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EDITOR'S NOTE

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Introduction

Legitimacy; traditionally manifested in types of political representation and extensions of territorial sovereignty, form the backbone of domestic and international political life. Yet processes of legitimation are not stagnant; they interact with wider political contexts. In other words, legitimacy is ever-evolving. What is less prone to alteration however is the manner in which states and political representatives defend their perceived legitimacy and it is a matter of urgency to view recent events in the Middle East and North Africa not as a struggle for a particular ideology but as a struggle for greater harmony between the governed and governing classes. Such a legitimacy-centric vantage must be contrasted with the seeming spontaneity of the separate, but somehow interconnected, spate of Arab unrest, often depicted as 'revolts,' 'revolutions,' or 'uprisings,' and collectively referred to as the Arab Spring.

If the recent proliferation of political activism and violence is truly based on questions of legitimacy then it stands to reason that the tensions that gave rise to such mass movements have more expansive histories and are not simply violent out-bursts intended to rapidly mobilise people towards one exclusive political goal. The Arab states did not go through a period of awakening and suddenly, at the end of 2010, demanded democracy. Instead, there were a series of processes and conditions unique to individual Arab states which boiled over forcing people to reassess who is endowed with legitimacy.

Only through such a 'legitimacy lens' is it possible to fully appreciate what is actually going on among a handful of Arab states and understand both the root issues and the manifestation of political activism, which greatly differ state-to-state. For instance, Egypt's Mubarak had pandered too close to the US, EU and Israel and his regime was deeply corrupt, prone to nepotism and generally denied the masses equal economic prospects while hording immense financial assets. These enduring preferences and behaviours led the majority of Egyptians to view Mubarak as an illegitimate ruler and the mass upheaval Egypt underwent was a means to deliver Egypt from the clutches of a petty dictator.

That democracy has been rhetorically embraced is based on the public's preference to select a new genre of political representation and not necessarily for the sake of democracy itself. In Tunisia a similar cycle occurred where the masses sought to seize the levers of power from the corrupt Ben-Ali's. The Tunisians may have selected democracy as the vehicle for change however it is clear that what the wider public sought was greater legitimacy for the governing classes. Unlike Egypt, Tunisia is not a geopolitical magnet for the US and EU and neither does it have an especially close relationship to Israel. Indeed, the reason behind public political activism was primarily driven by Tunisians' economic interests and the removal of the restraints erected by Ben-Ali's regime.

Currently, in the Middle East, varying motivations acts as the fundament of political change with the only real similarity being the public recognition of 'legitimacy gaps' and the mass movements meant to redress the problem. In short, very different motivations – based on recent and more distant history – sit as the root causes of the Egyptian and Tunisian political activism and will produce different types of governments in those states. The same logic may be applied to Algeria, Libya, Syria and Yemen.

Despite the stark differences between the unfolding revolutionary movements, far too many scholars and media outlets summarise them according to the binary view of democracy and non-democracy. This has led to a misunderstanding of the issues at stake in and among each of the conflagrating states. Indeed, it has been assumed that the ill-defined 'Arabs' had simply grown tired of their regimes and wanted democratic change. Such simplicity clouds the real issues that were and are at stake and each Arab revolt needs to be viewed through their own, unique geopolitical and identity-based lenses.

This problematic is especially true in the small Sheikdom of Bahrain, which occupied the front pages of the international press as though it represented concrete evidence that the Arab world was attempting to breathe life into their dormant states and economies. Indeed, Bahrain has been so markedly internationally ostracised for its (state) actions against the self-proclaimed 'Pearl Revolutionaries' that few have adequately reflected on the revolution and are content to lay blame on 'heavy-handed' Bahraini security forces and the military intervention of Saudi Arabia. This has, in effect, veiled the dynamic international elements, namely Iran, which inspired and geopolitically gained from the revolution.

Bahrain is no stranger to the 'revolutionary zeal' it experienced between 17 February and 19 March 2011 and the upheaval was not based on internal combustion (as in Tunisia and Egypt). The violence was just

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another episode in the three decade (+) geopolitical struggle instigated by Iran in a bid to manipulate sentiments for incremental advances in their regional political power. Only through an investigation of Iran's geopolitical ambitions can sense be made of the Bahraini circumstances and only then can adequate counter-policies be adopted and applied.

The Irano-Bahraini War of Attrition

Despite the (then) Iranian Shah's 1970 proclamation relinquishing territorial claims to Bahrain, the Islamic revolutionary council – which after 1979 sought to undo the former regimes political labours – commenced on a Shiite revival movement blending the exportation of the revolution to areas containing substantial Shiite populations within the (late) Persian Empire's territorial configurations. In other words, the Islamic Republic of Iran has adopted the objective of reclaiming the boundaries of the Persian Empire as part of its grand strategy to spread its ideology and enhance its regional influence. Indeed, key members of Iran's religio-political leadership have consistently sought to undermine the legitimacy of Bahrain's sovereignty in public proclamations and more brazen clandestine operations.

The former types of delegitimation are irresponsible and likely to heighten tensions. Take the 22 February 2009 pronouncement of Advisor to the Grand Ayatollah, Nateq Nuri, who claimed that Bahrain was Iran's fourteenth province based on the Persian Empires' former control of the territory in the 17th and 18th centuries. While many in the Middle East and North Africa suffer from *selective memory syndrome* (SMS), this statement underscores just how myopic the Iran is. Consider a return to the 17th and 18th century, or better yet the 19th and 20th century when Persia was ripped into two competing spheres of influence, the UK's and Imperial Russia's. It is likely that Iran would launch a tirade of international condemnations if one of those powers were to suggest a return to colonial times. However, sensing the shifting political tides and the momentum of Shiite movements in Bahrain, the Iranian leadership took the opportunity to politically delegitimise Bahrain and has revealed its own colonial ambitions. To be sure, it cost them some political clout in the Arab world as Morocco withdrew its ambassador to Tehran and the Arab world unanimously condemned the statement. After a brief period of 'wound-licking' however, it was back to business as usual.

