norm promotion. The EU selectively exports norms to those ENP countries which see the prospects of eventual accession into the EU are (slowly) accepting them, while the others that see no such prospect in the near future, reject them.<sup>35</sup>

As regards the latter countries, the EU seems to base its conduct on a form of *realpolitik* towards them. For instance, in Libya the EU conveniently forgot about norm promotion so it could enhance its own energy security. It even sold arms to the Libyan authorities for the cause of fighting illegal immigration,<sup>36</sup> though this practise has been suspended in light of the recent wave of political unrest in the country. Energy security seems to be the most difficult test for the EU's policy of norm promotion.<sup>37</sup> Regarding development policies, it could be speculated that the EU promotes norms to maintain or build aspects of its international image and thus to generate political capital, even though some good practices could be gathered from the EU's activities in that field.

The EU's civil society development in post-conflict or unstable countries is conducted through various policies and with different



intensity. The most comprehensive peacebuilding policy that includes the activities for the development of a civil society is the Instrument for Pre-Accession Assistance (IPA) for candidate and potential candidate countries, since it aims to address

the needs of the beneficiary countries within the context of pre-accession in the most appropriate way. Its main aim is to support institution-building and the rule of law, human rights, including the fundamental freedoms, minority rights, gender equality and non-discrimination, both administrative and economic reforms, economic and social development, reconciliation and reconstruction, and regional and cross-border cooperation.<sup>38</sup>

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Besides IPA, Rihackova identifies five other instruments, utilised by the European Commission (EC), for which it could also be argued that they conduct some peacebuilding activities, aimed at the development of a civil society. These are:

- European Instrument for Democracy and Human Rights (EIDHR), with a budget of €1.1 billion for 2007-2013 is mostly devoted to support the development of CSOs;
- Instrument for Stability (IfS), a crisis response instrument that includes support to non-state actors;
- Development and Cooperation Instrument (DCI), with one of its main aims to consolidate and support democracy, human rights, gender equality, and which also envisages support to non-state actors;
- European Development Fund (EDF), aimed at African, Caribbean and Pacific countries and Overseas Countries and Territories, for which it could be argued that some projects (e.g. educational) also contribute to the development of a civil society.
- European Neighbourhood Policy Instrument (ENPI), which is not seen as a democracy assistance tool by the Commission but for which could be, as in the case of EDF, argued that its educational dimension contributes to the development of a civil society.<sup>39</sup>

Apart from the EC, the Council under the CFSP also supports democratisation and human rights projects<sup>40</sup> while the policies of the individual member states emphasise the development of civil society as well.<sup>41</sup>

However, in the past, the EU was criticised for focusing on a “top-down” style of institution-building which neglects the development of civil society,<sup>42</sup> while the predominant opinion of the Commission remains that a country cannot change itself without its politicians being involved in the process, and the development of a civil society is supposed to play only a complementary role.<sup>43</sup> Even though most EU policies towards unstable regions support peacebuilding *activities*, they do not support the peacebuilding *process* in the relevant countries (apart from the enlargement policy), since they do not address the underlying causes of conflict in a holistic way. The latter is essential if one wants to achieve a self-sustained peace in a certain area,<sup>44</sup> while the long-term commitment of the EU to those activities is also not assured. Even though substantial funds and means are invested into the EU’s development programmes, those programmes are global in reach and address a wide array of countries. Therefore, resources are spread too thin to comprehensively address the causes of conflict. Moreover, decisions over where to invest funds are often political and short-term oriented. For example, the beneficiary countries of the EDIHR programme are revised and determined every year,<sup>45</sup> while the beneficiaries and the areas of bilateral assistance of the member states for democracy support, which is substantial,<sup>46</sup> are determined on the basis of the foreign policy directions of the individual member states, without much coordination.<sup>47</sup> In its conflict resolution activities, the EU acts in accordance with ‘external constraints and opportunities, rather than strategic design. [...] The EU tends to opt for easier, rather than necessary, foreign policy measures and tends to work around the hard issues of conflict resolution.’<sup>48</sup>

Because of those shortcomings in other external policies, IPA was identified as the only instrument that holistically addresses the causes of conflict. Thus, enlargement policy is the most appropriate for analysis, if one wants to get at least a partial answer to the question of what role civil society development plays, or could play, in the EU’s peacebuilding policy. However, this does not mean that other policies are not worth analysis, but rather that the limitations of this article do not allow for a more detailed analysis of other policies.

It should also be noted that the aim of the analysis is not to assess policies towards individual enlargement countries, since that

would be too overwhelming a task for this work. Instead, the analysis presents more general concepts and activities of the enlargement policy regarding civil society development, the comparison of funds and offers a brief description of activities in each country; assessing such data to answer the fundamental question of the role civil society development plays in the EU's enlargement policy.

#### THE EU'S ENLARGEMENT POLICY AND CIVIL SOCIETY DEVELOPMENT

Countries included in the enlargement policy must not endanger the region; however, all have experienced some form of war or instability over the past twenty years. Thus, one of the most important goals of the enlargement policy is to defuse those factors which cannot be achieved without the development of civil society.

As mentioned, the main instrument of the EU for the civil society development in the enlargement countries is IPA. However, IPA is a young instrument, entering force in 2007 to combine previously separate programmes for assistance to current candidate and potential candidate states. Because of that, the following list of past programmes will also be included in the analysis:

- Community Assistance for Reconstruction, Development and Stabilisation (CARDS), the programme that channelled funds to Western Balkans enlargement countries from 2002 to 2006;
- The Turkish Pre-Accession Instrument (TPI) that channelled pre-accession funds to Turkey, also from 2002 to 2006;
- The PHARE programme that channelled funds to Croatia from 2005 to 2006 since Croatia became ineligible to CARDS support (except for the regional dimension of CARDS) when it had gained the candidate country status in 2004.

From the contents side, the projects that were conducted from 2002 to 2009, under CARDS, Turkish Pre-Accession instrument, PHARE and IPA, address the civil society development from three different levels.<sup>49</sup> The first level, the organisational level, represents support to CSOs such as: their functioning, development and networking. This support is given through grants for research and technical assistance, and funds for cooperation between various CSOs in a given country, or internationally. Support on the

organisational level is important for all kinds of CSOs; especially those that play the role of “missing link” between the government and the civil society, those who are apolitical and play the role of strengthening the democratic values or are important for the maintenance of the dialogue between parts of the society with an aim to achieve reconciliation.

The second level, which I named the governance level, encompasses support to the CSOs as regards gaining influence on the decision-making process or their operation as regards legal framework. This level does not encompass direct support to CSOs, but rather support (or pressure) in the governmental sector for passing the appropriate legislation for the operation and/or participation of CSOs in the decision-making process, and support for the independence of media, since the media are an important tool for gathering public support and influencing the government and its institutions. Support on this level is mainly aimed at CSOs, whose roles are to influence the decision-making process, however, legal framework for the operation and local support to the CSOs is obviously relevant for all CSOs.

The third level, which I named it the socialization level, is also not aimed directly at the development of CSOs, even though CSOs could be beneficiaries of funds if they cooperate in the socialization process. Instead, support on the socialization level is aimed at enabling as wide a population as possible to become a part of an active civil society, through empowering the individuals of the various weaker parts of the society. Here, the EU conducts projects for the support of different minority groups and former refugees, support to the reforms for the greater respect of human rights, various educational schemes, and support to the office of the ombudsman.

However, it has to be noted that in practice, such clear division is not possible and that many projects are cross-cutting – for example, support to the development of higher educational institutions serves both as empowerment to individuals (by providing better education), and as direct support to CSOs since universities (academe) are by the UN definition also CSOs.

As regards the EU’s activities in the period of 2002-2006, different emphasis was given to the enlargement countries as regards the share of financing for the civil society and education<sup>50</sup> projects (see Info-graph below). For example, in Croatia, one quarter of all funds

under CARDS were aimed towards the development of a civil society, while in Albania, the share was below one tenth, even though Croatia's civil society was much more developed than Albania's in 2002 (see Rankings below). What is more, the aim of projects between countries differed. In Turkey, TPI projects addressed all three above mentioned levels. On the organizational level, various "dialogue" projects between Turkish CSOs and between Turkish and European CSOs were devised, and grant schemes were implemented. On the governance level, projects aimed at improving the performance of the Turkish Department of Associations and legislation that regulate the activities of the CSOs, and at strengthening NGOs as a link between a public sector and the civil society, were implemented. On the socialisation level, support for the implementation of human rights reform in Turkey and to the Office of the Ombudsman was provided.

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In the West Balkan countries, the CARDS programmes for individual countries were not so coherent. In Bosnia, assistance for the reintegration of refugees and the strengthening of the media sector was prioritised. The strengthening of media was also envisaged in the programmes for Serbia and Montenegro, Kosovo and Albania, while the reintegration of refugees was also a priority in Croatia. Strengthening of CSOs and cooperation between them was envisaged for Albania, Kosovo, Croatia and Macedonia, while the inclusion of CSOs in decision-making processes was supported in Albania, Serbia and Montenegro, Kosovo and Croatia. Improvement of the legal framework for the operation of the CSOs was a priority in Kosovo and Croatia, while minority protection measures were envisaged in Croatia and Macedonia. However, CARDS regional programme addressed all three levels of activities with a regional dimension and with a budget of €16 million.

Considering education in Turkey, a project for the development of human rights and democracy education was envisaged, while Turkey also participated in Jean Monnet Scholarship Programme (scholarships for post-graduate studies in the EU countries for scholars, civil servants and employees of NGOs), the Lifelong Learning programme (scholarships and facilitation of student exchanges abroad) and Youth in Action Programme (scholarships for voluntary work abroad). In all CARDS country programmes, funds were directed to the improvement of vocational education and training

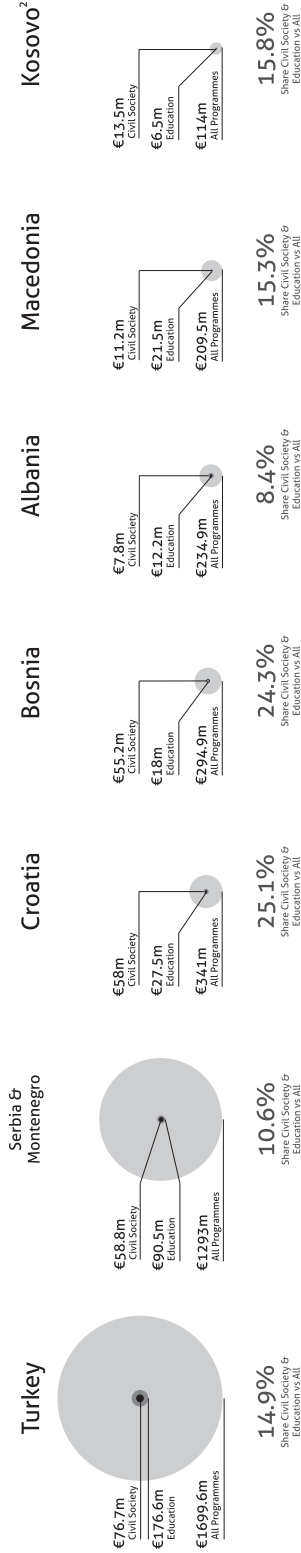
that included development of school management, teacher training, vocational standards, and curricula. In addition, all CARDS countries participated in the TEMPUS programme to support the modernisation of higher education through partnerships between educational institutions of the project country and educational institutions in the EU countries.

As indicated, after 2007 assistance for enlargement countries is channelled through IPA, which has five different programmes: Funds from Transition assistance and institutional building programme, and Cross-Border Co-operation programme are available to candidates and potential candidate states, while funds from Regional development, Human resources development and Rural development programme are available only to candidate states and are meant to prepare them for the future inclusion in structural and cohesion funds. Since civil society assistance, as well as institution building measures and associated investment, transition and stabilisation measures, are provided under the Transition assistance and institutional building programme, this programme will be the subject of analysis vis-a-vis IPA funds.

The share of funding civil society development under the IPA transition assistance and institutional building programme differs even more substantially as in the 2002-2006 period. In the case of Turkey, for example, the share of those projects represents more than a third of all funding, while in Bosnia, the share is only 3% (see Info-graph below). Regarding the aim and number of projects; all countries (except Albania) envisage activities on all three levels, while in Albania, the only project formed under IPA envisages activities on the organisational level. As regards number of projects in other countries, Turkey is at the forefront with 15 projects, followed by Serbia (11), Bosnia (9), Kosovo (6), Croatia (4), Montenegro and Macedonia (3).<sup>52</sup> Apart from country programmes, civil society is also addressed under the so-called IPA Multi-Beneficiary assistance that supports cross-country projects. Here €46.1 million are earmarked for civil society projects between 2007 and 2009, and those projects address various tasks on all three levels of activities for improving civil society.

On the educational level, all West Balkan countries continue to participate in the TEMPUS programme; however, the programme is now funded by the Multi-Beneficiary assistance and not separately for each country, as was the case with CARDS. €107.6 million are

## Percentage of Civil Society & Educational Projects under CARDS, TPI, and PHARE, 2002/06<sup>1</sup>

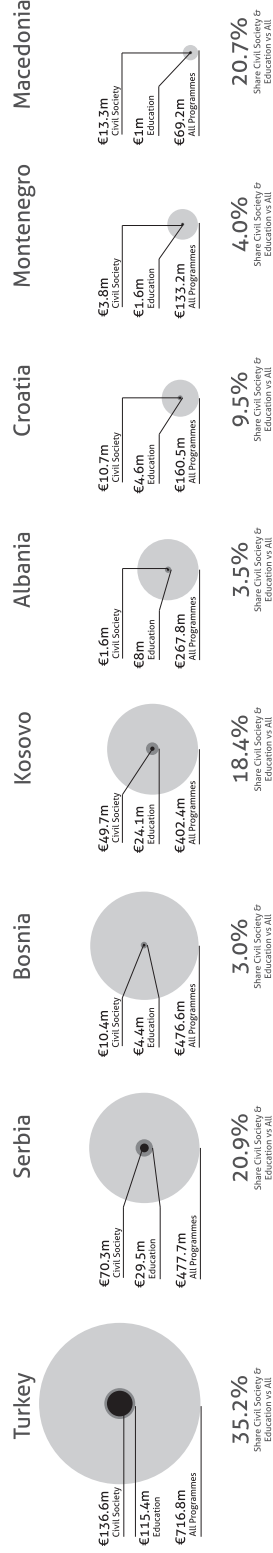


1. For Croatia 2005/06

2. Period 2005/06, for period 2002/04, Kosovo is included under Serbia & Montenegro

Source: Jan Heijmans (2009b), The Concept of Normative Power in World Politics, Danish Institute for International Studies, DIPS Brief, May 2009.

## Percentage of Civil Society & Educational Projects under the IPA, Transition Assistance & Institutional Building Programme, 2007/09



envisaged for educational programmes. In addition to TEMPUS, former CARDS countries are also included in the Youth in Action programme (re: Turkey) and the ERASMUS MUNDUS programme (scholarships for graduate studies abroad). Also, Croatia and Macedonia are included in the Erasmus and Leonardo Da Vinci exchange schemes. The number of projects for improving education under the IPA in the country programmes also differ, e.g. Serbia leads the group with 6 such projects, while there is only one project in Albania and Montenegro.

As observed above, the EU also provides assistance in rebuilding civil society through EIDHR, which is composed of small projects that grant funds to individual CSOs and also various governmental bodies recognised as important for democracy, civil society and human rights development. Statistics are available for the period 2000-2006, where 286 such projects, with the combined value of €40.2 million, were financed in West Balkan countries and Turkey.<sup>53</sup> However during the same time, the share of the EIDHR assistance in the enlargement countries was in constant decline: the countries received 20.4% of the EIDHR budget in 2002, and only 7.3% in 2006, since the tasks of the EIDHR has been taken over by other programmes in the region. According to indicative programme, the enlargement countries received €7.5, €9.25, €11.15, and €12.45 million for the years of 2007, 2008, 2009 and 2010, respectively.<sup>54</sup>

#### ASSESSMENT OF THE EU'S CIVIL SOCIETY DEVELOPMENT POLICY IN ENLARGEMENT COUNTRIES

The EC is the main financial supporter for civil society development in the Balkan countries,<sup>55</sup> and officially the Commission recognises the importance of the civil society development in the enlargement process, however, it argues that the '(r)esponsibility for strengthening the role and influence of the civil society in the enlargement countries lies primarily with the countries themselves ... (h)owever, the European Commission is also willing to step up its own support to the civil society development in these countries,<sup>56</sup> highlighting that also in the field of civil society the EU is reluctant to assume responsibility for its policy towards the region.

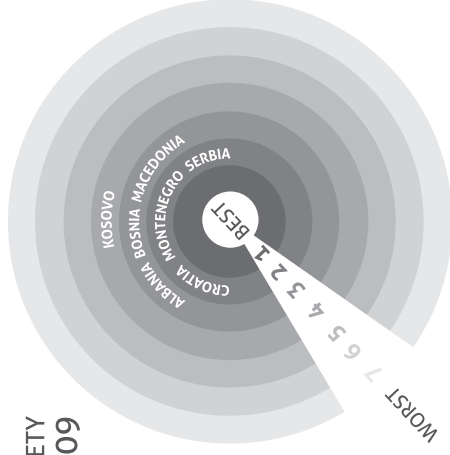
This reluctance could provide an explanation as to why the EU achieved only limited success in the field of civil society



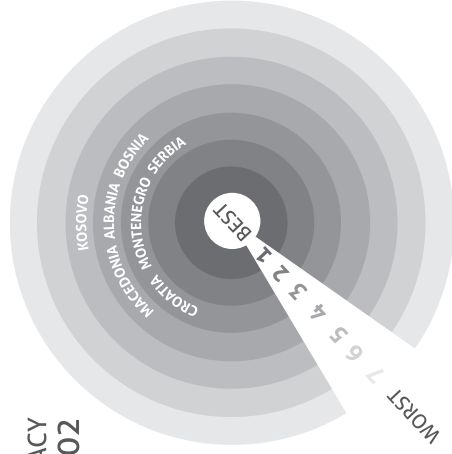
# FREEDOM HOUSE RANKING 2002



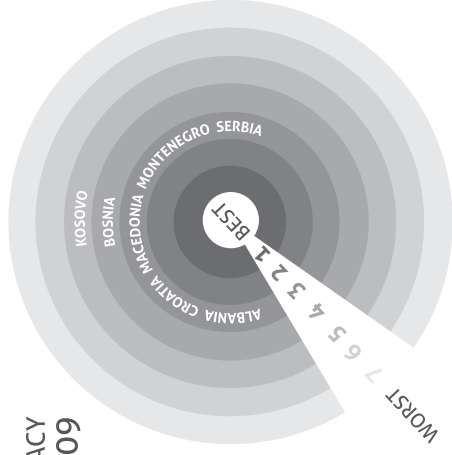
# CIVIL SOCIETY 2009



# DEMOCRACY 2002



# DEMOCRACY 2009



development. In the case of Turkey, the Freedom House's last report (2007)<sup>57</sup> acknowledges some weak improvement in this field. More data is available for Western Balkan countries (see Rankings below). Here some improvement was made in Albania, Bosnia and Macedonia, i.e. countries that had relatively less developed civil society in 2002. Weak improvement is shown in the case of Kosovo while there was no change as regards Serbia, Montenegro and Croatia that had relatively better developed civil society in 2002. This seems to show that the EU is relatively more successful in developing a civil society up to a certain point, but it is still not able to develop it to the levels of 2004 accession countries<sup>58</sup>.

What is perhaps even more interesting to note, is the gap between the civil society and the overall democracy score. The civil society is more developed than other areas that influence the level of democracy in every Western Balkan country. This seems to show a systematic irregularity, i.e. the development of the civil society does not translate itself into the overall improvement of the democracy score; even more, the average gap between the civil society score and the overall democratisation score has slightly widened from 2002 (0.82 point) to 2009 (0.89 point), while the average civil society and democracy rating improved to 0.36 point and 0.28 point, respectively.<sup>59</sup>

What could be the reason for such limited achievements? Firstly, the funds available under the IPA programmes are, compared to the enlargement of 2004 and 2007, clearly less abundant while the tasks are more difficult.<sup>62</sup> Consequently, it seems that the EU does not have a coherent approach towards various areas where change is needed, but instead "picks up" programmes that are either seen as priority, e.g. the case of Albania where help is heavily concentrated on justice and home affairs,<sup>63</sup> or most likely to be successful. However from the viewpoint of peacebuilding, neglecting other important areas or focusing on those that could be relatively easily improved is not prudent. Indeed, it is essential that the EU forms a coherent strategy towards the development of civil society in the region with appropriate amount of funding that would be used to implement a more holistic policy of the civil society development in individual countries. One of the first and relatively easy steps the EU could take is to open the Erasmus and Leonardo Da Vinci's exchange programmes to potential candidate countries since these programmes are perceived as positively effecting the development

of individuals, especially their intercultural skills.<sup>64</sup> In addition, the young are often perceived as the primary target group for civil society development since they are more receptive and have greater capacity to change than older generations.<sup>65</sup>

The other, and perhaps even more important question, is that of the reason for the gap between the development of civil society and the overall democracy score. There could be two reasons for this gap, firstly that public servants, politicians and other relevant actors are not technically (e.g. because of the lack of knowledge or means) able to translate the advocacy of CSOs into policies; and secondly that CSOs, in spite of the EU projects that specifically targeted this area, lack access to the relevant policy makers. The first reason could be addressed through additional investments into various programmes of expert assistance for public servants (such as Twinning). On the other hand, reasons for the lack of access challenge the overall concept of the EU's engagement in the area. The EU is the main driving force of reforms in the area and it pays little attention to the inclusion of local CSOs when it comes to pressing for, and implementing, reforms in enlargement countries. Thus, the process of implementing such reforms is not locally owned since the partners in the process (the EU and CSOs) do not share decision-making powers. Instead, the EU tries to reduce bigger and very sensitive reforms in potential candidate countries to the technical level and purposely overlooks their political dimension,<sup>66</sup> and those technicalities are then drafted by the EU without much involvement of the local civil society. Even though those reforms are often well-drafted as regards the substance, because of the lack of consensus in the society (that could only be achieved through the involvement of the CSOs), those reforms are destined to fail.<sup>67</sup>

So what are the alternatives? Especially in the potential candidate countries, instead of putting the primary focus on adopting the legislation through means of persuasion, the EU should focus on strengthening the participation of CSOs in the process of policy-making, even though that would, at the beginning (at least in perception), slow down the process of EU integration since the focus would shift from exporting the *acquis communautaire*<sup>68</sup> to forming conditions for political ownership of those countries for necessary reforms for improving democratic governance to be undertaken. The EU must be steadfast and speed up the development and

implementation of projects while pressing to develop enhanced access of the CSOs to policy-makers through the improvement of relevant legislation and “penalties” for not implementing such legislation. In that process, the EU should play only the role of a “regulator” and advisor that ensures reforms are in accordance with the commonly accepted principles of human rights, good governance (etc.), instead of drafting them themselves. Only after those reforms are truly implemented, the second phase of fine-tuning to align them with the *acquis* should take place.