Despite the seemingly 'low-intensity' delegitimising remarks by Nuri, the reestablishment of Iran's claim has reverberated throughout the chambers of Bahraini state security which became even more

acutely sensitive to all Shiite political movements owing to the great uncertainty of how far Iran would be willing to go in order to physically reclaim its proclaimed 'fourteenth province.'

States have initiated hostilities for far less affronts to their legitimacy and the so-called 'Football War' (1969) between El Salvador and Honduras should act as a solemn reminder at the length states are willing to go to defend their integrity. Unlike the El Salvador-Honduran conflict however, there is an intimidating imbalance of power between Iran and Bahrain with the former's total population sitting around 77 million and the latter at 750,000. Indeed, Iran's standing military (510,000) is the roughly equivalent to 2/3 of Bahrain's entire population and significantly greater than its Sunni community. With such a power imbalance there is little wonder why Bahrain's leaders are sensitive to even verbal attacks against its legitimacy. This must also be considered against the backdrop of previous cases of delegitimising territorial claims. For instance, as Iraqi tanks rolled against Kuwait on 02 August 1990, Hussein announced that the latter was Iraq's 19th province and that his action was meant to reconstruct the State of Iraq as it was 'meant' to be.

The political posturing of a select number of leading Iranian officials is not going to undermine the legitimacy of Bahrain, and it is a matter of speculation how much credence the Bahrainis lend such proclamations. Ultimately, whether Iran recognises Bahrain is not of fundamental importance. However, its actions speak volumes as to its true intent and the ominous challenges hurled at Bahrain are becoming increasingly acute and deserve attention. If Iran were content with uttering a few controversial remarks for domestic political consumption then Bahrain would have little to worry about both internally and regionally. However, Iran has, since the birth of the Islamic Republic (1979), taken concrete steps to destabilise, delegitimise and denigrate Bahrain through exogenous pressures and the support of domestic (Shiite Bahraini) revolutionary movements. Indeed, there are three identifiable phases of Iran's interference with Bahrain: 1. Islamic Revolution exportation, 1979-1989; 2. Shiite Intifada, 1994-2000; and 3. the 'Pearl Revolution,' 2008-2011.

Revolutionary Exportation, 1979-1989

While Bahrain's internal political scene, much like the wider region, faced increased tensions during and following the Islamic millenarian year 1400 (1979 on the Gregorian Calendar), it had to wait two excruciating years to witness the zealous political fermentation inspired and

supported (materially and spiritually) by Iran unfold on its territory. By 1981 however, Iran's regional intensions were clear; the exportation of the Shiite-led Islamic revolution to other Shiite communities in the region (notably: Bahrain, Iraq, Lebanon, Saudi Arabia and North-Western Yemen).

The direct consequence of Iran's revolution exportation took the form of the Tehran based Islamic Front for the Liberation of Bahrain (IFLB), which commenced its activities in 1981 with a high-profile, but unsuccessful, attempted coup d'état planned for 16 December, Bahrain's national day. The details of the plot are telling. Iranian intelligence officers assembled a disciplined and highly motivated team of local Shiite Bahrainis who conducted in-depth intelligence operations and were trained in small arms and explosives. The idea was to have these Bahrainis dress as police and security officials and simultaneously attack the radio and television broadcasting facilities, Bahraini international airport, assassinate key members of the Al-Khalifa regime and stoke a wider Shiite rebellion. From within the ensuing chaos, Iran would directly militarily intervene and establish a Shiite theocracy under the leadership of Hojjat ol-Eslam Kamal Haidari, an Iranian cleric. The plot was discovered when the United Arab Emirates (UAE) recorded unusual sea-faring transits of young men from Iran to Bahrain and tipped off security officials. All the conspirators were arrested and large weapons caches and communications devices were discovered in six locations around the island.

The fear of Iran's military conquest of Bahrain resulted in tremendous political tremors throughout the region, prodding the six Arabian Peninsula states (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates) into an economic-military alliance; the Gulf Cooperation Council (GCC, 1981) in addition to a variety of new security oriented pacts and alliances. For instance, on 20 December 1981 Saudi Arabia and Bahrain sign a Security Pact based on the shared recognition of a mounting Iranian threat. The Saudi Government, represented by Prince Nayef ibn Abdel Aziz, announced that Iran was 'training, arming and financing terrorists with the aim of undermining stability throughout the Persian Gulf' and that the Kingdom places its entire 'potential in the service of Bahrain's security.' This was no standard mutual security pact; it was based on using the full capabilities of Saudi Arabia in order to deter Iran from continuing to flood the smaller peninsular states with Shiite revolutionary movements. The Saudi-Iranian game of political brinkmanship had kicked off.

At first, Iran paid little heed to the Bahraini-Saudi alliance, continuing in its attempts to export the Islamic Revolution and using the

spiralling conflict with Iraq as an excuse, began to further militarise Shiite communities throughout the region. This carried on for much of the early 1980s, with Iran supplying money, weapons and military leaders to bands of Shiite rebels, seeking unrest in Bahrain and the military intervention of Iran. While such activities were routinely countered the situation was a perpetual four-way game of cat-and-mouse with Saudi Arabia and Bahrain chasing after Iran and Bahraini Shiite rebels.

The balance of power only shifted in Bahrain's (and Saudi Arabia's) favour after direct US military intervention in defence of the Persian Gulf sea lanes. US involvement provided Bahrain with needed breathing space to adjust its posture for dealing with the looming Iranian threat. While many may seek to criticise the US's regional presence – it set up a maritime facility in Bahrain in 1987, after attacks on its merchant fleet – it was acting in a defensive manner, responding as it were to Iran's illegal naval mining of the sea lanes in a geopolitical bid to turn the international straits into an Iranian 'lake.'

Indeed, while US forces were engaged in *Operation Earnest Will*, protecting Kuwaiti flagged vessels heading to and from the Indian Ocean, the US frigate USS Samuel B. Roberts was struck by an Iranian mine (14 April 1988) and severely damaged. The US was quick to respond and four days later it launched *Operation Praying Mantis* (OPM) which was a 24-hour blitz to sweep Iran's naval presence from both sides of the Gulf. OPM was successful and Iran lost two frigates (one sunk, one severely damaged), two oil platforms that had been refit as command, control and communications (C3) centres for Iran's navy, and at least five smaller high-speed sea vehicles. This action occurred against the backdrop of clear evidence that a 1987 attempted terrorist campaign against Bahrain was 1. Iranian sponsored and 2. aimed at US and European targets including the US Embassy, oil depots and European bank offices.