Currently, the prospects of enlargement curiously plays an adverse role; the countries of the West Balkans are implementing reforms, prescribed by the EU, with a distant hope of, and as condition for, eventual EU membership, while they are unable to implement such reforms in practice. The EU should constantly reaffirm its commitment to the membership of candidate countries but its *conditio sine qua non* for the membership should be the ability of the candidate states to independently conduct policy-making with the inclusion of all layers of the society while the EU should affirm its commitment and responsibility to help the countries in achieving that goal.

## CONCLUSION

Analysis of the EU’s efforts regarding the development of civil society in the framework of the enlargement policy has shown that conceptual as well as technical improvements need to be made in order to successfully address the democratisation issues of selected countries. I believe that achieving success is essential if the EU wants to justify its role as a norm promoter in the international arena. Furthermore, the EU should try to conduct a holistic peacebuilding process in the framework of other external policies to learn new lessons and thus develop more and better tools for conducting its foreign policy. For example, pilot projects that would holistically address the causes of conflicts and would with that give more importance also to the development of a civil society could be devised in “friendly” countries – countries that are not *per se* opposed to democratic transition but lack the means for following it through.

Concerning enlargement, some credit should be given to the EU for its achievements in the area of the civil society development; however, if the EU does not address the technical and conceptual

issues, highlighted in the analysis, it risks the undermining of its status as a norm promoter.

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# IDENTITIES, NOT MONEY: CEE COUNTRIES' ATTITUDES TO THE EURO

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*ABSTRACT: This research challenges more conventional views that Central and East European (CEE) countries are driven by financial and materialistic concerns in their attitudes towards the adoption of the Euro. It argues that neither indicators of economic benefits, nor the distributive impacts which the adoption of the Euro is likely to bring to domestic societies provides an adequate explanation for accession into the Eurozone. Instead, this work argues that the dominant factor driving the decision of CEE states to enter the Eurozone is based on perceptions of the European integration process (socio-political and economic) by political elites and wider publics. In other words, this work argues that the decision to participate in the single currency rests on whether or not politicians and their electorates are politically supportive of EU integration. This line of argumentation, while surely controversial, is empirically accurate and this work provides evidence of the validity of this argument by testing it on the case of the Czech Republic which has quickly established itself as a strong economic power within the EU, though has arrested its desire to enter the Eurozone in the very near future.*

**KEYWORDS:** European Monetary Union, Euro, Czech Republic, Central and Eastern Europe, enlargement, stability and growth pact, Maastricht criteria

## INTRODUCTION

The introduction of the Euro currency (€) in 1999 and 2002, and the Eastern enlargements in 2004 and 2007 are among the most important integrative steps the EU has ever undertaken. However, since most new member states from Central and Eastern Europe (CEE) are not members of the Economic and Monetary Union (EMU) Europe continues, at least to some extent, to be divided (albeit along very different lines than in the past). The purpose of the research

conducted in this work is to contribute solutions on how such division may be bridged. This work analyses the driving forces which assist in shaping CEE countries' attitudes towards Eurozone accession. Simply, this work provides explanation for the approaches adopted by CEE countries concerning Eurozone accession. Based on an investigation of the EMU debate currently unfolding in the Czech Republic, this work maintains that the predominant school of thought, which argues that material concerns shape EMU attitudes, are largely incomplete and inaccurate.

Indeed, most scholarly work focusing on CEE countries' Eurozone accession assume that decisions over whether and when to adopt the common currency are determined by "objective" economic indicators. As a result, a substantial body of literature has been produced capturing the specific conditions required by CEE countries to join the EMU,<sup>1</sup> and, as a natural extension, the policy choices available to CEE countries when such conditions are close to being satisfied.<sup>2</sup> From this "popular perspective," countries' decisions over when to accede to the Eurozone are based on a cost-benefit analysis and the adoption of strategy likely enhance state-level economic health.

Yet, the EMU is a fundamentally political project,<sup>3</sup> and the adoption of the Euro by CEE countries generates important distributive impacts among their publics.<sup>4</sup> Given the austerity of the Maastricht criteria and of the Stability and Growth Pact regarding public budgets, the expenditure habits of CEE countries have come under pressure over the short- and medium-terms and for the economically left-leaning segments of the electorate, adopting the Euro would be costly.<sup>5</sup> Within this overlapping (political-economic) vantage, it is clear that political analysts are more inclined to view countries' decisions over when to join the Eurozone as primarily driven by potential distributive impacts on the acceding societies. Both these views are materially oriented and may be reduced to either the overall size of the (figurative) cake or the way it is divided among electoral groups.

This study challenges such mainstream explanations and argues that CEE countries *also* gravitate towards the EMU by non-material factors; by their overall approach to the European integration process or by the strength of their European identities. Regarding the case of the Czech Republic, deployed below, this work reveals that

purely material explanations offer only partially satisfying answers, and that how the CEE countries approach Eurozone accession is largely determined by the positions ruling parties and publics take on the federalist/intergovernmentalist or integrationist/nationalist dimensions of EU integration. In other words, for CEE countries, the answer to the question *whether* and *when* to adopt the Euro is largely determined by whether they are convinced by current, and/or driven towards further integration efforts or not. Such considerations seem to be more and more clear and present as confidence-problems related to the Euro continues to proliferate and the future material benefits of EMU membership becomes less certain and the Euro's stability less predictable.

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This work proceeds in three parts: firstly, a presentation of research conducted on the CEE countries' attitudes towards the adoption of the Euro is undertaken to reveal key findings and indicate their implications. Secondly, in a clear departure from previous research, this work argues that the pro/anti-integration cleavage is a stronger determinate for shaping CEE countries perceptions of Eurozone accession. Finally, the case of the Czech Republic is deployed to provide empirical evidence for the argument advanced in the second section of this work. This case-work centres on the unfolding Czech debate over whether it should become a member of the Eurozone or not.

#### CURRENT DEBATES ON CEE EUROZONE ACCESSION

The argument that states adopt those Eurozone strategies that are most beneficial to their economies is intuitive. States are supposed to seek such monetary arrangements that maximise their long-term economic growth and financial stability. This manner of reasoning about the EMU is based on the theory of *optimal currency areas* (OCA) which evaluates various costs and benefits that monetary integration brings.<sup>6</sup>

The part of the theory which concerns this work is relatively simple: it shows that there is 'no inherent reason' for which the system of national currencies, as opposed to a monetary bloc, should be the most efficient system if the Ricardian conditions of high factor mobility within countries and low factor mobility between countries are not fully met. OCA suggests that there is a list of potential gains

from monetary integration. A single common currency: 1. lowers the risks of exchange rate turbulences, thus stabilising the overall economic environment and enabling strategic planning on the micro-level; 2. directly lowers the transaction costs for individuals and firms as they do not have to pay the exchange rate commissions when trading goods between states; 3. makes the intra-bloc market more transparent and efficient; 4. increases economic certainty and thus lowers and stabilises interest rates in the long run. These factors enhance trade and thus increase economic growth.

The benefits however, are not realisable without paying the price of the loss of autonomous national monetary policies. Adopting a common currency implies that fluctuation in exchange rates, within the bloc, is no longer available to reduce the pains of economic adjustment, and the centralised interest-rate-creation gives little power to individual countries to set optimal monetary policies. For individual CEE countries, both pose serious risks,<sup>7</sup> although it is fair to say that economists argue over whether the current execution of monetary and exchange-rate policies by these countries is, after all, independent anyways. Dornbush for instance, suggests that the freedom of national central banks to set interest rates is only illusory: 'what central bank in Eastern Europe can go [with an interest rate] below Frankfurt's?' he asks.<sup>8</sup>

In any case, the costs associated to losing control over exchange rate manipulation and interest rate manipulation depends on the degree of: 1. the time-alignment of the countries' business cycles with the monetary bloc; and 2. the structural convergence of the economies. If the countries' business cycles are aligned, the single interest rate set by the European Central Bank can always be relatively close to each individual country's optimum. A high degree of structural convergence ensures that external shocks come to all the countries in a similar way, and so unified economic policies can be applied across the entire monetary bloc. Once the countries have converged enough, and have their business cycles adequately aligned, the costs of monetary integration are low and a monetary bloc may be formed. From this more "economic" vantage, the CEE countries will access the Eurozone once the costs paid – in terms of the loss of monetary policy tools – are reduced by progress in economic convergence, and thus once they are outweighed by the potential for gains in economic growth and stability.

The problem with this seemingly simple analysis is that, in practical policy making, it is inherently difficult to determine the extent to which the economies have actually converged and aligned. The level of economic convergence between the Eurozone and the acceding countries can only be determined by inspecting a range of indicators, and even if it were always possible to collect enough reliable data, there are no clear guidelines according to which one could weigh such individual indicators.<sup>9</sup> The optimal currency area theory provides some clues as to what to look at but does not offer any quantified benchmarks. As Dědek puts it

The notion that this theory's implications are so precise that they can identify—to the year—the [optimal] timing of the (...) Eurozone accession is misleading. Similar recommendations illustrate only a lack of understanding of what the OCA approach can and cannot achieve.<sup>10</sup>

As a result, economists cannot agree on when the CEE countries should adopt the Euro. Authors differ in their interpretation of the situation facing CEE countries with regard to their EMU accession. Some suggest that, on average, the CEE countries have not converged enough economically to the Euro-bloc; asymmetry between shocks to the “old” members and to the “new” ones is too high.<sup>11</sup> Contrarily, others find sufficiently high levels of convergence.<sup>12</sup> Many works provide clear-cut answers as to whether joining EMU is, or is not, profitable for CEE countries, but typically do not suggest specific timing,<sup>13</sup> or actually find the situation to be ‘full of contradictions.’<sup>14</sup>

For practical policy making, the theory is indeterminate with respect to particular timing; the CEE countries' decisions about particular Eurozone accession timing and thus cannot be driven by OCA-based considerations.

An alternative explanation may be based on an analysis of the Eurozone's potential distributive impacts.<sup>15</sup> The dominant social cleavage in modern societies is the socio-economic division between the ‘haves’ (represented usually by parties on the political right) and the ‘have-nots’ (represented by parties on the left). For political analysis, the most intuitive expectation as to how countries decide about potential Eurozone accession would be that the political parties in CEE promote such policies that are likely to be economically favoured by their electorates. Adopting such a view,

one can easily arrive at the conclusion that left-leaning parties are likely to prefer delaying EMU accession while right-leaning parties can be expected to prefer accelerating the process.

Concerning left-leaning parties, argumentation may be made on two levels; one deeper, and the other, more shallow. The more obvious reason for left-leaning parties to adopt strong positions against quick Eurozone accession is that participating in the third stage of EMU (adopting the single currency) is only possible if the Maastricht criteria are met. Fulfilling these criteria is politically costly. Firstly, governments are not allowed to run large budget deficits (higher than 3% of GDP annually), and the cumulative government debt should not exceed 60% of GDP. The first criterion especially proves to be difficult to meet for the CEE countries.<sup>16</sup> Secondly, the inflation rate should not be more than 1.5 percentage points higher than the average of the three best performing EMU members, which may be constraining for the “catching-up” CEE countries for which a higher inflation rate is likely to be more natural.<sup>17</sup> Thirdly, even the seemingly technical criteria of stable exchange rates and low interest rates do in fact generate considerable distributive tensions.<sup>18</sup>

Together, these criteria impose severe constraints on pro-growth and pro-employment policies, they do not allow for much fiscal stimulation, and even more importantly, they generate pressure on countries’ welfare mechanisms. At least temporarily, social expenditures are likely to stagnate or even decrease and labour, in general, is put under more acute strain.<sup>19</sup> These effects have been widely discussed in reference to “old” EMU members.<sup>20</sup> The overall climate for left-leaning parties’ electorates is broadly believed to worsen with the adoption of the euro or preparations for it. As Barry and Begg put it

It is close to stating the obvious to say that the more rigid macroeconomic framework under EMU shifts more of the burden of adjustment to economic shocks on to the supply side of the economy, and especially the labour market.<sup>21</sup>

Equally significant, concerns have been raised about a slow but continuing harmonisation of member states’ social policies believed to be taking place as a logical consequence of the introduction of the single currency. This harmonisation is seen as a threat to highly developed welfare mechanisms, especially those in Scandinavian countries.<sup>22</sup>



Both these trends – connected to restrictions on expenditures, and indirect harmonisation of social policies – have been seen from the beginning in the “old” EMU states as lowering the levels of social protection and impeding the ability of governments to steer the economy. As Dyson and Featherstone put it,

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This [Maastricht criteria] straitjacket soon provoked fears that EMU might threaten traditional assumptions about welfare state provision, undermine social cohesion, and narrow the scope for domestic political choice.<sup>23</sup>

The same arguments also clearly apply to EMU-applicants. Moreover, a “transformation-fatigue,” further impeding reforms necessary for eurozone accession, is likely to occur in these countries.<sup>24</sup>

Concerning the parties to the right, their position towards the adoption of the Euro is naturally expected to be the opposite; favouring the more liberal economic policies that the steps towards EMU promote, especially the imperative of “sound money.” The economically active right-wing electorate is more likely to profit from liberalisation at both the EU and international levels. It is not threatened so much by the adverse social effects and may actually see the Maastricht “austerity pack” as a productive impulse for the long-term success of the economy.

The potential distributive impacts of the particular policies – usually considered to lie at the core of standard politics – provides a strong indication of which policies the left-leaning and the right-leaning parties in the CEE countries are likely to pursue. Left-leaning parties have interests in delaying the adoption of the Euro while the right-leaning are more likely to proceed as quickly as possible.

Research on the CEE countries’ strategies towards Eurozone accession tends to be limited to these materialist concerns, which as indicated above imply that countries are driven in their approach to the Euro either by economic reasoning or by the distributive impacts EMU accession is likely to bring. The former approach is able to provide only limited guidance as to the specific optimal timing of Eurozone accession while the latter seems analytically more helpful but, as demonstrated below, its predictions do not stand empirical testing, at least not in the case of the Czech Republic. The CEE countries’ Eurozone accession attitudes cannot be explained solely with reference to materialistic concerns; ideational factors ought to be included in the analysis as well.

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Based on the above, this section argues that an alternative approach focusing on actors' identities may be necessary to more accurately explain how CEE countries approach the adoption of the Euro. Specifically, this work argues that mainstream literature is largely incomplete because national identities and the pro/anti-integration political dimensions tend to be omitted from analyses. To arrive at this conclusion two theoretical building blocks are utilised: firstly, the deployment of an argument that the process of EMU-creation, in the late 1980's and throughout the 1990's, has been no more economic than it was political. Secondly, the role the Euro plays in populations' and politicians' national and European identity-formation is explored.

Consider how and why the EMU was created. Although some scholars, most notably Moravcsik and Frieden,<sup>25</sup> believe the establishment of EMU to be an act driven by economic rationality and particular economic interests, a considerable body of literature argues that the EMU is, and has been from the very beginning, no more an economic project than a political one.<sup>26</sup> Two years before the EMU came into existence, Feldstein wrote that

What is clear (...) is that the decision [whether or not to proceed to stage III] will not depend on the economic advantages and disadvantages of a single currency. The decision of whether or not to form a monetary union will reflect deeply held political views about *the appropriate future for Europe* and about the political advantages and disadvantages to the individual countries and even to the individual political decision makers themselves.<sup>27</sup>

A similar position was adopted by Dyson who suggested that discussions of EMU creation could have started as a result of economic reasoning, but with the new geopolitical realities after 1989, the core of the process shifted from economics to politics. He notes that

[Despite being] a necessary condition, [the](...) economic factors were not sufficient. Both the timescale and key elements of the content, especially relating to process, were determined by political factors and motives.<sup>28</sup>

Sandholtz finds that one of the main drivers consisted of enhanced support among the populations as well as the politicians

for seeking solutions at the community-level, re: increased integrationist sentiments.<sup>29</sup> According to this explanation, the EMU was not created because it would be necessary for the functioning of the single market; it emerged because of the widespread belief that more and more problems should be solved at the European level and that 'European economic integration has always been a politically motivated enterprise.'<sup>30</sup>

This argument is strongly supported by Risse's observation that money plays an important role in peoples' identity-creation, and thus that the project of European monetary integration is filled as much with non-material (ideational, identity-based) concerns as it is with those of a material nature (the economic and distributive reasoning presented above) and notes that there

are as many good economic and geopolitical reasons in favour of the Euro as there are against it ... [W]e claim that actors' perception of their material and instrumental interests with regard to the Euro are *deeply influenced by their visions of European political order*.<sup>31</sup>

How one perceives the Euro is, to a considerable extent, determined by perceptions of the EU as a whole. Importantly however, the causal relationship is very likely to go in the opposite direction as well; not only do peoples' identities shape their perceptions of the Euro, but once the common currency is adopted and proves economically viable, a process begins in which peoples' perceptions of the European integration in general are likely to change. Since '[m]oney is among the most important identity makers in people's daily lives,' adopting the common currency is likely to be seen by both politicians and populations as an act of major symbolic significance.<sup>32</sup>

Thus, one may expect political representatives and publics to be visibly concerned over the non-material consequences the adoption of the Euro brings and the question of whether to adopt it becomes a reflection of the acceptance or rejection of the entire EU integration process. Indeed, Risse correctly note that 'the single currency serves as a symbolic marker for European integration.'<sup>33</sup>

The EMU cannot be detached from the overall expectations of EU integration held by publics and their political representatives. As Dinan duly notes, '(m)oney [is] ... both a means of transacting business and a badge of national identity or, in the event of a single

currency, a symbol of European unity.<sup>34</sup> Currently, for CEE countries, similar to the conditions facing the twelve “old” countries in 2002, the answer to the question of whether and when to adopt the Euro was determined by their interest in further integration, which itself was based on how they viewed the general flow of integration.

It is impossible to fully determine the extent non-material ideational – as opposed to material factors – shapes attitudes towards Eurozone accession. Furthermore, with the continuing economic crisis and the resulting decline in confidence in the Euro, determining accurate costs and benefits for national economies and societal groups become ever more uncertain. What drives the CEE countries’ attitudes towards EMU is not so much concerns over how to increase the size of the cake or how to determine who within each society gets a bigger piece, rather the question is whether the Euro-cake tastes good at all.

#### ANALYSIS OF CZECH PARTY POSITIONS TOWARDS THE EURO

This section discusses how two major political parties in the Czech Republic – the (relatively) pro-Euro Social Democrats (ČSSD) and the (relatively) anti-Euro Civic Democrats (ODS) – position themselves towards the issue of Eurozone accession. This is meant to shed light on the importance of ideational factors (relative to material forces) for explaining the Czech Republic’s attitude towards the Euro.

The empirical basis of the analysis consists of publicly recorded proclamations by the two major parties’ leaders in mainstream media outlets with special emphasis paid to the core Czech television political debate series *Otázky Václava Moravce* (translation: *Questions of Václav Moravec*, OVM). This weekly debate series features heads (or deputies) of the political parties and provides them with a relatively sufficient space for discussion (each session lasts around 120 minutes). Also, the series debates topics that are often not attractive enough for private channels and provides considerable space for expert views as well. As a result, it forms the single arena for comprehensive top-level public political disputes in the Czech Republic, and forms a unique source of insights into Czech politics. In the research presented here, 131 sessions have been reviewed, of which 21 dealt with the topic of Eurozone accession directly and in

a significant and comprehensive way. This empirical core of the research is supported, where necessary, by politicians' proclamations in other media outlets, especially in newspaper interviews or articles specifically focusing on Eurozone accession. Arguments by top public officials (such as the Governor of the Czech National Bank) or independent experts are occasionally recalled to provide background to the political debate.

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An additional subtest, in which the two parties' positions are decomposed by allowing for variance over time or across individual party-leaders' positions, is also utilised. In the case of the ČSSD, variance over time is allowed to determine how their position developed with the advance of the financial and economic crisis until summer 2009, and as it was becoming apparent that their social programme was incompatible with their strive for quick Eurozone accession. In the case of the ODS, this work distinguishes between the party's positions towards the Euro under two consecutive leaders: the publically Euro-sceptical Václav Klaus (until 2002) and the more moderate Mirek Topolánek (2002–2010).

As stated above, argumentation based on economic reasoning is usually considered the core of the Eurozone accession debates, popular among political leaders as well as economists. At first glance, this view is consistent with the empirical findings in the case of the Czech Republic. In the Eurozone accession debates, Czech political leaders have, over the past several years, almost unanimously (the only notable exception being president Václav Klaus) relied on economic reasoning; most implicitly using the OCA theory-based arguments. Unsurprisingly though, they found little agreement on whether the time has come for the Czech Republic to join the Eurozone or whether to maintain the Czech Koruna.

Three key pieces of empirical evidence demonstrate that economic reasoning has only been used instrumentally. Firstly, there is scant agreement among Czech professional economists as to the economically optimal timing of Eurozone accession. They have been split into two relatively equal camps and no consensus has been reached on how the Czech Republic should proceed,<sup>35</sup> and neither the ODS (slow pace), nor the ČSSD (fast pace) can credibly claim to defend Czech national economic interests by adopting their respective positions as there are no substantial economically solid grounds from which they could advance such claims.

Secondly, some political leaders admit that they consider the topic to be of the utmost political importance and that the decision to adopt the Euro is not to be made by “experts.” Despite their predominately economic rhetoric, two prominent politicians rejected the possibility that the decision over the timing of the adoption of the Euro could be made by the interim expert-bureaucratic government in the summer of 2009. Jiří Paroubek, (former) chief of ČSSD, demanded that ‘such a decision (...) be made by a political government, not a bureaucratic one, this is simply *not a technical (...) decision*.’<sup>36</sup> Similarly, Miroslav Kalousek, (former) Minister of Finance in Mirek Topolánek’s ODS-led government, argued that ‘the adoption of the euro is *a strictly political decision*.’<sup>37</sup> Ultimately, expertise-based economic reasoning is not the key as the real motor is political.

Thirdly, the argument that the true nature of the debate does not gravitate around economic reasoning is further strengthened by looking at the position adopted by the Czech National Bank (ČNB). Over the past several years, the ČNB governor and vice-governors have consistently and explicitly argued that the adoption of the Euro will be a political decision, and that the ČNB has very little to say about it. For instance, Zdeněk Tůma, ČNB governor, stated that ‘there is no unambiguous answer to the question of when to adopt the Euro, and we will never be able to calculate it. Primarily this is *a political decision*.’<sup>38</sup> Similarly, ‘in the long run (...) we definitely belong to the Eurozone, [but] *the timing is a matter of politics*.’<sup>39</sup> The general uncertainty about the economic future of the Euro – triggered by problems in Greece, Spain, Portugal and Ireland in 2010 – further strengthens the political-ideational side of the Euro’s adoption.