With the deployment of the US navy to Bahrain, as part of OPM, the Iranians were operationally checked, and with the end of the Iran-Iraq war (1980-1988), had other pressing issues to attend to. It is clear that US deployments forced Iran to abandon its direct military involvement in Bahrain and dashed its hopes of exporting its Islamic revolution through direct efforts.

The Intifada, 1994-2000

The US naval presence in Bahrain posed a formidable deterrent against militarised intervention though only encouraged Iran to achieve its objectives through the deployment of more oblique methods. Indeed, the

US had shown its support for Bahrain and Saudi Arabia through the humiliating onslaught delivered against Iran's navy. For the US, this action was enough to dispel the myths of Iranian power (regional and international) but did not altogether discourage the Islamic Republic from interfering in its immediate and more distant neighbourhoods.

When it comes to Bahrain, it is clear that Iran has played the 'ethnic card' to rally Shiite Bahrainis behind the drum-beat of 'democracy' and 'equality;' themes that have spilt-over to more recent times. This was in many ways a media coup for Iran as it was able to deploy all the technologies the late 20th century had to offer to 'reveal' the suppression of the Al-Khalifa regime supported by the US and Saudi Arabia. This came at a time when much of the world was watching the collapse of the USSR and the eruption of genuine democracy movements.

Using the momentum and shifting international priorities, Iran championed itself as a democratic state and has gone to great lengths to show that it supports democracy in Bahrain. How the regime managed to gain such high levels of support throughout the predominately Sunni Arab states of the Middle East is a mystery, however it occurred and the US, EU and Sunni States had to contend with a new wave of anti-establishment political activism.

In contrast to the first, more direct, phase of the Irano-Bahraini conflict, the second took the form of an intifada; a not-so-spontaneous display of local Shiite determination to secure the mantel of power at the expense of the ruling Al-Khalifa's. Iranian fingers were not lingering too far behind the first round of coordinated violence in mid-November 1994. Shiite demonstrators publically rallied for 'jobs' and insisted that they were denied adequate opportunities. This was merely a pretext and it soon became apparent that the preferred tactic of such employment-seeking activists was violence, stone and Molotov-cocktail throwing. The first round of the demonstrations left ten people dead (nine demonstrators and one police officer), dozens injured and hundreds languishing in Bahraini prisons.

Street protests, expressed as 'Days of Rage (Arabic: Youm al-Ghadad, الغضب يوم)' picked-up both tempo and ferocity; Bahrainis faced daily acts of subversion, violence, and general insecurity while Iranian authorities cynically offered to 'mediate' between the regime and demonstrators while evidence mounted which proved Iran's inspirational and training activities provided to the leaders of the intifada. Once this evidence was relayed to US and Saudi officials, the US sought to discourage Iranian involvement by permanently stationing its Fifth Fleet, which includes a Carrier Strike Group and an Amphibious Ready Group (roughly 16000 troops) in Manama. The Shiites and their Iranian backers took the US

move as a provocation – probably because the latter's influence and capabilities would be further sapped – and intensified their intifada, using the daily violence as cover for more ambitious plans of launching a terrorist campaign against Bahrain and the US personnel stationed there. Indeed, as the intifada unfolded, Muhammed Taqi Mudarissi, (reportedly trained by Iran's Revolutionary Guards), encouraged by the success of Hezbollah in Lebanon established a hybrid in Bahrain called the Military Wing of Hezbollah Bahrain (MWHB).

On 12 February 1996, Islamic 'militants' claimed responsibility for the bombing of a hotel in central Manama and while initial indications pointed to the IFLB, it soon became apparent that the IFLB had merged with the new-found MWHB in all but name and it was the latter which had carried out the attack. This was followed by the 15 March 1996, Arson attack against a Bangladeshi restaurant and renewed street violence, which peaked following Bahrain's execution of a Shiite demonstrator found guilty of murdering a police officer during the December 1994 wave of violence; it was Bahrain's first invocation of capital punishment in twenty years.

Once again however, Iran over-played its cards, encouraged the MWHB to stage a Shiite coup (03 June 1996), which again brought Bahrain's allies to stand shoulder-to-shoulder with the Al-Khalifa's and a general downgrading of diplomatic relations between Saudi Arabia and Bahrain to Iran. The result was a series of arrests and the undeclared issuance of martial law which strangled the last remaining plotters and demonstrators and paved the way for the restoration of stability and public order.

The intifada finally drew to a close at the end of the millennium with two defining events: the trial of Sheik Abdul-Ameer al-Jamri and the death of Sheik Issa bin Salman Al Khalifa and the succession of his eldest son Hamed ibn Issa Khalifa who promptly ordered an end to emergency rule.

The importance of al-Jamri's trial should not be understated as he was not only the ringleader of the Shiite intifada; he was also the most important conduit between Iran and Bahraini Shiite organisations. Instead of ordering the death penalty, the Bahraini courts decided on a 'more lenient' but very visible punishment: a ten-year prison sentence and a fine of some $15.4 million (USD) for the charges of espionage (for Iran) and inciting demonstrators to violence. Bahrain, it seems, had learned important lessons in dealing with Iranian sponsored demonstrations and coups; it is better to imprison and humiliate Iran's servants rather than kill them and elevate them to 'Shiite martyrs.' Indeed, the trial was tense and brought Shiites out to the streets in groves.

However, the sentence was enough to quell the brewing unrest and thus postponed the return to street violence.

Additionally, Hamed's assumption of power further defused the Sunni-Shiite standoff and whereas the US and Saudi Arabia successfully prevented Iran's penetration of the Island – with even small numbers of activists or Revolutionary Guards – Hamed's general amnesty and (re)invocation of the Shura Council (elected parliament) denied political agitators the critical masses required to achieve their objectives by addressing the grievances of legitimate demonstrators and even in the age of savvy revolutionaries deploying 21st century technologies, it is difficult to spin such high-ranking overtures with any degree of seriousness, especially since al-Jamri himself was pardoned.

And so, for nearly a decade, Bahrain remained in some form of suspended animation, attempting to balance reform and security; to give all Bahraini citizens, Sunni and Shiite, more freedom and means of political expression while defending the integrity of the state and preventing a return to the violence of the previous decades. Curiously however, the more the Al-Khalifa regime reformed the Sheikdom, the more militant the Shiite community became. For instance, between 2001 and 2002 the Sheikdom transformed itself into a Constitutional Monarchy and granted all citizens (male and female) the right to vote and run for parliamentary seats which required free and fair elections. These were held in October 2002 despite Shiite parties calling for a total boycott.

The Pearl Revolution, 2008-2011

While many have attempted to paint the 2011 situation in Bahrain as part of the unfolding set of Arab revolutions, such are false premises and the so-called *Pearl Revolution*, preceding its (again, savvy) namesake, began in January 2008 with the arrest of senior Shiite clerics connected to the al-Hak movement and accused of conspiracy and planning a coup d'état. Their followers went on hunger strikes and tensions again began to mount. Interestingly, these tensions were directly connected to other unfolding regional events directly connected to Iran. For instance, as part of the US's drive to prevent the nuclearisation of Iran, it pressured Bahrain to suspend its financial dealings with the Islamic Republic, and on 18 January 2008, Bahrain's Ahli United Bank suspended cooperation with Iran, resulting in an acute currency shortage in the latter. Additionally, later in the month Bahrain and Oman concluded aviation agreements with India (Saudi Arabia had done so earlier in the month) which was interpreted by Tehran as a 'flanking

manoeuvre.' Finally, on 26 April 2008, Bahrain signed a distinct security deal with NATO as part of the Istanbul Cooperation Initiative (ICI). The agreement was meant to provide avenues of direct communications between intelligence agencies and military planners. While such an arrangement is well within the rights of Bahrain as an independent state, Iran viewed the arrangement as a deliberate ploy to bring NATO more completely into the region and thereby restrict Iran's freedom of action. In other words, Iran began to feel a strategic pinch, orchestrated by Bahrain, and was determined to 'break-out' of it.

Apparently however, the final insult to the Islamic Republic came on 01 October 2008, when Bahraini Foreign Minister, Sheik Khalid pronounced a peace overture which suggested that Iran, Israel and Turkey join the Arab states in forming one organisation to present their grievances and work to solving them. This painted Iran into an awkward corner as recognising Israel ran counter to its revolutionary ideology. Therefore, Iran understood the Bahraini plan as an attempt to either delegitimise the Islamic Revolution promoted by Iran or further isolate it from the wider international community since its rejection of the formation of such a regional body would cast it as the 'spoiler' of regional conciliation.

Instead of heeding or rejecting the calls of Khalid Iran, predictably, lashed out against Bahrain and reduced the proposal to a shell of its intentions. Once again Iran's policy towards Bahrain took the form of an attempted coup. On 17 December 2008, now dubbed 'Al-Shaheed Day (Martyr's Day)' by Shiite revisionists, fourteen people were arrested in connection with a planned MWHB terrorist campaign aimed at destabilising Bahrain by hitting a variety of 'soft targets;' commercial centres, diplomatic missions and night clubs. After interviews with the detainees, it was revealed that the MWHB cell was trained in Syria, though its leaders were residing in London, UK. Al-Shaheed Day is tense at the best of times and the arrest of the fourteen MWHB members fuelled conspiracy theories of arbitrary government violence against the Shiite community leading to yet another round of street demonstrations, nearly on a daily basis, until the end of February 2009. Ostensibly, the Shiites were on the streets to protest the trials being held for the conspirators of the 2008 botched coup attempt, though it soon became clear that Iran was positioning itself to rekindle its more direct involvement in Bahrain as it was against the backdrop of continued street violence that Nateq Nuri made his claim that Bahrain was Iran's Fourteenth Province, a statement which was greeted with joyous chanting of support for Iran by Bahrain's Shiite rebels.

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Despite such provocations, Hamed declared an amnesty in April 2009 and pardoned 170 prisoners, including 35 Shiites who were being tried for treason and attempting to over-throw the state. In normal circumstances such overtures reduce tensions and provide space for dialogue and national reconciliation. However, these were not normal circumstances and one of the key actors involved, Iran, with no desire to allow its position to erode has instead been very proactive in sowing the seeds of discontent – probably directly paying demonstrators – to ensure that Bahrain continues on the path to full-scale civil war where it could intervene to 'stop' civilian casualties, though would be unlikely to ever voluntarily leave again.

These are the conditions that have resulted in Bahrain's own chapter in the so-called Arab Spring. However, the path to the 2011 uprising finds its root in Tehran's actions and the exploitation of a perceived opportunity. Indeed, Bahrain's *Pearl Revolution* began in late August / early September 2010 – months before Tunisians and Egyptians took to the streets – when another attempted coup d'état was discovered leading to 160 people being arrested just before October's parliamentary elections. The arrests led to the familiar tit-for-tat street battles between Shiite demonstrators and Bahraini security officials, this time however the street violence was meant to mobilise Shiites to vote against the ruling party. The election did not favour Shiite parties and allegations of vote rigging triggered riots and still more clashes.

By the time the other Arab revolts were in full swing, Manama was seething and, again stoked by Iran, many Shiites believed that the conditions were ripe to forcibly remove the Al-Khalifa regime. The serial demonstrators were out in full force by 17 February 2011, but this time they were better prepared: Shiite men and women divided themselves into two separate mobs, the women covered from head to toe in the black 'show-only-the-face-not-the-form' Chador, the Ayatollah's preferred fashion, holding demonstrations calling for freedom while the men wrapped their faces in Balaklava's and gathered chunks of stone to hurl at authorities. At the same time Iran was prepared for the eventualities of Shiite deaths and were mobilising their 'public relations' teams to debase Bahrain while its armed forces again pondered the circumstances that would bring them to directly intervene. The rest is recent history with protesters camping out in Pearl Square by night – replicating Cairo's Tahir Square – and waging asymmetrical war by day. The death toll mounted while international condemnation was piled on the Al-Khalifa regime and Bahrain. In typical fashion the depth of the crisis was lost on many European and US decision-makers who

shied away from addressing the true origins of the violence, namely Iran, and instead pressured Bahrain to show restraint.