Political reasoning based on the assessment of particular societal groups’ material interests proves to be – although intuitively plausible – equally flawed in the Czech case. As discussed above, one can expect left-leaning parties in the CEE (including in the Czech Republic) to prefer delaying the adoption of the Euro while right-leaning parties may accelerate the process. In the Czech Republic however, the positions adopted by the major parties are the exact opposite and the parties are prone to operating against their electorates’ material interests. Therefore, analysis of ODS and ČSSD is vital for understanding the overall argument in this work.

ODS publically presents itself as a liberal-conservative party, targeting an educated, economically active population; middle to upper-middle class.<sup>40</sup> This is, ostensibly, the segment of the population meant to gain the most from further economic integration within the EU. Business leaders, the most salient proponents of adopting the Euro, also tend to be among the most ardent supporters of ODS policies. Curiously however, it was not until early 2009 that ODS placed Eurozone accession on its political platform and explicitly addressed the problem of the timing of the Euro's adoption.<sup>41</sup> On the other hand ČSSD may be expected to prefer delaying the adoption of the Euro as their power-base is, in general, comprised of less highly-qualified workers which are significantly more vulnerable to declines in social spending, which would become more commonplace in the attempt to meet the Euro's criteria. It is striking that ČSSD have – over the past several years – been the most vocal proponents of adopting the Euro as quickly as possible.<sup>42</sup> Although brief, this evidence reveals that the distributive-impacts does not explain why Czech political parties have strategized on the adoption of the Euro the way they have.

Rejecting more materialistic explanations opens vital space for non-materialistic considerations, presented in the previous section, to be further elaborated. Since Czech political leaders are driven by their broad view of EU integration it follows that they do not prioritise the particular economic side of monetary integration, but rather select policy approaches based on their interpretation of the future supranational or intergovernmental arrangements of the EU. In this the cases of the ODS and ČSSD are again very telling.

ODS is, for all intents and purposes, anti-EMU. Established and led for many years by incumbent president, Václav Klaus, known for harsh criticisms of the EU and its federalist tendencies,<sup>43</sup> ODS has come to reflect Klaus's personal perceptions of the EU. ODS MPs opposed and actively rallied against the ratification of the Lisbon Treaty in both 2008 and 2009. Their election platforms are generally reserved when speaking about the EU and explicitly opposed to the deepening of integration as evidenced in its position that the 'further federalisation and communitarisation of the EU (...) is totally against Czech national interests, and as such is unacceptable.'<sup>44</sup> In 2009, at the EU-level, ODS, together with the British Conservative Party, the Polish Law and Justice Party, and five individual

MEPs, formed a new, explicitly anti-federalist, political group, the so-called: *European Conservatives and Reformists*. It follows that, in the case of ODS, Euro-scepticism acts as a strong indicator as to their position on the adoption of the Euro.

To shed light on ODS's position, it is useful to view it through two separate phases based on its leadership: 1. when it was under the leadership of Klaus, and 2. under the leadership of Topolánek. Klaus is among the most severe critics of the current state of EU affairs and strongly opposes the further deepening of European integration. Accordingly, he criticises the Euro, arguing that the 10 years of the Euro 'have been no great success,'<sup>45</sup> indeed that 'the Eurozone project (...) was already bankrupt a long time ago.'<sup>46</sup> Topolánek's criticism of the European federalist tendencies is much less pronounced as is his treatment of Eurozone accession. Surprisingly, for commentators and political opponents, in the 2009 New Years' OVM, he adopted a fairly positive attitude towards the adoption of the Euro;<sup>47</sup> unimaginable for ODS under Klaus.

The case of the pro-EMU ČSSD is equally compelling. Having defined itself as "pro-European" for many years, their long-term political platform states that 'economic integration must be promptly followed by political, social, and cultural integration.'<sup>48</sup> ČSSD has been a strong proponent of the Treaty Establishing a Constitution for Europe, and widely supported the ratification of the Lisbon Treaty. In their 2009 election campaign, they highlighted '(t)he deepening of EU integration' as a key priority.<sup>49</sup> On the EU-level, ČSSD MEPs are members of the newly established pro-integrationist *Group of the Progressive Alliance of Socialists and Democrats* in the European Parliament. Again, it is clear that their overall pro-integrationist ideology is reflective of their positive view on the adoption of the Euro.

The position of ČSSD cannot be deconstructed in the same manner as ODS (above). However, the economic crisis conveniently revealed the extent to which ČSSD's pro-integrationist ideology overrode the economic interests of their electorate, which is (or should be) opposed to the quick adoption of the Euro. As budgetary problems (increasing mandatory spending, decreasing tax revenues) in the Czech Republic mounted, it was surprising that ČSSD did not alter its "Euro-as-quickly-as-possible" position until April 2009; more than some 8 months into the crisis. Even under the extreme



conditions of the economic crisis, ČSSD pushed for policies that went against the short- to medium-term economic interests of their electorate. Only after the commencement of the Spring 2009 election campaign – as a result of Topolánek's government losing a non-confidence vote on 24 March 2009 – that ČSSD changed its platform and rhetoric with Paroubek claiming on 19 April 2009, that he 'would prefer not to cut expenditures in the years to come,' even though this obviously meant not fulfilling the Maastricht criteria.<sup>50</sup> Apparently, the election campaign marked the point at which it was no longer possible for ČSSD to prefer the Euro to government expenditures. Nevertheless, it is striking how long it took before they had to give up the ideological integrationist posture regarding the Euro and pursue the economic interests of their electorate.

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## CONCLUSION

This study endeavoured to contribute to the unfolding debate on CEE countries accession to the Eurozone by offering analysis which aimed to balance a previously one-sided scholarly view which prioritised more materialist interpretations of CEE attitudes to the adoption of the Euro. This work demonstrated that such materialist explanations are largely insufficient and that countries' positions are driven by their overall perceptions of the European integration process; by their non-materially defined ideational concerns. The empirical investigation of the EMU-debate in the Czech Republic strongly supports this view. According to empirical evidence, the manner ODS and ČSSD approach Eurozone accession is determined by their overall integrationist or nationalist ideology, not by material concerns (either of particular societal groups or of the country as a whole). The Euro-sceptical right-leaning ODS attempt to delay the process while the pro-EU left-leaning ČSSD preferred to adopt the Euro as quickly as possible. Both ODS and ČSSD tend to disregard the direct economic interests of their electorates, and neither party bases its proposals on solid and broadly accepted economic arguments. Although one cannot quantify ideational factors – in contrast to material factors – the case of the Czech Republic shows that materialistic considerations are only relevant to the extent to which they provide broad decision-making frameworks and from within these frameworks, ideational factors can be decisive.

Events in Greece, the resulting crisis of confidence in the Euro, and proposals for fostering control mechanisms within the EMU (induced by the crisis) only strengthens the argument presented in this text that: the more economic problems the Euro faces, the more the question of adoption of the Euro corresponds to the question of whether the integration process proceeds in the direction the CEE countries' politicians and populations consider appropriate. As stated by (former) Czech prime-minister Fišer (May 2010), the decision about the adoption of the euro 'is now becoming even more political rather than technocratic or expert' as a result of the existing problems of confidence in Euro.<sup>51</sup> The decision of whether to adopt the Euro will not be based on material reasoning but will continue to reflect the actors' general perceptions of European integration as a whole.

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# BARBARIANS AT THE GATE... THE IDEAS OF EUROPE IN CEE<sup>1</sup>

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*ABSTRACT: The central aim of this work is to present some ideas of Europe in Central and Eastern Europe through three phases, the Soviet period, the pre-accession (to the EU) period and, finally, the post-accession period. Throughout those periods, Central and Eastern European states faced different conditions and challenges however Europe consistently remained a point of reference in the states' intellectual and political reflections. This work is meant to contribute to understanding the rationale and reason behind the policy directions chosen in CEE in the later half of the 20<sup>th</sup> and formative part of the 21<sup>st</sup> centuries.*

**KEYWORDS:** Eastern Enlargement of the European Union, Central Eastern Europe, Central Europe, Western Europe, ideas of Europe

## INTRODUCTION

Central and Eastern European (CEE) states have historically regarded themselves as “European.” However, the political climate which, in many ways, subdued CEE for the most part of the 20<sup>th</sup> century severely undermined their capacity to construct policies that reflect their self-identification. Indeed, following WWII the CEE states found themselves in an ideological and military position which sharply contrasted to the post-war, emerging conceptualisation of “Western Europe.” However, despite belonging to the new-found Communist political pole, the so-called “East,” the CEE states did not entirely turn away from their “Europeanness,” although such sentiment could not be explicitly demonstrated for fear of intervention by the USSR. Forty-five years later and the end of Cold War provided a window of opportunity for the CEE states to openly pursue their European identities and have such self-perceptions reflected in formal policy directives, while the process of unravelling the socio-political and economic retardation the Soviet Union had delivered was underway. The entry of CEE states to the European Union (EU) must therefore be regarded as *the* punctuation mark



to reconceiving the Europeanness of CEE states and the region as a whole.

Within each of these stages, the *Idea of Europe* had been a reference-point for a significant number of intellectual and political reflections and it is important to explore the uniquely CEE view of Europe to gauge the larger implications – including evolutions – and account for CEE changes in grasping, and approaching Europe.

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This work examines three specific evolutionary steps that occurred among CEE states, vis-a-vis the general understanding of the *Idea of Europe*. Indeed, this work is broken down into three, chronologically flowing, segments: firstly, the so-called *Eastern Phase*; secondly, the *Transformation Phase* (which includes pre-EU-accession processes); and thirdly, the *post-Accession Phase*. Each of these phases produced different conceptualisations of Europe among intellectuals and publics in CEE, yet some perceptions of Europe proved to be more enduring than others such as the belief that Europe remained the final socio-political and economic destination for the states and peoples of CEE.

#### THE EASTERN PHASE

Despite early, mixed, and short-lived enthusiasm at the post-WWII arrival of the Soviet Union – with its politically and economically stifling order – most CEE peoples arrived at a common, if idealised, utopia; Europe, which was popularly captured as the mystical “West.” Such a utopia was not painted in black and white, but was rather more vivid, exposing a dynamic character which reverberated beyond simple political premonitions. However, political considerations *were* central since Europe represented all that CEE lacked such as real, functioning democratic institutions and public ownership of the state.

Additionally, the mythology surrounding Western Europe was fuelled by a fiery brand of intellectualism which contrasted the West (as a biblical “promised land”) to the East (often regarded as “wastelands”) and insisted that the Soviet subjection of CEE had artificially, and forcefully bound the latter to the former at the expense of the political freedoms required to pursue European ambitions. Indeed, the Jaltan Order was intellectually and popularly (though subtly) regarded as a foreign implant which denied cohabitation of

the two parts of the same body-politik, Europe. Indeed, CEE intellectuals often deployed the parable of Europe as a living organism broken in pieces with the brain (the so-called West) separated from the heart (the so-called East). Such intellectuals honestly believed that differences between Western and CEE states were superficial; only together could Europe truly exist as a complete region. As Havel once remarked

by virtue of their entire history, spiritual and intellectual traditions, culture, atmosphere and geopolitical position belong to the classical European West, and any separation of them from that West would be suicidal for the whole of Europe (something anyone with even rudimentary knowledge of European history should understand),<sup>2</sup>

Political realities – or power politics – it seems, forced the suicide of Europe; ripping head from heart while CEE intellectuals struggled to find ways to maintain linkages between the two parts. The solution was to literally reconstruct and recast the concept of *Central Europe*, which had until then been associated to the German *Mitteuropa* (Naumann's conception), or Middle Europe, which sought to Germanise the flailing parts of the Austro-Hungarian Empire during and immediately following WWI. The ideological and physical shift of the concept of *Central Europe*, embracing Czechoslovakia (later the Czech and Slovak Republics), Hungary and Poland, gained prominence in the early 1980's primarily to encourage CEE states to redouble their resistance to communism<sup>3</sup> and support the conviction that CEE had its all roots in the West, despite its acquisition of so-called "Eastern features;" the consequence of political circumstances and which were (as taken for granted) considered temporary and unable to affect the genuine "Europeanness" of CEE. Symbolically placing the word "Eastern" between "Central" and "Europe" in the CEE formula was meant as a deliberate tactic: to demonstrate the truth behind Kundera's claim that CEE was 'the West in the East' of Europe.<sup>4</sup> From such reasoning, Europe consisted of three main blocs constructed around political, economic, social and cultural structures: Western Europe, Central Europe and Eastern Europe; of which the latter included Russia.<sup>5</sup>

Within this initial "lauching" period of CEE, a paradox emerged where the sense of belonging to the West coexisted with a ephemera of culture and civilisation in the region.<sup>6</sup> This implied that the

sense of a lack of endurance and stability, which resulted from fractured sovereignty in and after WWII, generated social-level depressive sentiments which, wittingly or unwittingly, undermined a wide spectrum of specific features and values inherent to CEE while clearly over-estimating those of Western Europe.

*Ideas  
of Europe*

#### THE TRANSFORMATION PHASE

With the collapse of the Soviet Union and the so-called “Eastern bloc,” CEE states immediately entered a phase of reconstruction (socio-politically and economically) and began to shape their renewed polities; defining directions of foreign and domestic policies that reflected the demands of their publics. Consequently, the “European dream” that had taken root towards the latter years of the USSR played an important guiding-light for the newly independent CEE states and as Western Europe moved closer together (i.e. with the 1992 signing of the Maastricht Treaty), CEE states prioritised their membership in the EU and NATO seeking recognition of their “Europeanness” through the former, and security for such “Europeanness” through the latter. Or, as Hughes, Sasse and Gordon explain:

The high degree of consensus among the national elites of the CEECs on the desirability of speedy membership of the EU may be explained by a triple functional logic consisting of symbolic, legitimizing and directional factors. First, it symbolizes distance from the old communist regime and a reorientation from East to West. Second, it helps to legitimize transition policies by linking them with the future political and economic benefits of membership. Third, EU membership has been directional in that it has become the post-communist *grand project* for the national elites in CEECs ...<sup>7</sup>

In short, the idea of Europe, among CEE states, was an instrumental point of departure for the construction and shaping of new CEE polities and the direction their international and internal policies would venture.

Once EU membership was publically lauded as an internal CEE preference, CEE states embarked on an ambitious, if unnecessary, project to demonstrate that they were indeed a part of Europe and

that their claims for EU membership were justified. This comes against the backdrop of the previous, “Eastern Phase,” where CEE states tended to take their European identity for granted.

With the subsequent transformation of the international relations environment, the term *Central Europe* gained new significance and came to symbolise three notions. Firstly, Central Europe reflected the states of the Visegrád Group (V4), the Czech Republic, Slovakia, Hungary and Poland, which perceived themselves as the vanguard engines of regional transformation. This position was routinely emphasised by CEE states as a means of gaining preferential economic and political relations to Western states in Europe and North America. Secondly, Central Europe was seen as composing a wider community of states including: Latvia, Lithuania, Estonia (to the north), Romania and Bulgaria (to the south). Despite this broad state community, most Western states and the V4 challenged such an understanding of Central Europe. Thirdly, the connotations of the term were associated with the more traditional implications of Central Europe; a sphere of German interests – *Mitteleuropa*. Following German reunification it was widely anticipated that Germany, supported by CEE states, might again become a regional superpower.<sup>8</sup>

Indeed, while each of the above toyed with the sentimentality of one group or another, the post-Cold War revival of *Central Europe* had its own set of political purposes. Whereas during the communist period the term was primarily cultural, expressing an emancipatory idea or, as Magris explained, ‘a metaphor of protest,’ after the retreat of the Soviet Union, meant to serve as a ‘region-building’ mechanism.<sup>9</sup>

Additionally, Central Europe was frequently deployed as a political instrument by the CEE states and EU members. For the CEE states themselves, becoming *Central European* meant not only renouncing the Soviet heritage, but becoming more “European.” This was a particularly desired label by CEE states because the traditional Western understanding of being “Eastern European” was, according to Newsome, equated to being ‘semi-Orientalised, backward and degenerate.’<sup>10</sup> In other words, *Central Europeanness* was meant to arrest Western biases regarding CEE and produced a new association which likened Central Europe to concepts such as democracy and socio-economic progress. In this way, the post-Soviet

identity of CEE states was forged with reference to “Europeanness” which implied “Western Europe” and membership in the EU. Such identification resulted in a peculiar form of competition as some CEE states did not recognise representation by other CEE states.<sup>11</sup> Rivalry was fuelled by declarations and counter-declarations. For instance, Brzeziński (1992) claimed that

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As a result of the 1989-1991 revolutions there appeared three Europes. Europe number one consists of the old democracies of Western Europe. Europe number two lies within the borders of the Visegrád Group, embracing Poland, Hungary, the Czech Republic, Slovakia and Slovenia. These post-communist states have hopes of joining the European Communities. Europe number three is composed of the rest of the states of the former Soviet bloc which are not likely to become part of EU until the 21<sup>st</sup> century.<sup>12</sup>

As it turned out, no post-communist states joined the EU prior to the 21<sup>st</sup> century. However, it is important to gauge how intra-CEE competition evolved. Indeed, the EU itself also fuelled competition by recognising the *Central Europeanness* of some and not others. This typically occurred when the EU was encouraging CEE states towards further democratisation or punishing them for arrested democratic developments. For example, Slovenia was rewarded a place in “Central Europe,” and invited to begin EU accession negotiations in the first round (1998) while Slovakia “lost” its position as a signal of the EU’s disapproval in of Mečiar’s policies.<sup>13</sup>

Critically, some did not share in the overly positive implications of constructing an identity based on “Central Europeanisation.” Gerner, for example, argued that ‘the liberation from *Pax Sovietica* revealed that there did not exist any *Central Europe*.’<sup>14</sup> Consequently, the intellectual concept of “Central Europe” that was so appealing in the 1980’s was hardly a region-building attempt in the 1990’s – as Todorova had diagnosed – despite common interests on the road to the EU. Of “Central Europe” she wrote that

It never came up with a particular concrete political project for the region *qua* region, outside of the general urge for liberation from the Soviets.<sup>15</sup>

Although some regional co-operation initiatives were capitalised on, notably the V4, they typically did not amount to much in

practical terms and rather became a euphemism.<sup>16</sup> In fact, initiatives were mainly designed to assist with integration in the EU and the CEE states opted for 'being together in the waiting room' rather than producing a working alliance which would act as a mutually reinforcing mechanism.<sup>17</sup> The consequences of such a haphazard and dysfunctional regional approach to post-Cold War politics was made abundantly clear during this pre-accession period, particularly as CEE accession negotiations were underway and the CEE states vied with each other in a game of political tit-for-tat. Inotai highlights several streams of argumentation frequently used to rationalise the position that the EU embrace only a small group of well-prepared countries. He notes that

This group will not burden the EU's decision-making structures, institutions, or budget. Their easy adjustment to EU structures will mitigate or even break the growing opposition to 'Eastern' enlargement among Western European politicians and the broader public. This is the way to generate support for further (and more difficult) enlargements and keep the EU door open to other candidates.<sup>18</sup>

On their way to the EU, CEE states regarded each other as impediments to their own EU ambitions and consequently each opposed the EU's "big bang" approach which argued for one huge enlargement.

Inotai, for instance, was convinced that a "big bang" would threaten to destroy the enlargement process, because it would bring, into the EU, differently prepared countries, with substantial financial needs and slower adjustment capacities ... A "big bang" enlargement that involved differential treatment of differently prepared countries (...) would make the adjustment process non-transparent, unmanageable, chaotic, and even more bureaucratic. However, the main argument against the "big bang" approach is that it would enhance political and public opposition or even hostility to any further enlargement.<sup>19</sup>

Another important reason for opposing a "big bang" was that any delay of enlargement due to those less-prepared candidates would frustrate those better prepared and thus expose serious gaps in the EU's credibility.<sup>20</sup> Such circumstances did not favour the process of

forming a CEE region with its own identity. This prodded Szarota to pose a significant question of whether CEE was 'a democratising version of Western Europe' or 'a thousand years old cultural community with specific norms and commonly shared cultural closeness?'<sup>21</sup>

The integration aspirations of CEE states were not followed by distinct answers to key questions such as: what Europe was in the new international order, and what could be offered to that Europe by CEE states. Instead, CEE leaders focused on actions designed to provide quick membership to the existing structures rather than making intellectual or political contributions of their own. Such an approach was visible when the EU decided on reforming its institutional system prior to enlargement. Naturally, connecting the process of enlargement to the process of reforming was not enthusiastically welcomed by the CEE candidates because they feared, as (former) Foreign Minister of Poland Geremek stated (1999) that 'the enlargement might become a hostage of the reforming process.'<sup>22</sup>

Nevertheless, having to face the debate on EU institutional reform candidates found themselves in a perplexing situation. In Poland, for instance, that situation was described in such terms:

In the late 1990s, there were two contradictory strategies when it came to the possible attitude Poland should adopt in relation to EU institutional reform. The first was that Poland should not pronounce its view on the EU because that could only be counterproductive, causing unnecessary controversy, both internally and externally. According to the second, in order to prove its credentials as a good European Poland should become actively engaged in the debate on the future of European integration.<sup>23</sup>

Poland, together with other CEE states, wishing to choose the second option did not have a decisive voice in the debate. However, the reforming process produced adequate space for presenting CEE ideas of Europe.

In analysing CEE attitudes during the debate on the EU's future during the pre-accession period, several conclusions may be drawn. Firstly, the CEE states tread cautiously in relation to particular proposals coming from the EU's members and the European Commission. The only exception was the reaction to the idea of "vanguard of integration," which was highly criticised by CEE states

and understood as Western Europe's attempt to shy away from so-called "Eastern barbarians."<sup>24</sup> Secondly, the process of reforming the EU was often regarded, by CEE states, as a project deliberately designed to postpone enlargement.<sup>25</sup> Thirdly, in discussions on *finalité politique* of the EU it seemed that, to most CEE states, the *finalité* was membership in the EU.<sup>26</sup>

It must be emphasised that CEE states attempted to work out the ideas of Europe during the exhausting process of transformation which often resulted in the surfacing of many paradoxes in understanding Europe. Problems associated with simultaneous democratisation and Europeanisation were commonly experienced by most CEE states despite differences in geopolitics, economics (including the structure of economy and level of modernisation), political and social history (i.e. previous democratic and independence experiences) and culture (i.e. individualistic or paternalistic culture, religious or secular approaches).<sup>27</sup>

In CEE, transformation processes were closely connected with history due to the fact that CEE states regarded history as an unfinished process. Soviet subjugation and the all-to-frequent interruptions of independence (in the past) produced a certain gap in political and social developments when compared to West European states. That gap produced consequences by underscoring the variation between the two parts of Europe (and pressures to overcoming it) and the way states understood their own politics. Being part of "unfinished history" became a constant referral for each and every matter, substantiated or not, producing public discourses that resembled political vendettas rather than constructive lessons learned from the more turbulent past.<sup>28</sup>

Additionally, political rhetoric continued to contain dogmatic attachments to sovereignty and the supremacy of tradition rather than the values inherent in civil societies. As a result, CEE states turned towards more ethnic and even, at times, nationalistic sentiments as tools for engaging with other parts of the region. The collapse of the "Eastern bloc" defrosted old, nationalistic, antagonisms and animosities concerning minorities which resulted in challenges not be easily overcome solely by processes of democratisation, as was previously presumed.<sup>29</sup>

In the case of transformation, CEE reformers repeatedly followed the fallacy that the introduction of a new system could be



simply based on Western patterns. The consequences of constructing a democratic order without considering the specific features of CEE meant that CEE states did not fully manage to escape the pit-falls typical of young democracies such as the fragility of civil society and the incoherence of democratic institutions. It was soon realised that CEE states were trapped in vicious circles bound by the necessity of completing the process which had been begun and the struggle to overcome the numerous paradoxes produced by the process such as: capitalism with a human face, the revival of old communist habits and the return of post-communist elites, revisionist and populist voices, (etc).<sup>30</sup>

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The pre-accession period, for CEE states, mainly concerned the adoption of West European standards and preparations for integration, which was initially treated with uncritical, mutual enthusiasm (between the EU and CEE states). However, as the process of became more complex and problematic, the enthusiasm gradually waned. In the wake of growing indifference to crucial points of European ideas, CEE states were focused on convincing the EU of the necessity and inevitability of enlarging the Union to the East; substantiating it not as just another enlargement but as an unprecedented event in the history of Europe.

Europe, as an idea, invariably remained a dream, and CEE intellectuals, political leaders and publics expected determined engagement of Western circles in defining a united Europe's future. Havel confirmed such expectations by noting that:

It seems to me that the fate of so-called West is today being decided in the so-called East. If the West does not find a key to us, who were once so violently separated from the West (with no great resistance on its part) (...), it will ultimately lose the key to itself.<sup>31</sup>

At the same time, due to "unfinished history" CEE suffered from a malady of distrust of Europe, which became perceived as an area where stronger states tend to impose their will on weaker ones.<sup>32</sup> That specific paradox in understanding Europe generated a chain reaction where Europe came to be regarded as a cartel of the richest countries which either allowed poorer ones to approach – after bearing unbearable conditions – or simply refused their approach altogether. This resulted in the rhetoric of a second-hand membership, raising serious frustrations combined with a psychological

syndrome called “complex,” which meant that due to the traumatic histories or contradictory transformation processes, CEE states needed to find some sort of outlet, which eventually took the form of euroscepticism or europhobia. However, the frustrations of CEE candidates stemmed from historic experiences and several factors directly related to the enlargement process.<sup>33</sup>

CEE states had to deal with the budgetary costs of adjustment, which were particularly difficult to bear during domestic transitions and the political consolidation process. Euroscepticism grew as CEE states’ politicians and public opinion articulated the immediate costs and future benefits. Also, growing euroscepticism was rooted in the asymmetric power relationship between the EU and the CEE states. Naturally, accession negotiations are of an asymmetrical character, however in the case of CEE states and their historic experiences and struggles with democratisation, the asymmetry produced serious tensions, especially when the EU hesitated to specify a concrete date for accession. As a result, the governments and publics of the CEE states commenced on their paths to the EU euroenthusiastically though became increasingly eurosceptic when calculating the costs and benefits.<sup>34</sup>

After 1989, narratives on national identity of CEE states were strongly influenced by concerns about losing their own unique identities to larger and more powerful European processes. This was particularly apparent in smaller CEE states:

In Slovenia and Estonia, for example, negative, earlier experiences in multinational federations, combined with economic and political concerns about joining the EU, are reflected in decreased public support for EU membership.<sup>35</sup>

Alternatively, some were convinced that European integration may serve to strengthen national identity.<sup>36</sup> This dualism was the result of what Made called ‘periphery syndrome,’ which was

a phenomenon that derived from the historically rooted East-West division of Europe. According to the traditional understanding, Western Europe constitutes the centre, the *European core*, whereas Eastern Europe is the side-player or *European periphery*.<sup>37</sup>

This strengthened efforts to join the EU and to move to the centre. At the same time it portrayed Europe as a distant, unreachable

idea. Consequently, debate in many CEE states on Europe was 'characterised by a vacillation between, on the one hand, isolationist and nationalist narratives and, on the other, more pro-European and cosmopolitan approaches.'<sup>38</sup>

Aside from the specific combination of Europeanisation and isolationism, the CEE states, more or less, recognised Atlanticism as an important element of their newly reformed polities and ideas of Europe widely included it. Asmus and Vondra noted the sources of Atlanticism in CEE states to

include the Central and East European encounter with both Nazi and communist totalitarian regimes; a recognition of the leading role the US played in toppling communism and in facilitating the integration of these countries into Euro-Atlantic institutions; and the strategic calculation of many countries in the region that their national interests in Europe are better preserved via active American engagement that balances the influence of other major European powers.<sup>39</sup>

In these areas Europe seemed to be a passive actor compared to the US. Moreover, the US remained a symbol of democracy and liberty; values which inspired the transition processes in CEE states. In the context of relations with Europe and ideas of Europe during the pre-accession period, there seemed to appear a tendency of growing Atlanticism whenever the EU questioned the chances of successful transition processes and delayed the perspectives of enlargement.

Taken together, the aforementioned produced a pre-accession period that did not favour a constructive environment for clearly defining the ideas of Europe for CEE and the risk that CEE would not develop an alternative, new vision of Europe, but rather rest on something unspecific which could be defined as a "Europeanness myth."<sup>40</sup> Indeed, to define "Europeanness," CEE states did not follow the patterns of an existing system but based their knowledge on Europe on preferences, expectations, frustrations and, many times, the demands of politics. As Hughes, Sasse and Gordon summarised, Europe was seen as 'a non-cleavage issue in the CEECs' and the ideas of Europe were 'associated with high expectations and vague notions of the EU as an institution.'<sup>41</sup>

## CONCLUSION: POST-ACCESSION

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Irrespective of the trials and tribulations discussed above, 01 May 2004 has been recorded as a key date in the post-communist history of CEE as it marks arrival at the “mythical destination” of Europe. Accession meant the crowning of crucial gems in CEE foreign policies and the enhancement of their international positions. At the same it meant a clear end of a particular era of the commitment to gain membership. Yet membership did not only imply unconditional benefits. As Ágh diagnosed:

After the entry the new member states have recently been in a post-accession crisis due to the dual pressure from inside and outside. The inside pressure from their populations has pushed for completing the social consolidation after the economic and political transformations (...). The external pressure has come from the EU for further socio-economic and institutional adjustments, which has demanded deep cut in state budgets (...). EU has demanded further adjustment from the new member states but the new demands have deteriorated their social situation.<sup>42</sup>

This partly explains why EU membership did not meet with massive enthusiasm among the publics of new members. A second reason was the lack of a vision for Europe, which resulted in generating more threats than hopes and which originated (i.e. in Poland), from the lack of ideas of Europe in the pre-accession period.<sup>43</sup>

The formative years of membership forced all CEE states to deal with internal and external tensions, demands and expectations while carving out their own niches in the European order. At the same time, the CEE states followed the pre-accession pattern of not collaborating with each other, identified in the works of the Council which suggested that

(s)mall Baltic countries, i.e. Lithuania, Latvia and Estonia usually backed positions taken by their Scandinavian partners. Czech Republic, Hungary, Slovakia and Slovenia, on the other hand, tended towards solutions put forth by Germany, Austria or Italy. Poland, despite its significant number of votes, played no major role among the group of countries from its region.<sup>44</sup>

These factors made discussion on the ideas of Europe in CEE rather incidental, unproductive and limited only to responding to the proposals coming from the “old 15.”

However, one intellectual additive worth presenting did appear; the idea of a second European Union.<sup>45</sup> The point of the concept is that the post-enlargement EU should no longer strive to deal with its inherent paradoxes but rather draw lessons and utilise them as a background for future intellectual, political and institutional arrangements.

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One of the most significant paradoxes was the ability to conjoin the divergence of particular states’ interests and convergence of basic values, to combine heterogeneity and rivalry between states with an equally strong desire to establish European power and a coherent internal European order.<sup>46</sup> In this concept, the First European Union (1952-2004) is regarded as a faulty community depriving Europe of its logical development in accordance with its pluralistic nature what was dictated by the demands of international strategic games.

The division of a Europe “to the West” and “to the East” caused irremediable losses because it arrested historically balanced development, mutual cooperation, and exchanges of ideas. However, undeniably the most crucial loss is that Western Europe lost its perception of CEE and acted as if there was no CEE, became afraid of CEE “barbarians”<sup>47</sup> and it is CEE itself that reminds Europe of its exceptionality and identity which was squandered during the Cold War’s artificial division.

As claimed, such reflections should be confirmed in the institutional system of the Second European Union. The fundamental assumption is that the European political system should be determined by openness and the capability of self-regulation. Such a system should not aim to expand its structures but generate and support European politics that would contain two basic presumptions: First, the European system and politics would guarantee the independence of the objects that are not part of the integration process such as: culture, identity and social structures. Second, the same European system and politics would work out some sort of “communication code” to allow the integration of the rest. As a consequence, the Second European Union would consist of several functional subsystems which would participate in decision-making.<sup>48</sup>

In the institutional model of the Second European Union the principle of decentralisation of administrative, economic and culture would be accompanied by the principle of centralisation in the political and military spheres.<sup>49</sup> The head of the Union would be a president, elected by the European Council and responsible for European foreign and security policy. Additionally, the president would appoint the president of the European Commission and the latter would appoint commissioners. Such a presidential arrangement would allow the Union to act decisively and quickly in the international arena and, among others, to sit in the Security Council of the United Nations.<sup>50</sup> The institutional system of the Second European Union would furthermore be strengthened by European Parliament in politics and some institutions in cultural dimensions, like the Institute of European Memory and the Museum of European History.<sup>51</sup> Although the Second European Union has no wish to interfere with the culture and identity of particular states, it is considered important to lay the foundations for a commonly shared sense and pride of “Europeanness.”

The establishment of the Second European Union would require some essential changes including the change of the capital. Brussels was well situated as the practical capital of Western Europe during the Cold War, but it can no longer remain so because the Eastern Enlargements have moved the geopolitical gravity to Europe’s south-east. The change of capital would also present a significant symbolic transformation, announcing the emergence of a new European quality that looks ahead but draws conclusions from the past. Among many European cities pretending to become a central point, the capital of Slovakia – Bratislava – is frequently mentioned because of its geopolitical and symbolic advantages. First of all, due to its central position on the map of Europe Bratislava seems to be predestined to radiate in all directions in respect to politics, economics and culture. Secondly, it would open and broaden the space for new strategic alignments, not only traditional Franco-German, but for many others that would appear if the occasion arises. Thirdly, Bratislava would offer the perspective of further enlargements to the south and to east, including the Balkan states, Turkey, and Ukraine (etc). Finally Bratislava, as the capital of a small state, would guarantee that there would be no room for imperial longings of big nations.<sup>52</sup>

The concept of the Second European Union is an idea of a primarily intellectual character and leaves open space for contemplation concerning political and structural points of reference. It does however confirm some conclusions which can be drawn from the first years of CEE states' membership in the EU such as that the current EU had nothing to do with the European dream they envisioned since the construction of the "Iron Curtain." Painfully (for CEE), it turned out that the EU was a club of contradictory interests and hard compromises in the first place, and a community of common ideas in the second. Even more painfully, CEE states realised that nothing could be taken for granted and they could not expect special treatment simply because of difficult histories.

The concept of the Second European Union is a sort of trial of drawing the analogy to the "European dream" as well as an alternative to the ideas of "Europe of a few speeds" that occasionally some Western European politicians come up with to escape from the CEE barbarians.

Regardless of political circumstances, Europe has been perceived, in CEE, as a "promised land;" an answer to *all* vital questions. Considering the intellectual essence of European ideas one cannot resist the impression that CEE has continuously shared the convictions of Bauman who wrote that

never before has this very planet needed a willing-to-have-adventures Europe; a Europe that is capable of looking beyond its own borders; a Europe that is critical about its narrow-mindedness; a Europe that is dreaming of overcoming its own condition as well as the condition of the rest of the world; a Europe that is enriched by the sense of duty of a global mission.<sup>53</sup>

Undoubtedly, CEE has always wanted to be a part of Bauman's 'adventure.' However, if it comes to concrete ideas and solutions, the ideas of Europe in CEE remain vague and limited to slogans. During Soviet times the CEE states lacked the opportunity to act "European," they could only dream "European." When the opportunity finally came after 1989, the CEE states struggled for membership. After entry to the EU it seems that the leaders of CEE states are dedicated to dealing with everyday politics, leaving no space for serious consideration of what Europe is and must become.

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# THE EUROPEAN EXTERNAL ACTION SERVICE A PRELIMINARY EVALUATION

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*ABSTRACT: This work examines the new European diplomatic corps launched within the framework of the Lisbon Treaty. Based on the decision from 26 July 2010 by which the Council of the European Union established the organisation and functioning of the European External Action Service, this work constructs a comprehensive ex-ante evaluation of the latter. Several essential criteria are analysed and assessed, such as the relevance, efficiency, effectiveness, utility and sustainability of the future diplomatic corps. Accordingly, the study comments on the coherence and implementation process of the Service, consequently revealing the potential risks linked to its launching on the basis of current provisions. Finally, the work tackles the issue of steps that still need to be undertaken by the actors involved in the decision-making process as well as of the matters to which the latter need to pay special attention in order to launch and sustain the Service successfully.*

**KEYWORDS:** Lisbon Treaty, European External Action Service, European diplomatic corps, Council of the European Union

## INTRODUCTION

Heated debates arose during the past few months over the organisation, functioning and accountability of the new European External Action Service (EEAS) headed by the Union's High Representative for Foreign Affairs and Security Policy, Baroness Catherine Ashton. As different scenarios concerning the implementation of the new European diplomatic corps emerged, so did the cleavages within the EU. Currently, it seems that the majority of the necessary agreements have been reached so the Service could be launched on the symbolic date of 01 December 2010; exactly one year after the entry, into force, of the Lisbon Treaty. Yet, an important question has been raised asking whether the agreed blueprint of the new

European diplomatic body will prove effective enough to deliver on its self-identified objectives.

Given that the agreements concerning the work of the Service have only recently been reached, and that the EEAS began functioning at the end of 2010, the only method currently available to estimate its effectiveness is an *ex-ante* evaluation; the purpose of which consists of gathering all available information about the project and analysing the existing data in an exhaustive framework. This method of enquiry allows scholars to define precise objectives of the action to be deployed as well as to determine if they can be met on the basis of the instruments available. The analysis will assess the existence of an eventual expectations-capabilities gap as well as estimate the potential risks of the project.

While the analysis of this work provides insights which were visible before the launching of the Service, it nevertheless allows an assessment towards which the outcome of negotiations gravitated around. Two possibilities arise: either the compromise reached by the actors involved in the decision-making process is indeed the basis for the optimal functioning of the new body or there is a risk that the outcome of exhaustive negotiations, while satisfactory for all the parties, does not provide necessary inputs for the European diplomatic corps to fulfil its mandate.

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#### THE GENERAL CONTEXT

The strategy of setting the EEAS had been first discussed during the debates in the framework of the Convention for the Future of Europe. Consensus of European leaders held that modern challenges could not be properly addressed by individual EU Member States. Therefore, having a truly united, coherent and consistent foreign policy throughout the EU emerged as a new and ambitious objective to be achieved by the EEAS, designed as an efficient instrument. Given the failure of the ratification process of the Constitutional Treaty, the provisions concerning the amendments of the European Common Foreign and Security Policy (CFSP) and, consequently, the creation of the External Action Service entered into force only recently with the Lisbon Treaty.

The heated debates about the role, organisation and functioning of the Service have not only been present in the inter-institutional

environment but equally in the academic milieu. Indeed, many experts in the field including: Józef Batora, Antonio Missiroli, Brian Crowe, and Richard Whitman, have published important contributions.<sup>1</sup> Equally, various research organisations such as the Overseas Development Institute,<sup>2</sup> the European Centre of Overseas Development Policy Management,<sup>3</sup> the International Policy Analysis<sup>4</sup> or the Challenge Observatory<sup>5</sup> have assessed the development of the European External Action Service. However, these publications mostly preceded the decision taken by the Council on the organisation and functioning of the EEAS. The current report seeks to, on the basis of the latter decision, assess *ex-ante* the question of whether the Service will become an efficient instrument to address global challenges.

#### ANALYTICAL FRAMEWORK

The purpose of the *ex-ante* evaluation is to determine several criteria that will ultimately provide an estimate answer to four broad questions:<sup>6</sup>

1. Is the establishment of the European External Action Service a relevant strategy?
2. Is it likely to be effective?
3. Is it likely to be efficient?
4. Will the likely impacts of the Service provide a long-term solution for the broader needs of the EU external action and therefore evidence its utility and sustainability?

In order to reach the evaluation stage of the analysis, it is crucial to first define the correlation between the overall functioning of the Union in terms of external action and the particular strategy of setting up the EEAS. Such a correlation needs to be set on the basis of six indicators<sup>7</sup>

Needs and problems	Objectives	Inputs	Outputs	Outcomes and results	Impacts
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The objectives, inputs and outputs are indicators relating specifically to the strategy. The other three indicators are connected to the broader environment. In other words, the strategy is designed in order to provide a solution to specific weaknesses of the

EU external action. The outcomes, results and wider impacts of the programme will hopefully remedy the gaps that were found in the initial situation.<sup>8</sup>

Given that the present study consists in an *ex-ante* evaluation, only a limited number of indicators can be analysed. Thus, only the former three indicators (needs and problems, objectives and inputs) are addressed in the present study. In contrast, in order to describe and examine additionally the latter three indicators, an *ex-post* evaluation will be necessary.

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The scheme that is being followed in order to carry out the *ex-ante* evaluation of the newly set External Action Service can be illustrated by the following diagram:

Main Evaluation Criteria



SOURCE: European Commission, Directorate General Regional Policy, Thematic Development, Impact, Evaluation and Innovative Actions, Evaluation and Additionality, 2005.

In order to provide a detailed evaluation of the Service’s relevance, efficiency, effectiveness, utility and sustainability, the first stage will consist in the definition of the pertinent indicators.

## PROBLEM ANALYSIS

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The functioning of the EU is elaborated on the basis of the primary and secondary sources of law; primary sources are the Treaties and secondary sources consist of the legislative acts adopted on the basis of these Treaties. These can be regulations, political statements, and recommendations (etc). The legal sources of the Union often set general principles or ideals that should be pursued by the Member States and the European institutions. The definition of a specific problem or the assessment of needs is usually based on the gap that exists between such an ideal or general principle and the action taken in reality and all programmes and strategies undertaken by the EU aim to fill such gaps with consistent action.<sup>9</sup> The rationale for the problem analysis is twofold: it provides justification for the deployment of the strategy while offering a reliable starting point to assess needs as well as define the objectives of the strategy.<sup>10</sup>

The definition of the problem relevant for this study can be traced back to a crucial document that has shed new light onto the threats brought with the 21<sup>st</sup> century. This document, the European Security Strategy (ESS)<sup>11</sup> (and subsequently its implementation report) has drawn a new perspective on the way the EU should act.<sup>12</sup> Indeed, facing the new threats described by the Strategy as well as combining them with the recent economic and financial turmoil, it became clear that the individual EU Member States are in no position to address the new global situation on their own. Therefore, if the new challenges are to be addressed, the EU needs to be more united and the Member States need to act together in order to eventually become a single global actor. In this context, the report calls for an EU foreign policy that would be coherent, active and backed by the necessary capabilities. The gap that exists between the vision drawn by the European Security Strategy and the reality of EU foreign policy is rather wide. The CFSP that has been initiated together with the Treaty of Maastricht did not experience such a significant progress as the other EU policies. Due to the fact that foreign policy is considered as one of the major components of national sovereignty, European leaders showed continuous reluctance to fully integrate this area. However, an EU characterised by (currently) 27 different foreign policies cannot aspire to become



an effective and visible actor in international politics. Thus, further coordination and enhanced flexibility are necessary to address existing challenges.

#### NEEDS ASSESSMENT

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In order to assess particular needs, it is crucial to delimitate the target group affected by a defined problem.<sup>13</sup> In the case of the present study, the “target group” is threefold: **the leaders** of the EU Member States which have the political will to make the EU external actions more coordinated and consistent; **EU citizens**; as well as **external actors**, have expectations in this policy area. Indeed, candidate countries and international organisations would expect the EU to have a clearly defined single foreign policy. Thus the needs and interests of the target group affected by the problem can be more easily defined; the former being to face the global threats and the latter to seize the opportunities brought by globalisation.

The problem definition and the needs assessment are phases naturally followed by the elaboration of objectives. In this case, the objective for the EU in general would be to tackle its weaknesses CFSP and evolve into a global actor. However, to carry out a valuable *ex-ante* evaluation, objectives need to be redefined much more precisely.

#### OBJECTIVE SETTING

As defined by the European Commission in the relevant working paper, ‘the purpose of this part of ex ante evaluation is to translate high-level policy goals into more tangible quantified or otherwise measurable objectives, and to define on what basis achievement will be measured.’<sup>14</sup> The stage of the objective setting is one of the most crucial steps of an *ex-ante* evaluation. Given that the study occurred before the launching of the analysed strategy, it is impossible to describe its outputs, outcomes, results and impacts. Therefore, this scrutiny will describe the objectives set for these indicators. On this basis, three categories can be emphasised: the general, specific and operational objectives.

## *General Objectives*

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The general objectives are set in accordance to the desired outcomes or ultimate impacts. In order to express such an outcome or ultimate impact, very broad indicators are used, such as economic growth or competitiveness.<sup>15</sup>

The general objectives for the deployment of the new strategy i.e. the establishment of the European External Action Service can be found in the first Chapter of the Title V of the TEU, entitled *General Provisions on the Union's External Action*. Article 21 §2 of this Chapter reads: 'the Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations.'<sup>16</sup> Furthermore, the second indent of the third paragraph of the same Article establishes that :

the Union shall ensure consistency between the different areas of its external action and between these and its other policies. The Council and the Commission, assisted by the High Representative of the Union for Foreign Affairs and Security Policy, shall ensure that consistency and shall cooperate to that effect.<sup>17</sup>

On the basis of this article, a global indicator can be defined as being the full consistency of the EU's external action within the framework of the Lisbon Treaty in order to become a global actor and thus benefit from major influence in international relations. Furthermore, it is crucial that the external action is coordinated and that it remains consistent with any other policy carried out by the EU.

## *Specific Objectives*

This category of objectives is the intermediate level that needs to be fulfilled in order to reach the general objective. It is of a more immediate and precise target. In other words, these objectives are determined by direct and short term results. The accomplishment of the results set can be influenced by external factors, independent from those who administer the strategy. However, they are more in command of the administrators than the general objectives which usually tend to be influenced by other factors to a large extent.<sup>18</sup>

In the case of this study, the specific objective is the deployment of the strategy itself; to launch the EEAS and ensure it functions effectively. Thus, the Service would coordinate the EU's external action and relations guaranteeing their consistency as it will be taken care of by a single body. Moreover, all the Union delegations will be coordinated by the latter and the external representation will be guaranteed by the head of the EEAS (the High Representative) so the external action should become much more coherent and consistent.