Predictably, as street tensions rose, so did anxieties in Riyadh which entered the Bahraini fray in support of the Al-Khalifas. Indeed, the operations which ended Bahrain's street rage were two-pronged: Saudi Arabia would militarily enter Bahraini territory in an active show of force while Bahraini security forces used all means necessary to empty Pearl Square and detain those encamped there. Saudi Arabia's intervention and military support was more symbolic than practical, though it did produce three clear messages: firstly that Saudi Arabia considers Bahrain to be part of its Western Persian Gulf sphere of influence, secondly that the Al-Khalifa regime is a prime Saudi ally and finally, that the US and EU were peripheral powers unable or, worse, unwilling to actively defend the regional status quo.

Conclusions

Given the long history of Iran's regional belligerency and direct interference in Bahrain the mystery of US and EU reactions to the most recent spate of violent political activism is compounded. However, fair treatment of the Irano-Bahraini conflict reveals some worrying trends that decision-makers should consider as they reformulate their regional policies and work to developing the political infrastructure necessary to achieve both normative and material interests.

The past thirty years of Iranian intransigence has removed ambiguities; revealing the extent of its revisionist tendencies and political preferences towards Bahrain. Since Iran is bent on achieving regional hegemony but is strategically checked by US naval power, it changed tact and developed more clandestine tactics to undermine Bahrain's domestic stability so it may, eventually, militarily intervene to 'defend' the Shiite community from Sunni violence. This would not be a short-term stabilisation mission however and it is very likely that Iran would use its position in Bahrain to establish a theocracy in its image and then use its new-found forward position along the west coast of the Persian Gulf as a stepping stone for greater projections of power on the Arabian Peninsula. Indeed, Iran is patiently waiting for the right opportunity to do so. According to the *Arab Times*, the Iranian Revolutionary Guards are training 'a large number of Kuwaitis, Bahrainis and Saudis in a private training camp located in Waheera, a remote area near the borders of Venezuela and Columbia, and intends to use them to carry out terrorist activities within their respective countries and other areas across the world in case Iran is attacked militarily.' While

this information may be fodder for Arab states' military mobilisation, it is likely that the story is accurate, given Iran's track record. Also, if Iran would wrestle Bahrain from the Al-Khalifa's, Tehran's geostrategic position in the Persian Gulf would be greatly enhanced, turning the international waterway into an internal Iranian lake which it could regulate. In other words, Iran would control sea-faring trade, including hydrocarbons, in and out of the Persian Gulf.

Such explicit goals and probable outcomes should have the international community rushing to support, not ostracise Bahrain. Instead, it seems that too many decision-makers are lost in the rhetoric of the Arab Spring and are developing 'face saving' policies which aim at appeasing the disenfranchised Arab masses by treating them as a mass. This is extremely short-sighted and dangerous since the specificities of each case are being whitewashed in one simply equation; the Arab peoples have been oppressed by their leaders and want democratic reform. This is only partially correct in some cases and fundamentally erroneous in Bahrain. Instead of reading demonstrator's placards as the basis for regional policy, leaders need to break out the history books. The Middle East of 2011 is very much the same Middle East of 1911, 1948 and 1971 only the stakes have changed. It is a sad commentary that Bahrain is in the midst of an existential struggle with a vastly superior and sharply aggressive Iran and the international community, so enraptured by the language of democracy, is content with listening to moderate voices calling for moderate reforms coming from immoderate Ayatollahs.

Mitchell A. Belfer
Editor in Chief
CEJISS

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NOTES

THE CASE FOR THE CREATION OF A 'GLOBAL FBI'

Stuart Coffey

Abstract: *Global society is in need of the same law-enforcement development as with the introduction of the FBI in the US in 1908; to introduce another layer of expertise and specialism to deal with transnational criminals and international terrorism and to bring the rule of law to the whole of global society. The ICC suffers from a lack of jurisdiction over serious organised crimes and also from the lack of an agency with the powers to refer cases to it, similar to the link between the FBI and US Federal Courts. The growth of human trafficking is evidence of the current system's impotence in dealing with transnational serious organised crime. What is needed is an integrated international criminal justice system that operates independently to deal with organised criminal threats to global security, thereby reducing the temptation for states to consider unilateral military action, as seen in Afghanistan after 11 September. If there was an integrated criminal justice system with global jurisdiction, NATO may have been compelled to delay military action in Afghanistan whilst investigations and arrests relating to the 9/11 attacks took place. This research examines the case for such a system, and how it could be achieved.*

Keywords: global society, FBI, terrorism, human trafficking, international criminal court

Introduction

Since the end of the Cold War, the greatest threats to international peace and security have come from transnational actors rather than nation states: organised crime has prospered in the states of the former USSR; the boundaries of the EU have pushed further East and have become more porous; access to international travel has become easier and cheaper, and the human slave trade has returned with a vengeance – in the form of human trafficking – some 200 years since its abolition in the British Empire. Since 11 September 2001 there has been a move to redress this security imbalance

but serious transnational crime, international terrorism, and the nexus that exists between them, remain the most compelling issues currently occupying national security agencies and intergovernmental bodies.

Today's international law-enforcement *system* is disjointed, fractious, ineffective and, increasingly, is unfit to tackle the serious emerging threats of transnational organised crime and terrorism. Since the UN became a reality at the end of the last World War, the threat of inter-state war has receded. The growing interdependence of states through the forces of globalisation, modernisation, lax international borders and ease of access to international travel, has simultaneously reduced the threat of war instigated by nation states, and exacerbated threats from transnational actors.

As the threat of inter-state war has receded, the major threats to human security have become transnational in nature. However, these transnational threats are addressed by the international system in a haphazard, disjointed and inefficient fashion by a plethora of national and international agencies working largely in isolation. To combat the truly transnational threats of serious organised crime, terrorism and piracy, the international community could use the UN Charter itself to institute a new transnational police agency that would support the rule of law worldwide to a common, agreed set of standards, perhaps by adapting Article 43 of the UN Charter, which would allow the UN to develop to fill the global law-enforcement capability gap. However, this ideal solution is far removed from the international system and arrangements that exist today. Achieving this end will inevitably be a long-term goal.