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### *Operational Objectives*

The operational objectives are determined by the most direct effects of the strategy deployed (i.e. the output indicators). An example of an output indicator could be the number of worked hours or the number of projects that have been carried out. The operational objectives are the most controllable by the administrators of the strategy. Moreover, they can be subject to a direct verification and evaluation which is not possible with the two previous categories.<sup>19</sup>

In the final and official Council's Decision establishing the organisation and functioning of the EEAS many output indicators are already referred to.<sup>20</sup> The operational objective that may be regarded as the most present in the Council's Decision is the support and cooperation role of the Service. In fact, the EEAS, once launched, should provide support to various bodies. Besides the High Representative of the Union for Foreign Affairs and Security Policy in all the mandates that this position encompasses, the EEAS is called upon assisting the President of the European Council, the General Secretariat of the Council, the President of the Commission and the Commission itself, the diplomatic services of the Member States, the European Parliament and other institutions and bodies of the EU (among others the European Defence Agency, the EU Satellite Centre, the EU Institute for Security Studies and European Security and Defence College). Besides the support indicator, another output often mentioned in the Decision is the coordination and management role. In fact, the Service should ensure the full coordination between its interior structures and with other actions and policies of the EU. As for the Union Delegations, the task of

management and coordination with other EU policies is entrusted to the Head of Delegation. Similarly, the representation of the EU in the third country where the Delegation is located as well as the power of concluding contracts is likewise vested in the Head of Delegation.<sup>21</sup>

Other operational objectives that can be found in the Council's Decision of 26 July 2010 are the participation in preparatory work carried out by the Commission in various areas, the insurance of the budget transparency, the guarantee of the staff mobility and its unique allegiance to the EEAS and the High Representative as well as the active participation in the deployment of the relevant instruments.<sup>22</sup>

#### PROVISION OF INPUTS

The input indicators encompass the amount of funds, materials or efforts that are put in the project. In other words it represents anything put into a system to achieve a specific output or a result. The assessment of the inputs for the European External Action Service will provide a valuable basis for the *ex-ante* evaluation. Such data will enable to determine if the relation between the capabilities and the expected results is realistic or, on the contrary, there is a gap being present already at the beginning of the strategy deployment.

The inputs of the EEAS are represented by all the capabilities that are put into the system in order to achieve the targeted results. Therefore, the Council's Decision on the organisation and functioning of the EEAS gives an almost exhaustive list of inputs involved.

The first category of inputs can be referred to as structures, involving the institutional architecture of the Service. In the Decision it can be found that the Service shall be composed of both the central administration (located in Brussels) and of Union Delegations. The former will encompass a series of directorates-general, 'comprising geographic desks covering all countries and regions of the world, as well as multilateral and thematic desks'<sup>23</sup> and for 'administrative, staffing, budgetary, security and communication and information system matters.'<sup>24</sup> With few exceptions,<sup>25</sup> the EEAS will include from the General Secretariat of the Council the policy unit, the CSDP and crisis management structures as well as the

Directorate-General, and from the European Commission the Directorate-General for External Relations, the External Service and the Directorate-General for Development. Moreover, if the necessity shall arise, both the Council and the Commission are required to provide assistance to the Service.<sup>26</sup>

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These structures will be led by the recruited personnel of the EEAS on the basis of merit but carefully equilibrated both in terms of geographical and gender representation, will encompass 'officials from the General Secretariat of the Council and from the Commission, as well as personnel coming from the diplomatic services of the Member States.'<sup>27</sup> To this could be added, if necessary for the work of the EEAS, the specialised seconded national experts. The most crucial positions in the Service' hierarchy will be the Executive Secretary-General, followed by two Deputy Secretaries-General and a series of Directors-General. The staff, established as being proportionally one-third from the Member States and 60% of permanent EU officials (both at AD level), will benefit from a common training in order to most efficiently carry out the work of the Service.<sup>28</sup> Finally, a major input for the Service will be embodied in the involvement in the management and programming of the external assistance instruments.<sup>29</sup>

The determination of the inputs provided for the EEAS represents the last indicator that can be examined in an *ex-ante* evaluation given that the outputs, outcomes and impacts cannot be determined at this stage.

## EVALUATION

With the four stages described above – problem definition, needs assessment, objective setting and input provision – the basis necessary for the *ex-ante* evaluation is complete. Therefore, enough data is collected in order to answer to the questions outlined at the beginning of the section.

Relevance of the strategy is one of the most crucial stages of the *ex-ante* evaluation as it determines whether it is pertinent in addressing the needs identified or not. In other words, the strategy proves to be relevant if the objectives set provide solutions to the recognised problems and needs. The effectiveness is in contrast based on the relation between the objectives and the expected

outputs, outcomes and impacts. In an *ex-ante* evaluation, the effectiveness will take form of an estimation based on the level of probability that the objectives will be achieved. The efficiency of the strategy can be evaluated on the basis of inputs. It will determine if the inputs are likely to be translated in an optimal way into concrete results. Finally, the evaluation of utility will ascertain whether the final impacts of the strategy are likely to influence the broader needs, defined during the first stage of the analysis.<sup>30</sup>

There are several additional aspects that should be addressed in addition to this evaluation framework. These would consist in the determination of internal and external coherence of the system, the quality of the proposed implementation programme and finally the assessment of potential risks associated with the deployment of the strategy.<sup>31</sup> These factors shall be addressed as additional criteria, completing the *ex-ante* evaluation and providing a more detailed panorama of the deployment of the new European diplomatic corps.

#### *Relevance: Do the Objectives Meet the Needs?*

As stated previously, the general objective of the considered strategy is to achieve full consistency of the EU external action as well as to ensure the coordination between the latter and other EU policies. Through achieving this target, the Member States as well as the EU institutions would be guided by the principle of stronger cooperation aiming towards a single EU foreign policy. Thus, once the EU Member States reach an agreement in terms of a common foreign policy, the EU would be able to rise as a single global actor hence capable of consciously facing the global threats of the 21<sup>st</sup> century as well as taking hold of the opportunities created by globalization. Accordingly, the achievement of a consistent external action within the EU should in consequence provide tools to address the needs and interests of EU Member States in this particular policy field.

In terms of more specific objectives, one can perceive that the external action of the Union was always featured by a certain division between institutions. This issue was among other mirrored in the three separate mandates dealing with external relations, namely the High Representative for the Common Foreign and Security Policy, the Foreign Affairs Council chair and the DG RELEX

Commissioner. While striving for overall coordination on the one hand between institutions and on the other hand between the Member States, the full consistency could not be accomplished with such a divided institutional architecture. Concurrently with the Lisbon Treaty, these three mandates have been brought together in a single person – the High Representative of the Union for Foreign Affairs and Security Policy. Accordingly, the deployment of the European External Action Service will bring together all the departments from the Council and the European Commission that dealt with external relations. The formation of this new body, specialised specifically in EU external action and subject to the unique authority of the High Representative (both the central administration and the Union delegations to third countries) ensures a much more effective coordination. Furthermore, as the High Representative carries the task of representation of the EU in terms of foreign policy both the EU visibility and the consistency at the international arena have much more aptitude for being achieved. This stage, enabling through the deployment of the EEAS the realisation of the general objective, constitutes an intermediate phase on the path towards addressing the needs and thus resolving the initial challenge.

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Consequently, it can be assessed that the discussed strategy is relevant as the achievement of targeted objectives would create an essential instrument. In other terms, if the Member States reach the consistency of the EU external action and, consequently, act in common ‘in all fields of international relations,’<sup>32</sup> they will equally be able to find a common way to address the global threats and seize the opportunities. Hence, the needs for the purpose of which the strategy has been created will be tackled.

#### *Effectiveness : Are the Objectives Likely to be Achieved?*

Unlike the determination of the relevance of the strategy, its effectiveness cannot be assessed on the basis of the general objectives. Indeed, especially in the context of an *ex-ante* evaluation, the question whether the general objectives are likely to be achieved is impossible to answer due to the fact that the latter are influenced by external factors to a large extent. Consequently, to achieve these objectives the sole strategy is rarely sufficient. Furthermore, the other factors that will influence the way in which the targets will or will not be reached

are frequently out of the strategy administrator's control. Thus, in order to assess the effectiveness, the focus needs to be shifted from general objectives to specific and operational ones.

The assessment of the probability of achieving specific and operational objectives is more realistic. This is due to the fact that in these two categories less external factors are involved. The specific objective, namely the launching and deployment of the European External Action Service is quite likely to be achieved. Undeniably, much effort has been put in the negotiations as to create the most adequate body that would meet the set targets. First of all due to the imposition of the Lisbon Treaty provisions and second of all given the agreement reached between the European institutions as to the living architecture, the European External Action Service has been officially launched on the date of the one-year anniversary of the entering into force of the Lisbon Treaty (1<sup>st</sup> December 2010). However, the launching is currently followed by an initial experimental phase during which the provisions agreed upon on paper will need to be tested and shaped in reality. The question that is left open in the context of the specific objectives is the ensuring of the correct working of the Service. In fact, it may occur that the provisions negotiated between the institutions will fail to be the most effective way of coordinating the EU external action. In order to verify if the appropriate working of the EEAS is likely to be achieved, the attention must be turned towards the operational objectives.

The operational objectives can be divided into broad categories. Arguably, the details of these output indicators do not need to be discussed as they have been cautiously considered in the above section. Therefore, in order to assess if the operational objectives are likely to be achieved, essentially key words will be taken into consideration. The first category that will be discussed is the coordination and management role of the Service. Indeed, it has been emphasised that the essential role of the EEAS is to ensure the overall coordination of the EU external action. The latter would consist on the one hand in the work within the central administration and between the latter and the Union delegations, and on the other hand between the work accomplished by the Service in general (the central administration and the Union delegations) in terms of external action and foreign policy with all other EU policies. The first type of coordination within the Service, including the Union delegations, seems likely to be achieved.



This is due to the fact, that all the personnel involved in these structures would be under the unique authority of the High Representative. This unique allegiance, also an output indicator, is a necessary factor for achieving the coordination objective. If the structures composing the Service would depend on several higher authorities, this particular operational objective would be much more difficult to achieve. What seems more complex to attain is the coordination between the work done by the EEAS and the other EU policies. This kind of coordination is much more demanding as it involves additional time for inter-institutional negotiations, debates and agreements. As the coordination of the EU external action management with other policies is a provision present in the Treaty, it will in fact need to be achieved. However, it can eventually be mirrored by a less active Service reluctant to undertake more innovative actions. The third key word category of operational objectives is the support and assistance. The support and assistance of the Service for the European institutions, Member States and other bodies and agencies seems somehow correlated to the coordination and management task. Indeed, given that the Service will become the body coordinating the entire external action of the Union, it will represent the ultimate source of assistance to other actors that aspire to undertake action related to external relations and foreign policy of the Union. This objective displays a proportional pattern to the coordination task. In other terms, the higher the coordination level that the Service will achieve, the higher will be its ability to provide valuable support for other institutions. Therefore, the probability of achieving this particular operational objectives is strongly dependent from another one.

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Thus the effectiveness of the strategy is already a much less evident criterion to be assessed. While it is almost certain that the specific objectives will be achieved, the operational ones are strongly dependent on the one hand from one another and on the other hand from the inter-institutional environment of the EU.

#### *Efficiency: Are the Inputs Sufficient for Translation into Set Results?*

The major input, as described in the first part of this section, is the movement of the structures responsible for the external action from the General-Secretariat of the Council and from the European Commission. These structures, while remaining the same, by the act of

being brought within the same body and under a single authority should eventually multiply their efficiency thus leading to concrete results in terms of consistency. The transferred departments will be accompanied by the Directorate-General for internal management that will ensure the correct functioning of the various units and to concentrate all administrative matters. The transfer will not only be a theoretical input but, equally, a physical. Indeed, the relevant documentation, archives and personnel shall be transferred along with their respective departments thus providing all the information and competencies necessary to carry on the efficient functioning. Thus the only practical modification of these structures will encompass the change of authority which, as mentioned above, should greatly enhance and speed the process of action deployment.

With staff coming from the General-Secretariat of the Council and from the European Commission, the EEAS will need to complete the remaining one third of the personnel by officials coming from the Member States. These, recruited by merit and qualifications while keeping the geographical and gender balance should provide a valuable asset to the Service and guarantee the adequate representation of the Member States. Equally, in terms of staff, the Service will present a more pyramidal structure with under the High Representative an executive Secretary-General, assisted by two deputies Secretary-Generals and followed by Directors-General in charge of different departments. The question of hierarchy was part of the red lines in the negotiations preceding the final decision. In fact, it is difficult to assess whether this living architecture will be more likely to achieve concrete results than a more horizontal structure. Arguably, given the multitude of engagements that the High Representative needs to attend, a strong figure that will ensure the correct functioning of the Service and a second authority should provide a positive asset for the running of the Service. However, this structure needs to be deployed before any conclusions as to its aptness can be drawn. In contrast, what is a very positive input in terms of staff, is the elaboration of provisions as to a common training for all the personnel of the Service. Indeed, given the diverse environments from which the staff will come from, a common training will provide the entirety of personnel a collective knowledge basis. This input should rapidly translate into concrete results as the productivity and efficiency of the staff after the training should be enhanced.

Finally, the remaining two inputs that are very likely to be translated into concrete results is on the one hand the fact that the Union Delegations' staff will come from the EEAS central administration and on the other hand that the Service will have at its disposal various external assistance instruments. In what concerns the former aspect, the fact that it is the personnel from the EEAS central administration that will be appointed to work in the Union Delegations should most likely become a factor of effectiveness. The delegated persons will already be familiar with the work of the Service and thereof will be more suitable to ensure the coordination between the central administration and the delegations to third countries. As to the second factor, the external assistance instruments, they are necessary to fulfil the intended function of the Service. Indeed, when the position of the new High Representative was created, the rationale behind it was to merge the authority and the budgetary capacity as to truly boost the EU external action. Consequently, for the sake of its effectiveness, the Service requires a series of instruments that it could deploy opportunely. The fact that the instruments will be managed jointly by the Service and the relevant Commission departments could eventually slow down the process of their application. However, almost certainly, the available external assistance instruments will be translated into concrete actions that will enhance the visibility and efficiency of the EU as a global actor.

It is worth highlighting that not all of the inputs to the EEAS can be assessed in the current study. This is due to the still pending negotiations on the subject of staff and financial regulations.

Nevertheless, the adopted provisions show a definitive aptness to achieve a high degree of efficiency. With the already available inputs, the Service is most likely to accomplish its dual role of one the one hand assisting the decision-making process, and on the other hand representing the decisions taken within the EU on the international arena.

*Utility and Sustainability: Are the Estimated Impacts Likely to Provide Long-Term Solutions to the Defined Needs?*

Following the analytical framework set at the beginning of this study, the estimated impacts are, in other terms, the general objectives defined in the first part of this section. In this light, it is useful

to reformulate the question. Thus, can the fact of identifying and undertaking 'common policies and actions'<sup>33</sup> as well as cooperating 'in all fields of international relations'<sup>34</sup> establish a system that would function to effectively address the global threats? Importantly, it has to be remembered that the latter are constantly changing (as evidenced by comparing the European Security Strategy and its implementation report) thus in order to provide long-term solutions it is not a concrete plan of addressing specific global threats that is needed, but rather a procedure of common action to be applied to any threat triggered by globalisation.

The achievement of a single EU foreign policy is a very ambitious target. It is for a reason that even after nearly 20 years of having the Common Foreign and Security Policy the attitudes of the Member States still have not converged. Given the historical context of each Member State, to have a truly single EU foreign policy demands many sacrifices in terms of sovereignty. Nevertheless, in the light of the global threats and opportunities, the EU Member States need to realise that there is not a single one of them that can become a global actor and thus have any influence on the international area. The CFSP was the first step on the path towards a politically integrated EU. The EEAS is the second step. It is a tool that, if endowed with the adequate inputs, should eventually establish a procedure that will make the set objectives a reality. If such a system could be elaborated, it should indeed provide long-term solutions as no matter what global threat or opportunity appears, the Member States will be able – through negotiations within an established framework – to determine a common foreign policy solution (implying a single response) whilst maintaining consistency with all other EU policies.

### *Coherence*

Once the core of the *ex-ante* evaluation is constructed, it is useful to analyse some additional criteria that will help assess the potential success of the strategy. Coherence is one such criterion. Indeed, if the strategy is showing incoherencies in its elaboration, there are few chances that such flaws will correct themselves once the strategy is launched. Therefore, it is important to ascertain if the design of the strategy is fully consistent. There are two dimensions that can be examined as far as coherency is concerned – internal and external.

### *Internal*

The internal coherency of the EEAS encompasses the coordination of structures within the central administration and between the latter and the Union delegations to third countries and international organisations. This question however, has already been considered in the context of assessing the effectiveness of the Service. Indeed, within the framework of the coordination operational objective, it has been ascertained that due to the single authority to which the entire Service (both the central administration and the Union delegations) will hold a unique allegiance, the internal coherency is most likely to be achieved.

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### *External*

External coherency entails that the actions and policies deployed by the Service will remain consistent with other EU policies. This type of coherency will be much more difficult to achieve for the Service. Indeed, while designing the EEAS as the best way to produce a single foreign policy, it may contrast with other components of the *acquis communautaire*. For example the principle of subsidiarity which is an essential element of the assessment if a proposed action should or should not be deployed. Valid arguments could be found both in favour of the added-value of acting at the EU level (as a single EU foreign policy would enable it to become a global actor and address the current challenges) and of acting at the national level as each Member State has a different historical context and thus diverse foreign policy inclinations. Thus, it can be ascertained that the external coherency of the strategy could eventually become a challenging factor once the latter is launched.

### *Implementation System*

The implementation system of the new Service seems, at first glance, to be a comprehensive procedure. Following the inter-institutional debates, the final decision was adopted by the Council on the 26 July 2010. There are three immediately following stages. Firstly, one month following the Council's Decision, the High Representative

presented an estimate of the revenue and expenditure of the EEAS for the following financial year. The European Commission should subsequently either amend these estimates or consolidate them in the draft budget. Secondly, the institutions should reach an agreement over the Staff and Financial Regulations and their amendments. Finally, the recruitment procedure should start as soon as possible. These phases, currently ongoing, should be finalised before the official launching of the Service scheduled for the 01 December 2010, on the first anniversary of the entry into force of the Lisbon Treaty. Once the Service is launched, the transfer of relevant departments from the General Secretariat of the Council and from the Commission will take place, currently scheduled to become effective on the 01 January 2011.<sup>35</sup> Moreover, according to the Council Decision, ‘in accordance with the Staff Regulations, upon their transfer to the EEAS, the High Representative shall assign each official to a post in his/her function group which corresponds to that official’s grade.’<sup>36</sup>

Upon the assessment of the implementation stages, two observations can be made. First of all, while examining the Council’s Decision, one can perceive that the many regulations still need to be adopted. Among others, the High Representative will need to adopt specific arrangements with MEPs for access to classified documents and information in the area of CFSP, provisions relating to issuing of instructions from the Commission to Union delegations, rules as to the activity of the EEAS, selection procedures, rules on mobility, security and common training and internal rules for the management of the administrative budget lines.<sup>37</sup> This implicates that there is still a long and complex procedure before the EEAS will be up and running on a daily basis. In contrast, the second observation which indicates a positive assessment of the implementation procedure is the presence of foreseen reports as to the progress of the latter. In fact, the Council Decision envisages a first report at the end of 2011 followed by a review in mid 2013 on the basis of which would take place a potential revision of the Decision at latest at the beginning of 2014.<sup>38</sup>

On the basis of this appraisal, it can be estimated that while the implementation process is rather clearly determined and several evaluation reports are scheduled during the initial phase of the functioning of the Service, there remains several regulations to be

adopted as soon as possible. The lack of a precise time frame for their adoption could be a factor delaying the implementation process thus prolonging the initial phase during which the Service cannot reach its full efficiency.

### *Risk Assessment*

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One of the potential risks linked to the deployment of the examined strategy is, as assessed, the assurance of its external coherency. Undeniably, the possibility exists that the necessity of finding an inter-institutional agreement on the consistency of each proposed external action with every other part of the *acquis* might eventually lower the output of the Service.

However, this issue is not the only challenge that the deployment of the EEAS might encounter during its implementation and the initial phase of its functioning. Especially two issues can be referred to in this section. First of all the challenges linked to the recruitment provisions and second of all the matter of the hierarchy within the Service. It is noticeable that both of these issues were part of the red lines during the inter-institutional debates and, while the agreement has been found, doubts persist as to the living architecture.

As far as the recruitment provisions are concerned, two ambiguities can be observed. Firstly, worth highlighting is paragraph 11 of the preamble of the Council's Decision of 26<sup>th</sup> July 2010. According to the latter paragraph,

before 1 July 2013, the EEAS will recruit exclusively officials originating from the General Secretariat of the Council and the Commission, as well as staff coming from the diplomatic services of the Member States. After that date, all officials and other servants of the European Union should be able to apply for vacant posts in the EEAS.<sup>39</sup>

It is arguable that this provision sets an unnecessary obstacle for many qualified persons that could represent a valuable asset for the Service. Furthermore, this provision could be interpreted as being inconsistent with the preceding paragraph 10 of the preamble that reads 'recruitment should be based on merit whilst ensuring adequate geographical and gender balance.'<sup>40</sup> Thus, the obstacle for recruitment of EU officials coming from elsewhere than the General

Secretariat of the Council or from the Commission during the first 2.5 years of the functioning of the Service could be a source of discrepancies. As for the second ambiguity linked to the recruitment provisions, it relates to the debate on the geographical balance of the Service. The provisions as adopted by the Council leave virtually no indication as to how to reconcile the three recruitment criteria, namely the merit, nationality and gender. However, these risks have the potential to be clarified in the Staff regulations that are still pending for the adoption by the institutions.

The last issue that could qualify as a risk for the living architecture of the Service is the matter of High Representative's deputies. In fact, during the inter-institutional debates the design of the pyramidal structure of the hierarchy was very strongly opposed by the European Parliament. In fact, it might become apparent that a pyramidal hierarchy could lead to an unclear division of competencies in contrast to a more horizontal design. However, once again, the legislative process is not yet complete with the Staff and Financial Regulations still to be adopted and the Service remaining to be launched.

The above mentioned aspects are the most apparent inconsistencies that can be assessed *ex-ante* on the basis of the Council's Decision on the organisation and functioning of the European External Action Service. A further evaluation should be carried according to the Council's Decision at the end of 2011 when, after a year of functioning, the living architecture of the Service will be possible to assess.

## CONCLUSION

In light of the above analysis several observations can be made. First, it needs to be taken into consideration to what extent the relevance of the strategy is vital for its further evolution. The fact that the European Security Strategy clearly outlined the weaknesses of the EU in the area of the foreign and security policy as well as the objectives to be pursued, was crucial for the transformations that followed. The latter document established a clear framework on which the reforms in the area of CFSP and former ESDP could be based. In the process of strategy deployment, relevance is one of the most important stages upon which the following design and evolution will



depend. It is worth noting that the EEAS strategy does not lack relevance which indicates that both the leaders of the Member States and the European institutions have a clear goal. They know what needs to be achieved in the area of foreign and security policy and thus can create an optimal pattern leading to the accomplishment of these objectives. Nevertheless, there exists a possibility that even with a clearly designed path, the latter cannot be attained. This is the reason due to which the effectiveness of the strategy is probably the most difficult criterion to be assessed in the present study. Indeed, the likeliness of reaching the set goals is inevitably influenced by various factors, often impossible to predict and thus to prevent them from affecting the strategy. More importantly, the effectiveness depends vitally on the attention and precision with which each particular objective is carried as the latter are strictly intertwined and the success of one can be very much dependent on the achievement of another.

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The legislative process completed up till now on the subject of the European External Action Service encompasses both positive and negative elements. As stated, the strategy is relevant which means that the final objective is clearly visible, even though very ambitious. Furthermore, it is arguable that the pattern of deployment of the EEAS has the potential to become both valuable and sustainable. What remains yet unclear is the path from the establishment of objectives to the desired impacts that will meet the challenges that inspired the strategy. This path is yet to be decided. Undeniably, after seven months of negotiations the main actors have reached crucial agreements and established the core on the basis of which the EEAS will be deployed. However, many issues remain to be agreed upon. The European leaders have embarked upon the creation of a *sui generis* body that cannot be based on anything that already exists within the EU institutional architecture. This has caused much distress during the negotiations as many actors involved in the decision-making process have tried to enclose the Service into already well known structures. Even though during the negotiations many have referred to the process of creating the EEAS as an institutional nightmare, the provisions that are currently agreed upon do not present any sign of premature defects. As was assessed in the current study, there are several flaws that might, once the Service is up and running, become areas of conflict.

However, on the one hand still much needs to be decided and on the other hand the authors of the final agreement have equipped themselves with an error margin. The regular reports and reviews of the decision taken by the Council is one of the most solid assurances that, even though the initial phase of the work of the Service might be confused and chaotic, eventually the new European diplomatic corps will be set on the right tracks to become an optimal strategy.

Finally, it can be observed that the compromise reached by the actors involved in the decision-making process does not need to be defined as being or not the most optimal basis for the functioning of the new European diplomatic corps. Arguably, the inputs provided at this stage are a positive start for the creation of an efficient Service. However, what needs to be kept in mind is a cautious balance between the will of institutions and Member States to keep the EEAS affiliated and fully accountable on the one hand and the provision of necessary inputs for operational capabilities necessary to reach the set objectives on the other hand. If the Service is too limited by preemptive provisions and “in-case” blocking measures, it will never reach the ability to provide the estimated impacts and therefore to address the needs. Consequently, in order to create a truly relevant, effective, efficient, useful and sustainable European diplomatic corps, the general objectives need to be the guiding principle for the ongoing and future agreements thus leading to re-define the EU as a genuine global actor.

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# WAR IS NOT THE ANSWER ... TO NEW SECURITY THREATS

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**ABSTRACT:** *This article shows that war represents an inappropriate solution to so-called new security threats such as terrorism, organised crime, regional conflicts and failed states which emerged with the end of the Cold War. Compared to previous times when threats were typically posed by defined adversaries, new security threats are markedly more global, interlinked, less visible and less predictable. Paying insufficient attention to the prevailing nature of security threats and not trying to develop appropriate means for addressing them can be crucial especially when human lives, that need to be protected, are at stake. The experience of the war in Bosnia as well as the War on Terror are illustrative. As far as war proves to be inappropriate in the new security environment why is it that states make appeals to war in order to address contemporary security problems? The article offers an answer to this question starting from Mary Kaldor's explanation which attributes the recurrence of war as a result of a deficiency in understanding on the part of political decision-makers. Due to this deficiency, political leaders tend to interpret 'new wars in terms of old wars' and thus develop inappropriate answers. What are the causes of this deficiency? Although Kaldor does not further develop her explanation, this article supports the idea that this is due to the predominance of political realism as the main approach to the traditional forms of warfare.*

**KEYWORDS:** new security environments, transnational challenges, realist stubbornness, globalisation and war

## INTRODUCTION

In *New and Old Wars* Kaldor observes that every society has its own characteristic form of warfare.<sup>1</sup> By the early 20<sup>th</sup> century war 'was recognizably the same phenomenon: a construction of the centralized, *rationalized* hierarchically ordered, territorialized modern state.'<sup>2</sup> In other words, the emergence of war was a function

of the state, strictly related to its political consolidation in time. One aspect has changed and produced *new wars*; a shift over who maintains the monopoly of organised violence.<sup>3</sup> This monopoly no longer belongs exclusively to states; it has been disseminated to a growing number of paramilitary groups, warlords, terrorists, mercenaries and organised criminal groups.

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Wars of the previous centuries were, according to Kaldor, related to the existence of high ideals represented as the interests of the nation or state, often self-legitimated and providing sufficient reasons for the state to wage wars and, consequently, sacrifice their citizens for the so-called “greater good.” Also, previously, wars ‘were fought between professional armies, with prudent strategies and tactics in order to conserve expensive professional forces.’<sup>4</sup> What defines the new context of wars is, according to Luttwak, the fact ‘that the entire culture of disciplined restraint in the use of force is in dissolution.’<sup>5</sup> In order to support his idea, Luttwak refers to the wars in eastern Moldavia, parts of Central Asia and Bosnia which commenced after the Cold War.<sup>6</sup>

This work argues that war is an inappropriate solution to security problems when considering the context of new, unfolding international relations realities and *new* security challenges such as those posed by terrorist organisations; transnational organised criminal (TOC) groups, the proliferation of weapons of mass destruction, and regional conflicts (etc) require altogether different approaches.

The idea of the inappropriateness of war as a response to such new security challenges suggests that a broader understanding of both security challenges and the means needed to be deployed as solutions may reveal that war is simply out-of-sync. In pursuing such an argument, this work seeks to unravel perceptions of security shaped by a paradigm inherited from long traditions of statecraft (i.e. Clausewitz) and sharpened in the Cold War years, during which military-technological innovations and the logic of deterrence rendered war a zero-sum game. Prior to analysing the inappropriateness of war, it is important to first explain why war has persisted as a policy of choice for those confronting such new challenges.

WAR IN THE *NEW* SECURITY ENVIRONMENT:  
A DEFICIENCY OF PERCEPTION?

CEJISS  
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There is a long list justifying the underlying rationale behind the instrumental deployment of organised armed force (war) in previous centuries. Indeed, in much of the literature on modern state-building the common theme that ‘wars made states and vice-versa’ is present.<sup>7</sup> The formation of political communities required the existence of ‘the other’ in opposition to which the community could define itself and this implied ‘the real physical possibility of killing.’<sup>8</sup> Russell noted that if it had not been for the wars of colonisation – wars he believes can be morally justified – the *civilised* parts of the world would not have extended from the neighbourhood of the Mediterranean to the greater part of the earth’s surface.<sup>9</sup> But it is not the objectives of war which is addressed in this section.

Indeed, the central question asks why the solution to a variety of current international security-related problems, such as terrorism, be centred on the wide deployment of armed force (war)? While some reduce the popularity of war to a lack of coordination between governments and international agencies or the ambition of certain political personalities, Kaldor suggests that it largely rests on deficient understandings of the nature of the *new* security environment.<sup>10</sup> Such a deficiency stems from both publics’ and policy-makers’ modes of thinking about the problematic of war which Kaldor suggests is dominated by ‘a stylized notion of war’ or, in other words, by the tendency of interpreting *new* threats in terms of *old* threats.

A ‘stylized notion of war’ is meant to correspond to the characteristics of armed combat prevalent at the end of the eighteenth century. Kaldor argues that what defines such an image of war is a set of specific distinctions in what constitutes civil and military activities. Specifically, war occurred between well-defined *military* units, which followed a warrior ethic of conduct, the war was waged on defined territories, and victory – of one side over another – could be recognised.

When confronted with *new* security threats such as organised crime, terrorism, the proliferation of WMD, or regional conflicts, it is odd that states continue to develop responses characteristic of previous centuries, since such threats are not always reducible to



a contest between recognised military units, they are not necessarily geographically delineated, and victory is not always clearly recognisable.

Kaldor goes on to note that

when 9/11 happened, my first thought was this is real, they would have to develop a different approach. But I was wrong ... The War on Terror, like the Cold War, is viewed as a powerful crusade – freedom against totalitarianism ... the invasion of Iraq, was showy and dramatic ... the Americans behaved as if they had won War World II. They tried to recreate the occupation of Germany or Japan in dissolving the army ... humiliating and infuriating those very people who had allowed them their piece of war theatre.”<sup>11</sup>

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Additionally, Kaldor assumes that, at the policy-making level, solutions to security problems should be dictated by the nature of problems, not the tools available to solve them. Thus, adequately grasping the essence of the problem may also assist in directing more appropriate solutions to it. The difficulty with this approach is that it understates the important role the policy-maker must play in drafting the final, most appropriate solution and that such a solution is not only dictated by the situational context, it is also a product of will of the agent who undertakes the decision.

Kaldor deploys two cases (Bosnia and Iraq) to demonstrate how *new* wars have wrongly been interpreted according to the conditions and lessons of *old* wars. Analysing the situation surrounding the war in Bosnia-Herzegovina, particularly the causes that led to the failure of UN peacekeepers to defend civilian populations from the deadly aggression, Kaldor blames the misperception of the situation on the UN officials tasked with ensuring respect for civilians. Accordingly, UN officials, argues Kaldor, perceived the situation as a war in Clausewitzian terms in which the belligerents were the involved states and not as a deliberate war against the civilian populations. This misperception determined that the UN peacekeepers – which were meant to protect civilians – cower away from the conflict, afraid that UN involvement in hostilities might be interpreted as an action which favoured state over the others.

From the perspective proposed by Kaldor, as Walter suggests,<sup>12</sup> it could be inferred that had the international community understood the real nature of the situation in Bosnia – that a new type of

war was being waged – it would have acted in a proper way. This would have increased the chances to adequately protect civilians, the refusal to partake in peace-negotiations with known war criminals, and further, ‘the international community would have never agreed to the partition of society along ethnic lines.’<sup>13</sup>

Walter assumes decision-makers, at the international level, to be willing and able to intervene into the domestic affairs of individual states, but this has never been the case. Although the international community addressed the situation in Bosnia-Herzegovina, from a more traditional, Westphalian perspective, by not intervening in the hostilities, by negotiating with those who were later accused of war crimes, by using traditional methods to end hostilities (re: air bombardments of Republika Serbska), and by agreeing to partition the society along ethnic lines, should not imply that once the international community had better understood the true nature of the situation, they would have immediately engaged in political, military and civilian efforts to stop the conflict.

It should be noted that the moral intentions of the actors undertaking peacekeeping missions are not central to the analysis proposed by Kaldor. Instead, Kaldor stresses that changes have occurred to the international security environment in general, and in the methods of warfare in particular; changes illustrated by real conflicts, such as in Bosnia-Herzegovina. When decision-makers do not properly consider such changes the results may produce devastating failures, which when concerning the protection of civilian lives, may undermine the fabric of the international community which itself has largely transformed into a more aware and responsible community.

This work now turns to depicting the nature of *new*, emergent threats, to provide the groundwork for ultimately concluding on the inappropriateness of war in the framework of current international relations.

#### WAGING WAR IN THE NEW SECURITY ENVIRONMENT: REALISTS’ STUBBORNESS

Rasmussen considers the explanation offered for the aforementioned question as deeply related to the evolution of the state; that one characteristic of the modern state is that war became a rationalised,

state controlled activity.<sup>14</sup> Using war for political ends led to an increased interest in strategy as it 'provided a conceptual tool used to deal with a world in which things had ceased to stay the same.'<sup>15</sup> During the Cold War, the discipline of Strategic Studies, expressing this interest, tended to focus on the state as a rational actor 'and thus defined a research program concerned primarily with the choices of alternative strategies for states.'<sup>16</sup> The focus on actors' rationality pigeonholed Strategic Studies in to the realist school.<sup>17</sup> From such a perspective, the emergence of war had a structural cause related to the nature of the international system.<sup>18</sup> Contrasted to domestic politics, characterised by the existence of a *monopoly on organised violence*, defined by the existence of a central authority which settles disputes between individual subjects, international politics contains no such central power. Indeed, a key realist assumption determines that the nature of the international system is based on perpetual anarchy.

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Due to this absence of a high-authority, capable of preventing the use of force in settling of disputes, states are forced to develop mechanisms of self-help, and deploy force as they see fit. In short, the capacity of individual states to help themselves in solving their disputes with other states depends on the level of military/security provisions it has developed. From a realist perspective, security is analogous to military capabilities, participation in military alliances, and the development of efficient strategies for the use of force. Accordingly, the more militarily equipped a state is, the more its security increases.<sup>19</sup> The appeal of war by states is explained in this way, in structural terms, as a deficiency of the international system represented by the absence of an authority exercising the monopoly on organised violence for the purpose of dispute settlement.

Despite the clear departure of international relations from Cold War logic, strategy is still relevant. However, realism, according to Rasmusen, recalibrated Strategic Studies for the post-Cold War world by assuming that many of the characteristics of the Cold War are transitory.<sup>20</sup>

Realist thinking, in this regard, is characterised by the fact that *new* threats such as terrorism, regional conflicts, failed states, or WMD proliferation, while retaining importance, are, from a historical perspective, essentially non-issues, since inter-state conflict remains likely in the future. Realism cannot conceive of strategy

in different terms than based on power-conflict, shaped along the strategic paradigm inherited from Clausewitz and (much later) the Cold War. What realists must learn from the past, concludes Rasmussen, (Creveld), is that 'how conflicts are fought, by whom and for what reasons, change over time.'<sup>21</sup>

#### GLOBALISATION AND NEW SECURITY THREATS

The previous section assumed that a gap exists between traditional views on war – Clausewitzian approaches – and the nature of *new* security threats. This part offers a snapshot of the configuration of the *new* security environment and explains why war is largely inappropriate despite realist claims to the contrary.

As noted above, the realist view of how international relations functions is problematic when comparing the Cold War to the still unfolding, post-Cold War order. Whereas the former was based on superpower competition – each superpower atop its own bloc of allied states – for “spheres of influence,” while trying not to upset the established balance of power and hence required a degree of shared expectations and predictability, the later period bears witness to ill-defined, less predictable threats in which internal and external aspects of security are deeply interlinked. Echoing Paul, the end of the Cold War reduced the possibility of a major-power war.<sup>22</sup> Importantly, the inching away from such superpower conflict may be attributed to introduction of wholesale globalisation which would render interstate war between developed countries nearly impossible owing to socio-economic and political integration at unprecedented speeds. Globalisation also left its mark on the security realm.

In order to understand the relationship between globalisation and *new*, in some ways reflective, security threats, some authors explore globalisation as a root cause or a vehicle of such threats.<sup>23</sup> Freeman, for instance, locks terrorism into the larger context of deepening economic discrepancies between a powerful West and the rest of the world. He notes that ‘we have collectively created a global social structure of complex interdependence. The rich and the powerful benefit from this structure more than the poor and the weak, and the former have a considerably ability to determine the fate of the later.’<sup>24</sup>

Similarly, Osiatynski provides a linkage between economic globalisation and the rise of fundamentalism in the developing world arguing that fundamentalism is 'a reaction to the failure of a promise for modernisation.'<sup>25</sup> Throughout much of the developing world, hopes of rapid modernisation were dashed as political banditry, cronyism, and corruption were joined by insurgencies, civil conflicts and a new wave of ethnic identification leaving many governments looking to more traditional forms of political legitimacy, notably of a religious origin.

James and Friedman share such a view in their excavations of the layers encasing the causes of regional conflicts, considering such tensions and resulting conflicts 'a reflex of the decline in state authority over large regions of the Global South,'<sup>26</sup> which is especially visible 'in zones where there was previously a colonial order of authority as part of an earlier period of imperial globalization.'<sup>27</sup>

Economic globalisation is not the only process contributing to heightened sensations of frustration among the so-called Global South, which is partially responsible for the increase in fundamentalist movements. The ideas of cultural penetration through some framework of large-scale socio-cultural globalisation offer another interpretation of the types of resistance to certain, perceived impositions. Forms of resistance range from socio-economic, political and cultural localisation movements to civil disobedience, to wholesale violence manifest in acts of vandalism (arson, looting) to terrorism.

When making the case for the emergence of a *new* security environment following the Cold War explicitly linked to processes of economic, political and cultural globalisation, it is interesting to note the changes in acceptable language to refer to security related issues. While the Cold War tended to capture threats to 'international peace and security' the post-Cold War period has even 'globalised' the language of international relations which now boasts explorations of "global threats," and "epidemics," "a global war on terrorism," and "global warming," to name a few.

Going "global" in understanding international politics is not only related to the trans-territoriality of threats (among other issues), but rather it indicates that while all events *do* occur within determined spaces, the consequences and, as a result observable patterns are increasingly global. For example, events which are extremely "local" in the sense that they take place in a particular territory, involving only

local peoples, who directly bear the consequences of their actions, are increasingly determining the international relations agenda. Take the ensuing Israeli-Palestinian conflict as an example; the local combatants are increasingly under international scrutiny, the result of which is the globalisation of the conflict, mobilising perhaps millions of people around the world to support one side or the other. It is now clear that such a trend in globalisation, of taking local conflicts out of their local context and placing them instead into a global context has changed the way foreign policies are being shaped and how political communities view each other and themselves.

Indeed, the globalisation of local conflicts has also produced security overlapping in the sense that internal and external security providers have been forced to coordinate their activities while internal and external security challengers are increasingly finding themselves in marriages of conveniences. This is best seen in EU latest security guidance document: *The European Security Strategy, A Secure Europe in a Better World* which emphasises, that in the post-Cold War, distinguishing between internal and external sources of danger is, itself problematic as the two concepts are indissolubly linked. Conflicts in Africa, Central Asia, the Middle East or Caucasus region are not isolated to the effect of concerning only those directly involved in a conflict. The *new* security environment and the *new* conflicts waged within it, have facilitated the means for all actors (recognised political entities, regular and irregular armed forces, transnational criminal groups and/or terrorist organisations), to seek – and often find – the support of sympathetic publics beyond the frontiers, particularly among diaspora communities, or close ethno-cultural kin-groups.

Further, although a conflict does not take place within the borders of a state, it can impact on it through the flow of displaced people seeking protection within its borders. Besides the indissolubly linkage between the internal and the external aspects of security, there is also an indissolubly linkage between the new threats. Thus, conflicts, terrorism and organised crime support each other as income generating activities.

If looking into the Pandora's Box of international relations from a non-traditional vantage, in other words as a non-realist, the strange-brew of security relations presented in this section should

indicate when addressed, 'a debelicization of security and an obsolescence of war.'<sup>28</sup> However, no such debelicisation has occurred and war continues to be advanced as an appropriate means of conflict/crisis resolution throughout the international community.

This section offered a snap-shot of security in the post-Cold War period, which saw a proliferation of actors, in addition to new states and the political complications which tend to accompany such state building, and identified *new* actors operating within a *new* environment. It was stressed that whether or not globalisation is considered a cause, symptom or vehicle, new security threats cannot be analysed separately from its all-pervasive nature.

Thus, a consequence of the fact that the new security threats are less predictable and less visible is reflected in the reduction of the capacity of states to perform the same security functions that it had in the past.<sup>29</sup> Security cannot be aggregated in terms of military capabilities as realist logic assumes; the capacity of military forces to provide security is has substantially decreased due the nature of these threats. This also affects the effectiveness of war understood as the ability of using military force for political ends.

Understanding appropriateness as a synonym for effectiveness, the following section explains why war is an inappropriate solution to new security threats. To do so, the limited scope of military force and some key problems exposed by more traditional strategies and modes of warfare will be exposed.

#### APPROPRIATENESS AS EFFECTIVENESS AND WAR AS A RESPONSE TO THE NEW SECURITY THREATS

According to Paul, war as defined by Bull – 'organized violence carried on by political units against each other'<sup>30</sup> – was, until the post-Cold War period, a phenomenon which could determine the main political events at the international level, such as survival, the disappearance or the appearance of new states. This control on organised violence entered in a new phase once with the Cold War, as the nuclear age made it imperative for states to remain the main possessors and managers of security.<sup>31</sup>

What was characteristic for the Cold War was the possibility to identify a danger and measure it on the basis of state capabilities. Since security dangers were mainly posed by states, measuring

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relative capabilities was a linear process. The amplification of danger could be determined by knowing the level of high technology possessed by states, which meant qualitatively better weapons and thus stronger military capabilities.<sup>32</sup> Threat could be measured on the basis of the ends and the means at the disposal of the state. Thus, threats were understood, as Rasmussen observes in a means-end rational framework.

Compared to the Cold War, the nature of the new threats has significantly been altered in the post-Cold War period prompting Rasmussen to operationalise an analytical distinction between threats and risks.<sup>33</sup> According to Rasmussen, *threat* is a 'specific danger which can be precisely identified and measured on the basis of the capabilities an enemy has to realize a hostile intent.'<sup>34</sup> In contrast, *risk* is equivalent to danger and is less measurable than threat. Indeed, a risk is regarded as a negative scenario, followed by the deployment of political measures in order to prevent the unfolding of the scenario and accordingly the new security environment is defined by the presence of risks, not threats in the context of globalisation.<sup>35</sup> This analytical distinction operationalised by Rasmussen supports the conclusion that in order for new security strategies to be effective it is imperative to consider the origins and nature of such risks.

As far as security is a matter of perception,<sup>36</sup> the actors themselves determine what constitutes a security threat and what does not and the non-event of not developing a proper framework for addressing new security threats expresses the position of decision-makers as they must not view such threats as such. For instance, Paul remarked that 'in the past, terrorism rarely struck security planners as a core security threat and the defensive measures against it were confined to intelligence and political solutions aimed at eliminating the root causes of the problem.'<sup>37</sup> In other words, since decision-makers (pre-11 September) did not expend the majority of their political and security-related energies on combating terrorism it necessarily implies that they simply did not see it as a threat to theirs, or their citizens, security.