Why exactly is a *Global FBI* needed? Some transnational organised criminal groups have the financial strength to undermine state authority to varying degrees. Also, the re-emergence of slavery in the form of international and intercontinental human trafficking, and the international drugs trade are compelling reasons for developing international law-enforcement apparatuses. The expansion of terrorism as an international phenomenon should further galvanise the intent of nations to respond. Globalisation, interdependence, international travel and the media are contributory factors to the increasing threat from transnational actors of all types. Perhaps the greatest reason for action is the existence of *ungoverned spaces* throughout the globe, which, if left unchallenged, will allow

transnational groups a *rear area* within which to regroup and recover, perpetuating the transnational problem no matter how effective the policing is in *governed spaces*.

After NATO's action in Kosovo, Russian action in Georgia and widespread criticism of the international community for failing to act to halt genocide in Rwanda, the sovereignty principle has somewhat eroded in recent years and this is an important precedent for ceding sovereignty over serious transnational crime by nations. The founding principles of the modern international system, as articulated by the opening statements of the UN Charter, relate directly to maintaining global peace and security, which is precisely what law and order provides.

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Why is a *Global FBI* required?

Transnational security has become an area of concern since the end of the Cold War. Until then, and into the 1990s, the major area of concern for states was the threat that other states presented to them. Whilst this threat persists today, albeit on a smaller scale, the globalisation of trade, financial structures, cheap international travel, and technology have made it easier for non-state actors to pose a meaningful threat to nation states. Indeed, the National Security Strategy of the UK suggests that 'no state threatens the UK directly,'[1] and that transnational crime and terrorism have replaced the Cold War, as the primary, prevalent threats to the UK, and have 'the potential to undermine wider international stability.'[2]

> The estimated global cost of organised crime stands at approximately one trillion pounds. Within the UK, the Government estimates that over £20 billion of social and economic harm occurs as a result of serious organised crime.[3]

Indeed, to give some perspective to these figures, if the trade value were measured as a national economy is measured then the global criminal economy would be the fourth largest in the world.[4]

Arguably, the most stark example of transnational organised crime having an effect on a state was when the USSR split into its constituent parts at the end of the Cold War; it suffered from falling investor confidence due to the effectiveness of the new subversive element that was borne out of former state economic actors combining with small, organised crime groups and discharged elements

of the Soviet intelligence and security apparatus. These new groups with broad skills and access to intelligence and surveillance files were highly successful and able to operate with impunity, almost delegitimising the new Russian democracy by questioning its ability to enforce the rule of law and provide for public safety.[5]

In the modern world of personal computers, cheap international travel and lax international barriers, organised crime can migrate much more easily across national boundaries than the agencies tasked with their arrest. The ability of the judicial system to chase criminals across those boundaries is further constrained because of the reluctance to share sovereignty over these crimes across state borders, as well as widely differing legal systems between states that use different procedures, and have varying attitudes to criminality.

Human Trafficking

Human Trafficking has been of concern to the international community since the very beginnings of the League of Nations (LoN). The first conference organised to deal with the trafficking of women and children was held in Geneva in June 1921. Yet, 90 years later and 200 years since the abolition of the slave trade by Britain, human trafficking remains a blight on the international collective conscience.

It is estimated that there are 27 million people in modern-day slavery across the world and that 800,000 people are trafficked across international boundaries every year.[6] Some 80% of these victims are women and children earning an average of £8,500 per year for their *owners*, thereby undermining local economies and representing a real threat to the security of individuals susceptible to being caught in the trafficking world.[7]

Human trafficking is not restricted to adjacent countries. Intercontinental trafficking is also evident; in the 2009 UNODC report, victims from East Asia were detected in more than 20 countries, including in Europe, the Americas, the Middle East, Central Asia and Africa.[8] The Convention on Transnational Organised Crime came into force in September 2003 and includes three protocols, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.[9] Also in the 2009 UNODC report, it is noted that traffickers rarely work alone.[10] This organised

criminal cooperation is a compelling reason for a new supranational law-enforcement agency to be created to complement existing international agencies. However, the ability of police forces to operate either side of international borders is extremely limited, with national forces largely restricted to their own territory. Efforts against organised criminal gangs are, therefore, severely constrained.

The Politics of National Policing of Human Traffickers

Consider the politics of spending national wealth on pursuing criminals outside the home territory of a state; as the threat has left the home shores, albeit temporarily, the problem becomes another state's responsibility. Hence, there is no pressing public appetite to increase funding to combat transnational crime, particularly during the current global austerity drive. The greatest numbers of trafficked persons are from second world nations that have greater pressures on their limited national resources to combat a problem that is already leaving their territory. States that are dealing with an influx of people who have been trafficked have a greater reason to try to stem the flow from inbound human trafficking as it is their social structures that bear the strain of the misery that this trade causes. However, their efforts are centred on the domestic coordination element rather than the source of the problem, which is on another nation's patch. If the source nation is unconcerned with their citizens being trafficked why should the destination politicians and law enforcers look beyond their own borders?

The International Drugs Trade

Most illicit drugs originate from South and Central Asia and South America.[11] However, the international nature of drug trafficking prevents any single country from effectively combating the trade on its own. The effects are more acutely felt among developed nations where profits from the illicit trade are greater. The scale of the problem is vast; the UN estimates that 8% of total world trade is related to illicit drugs![12] The UK Home Office published a drug-costs study in 2002 that estimated the cost of drug abuse in the UK alone, in 2000, was £13–24 billion, based on its medium estimate.[13]

International cooperation and assistance is having a positive effect on the fight against transnational threats. However, as an example of the failure of current policing arrangements; where the efforts of drug control authorities in some countries have proved successful, drug trafficking operations have merely been shunted to weaker jurisdictions, and criminal gangs have developed greater organisational sophistication in response.[14] This balloon effect, where squeezing by law-enforcement in one area simply gives rise to that activity elsewhere, will remain while a piecemeal attitude to introducing international policy agreements remains.