This security relativism has been significantly undermined in the current international environment and the diffusion of security tools, prodded by globalisation has had profound impacts. Cha notes that if 'in the past there was a direct relation between power, capabilities and technology, this relation is altered in the context of



globalisation which facilitates access to technology and information related to force projection and weapons of mass destruction; enabling terrorists to launch operations that are asymmetric and disproportional to their aggregated power.<sup>38</sup>

The possession of advanced military technologies has limited effectiveness when compared with the expenditure it involves. The Barcelona Report provides an explanation for this situation by noting that 'the use of military technology can be effective against governments, as shown in Iraq and Afghanistan. But technology does not help troops with imposing and maintaining order, with coping, for instance with suicide bombers who have relatively unsophisticated technology.'<sup>39</sup>

Additionally, heightened access to information and communication technologies alters power relations between actors and has consequently produced an important cog in the post-Cold War order, the so-called Revolution in Military Affairs (RMA), which as argued by Kaldor, shows how information and communication technologies change the technological aspects of strategy, in this sense an essential characteristic of new wars is represented by the possibility of waging wars via remote command, control and communications networks facilitated by easily-acquired technology.<sup>40</sup>

In a similar vein, Rasmussen considers the idea of new wars through military precision where control is simply a discursive form aimed at showing the virtues of military force without paying attention to the real elements of novelty in the security environment. The reference to the new wars and RMA underlines the logic of the major-powers conflict expressing the way in which decision-makers redefine their political goals in light of the new possibilities created by military technology.

It is interesting to note the explanation provided by Rasmussen regarding the persistence of the use of military force in the realm of security which is a consequence of continuous progress in the military technology sector which studies on strategy catalysed.<sup>41</sup> The most obvious example that can be given in this sense is, as he argues, the invention of the nuclear bomb which was followed by deterrence doctrines.<sup>42</sup>

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## CONCLUSIONS

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This work argued for the inappropriateness of war as a solution to new security threats and was constructed along a multifaceted approach to the problematic. It began by presenting a conundrum, that although war is inappropriate it continues to be seen as an acceptable solution for decision-makers a fact which begged the question of 'why?' Solving this problem was accomplished by deploying the analytical tools proscribed by Kaldor. Thus, trying to explain the failure of the UN peace-keeping mission in Bosnia Herzegovina, this work refers to a deficiency in perceiving the nature of new wars on the part of decision-makers tasked with taking action on the ground.

The idea of a problem of perception at the policy-making level acted as guidance for finally providing an answer to the above noted question; it was argued that the instrumental use of war at the international level is due to political realism remaining a dominant approach to understanding traditional forms of warfare. As Rasmusen remarks, although realist thinking recognises that new threats such as terrorism, failed states, and regional conflicts retain their own, independent importance, from a historical, more realist perspective they are considered non-issues, since the possibility of inter-state war is ever-present.

Once the task of explaining the incidence of war as a solution to the new security threats was accomplished, the analysis proceeded further in explaining why, when confronted with the new security threats war is an inappropriate response. At this point, attention focused on the nature of the new security threats defined as global, interlinked, less predictable and less visible, stressing the limited capacity of military force in an international environment defined as globalised.

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and boldness the enemy had not expect and the world had not seen before (...) I would argue that both the Cold War and the War on Terror resemble what I call “Old Wars” using new technologies. (...) And what about the enemy? Long before 9/11, the war gamers were talking about what they called asymmetric threats, the risk of terrorism and of rogue states that harbour terrorists. It was never clear why RMA or Defence Transformation was the answer to these asymmetric threats.’ See pp. 7-8.

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15<sup>th</sup> FORUM 2000 Conference  
October 9–11, 2011, Prague

## **Dialogue among nations, professions and religions**





RESEARCH ARTICLES  
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# POLITICS AS USUAL: WHAT LIES BEHIND THE PRO-POOR RHETORIC

By Thomas Pogge, Polity Press, 2010,  
ISBN 9780745638935

*Book  
Reviews*

REVIEWER: CHARLES A. ROBINSON  
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THOMAS POGGE has already marked himself out as a philosopher with a strong desire to go beyond the confines of abstract theorising. In his 2008 book, co-authored with Aiden Hollis, *The Health Impact Fund: Making New Medicines Accessible For All*, Pogge put forward a convincing moral argument for a new organisation, The Health Impact Fund, aimed at 'a new way of stimulating research and development of life-saving pharmaceuticals,'<sup>1</sup> especially those related to diseases that afflict the poorest of the world's population.

In his latest book, *Politics as Usual*, Pogge turns his attention to issues of broader, but of no less, importance: the hypocrisy of world leaders and international organisations in relation to the reproduction and maintenance of global poverty, despite claims that enough is being done to eradicate it. Pogge has, of course, been here before, in *World Poverty and Human Rights*. There, he argued that rich Western states are complicit in the continued poverty of a majority of the world's population, especially through trade in the natural resources of poor (and often politically corrupt) countries.

Even before Pogge begins to analyse different aspects of global poverty in *Politics as Usual*, some uncomfortable statistics are presented that make the need to address this and related issues more pressing. For example, the bottom half of the world's population 'has seen its share of global private wealth shrink to 1.1 percent and its share of global household income to 3 percent.' At the same time, the top ten percent of humankind's share has risen to 85.1 and 71.1 percent, respectively.<sup>2</sup>

If readers of Pogge's new book feel that they might be able to rest easy and deflect moral responsibility for such an appalling situation, then they will be disappointed, for it is not just politicians

who must take more seriously their moral obligations towards the poor: the citizens of wealthy countries must accept that they too are complicit in global poverty. Even though many would initially even deny that moral concerns cross national borders, our moral language, Pogge argues, does not match the reality of what we, the wealthy developed economies of the world, are doing on the ground to actually live up to the values we profess. In fact, one might go even further and argue that we are deceiving ourselves with comfortable stories that obviate our need to properly analyse the causes and effects of global poverty, as well as our role within that dynamic.

One of the things we expect from our governments and from international organisations, such as the IMF and the World Bank (or “the Bank,” as Pogge refers to it), is that their policies be in some way consistent with the demands of justice. One seemingly simple way to guarantee this is that policies are fair, in that they remain either impartial and neutral with regards to the interests of richer countries when they clash with the interests of poorer countries, or else, what is better, privileging the interests of poorer countries so that existing inequalities might be alleviated somewhat. For political philosopher John Rawls, fairness demands, in part, making sure that the position of the worst off members of society is as good as it can be. In that case, on the international level at least, tackling global poverty through the redistribution of wealth becomes paramount. As Peter Singer has argued, there is no good moral argument that allows us to justify the spectacular inequalities that exist between the richest and the poorest nations, and the obscene consumption by some of, while others live in life-threatening poverty.

However, in an age of economic austerity and financial crisis, the temptation is to literally adopt the old adage that “charity begins at home.” While members of our own communities continue to live in poverty, we have a moral obligation to them that overrides any duties we might have to help alleviate the poverty of foreigners, no matter how the two levels of poverty measure up to each other relatively.

Pogge’s book stands as an important corrective to such arguments. Whilst we should not be blind to inequalities that exist within our own rich communities, we should nonetheless be aware that the poverty apparent in parts of Africa, Latin America, and

Asia is *relatively* more significant, and that a supererogatory moral obligation rests on our collective shoulders

But Pogge's book is not a simple outlining of global inequality and the hypocrisy that allows it to be reproduced without complaint or criticism. As part of his analysis of the moral culpability of the citizens of rich Western countries, Pogge recommends that we reinvigorate the democratic process so that citizens can force through changes in foreign policy that would guarantee more fairness and a diminution of the gross inequalities that characterise international relations. We cannot simply allow events to pass us by, complaining that the democratic process stymies political participation and, as a result, renders us helpless in the face of vested powerful interests. So much, of course, has truth to it, but this does not absolve us of all moral responsibility. As Jürgen Habermas has said again and again over the past few years, the EU itself can be arranged along more democratic lines, solving its so-called "democratic deficit" and allowing citizens access to forums of democratic opinion – and will – formation that often begin in civil society. If we can make the democratic systems of Western states and organisations, such as the EU, the UN, and the IMF, more responsive to the needs of citizens, and especially those so poor and marginalised that normal democratic avenues remain closed off, then we might be able to begin solving a global problem that is, in many ways, the most significant we face.

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#### NOTES TO PAGES 201-203

- 1 See the HIF website at: <<http://www.yale.edu/macmillan/igh/pilot.html>>.
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# **RUSSIAN AND CIS RELATIONS WITH THE GULF REGION: CURRENT TRENDS IN POLITICAL AND ECONOMIC DYNAMICS**

CEJISS  
1/2011

By Marat Terterov (ed), Gulf Research Center, 2009,  
ISBN 9948434412

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*Russian and CIS Relations with the Gulf Region: Current Trends in Political and Economic Dynamics*, a collaborative work produced by the Gulf Research Center and edited by Marat Terterov, is a review of the wide-ranging foreign policies of both the Gulf and Central Eurasian regions, replete with solid statistical and literary support garnered from a large host of surveys and professional research projects. The book delves deep into the fields of energy security and the workings of Eurasia's "grand chessboard," forging a comprehensive analysis of both the history and future of international economic and political relations between the nations of the Commonwealth of Independent States (CIS) and the Gulf Region.

The authors commence with a look at specific instances of bilateral relations in a successful bid to highlight a geopolitical reality – that CIS-GCC (Gulf Cooperation Council) relations, while initially and currently hesitant, are nevertheless beginning to achieve an ever-increasing level of rapprochement from the distanced days of the Cold War, based on the realisation of the massive potential benefits of future trade and political interaction. In a look at bilateral trade statistics between countries in the Gulf and in the CIS, the authors point to rising import/export figures from such diverse sources as the Republic of Kazakhstan State Committee on Statistics and the UN Registry on Conventional Arms Trade as proof of increased tightening of political and economic bonds between the two sets of nations.<sup>1</sup> Inter-regional trade has skyrocketed since the end of the Cold War. Using, among others, the cases of Kazakhstan, the UAE, Bahrain, and Armenia, the authors' showcase increasing levels of

oil, gas and industrial trade that has presumably played a large role in a visible concurrence of thought in policy areas from the oil market to dealing with the phenomenon of religious extremism.<sup>2</sup> This is further supported by existing similarities in culture and natural resource potential. Such alignment of policy goals with respect to the regulation of oil and gas prices brings a balancing presence of non-Western powers in the international community.

Much of the authors' analyses points to the suggested reality that Russia's post-2004 return to involvement in the politics of the Middle Eastern region has seen Russia come to occupy the traditional position of the United States as the region's offshore broker. This is an especially cogent conclusion when considering Russian resurgence in conjunction with the erosion of confidence in the abilities and judgment of a post-Iraq United States. It is argued that Russia is a more natural mediator for the region, with geographic proximity and resource-driven policy similarities encouraging GCC confidence that Moscow can be a stabilising power in the Gulf.

A further factor in the re-establishment of Russian bases of power in the Middle East comes from Moscow's need to find counterpart states in the south of Eurasia that can guarantee the stability of satellite interests in the Caucuses and Central Asia. This is one factor explaining Russian support of Iran since the mid-1990s onwards, as they appear to be naturally positioned allies that can prevent the incursion of any third party's influences. The authors point to the steady rise of Russian arms trading in the Middle East as evidence that Moscow is increasingly seen as a guarantor of the region's balance of power, with Syria, Iran, Yemen, and Kuwait foremost among those cited as paying recipients of hardware ranging from MiGs to combat patrol vehicles and medium-range missiles.<sup>3</sup>

Throughout the section of the book detailing the various bilateral relationships between the regions it becomes apparent that Russia and the CIS have essentially been able to do what the countries of the West have been unable to do – use a unique bi-cultural identity to bridge the gap between the West and the Middle East, while using the medium-term diversion of focus from its own conflict zones (for example, the move of militants from Chechnya to Iraq and Afghanistan) to leverage resource similarities to mould the role of a friendly, stabilising power in the region.

The authors then move on to discuss the multilateral “grand chessboard” of Eurasia. It is clear that Russia’s encouragement of a diverse multipolar international system stems from the need to stymie American power and the effect of US primacy in the Gulf region. It is also important for Russia that American power is simply pushed offshore, remaining present in the region to act as a balancing agent, but unable to exercise regional hegemonic influence. That is the role that Russia aspires to with policies of increasing economic interdependence, conflict mediation, and the formation of the one thing the US cannot offer the region – oil and gas cartels, either formal or informal.

At the same time, it is made quite clear that the countries of the GCC are already shunning the rules of the “Great Game,” a remnant of colonial policies that were driven by imperial balances of power rather than by acting for the wellbeing of the global economy. Post-Cold War policy-makers seemed to envision the scramble to carve out market share in the Gulf as a repetition of the colonial power politics of the 19<sup>th</sup> century, when in actual fact the complexities of multipolar regional interests contrast with the rising power of the states of the GCC.<sup>4</sup> The Middle East now has its own balance of power, one that foreign powers must be careful to observe.

The book continues by examining the ongoing effectiveness of the foreign policies prevalent in both regions. For example, GCC countries are acting prudently, having learned from the experiences of boom-bust cycles throughout the 20<sup>th</sup> century to formulate adaptive investment policies. These policies involve high levels of investment in the private sector, using the relatively long-term sustainability of oil market profits to fuel industrial growth in other parts of the national economies of the Gulf. Reductions in the influence of government in national markets and decreases in the numbers of civil servants across the region, the countries of the GCC are successfully liberalising and privatising to create vibrant financial sectors with high levels of competition strong capital markets infrastructure. As these states are clearly becoming more and more capable of regulating catalytic FDI flows, and subsequently capturing superior foreign investment returns, Russia needs to continue to place more focus on cultivating positive relationships in the Gulf. Mutually beneficial cooperation is especially needed for the streamlining of sovereign wealth funds. This would make the regional

ability to generate efficient capital flow an asset to the international community, leveraging the strategic position of both regions vis-à-vis the United States and creating a platform for proactive international energy and economic policy.

The conclusion of *Russian and CIS Relations with the Gulf Region: Current Trends in Political and Economic Dynamics* proposes that while the shift of global wealth is unsurprisingly moving towards rising Eastern states, Western policy-makers will be surprised to see that those states are not pursuing activities that reflect the traditional norms of a rising state in the West. Terterov (et al) purports that Russia is emerging as the figurehead of a large group of rising market powers where growth is based on heavy state intervention. Current trouble with the international finance system is lending credence to Moscow's indications of concern over the effectiveness of Western institutions that are influential across the globe. In many ways the current crisis has given Russia the opportunity to move back into its areas of influence along its borders through massive deficit-financing loans and support, though Putin's Russia must itself work hard to prove its system of state capitalism can pull the country to success. It is clear that continued Russian commercial backing of ventures in the Gulf comes as a result of a desire to prevent the onset of a *Pax-Americana* effect in the Middle East. Russia will be an important source of funding for the perceived security deficit between states of the Gulf, and is already respected as the foremost of the world's revisionist great powers, able to affect stability in both global and regional balance of power situations.

This book could be used as a blueprint for developing in-depth analyses of the effects of both CIS and GCC actions in the international system in the future. Marat Terterov and his colleagues do well to remain carefully neutral in their commentary of the political realities of intra-regional conflicts and foreign intervention, though focus is largely to the West as opposed to looking at the influence of the massive rising energy consumers of Asia. They assert that the emergence of Russo-Gulf economic alliances, formal or informal, built on common culture and resource identities seems inevitable in the current climate of the international community. The wide use of statistical material from numerous national government sources makes *Russian and CIS Relations with the Gulf Region: Current Trends in Political and Economic Dynamics*

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an important resource for students and scholars of international politics, and will provide a behavioural and historically-based background framework for future policy studies.

*CEJISS* NOTES TO PAGES 204-208

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- 1 Terterov (et al), pp. 207/104.
- 2 Ibid. p. 206.
- 3 Ibid. p. 110.
- 4 Ibid. p. 271.



# WHEN LEADERS LEARN AND WHEN THEY DON'T: MIKHAIL GORBACHEV AND KIM IL SUNG AT THE END OF THE COLD WAR

*Book  
Reviews*

By Akan Malice, Suny Press: State University of New York Press, 2008,  
ISBN 9780791473047

*REVIEWER: ADRIEN JAHIER  
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'LEADERS MATTER VERY LITTLE in the discourse of conventional international relations theory' (p. 3). In seeking to redress this scholarly neglect, Akan Malici, proposes a psychological theory of foreign policy decision-making where international politics is conceived of as strategic interactions between actors. 'How and why do leaders matter as agents of change and continuity in the international system?' (p. 131) is, therefore, the overarching question of this book.

The author commences by introducing his theoretical framework premised on rendering visible the beliefs and learning patterns of leaders. In doing so he applies a scheme previously outlined by Alexander George, i.e. a code analysis through a set of five philosophical and five instrumental questions. These questions include: 'What is the "essential" nature of political life?' or 'Is the political future predictable?' (p.33). To answer these questions, the Malici applies the Verbs in Context System (VICS) methodology with the software called Profiler + as a tool of content analysis. This, with the view to revealing the leaders' operational code belief through the examination of their public statements, results in pointing out beliefs about self and others in the political universe in terms of cooperative and conflictual attributions. Thus, it is possible to statistically compare operational codes for the same leader throughout history or even between politicians from either one state or different states.

Malici's ultimate theoretical goal is to incorporate the results of the operational code analysis into an appropriate game model. He chooses Bram's Theory of Moves which describes the payoffs

in a single game but allows players to make successive calculations of moves to different positions within it. This new tool enables researchers to analyse the evolution of key beliefs in a leader's operational code, and their consequences on a state's foreign policy. The main interest is therefore, to become aware of his potential cognitive strategic and experiential learning.

Did Gorbachev and Kim Il Sung engage in any experiential learning processes? The empirical chapters are geared towards answering these questions within the new theory outlined above.

The first leader analysed is Mikhail Gorbachev. When the new General Secretary of the Communist Party took office in 1985, his intentions were obviously reformist but not transformative. After one year as Head of the Soviet Union, Gorbachev's operational code outlines the continuity and not the change of any policy in comparison with his predecessors. However, after 1986 and the Geneva Summit, he began to follow an 'irrational policy' toward the United States. As the predictions of Bram's Theory of Moves show, the Soviet Union was in danger of being dominated and the Soviet strategy would have been to adopt a 'conflictual' posture. But Gorbachev decided to take a more cooperative approach. It was the beginning of his experiential learning which gave him the title of an 'uncommitted thinker and motivated learner' (Chapter 3).

From 1987 on, his experiential learning deepened as his operational code shows: more generally, he saw the political universe in significantly more cooperative terms. Despite the Reagan Administration's opposition, Gorbachev was motivated to transform the US's unfavourable perception of the USSR, which therefore would affect the nature of Soviet-American relations. For these reasons, he became a 'committed teacher and reformer' (Chapter 4).

Regarding Kim Il Sung and the period under consideration i.e. 1980-1994, two major stages can be discerned. At the beginning, Kim Il Sung remained above all a 'Revolutionary Cold Warrior' (Chapter 5). Indeed, from 1980 and 1986, his beliefs about the nature of the political universe and the best means of achieving his goals in that universe were really hostile and conflictual. One could infer that he did not engage in any experiential learning. However, the years 1987-1990 mark a turning point since the North Korean leader had to face increasing economic and political isolation. From this period, he engaged in an experiential learning which went

against what is commonly admitted by specialists of North Korea. Indeed, his operational code over the period points out a decreasing level of confidence in the utility of punishment tactics and in controlling international events. Nevertheless, he remained a conflictual leader.

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Beyond the academic contribution of this book, the author does not hesitate to advocate a new American foreign policy towards North Korea. As Gorbachev's case shows, the sincere willingness of a leader to enter into a more peaceful area in the diplomatic history should inspire the American leadership.

After having read this book, some criticisms naturally surfaces: isolating the individual as being a specific variable may raise some questions. Firstly, is it really an individual level? Can the analyst isolate leaders from their context and merely compare them as variables? Malici does not provide a solid theoretical background to defend such criticism: the political scientist starts by affirming the importance of the psychological factor in international affairs without dwelling on the academic reasons which led to such a strong affirmation.

The lack of explanations of the *real* reasons involved in the process of experiential and cognitive experience of both political leaders is a perfect illustration of this weakness. For instance, why did Gorbachev change his position toward the United States? Malici gives some elements of answer by mentioning the influence of some policy-oriented research centres but without any further details. The reader would have appreciated those explanations. However, going into detail about a political process model where some non-governmental organisations would have had an influence on Gorbachev's decision-making would have probably imposed a less individualist approach. Such an approach would have called into question the basic premise of the book which is the important role played by leaders in world politics. A compromise could have been deployed to replicate Malici's methodology – to analyse the behaviour of some foreign policy advisors belonging to those organisations and influencing the Soviet leader in order to go beyond Mikhail Gorbachev and Kim Il Sung's strict focus and test its truthfulness to other case-studies.

The contribution of the book is not as innovative as the author purports. What Malici proposes is a typical rational choice/game

theory exercise exploiting Alexander George whose scholarly work has been extensively recycled. Yet, rational choice theory is surely the dominant framework used in foreign policy analyses with all the commonly admitted criticisms that it implies. First of all, what is exactly rationality? Then, does a political leader make one's decision base on pure rationale? Are reactions rational vis-à-vis accidents of history? Unfortunately, such questions are not mentioned in the book.

Despite some criticisms, Malici has written a highly intelligent book based on the rigorous use of mathematical and linguistic tools. His strategic approach based on leaders' preferences and beliefs brightly participates in the academic discourse initiated by Axelrod's *Structure of Decision* and Jervis's *Perception and Misperception in International Politics* about the importance of psychological mechanisms of a leader in foreign-policy making. The more interesting contribution lies probably in the use of this software, Profiler+, which may inspire other analysts interested in providing meaning to public statements that a policy-maker can perform on the political stage through a comparative approach.

# POSTSOCIALIST EUROPE: ANTHROPOLOGICAL PERSPECTIVES FROM HOME

*Book  
Reviews*

Edited by László Kürti and Peter Skalník, Berghahn Books, 2009,  
ISBN 9781845454746

REVIEWER: ALEKSANDRA BUDZYŃSKA  
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THE TERM “ANTHROPOLOGY” conjures up the image of seeking “forgotten” tribes and the scientists who attempt to examine the former’s culture, rites and ways of living. A natural question concerns the connection between anthropology and the parts of Europe that shifted away from socialism and adopted modern capitalist systems just two decades ago? To be more precise, anthropology focuses on understanding defining characteristics of people, how they behave and/or why are there variations and differences among different groups of humans (etc.).

There is however, a (relatively) new branch of science called social anthropology, which examines how contemporary peoples behave in social groups. Scholars of social anthropology investigate the social organisation of a given society, as well as the changes that occur within it, and how are they connected to economics, culture and politics.

In the tenth volume of the European Association of Social Anthropologists (EASA) series entitled *Postsocialist Europe: Anthropological Perspectives from Home* by László Kürti and Peter Skalník (eds), authors coming from eight Central European countries comprehensively investigate the unfolding changes to their societies. This part of Europe is in the midst of rapid transformation; integrating

with Western Europe. The main question proposed in the book is whether the label of “post-socialism” is legitimate or not?

In the introductory chapter, the editors note additional issues inspirations behind the development of the book such as the ambition to look at the selected societies “from inside” as the clear majority of investigations into this thematic have been undertaken by

predominately Western scholars or scholars comfortable in Western discourses. Indeed, Skalnik goes so far as to suggest that it may be even seen as 'an imposition from the West in the postcommunist world.'

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Developing a "home perspectives," however may not only produce deeper insights into the communities under investigation, such an approach is also replete with some important pitfalls into which scholars may fall including: superficiality, the underestimation of comprehension of "others," or over-emphasising the concept of culture. Most importantly, it is difficult for authors' to disentangle themselves from their local community.

Despite such challenges, the book's contributors (Bitusikova, Buchowski, Cervinkova, Ciubrincas, Giordano, Kostialova, Kubica, Kurti, Nagy, Mursic, Skalnik, Stoiciu and Uherek) successfully overcome such obstacles and deliver an insightful and scientifically objective work.

Together, these authors convincingly demonstrate that despite the continued (relatively) state-control of scholarship in the region it is possible to conduct successful fieldwork and produce meaningful analyses. This collection of scholars attempted to examine behaviours and actions which have largely been omitted from the wider scope of anthropology. Their aim was not however to create another "school" but rather to 'deepen appreciation for the range of specificities and diversities' (p. 21) available to them in two dimensions: scientific and those of "insiders." They observe the achievements of their Western colleagues but do not simply mirror them; they attempt to blend more canonical approaches with the "fresh air" of a uniquely Central European approach to the subject.

The book is not infused with the idea of "homo sovieticus" or "post-homo sovieticus" – a category of people with a specific mindset, allegedly *created* by the communist governments. Instead, one of the key additives, and novel contributions of the book, is its understanding and presentation of changing gender relations, and roles, after the collapse of the previous, more monolithic models and its development within the new political and economic settings of the post-Cold War period.

This examination ranges from gauging the adaptation of Czech soldiers facing NATO structures, through to the situation facing women, artists and homeless to approaches to agricultural policy,

global and local entrepreneurship and gay and lesbian movements. The result of the multifaceted investigation is that the audience gains important insights into very lively communities which are evolving to shape the new, modern look of the nations.

Importantly, the book does not attempt to impose any particular point of view, though it does stress the importance of often intangible social and cultural consequences of the examined cases. The “common thread” of this book may be described as a reflection upon the given Central European societies, where they “come” after the changes and how much they differ in the path from socialism to market capitalism. These do not only concern changes to economics and ownership but mostly changes to ways of thinking. What was somehow suppressed or deliberately kept out of the public domain during the past half-century is in the process of unveiling.

Of equal importance in the process of determining the shape of Central European communities is gauging the impacts of European integration, in the form of the grand European Union project. As Kürti and Skalnik observe

at the moment one of the most serious challenges seems to be the ideological divides separating more advanced countries (...), from those joining in 2004 and, further, from those who are still awaiting membership (p. 3).

Reference to processes of globalisation and “orientalism” (understood in terms of Said’s work) are also explored. Political culture plays an important role in the investigations as well as economic, cultural and sociological factors. They are all taken into account implying that the authors are not solely fixated on anthropological analyses, which could be hampering for the overall objectives of the book. In this manner readers are treated to a fuller image of the communities and a deeper understanding of post-communist societies and their role in the current European settings than most other accounts of the same phenomenon.

The concluding chapter is undertaken by Giorano, an Italian scholar who does not simply summarise the achievements of the contributors but places the book in the wider spectrum of human thought and history. He recalls the role of *Volksgeist*, the spirit of a nation in anthropological studies. He points out that ‘paradoxically, the single regimes of the Soviet bloc, ostensibly internationalist but actually nationalist’ (p.296) never fully accepted the rhetoric of

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supposed brotherhood. This and other paradoxes created a need to 'confront the new paradigms' (p.295). He sees the role of researchers as far-reaching within the still transitional phase.

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The formal, scientific style of writing, combined with the academic skills of the writers has elevated this book's interest base beyond the narrow scholars and practitioners' categories to include the interested public as well. Concepts are clearly defined and convincing; ideas are developed in a manner which is easy to follow and well researched and includes many primary sources (interviews with members of a given local community). However, the "hard data" is also present in form of well thought-out tables and charts which assist in understanding the economic background of a given situation. In some works visual material is also present. The attention to detail makes a positive impression and helps with the general readability of the book. From an editorial perspective the book is very well organised: topics are well defined and clearly presented and logically selected while the detailed notes on contributors brings readers closer to this 'small yet authoritative group of scholars' (p. 295).

As with any book review, the double edged question of whether the book accomplished its goals and whether more work is needed on the topic, produces an echoed 'Yes.' This book may be a pioneering endeavour, not only in the study of anthropological changes in the heart of Europe, but also for Central European socio-anthropological research. It is nearly impossible to compare this to other books in this field as it is truly an innovative work and acts as a source of inspiration for additional research and the deepening of discussion on existing materials.



# NATO IN SEARCH OF A VISION

By Gülnur Aybet and Rebecca R. Moore (eds), Georgetown University Press, 2010, ISBN 9781589016309

*Book  
Reviews*

REVIEWER: JOHANNA SOPHIE NOTHNAGLE  
(METROPOLITAN UNIVERSITY PRAGUE)

WHAT IS THE FUTURE OF NATO? How will it confront challenges to the current order while tackling its own internal problems? How can NATO escape the vicious cycle of increasing ambitions for it and the demands upon it, matched with decreasing solidarity and fewer financial and military contributions by its members? These are questions that *NATO In Search of a Vision* poses, analyses and attempts to answer in an acutely insightful volume.

*NATO In Search of a Vision* is comprised of ten chapters written by a variety of scholars and policy makers, from both sides of the Atlantic, especially from the United States, followed by Britain and Denmark who either work in or study this area. Edited by Aybet and Moore this book consists of a collection of essays on NATO which analyse ‘the key issues that will undoubtedly shape NATO’s vision’ (p. 6), it gives an authoritative assessment of NATO’s evolution thus far and discusses its future path; if it is to remain relevant into the 21<sup>st</sup> century.

According to the authors, NATO, now in its 7<sup>th</sup> decade of existence, is facing a new era, an aergument presented against the backdrop that many had expected the end of NATO when the Berlin Wall fell in 1989, when the alliance no longer had a visible, clear and present enemy (i.e. the Warsaw Pact) and perhaps no longer maintained a valid reason to exist. Unexpectedly the ‘Alliance has been enlarged, become globalised , and become involved in more activities in more parts of the world than its founding fathers could ever have envisioned’ (p.11). Yet, the authors clearly stress that this evolution has been neither easy nor automatic and has been accompanied by numerous debates and crises. From the Berlin Blockade (1948), the establishment of the Marshall Plan to underwrite the military security of Western Europe, over the Korean War and the

establishment of the European Defense Community (EDC) and France's threat to leave the Alliance over the lack of a voice and role in NATO's discussions, all these 'crisis brought unexpected benefits' (p.14) and the authors seem – on the whole – hopeful for the future of NATO.

The book primarily concerns itself with NATO's current problems, claiming that the Alliance 'finds itself busier than at any time in its history' (p.1) with an array of military missions from Afghanistan to Sudan, all of which it must address in order to survive. In the post-Cold War and post-September 11<sup>th</sup> world, characterised by international terrorism, it now lacks a grand strategic vision. NATO has permitted itself to be defined through its missions abroad and has forgotten its main purpose of creating a 'collective defense to integrate and pacify Western Europe in the intermediate post-World War II period' (p. 2). It is necessary to, again, put strategy before action. Multiple challenges have arisen which the authors pinpoint, question and analyse in a highly interesting manner. These include:

1. the relationship NATO should have towards Russia
2. the internal divide among NATO members over Russia's military intervention in Georgia (2008),
3. discussions over the balance between maintaining a cooperative relationship with Russia and the project of enlarging the Euro-Atlantic Community (Albania and Croatia joined NATO in 2009)
4. the decision to endorse the European missile defense programme in Poland and the Czech Republic.

All are fascinating issues which endanger and complicate relations to Russia.

Other challenges include the situation in Afghanistan, the difficulty in finally winning and the member's unwillingness to commit more troops to the cause. Also the distraction from core concerns; the collective defense of its members' territories, the shift from large European conscript armies to smaller volunteer forces, social and demographic factors such as the diverging immigration patterns and changing social composition of the population, the problems resulting from more members and less unity along with others are key concerns for NATO.

Our world is a dangerous place and ‘there will always be states and non state actors that challenge the basis of international order.’

The authors manage to strike an excellent balance between political, military and social analysis, and the book successfully catches the reader’s interests not only by focusing on military aspects. It is very up to date and concerns itself with problems of recent events which have complicated the regional and international situation. The entire book, chapter through chapter, is well written and full of interesting ideas, clear and logical examples and questions which encourage readers to individually search for answers for the survival of NATO. Also, the tables and statistics – comparing different trends amongst the members (chapter 9) – are very helpful for understanding demographical changes and the challenges they pose. The authors, all from academic/professional backgrounds, write in such a clear and comprehensive manner that readers have no trouble understanding the content and implications.

On a more personal note, before opening this book, I did not think NATO could manage to peak my interest, yet through the thoughtful portrayal of the issues and challenges facing NATO I was unexpectedly drawn to the topic. The book is an open invitation to really think about a topic which I had never really given much thought to before; NATO’s evolution and the current challenges to it and it opened my eyes NATO’s importance in the globalised world.

Similar to the EU, NATO is seemingly in search of a clear identity and vision and finds itself facing numerous challenges which both can perhaps face together. After the end of the Cold War it can no longer be an exclusive “Western club” and should really consider its main objectives, of what it wants to achieve in the world, i.e. to protect its members from danger. As the book correctly notes, NATO will not be able to face all these challenges alone and will need to reinforce its working relationships with other institution like the United Nations and non-governmental organisations in order to escape the fate of the League of Nations. The book allows readers to come up with their own conclusions about what the future has in store for the world’s most powerful military alliance. It is an excellent guide to NATO and comes highly recommended to all who are interested in enhancing their knowledge about NATO and whether or not it will survive the future.

# THE OTHER ALLIANCE: STUDENT PROTEST IN WEST GERMANY AND THE UNITED STATES IN THE GLOBAL SIXTIES

CEJISS  
1/2011

By Martin Klimke, Princeton University Press, 2010,  
ISBN 978-0-691-13127-6

REVIEWER: *GABRIELA ÖZEL VOLFOVÁ*  
(*METROPOLITAN UNIVERSITY PRAGUE*)

KLIMKE'S WORK on the transatlantic student protest movements in the US and West Germany in the 1960s, against the backdrop of the Cold War, provides an interesting case study of the first global student social and political networking and cooperation prior to the advent of the Internet and other accessible social media tools such as e-mail, Facebook and Twitter. Klimke painstakingly tries to demonstrate that, in parallel to the transatlantic economic and military alliance between the US and Western Europe, there existed the "other" transatlantic alliance of like-minded young students who struggled to formulate their protest beyond the rigid Cold War divide of the *good* capitalist system versus the *evil* communist one by arguing that imperialism and oppression are embedded equally in both the capitalist and the communist (Stalinist) regimes.

Klimke's research is an attempt to show that, besides the official ideological divide of the bipolar world which politicians and the media presented to the general public, on both sides of the Iron Curtain, youth movements in the sixties tried to bridge the ideological gap and thus created the first truly international generation. Besides analysing the activities of this counter-elite composed of students and intellectuals in both the US and the Federal Republic of Germany, Klimke also illustrates how the US government, by way of cultural diplomacy, tried to contain the danger of the emerging New Left movement in Germany in order to avoid a deterioration of its image as a bulwark of democracy and freedom. Klimke provides a subtle account of American soft power by looking into US governmental documentation, minutes from crucial cabinet

meetings, CIA reports as well as government commissioned political science studies monitoring the youth counter-culture in order to determine the course of American foreign policy.

In the first chapters of the book, Klimke focuses on the genealogy of the student protest movement by showing how, in the course of the 1960s and 1970s, German students went to the US for a year of study and meanwhile became acquainted not only with the American university system but also with wider aspects of American culture, such as economic well-being, freedom of speech, individualism and democracy. However, they also saw domestic shortcomings of the American dream, namely poverty and racial discrimination against the African-American community.

Klimke shows how these student exchange visits, both on the high school and the university levels, were part and parcel of the US foreign policy of cultural diplomacy the aim of which was to win the hearts and minds of young German students in the hope of strengthening the positive image of the US in Europe and thus corroborating the Cold War alliance. Ironically though, while German students familiarised themselves with American culture, they witnessed university revolts which were directed not only against the university system *per se* but against larger problems such as racism and the war in Vietnam. Witnessing the revolutionary upheaval in the US, Klimke illustrates how German students, upon returning home, successfully appropriated the themes of protest and employed various protest strategies used by American students such as direct action, sit-ins and/or teach-ins, as ways of undermining rigid university and social structures.

Klimke's book also depicts how these students, receivers of various US governmental and private scholarships, were also leaders of student movements in their own country and members of the German Socialist Student League (SDS).<sup>1</sup> As part of their study visits, they travelled around the US, lecturing on Germany's Nazi past and establishing close contacts with American leaders of the Students for a Democratic Society (SDS); planting the first seeds of a global youth movement. Upon return, they were able to use these strategies of protest in the German setting in order to express not only their anti-war and anti-imperialist sentiments but also, as Klimke claims, their frustration with the violent German past and with social apathy of the nascent German consumer society.

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After tracing the history of transatlantic cooperation among students and mentioning the first pioneers of this counter-alliance networking, Klimke proceeds to explore the theoretical background of the actors of the protest movements and amply demonstrates that they were not operating in a theoretical vacuum. On the contrary, they were often prominent students of critical theory as formulated by the Frankfurt School which was critical of the global capitalist system, modern society, mass commercial culture and existing power relations.

Names such as Herbert Marcuse, Theodor Adorno and Max Horkheimer figured prominently in student protests, giving public lectures at universities, very often to the point of losing their faculty posts. Besides the Frankfurt School, Klimke illustrates how students grew increasingly radical and militant; drawing inspiration from the anti-colonial theories formulated by Franz Fanon in his famous book *The Wretched of the Earth* where he argues that only violence can liberate oppressed people from colonial bondage. Klimke demonstrates how the German New Left movement drew inspiration from the Black Panther movement in the US, which glorified Black power and violence and which found its counterpart in the Red Panther movement in Germany. Inspired by the American anti-Vietnam war movement, German students also identified with the Viet Cong, shouting slogans like 'We are all Vietcong' (p. 77) in order to show that the capitalist system breeds oppression and that students of the world must unite.

One cannot however help but wonder why German students were so pre-occupied with the Black power movement in the US and why they appropriated it their theme of protest. One ends up only reluctantly accepting Klimke's explanation that it was the psychological post-war situation of Germany, namely the frustration of living in the divided city of Berlin and coming to terms with the Nazi legacy as issues around which the New Left movement in Germany united and mobilised. However, his argument is far from convincing. While the looming crisis of the German nation-state is not spelled out directly in the book, it is probably what Klimke has in mind when he talks about Germany's quest for identity and for coming to terms with its violent and destructive past.

In the remaining part of the book, Klimke, by analysing documents only recently made public, shows how the US State Administration

grew fearful of the New Left movement in West Germany and tried to contain it by means of university exchanges, setting up America Houses in Germany and closely monitoring student activities, practises which went as far as to even (periodically) involve the CIA. This is the most fascinating part of the book, where Klimke demonstrates how the US administration paid attention to radical student activists in Germany which it perceived as a serious security threat with the potential to damage the US's image in West Germany.

Indeed, the American government was afraid that the image of America as a free country providing equal opportunities to everyone might suffer a serious blow in the ideological warfare between the capitalist West and the communist East unless leftist activities were monitored, kept under control or co-opted to the system. Klimke demonstrates that US policy-makers were most afraid of these young rebels becoming political and economic leaders in their country in the future and if they held anti-American sentiments, they could undermine the American moral superiority in its Cold War relations and even jeopardise the existing alliance by possibly opting out of the NATO.

Notwithstanding Klimke's detailed use of primary sources and his contribution to the knowledge of the origins of the global student movement on both sides of the Atlantic prior to the 'information age,' the book lacks a more elaborate contextual setting for US-German relations after the Second World War. Despite Klimke's skilful way of showing how techniques of protest were successfully transferred from one context to another, as well as his fascinating account of US soft power in the form of cultural diplomacy, surprisingly he says nothing about US economic aid in the form of the Marshall Plan, which helped reconstruct post-war Western Europe, including Germany. Besides learning that US troops were stationed in the Federal Republic, the reader is left questioning why Germany was a primary Cold-War ally of the US, as Klimke claims. Secondly, Klimke fails to explain why the US focused on German students and not on other European New Left movements, particularly in France. Events in Paris and Prague in 1968 are only marginally touched upon but given their historical significance, one wonders why this aspect of the global student movement and its enormous impact is omitted. Thirdly, Klimke says little about the specifics of the post-war German situation apart from repetitively emphasising

*CEJISS*  
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reconciliation with its traumatic past. The reader is left to wonder whether the CIA and the US government closely monitored only the student movements in Germany or also elsewhere in the West. The book, unfortunately, leaves the reader with a very narrow understanding of the post-WWII youth movement and the global dimension of the New Left is, sadly, largely left unexplored.

That said, Klimke's study of the 'other alliance' will undoubtedly be of invaluable benefit to students of globalisation, US foreign policy and/or the history of social movements. It is a useful account of the origins of the New Left movement as part of the emergence of the global civil society pioneered by student protests in the US and West Germany. Also, Klimke provides an original contribution to the understanding of US foreign policy during the Cold War and its soft power by trying to co-opt rather than openly suppress the "other" alliance.

#### NOTES TO PAGES 220-224

- 1 SDS was an offshoot of the German Social Democratic Party (SPD).



# CHECHNYA: FROM NATIONALISM TO JIHAD

By James Hughes, University of Pennsylvania Press, 2007,  
ISBN 9780812240139

*Book  
Reviews*

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HUGHES' WORK ENTITLED: *Chechnya: From Nationalism to Jihad* gravitates around the thesis that the enduring Russo-Chechen conflict – which commenced with the dissolution of the Soviet Union as a nationalist struggle for independence and self-determination – has mutated into a religiously-inspired Islamist campaign. According to Hughes this is the result of three factors: 1. the misconduct of Russia's political and military leadership; 2. the infiltration of "Wahhabist" elements into Chechnya's socio-political strata; and 3. the manner the conflict was waged (techniques, tools and tactics).

However, the main thesis is lost in a number of other convincing hypotheses and analyses which the author presents in each chapter, and readers hardly find the aforementioned hypothesis as the main point of the book. This book is therefore a broad analysis of the conflict and this review has must explore each chapter, with their own arguments, to a larger extent than most other reviews.

The book is divided in to seven chapters and each chapter focuses on a different aspect of the conflict. The first chapter aspires to indicate the causes of the conflict. The author dismisses historical and ethnic accounts of the conflict as inadequate and misleading explanations for the break-out of the conflict and argues that 'there is no *a priori* reason to assume that ethnic conflict in Chechnya was inevitable or would be more intractable than other conflicts' (Hughes 2008, p.1). Hughes claims that for a proper understanding of the phenomenon, the conflict must be analysed within the context of the Russian refederalisation process, which is the topic of the second chapter which itself asks why the same political instruments which resolved Tatarstan's bid for secession did not help Chechnya. In the third chapter Hughes continues with the analysis of the break-out of the first Chechen war, a theme that

will be addressed later in this review. In this chapter, Hughes analyses the nature of Dudayev's regime in Chechnya and draws the conclusion that the first Chechen war (1994-1996) can be characterised as a secular nationalist conflict. In chapter four, Hughes draws attention to the phenomenon of the Islamisation of the conflict and break-out of the second Chechen War (1999-2002). Chapter five deal with the terrorist aspect of the conflict, where the author conceptualises the terrorist dimension of the Chechen war and its implications for both the conflict itself as well as for international politics more generally. Hughes claims that 'the number of deaths from terrorism by Chechen groups is likely to be less than 3% of the total number' and so 'this is not a conflict that can be characterised as terrorism' (p. 145). Regarding the implications of the terrorist dimension however, the author recognises the potential, which was used by Russia, to raise both international as well as domestic support for such a war once depicted as a war against Islamist terrorism. Also, Hughes deals with the legitimate use of violence to resist occupation and misgovernment, though does not take any defined position. In the last chapter, 'Chechnya and the Study of the Conflict,' Hughes reviews possible approaches for studying the conflict including: the role of *nationalism*, stressing how nationalist mobilisation caused the conflict, the significance of *ethnicity* in developing "ethnic hatred" / "ethnic belligerence" account of its causes, *the collapse of empire* associated with disorder and conflict and the impact of *democratisation* observing the tendency for newly democratising state to be war-prone.

There is little to critique of the main thesis of the book given the analytical strength the author displays, which is supported by well researched and documented arguments. According to Hughes it was not only Russia's destruction of nationalist options for Chechnya, or "Wahabbist" infiltration which created the political space for Islamism; it was the way the conflict was fought notably the lack of proportionality, discrimination and the excessive use of violence by Russia, which intensified Islamic radicalisation and transformed the conflict.

Hughes demonstrates the violence in the conflict by numbers and statistics from various sources. Still, this does not allow readers to fully appreciate the true meaning of the author's intended 'how the conflict was fought' focus. Indeed, readers need complimentary

works to fully comprehend the author's point and journalistic works, such as Anna Politkovskaya's *A Small Corner of Hell: Dispatches from Chechnya* (The University of Chicago Press: 2006), provide leverage to Hughes' scholarship which lacks personal testimonials from Chechnya. Such a lack is not as problematic as some may suggest however, since the arguments are built on facts not emotions and Hughes himself admits that providing testimony is not an intended aim of the work.

It is also worth highlighting the way Hughes perceives the brutality of Russian operations in Chechnya as a natural state of affairs for Russian military forces though does not address root-causes of such conduct beyond normal military procedures. This is rather surprising considering the weight Hughes attributes to brutality in the conflict; it is a central variable deployed throughout the book for heightened Islamisation in Chechnya. It should therefore follow that such violence and brutality be regarded as yet another independent variable producing an explanatory cog for the ailments facing Chechnya. According to some scholars, it was the lack of doctrinal and technical know-how for peacekeeping among Russian forces, excessive corruption and a lack of the rule of law that conspire to explain Russia's excessive use of force and it would have been interesting to have been able to know Hughes' opinion on the matter.

The topics selected for each chapter and the academic approach adopted by Hughes ensures that the multilayered Russo-Chechen conflict is adequately presented. Additionally, the value-added of this work is best seen in its explanation of the slow, but determined Islamisation of the conflict, a process which is likely to reverberate throughout the region and the international environment for years, if not decades, to come.

This book comes highly recommended to the interested public and those researching the history and evolution of the Russo-Chechnya conflict and enduring animosity. Hughes' work should be the first stop on the path to fully understanding the dynamic and changing situation in the North Caucasus.

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