Terrorism

A step change in international terrorism began when the terrorist attacks on the twin towers of New York occurred on 11 September 2001. Never before had a group based on the other side of the globe had the audacity to plan and execute multiple attacks against the hegemonic power, the energy of which was equivalent to the use of a tactical nuclear warhead[15].

> The preparations for the September 11 terrorist attacks in 2001 spanned several continents, and so did the effects: the World Bank estimated the reduction of global GDP at almost 1%.[16]

This has escalated the threat from international terrorism from what could arguably have been seen as regional prior to 9/11, to being a truly global transnational issue.

The awareness of the global populace outside of the home-nation state has grown as international travel has become cheaper and more accessible to more and more people. Borders have become a barrier to trade rather than a desired control over the numbers of people entering or leaving any one country. Trade has made the world into an inextricably interconnected place where international travel is considered as almost a right of the many rather than simply a privilege of the elite few. The paradox is that ease of travel is necessary for the global pursuit of prosperity, but brings with it opportunities for international terrorists to transit international borders with relative impunity. This ease of travel enabled the 9/11 attackers to travel between continents to plan and execute their devastating attack. Indeed, it has been established that the 9/11 attacks were

orchestrated by cells working out of Montreal and Hamburg, such was the ease of travel across international frontiers.[17]

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The processes involved with globalisation contribute to outbreaks of terrorism. Religious groups of all types have been, and are, opposed to the secularism that accompanies modernity and globalisation.[18] As globalisation continues and access to international travel becomes broader, the threat of a large scale terrorist attack increases as the accelerator factors of terrorism contribute to a more permissive environment for terrorists to work within.[19] Indeed, the rise of religiously motivated terrorism in particular poses a truly transnational threat to the security of individuals and states. It also lies behind much criminality, especially of the financial kind. For example, for some it is acceptable to commit crimes against people who are considered infidels.[20]

Piracy

The issue of piracy should not be considered in isolation. There is a wide range of types of pirates operating on international waterways. They can be local seamen looking for a quick score, highly trained guerrillas, rogue military units, or former seafarers recruited by sophisticated criminal organisations.[21]

> They attack in port, on the open seas, and in international waters. Entire ships, cargo, and crews simply vanish, hijacked by pirates working for international crime syndicates; these modern-day ghost ships often turn up later running drugs or carting illegal immigrants to the US.[22]

Piracy against high-value targets, predominately from the oil industry, is increasing. There were more than 400 pirate attacks worldwide in 2009, up from just 239 in 2006.[23] The violence in the attacks in also increasing with 120 ships being fired upon in 2009 compared to just 46 the year before. Indeed, attacks against fishing vessels are more prevalent but these go largely unreported. Therefore, the true scale of the phenomena is likely to be far greater than the 400 reported attacks. It is also true that Somali pirates account for more than 50 percent of reported piracy. However, this increase is mirrored in South America and in the South China Sea; countries reporting an increase in pirate activity include Brazil, Colombia, Costa Rica, Ecuador, Haiti, Venezuela, Peru, Bangladesh, Nigeria,

Singapore, Malaysia and Indonesia. However, pirates are not entirely unchecked. The presence of navies from various nations in the Gulf of Aden and elsewhere has reduced their success rate:[24]

> Whilst the number of 2009 incidents [of Somali piracy] has almost doubled, the number of successful hijackings is proportionately less. This can be directly attributed to the increased presence and coordination of the international navies along with heightened awareness and robust action by the Masters in transiting these waters.[25]

In the last quarter of 2009, pirates started working up to 1000 miles East of Mogadishu. This presents a significant problem for the navies sent to combat the problem: operating in the open ocean rather than in the restricted straits of the Gulf of Aden provides a much larger surface area to be covered by a limited number of vessels. The number of vessels can be increased but this is not a sustainable response by the international community. Additionally, this is simply dealing with the symptom and not the cause.

Why do Somali pirates continue to risk so much against naval opponents packing such superior firepower? The answer may lie in the way pirates are dealt with upon capture allied to the poor conditions experienced by them on their home soil. Yusuf, a defendant in a landmark piracy case held in the Netherlands in June 2010, can expect a marked improvement in his living conditions, despite being sentenced to five years in a Dutch jail:

> ... [Yusuf] is quite happy being in prison, and is almost looking forward to being found guilty and sentenced. For the first time in his life he has access to a real toilet and is in a safe environment. The 24-year-old Yusuf hasn't seen his family in more than four months but he intends to send for his wife and children as soon as he is released from prison. He knows he cannot easily be sent back to Somalia. He loves it here in the Netherlands.[26]

Hence, whilst the case may be one of the first of many, they are unlikely to prove much of a deterrent for pirates of the future. While piracy is a crime with universal jurisdiction under international law, many countries have not codified this into national law. The UK is a case in point and delivers the pirates it detains to Kenyan authorities to prosecute, paying the Kenyans to do so. So far, 18 have faced trial with over a hundred awaiting

their day in court. Additionally, many pirates have been picked up and brought back to Europe. However, the majority have been released at sea because of the cost and difficulty of bringing them to trial. It is clear that the inability of the current international criminal justice system to act as a deterrent to piracy will continue to encourage pirates into the industry. It will also provide rich recruitment grounds from which corrupt businessmen can source their pirate navies.

> The actual pirates are usually controlled by gang leaders with contacts abroad. In exchange for part of the ransom - 1 milllion dollars per ship on average - corrupt business-men provide the pirates with navigation equipment and weapons. The UN says local authorities in Somalia are also involved.[27]

Ungoverned Space

In discussions with Counterterrorism (CT) practitioners, it has become clear that one of the chief concerns among them is the ability of the modern terrorist to simply move to an area of the globe that is either poorly governed, ungoverned or where local power is susceptible to bribery and corruption.[28] The areas of concern are Sudan, Somalia, the Maghreb in general, Yemen, the Federally Administered Tribal Areas of Pakistan (FATA), areas of Central America and of course Afghanistan. According to Sir David Veness, the UN's focus is on assisting nation states to improve their own capacity and capability to police their own countries, as a part of the *R2P* programme.[29] However, there are three problems with this approach.

Firstly, spending money on assisting each of the 192 states of the UN to improve is incredibly inefficient. Many of the states in question struggle to maintain the funding required for an effective local police force to maintain the rule of law, without considering a specialist force to combat serious organised crime and terrorism. Also, levels of quality in law-enforcement vary due to inconsistencies in national legislation. Indeed, in many of these areas, a fully functioning police force and judicial system remains an aspiration of the state. It would be much more cost efficient, and more effective, for the international community to combat

transnational crime itself, using a law-enforcement agency specially commissioned to act globally, rather than help each state to do it themselves. Secondly, several CT practitioners have privately acknowledged that the balloon analogy used earlier in the article is apposite here.[30] As the Iraq and Afghanistan terrorist *balloons* were squeezed, terrorist activity relocated to areas where there was the potential for less interference by the international community, countries such as Sudan and Yemen. Bringing *ungoverned spaces* under the jurisdiction of the international community has the potential to deny these and other safe havens from terrorists and organised criminal gangs.

The US FBI came into being in 1908. It started with 34 officers and has grown since to an organisation over 30,000 strong.[31] It was introduced to provide well-disciplined specialist experts and was 'designed to fight corruption and crime.'[32] Its inception was based upon the federal system where the federal government had jurisdiction over matters that crossed boundaries, like interstate commerce and foreign affairs, with all other powers reserved to the individual states.[33] Between the World Wars, the FBI was empowered to deal with most crime where the criminals involved attempted to escape the rule of law by travelling out of the state that they had committed their crime in. This was an attempt by the US government to introduce an organisation with the same geographical horizon or remit as the criminals it was intended to combat, and is a direct parallel to the situation facing the world today. This broadening of horizons in policing has been mirrored in the development of policing in England & Wales in the twentieth century.

The Serious Organised Crime Agency (SOCA) is soon to be replaced by the enlarged National Crime Agency but this new agency will still have no jurisdiction over terrorist acts. In its efforts to deal with non-terrorist threats, SOCA has approximately 20 liaison officers working outside of the UK.[34] Therefore, the geographic remit of UK law-enforcement activity has grown, in terms of liaison, and is continuing to expand. However, the challenge is now upon us: how effective can national law-enforcement be on the soil of another state?

The wheels of progress at the UN are too slow to deal with the dynamic problem that transnational security poses to the

international community. Indeed, the only nations that are pursuing international criminals are those that have the resources to do so. No single nation has the resources necessary to fight transnational crime and terrorism on its own, as was recognised in the UK National Security Strategy, 2009:

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> In an increasingly interdependent world, we cannot opt out of overseas engagement. But overseas especially, we need to be realistic, and set realistic expectations, about what we can achieve.[35]

Conversely, those nations that are suspected of hosting transnational criminals and terrorists have little motivation to address the problem because the attacks are generally not committed on their soil. Therefore, a truly transnational global problem demands a truly transnational global solution.[36]

Strengths & Weaknesses of the Current International Law-Enforcement Environment

The UN

The UN has its own police force of 12,500 personnel which is likely to reach 16,000 by the end of 2010.[37] However, the remit of the UN Police force is limited. The focus of the UN Police is to help national police forces take control of their own rule of law. UN Police officers have no powers of arrest and detention. The few instances where these responsibilities are given to the UN Police are only as part of UN transitional administrations, as was the case in Kosovo and Timor-Leste.[38] This is despite the recognition from a UN police advisor in 2009 that organised crime hampers the progress of post-conflict societies:

> Organised crime should be viewed as a major spoiler to peacekeeping and peace-building. One of the most insidious features of organized crime is the corrosive and toxic effect it has through the corruption of officials. It is a catalyst for instability and if it is left unchecked it can undermine all of our efforts to build long-term security in fragile, post-conflict societies.[39]

Europol, Eurojust and the European Police College were constituent parts of the measures included in the Maastricht Treaty of 1992. The intention was for Europol to try to combat the problem of transnational crime and terrorism.[40] Europol began operations in 1999, initially focusing on drug trafficking, but has since expanded to target a broader array of transnational crimes including human trafficking, smuggling, terrorism and financial crimes, including money laundering.[41] This is an example of how the international community is evolving to meet the transnational security threat of international organised crime. However, Europol's main purpose is to help individual states to pursue, rather than being the service with powers to arrest, detain and prosecute in their own right.

Europol, as with other international agencies, is considered good at post-incident analysis due to its broader geographical reach and ability to pool intelligence.[42] In fact, Europol officers have a role in operational policing, if only in a support function. When Joint Investigation Teams (JITs) are used, a Europol officer is put at the disposal of the JIT for investigative assistance and can take part in operational activity alongside national police.

The major problem with the use of Europol, as identified by a written report in the House of Lords in 2008,[43] is a lack of trust in the system.[44] Many liaison officers simply share their information with their opposite numbers in the territory concerned, bypassing the Europol central system.[45] Practitioners prefer bi-lateral arrangements because they are quicker, and personal contacts help to build the trust necessary to feel confident in passing sensitive information that could have a material effect on the success of an investigation if that information was to be leaked. However, this then bypasses the Europol Information System (EIS), which allows all Europol personnel to use that information, a key benefit of having a European investigative service, thereby restricting the effectiveness of the analytical, intelligence-led element of Europol's output.

Interpol

> INTERPOL aims to facilitate international police cooperation even where diplomatic relations do not exist between

particular countries. Action is taken within the limits of existing laws in different countries and in the spirit of the Universal Declaration of Human Rights. INTERPOL's constitution[46] prohibits 'any intervention or activities of a political, military, religious or racial character.'[47]

Therefore, as with Europol, Interpol does not have its own set of laws which it can prosecute with. However, when corruption within a state is endemic, there is limited value to a system that can only assist local criminal investigation rather than act independently. However, one of Interpol's great strengths is its independence. Interpol is not funded directly from national budgets. Rather, national police forces allocate part of their own budgets to Interpol. The seat of Interpol at Lyon, France runs a modest annual budget of under £50 Million. There are 188 states as members of the organisation so the cost per state is a little over £250,000. Interpol provides:

> ...access to the world's only secure global police communications system; global databases including names of criminals, fingerprints, DNA profiles, stolen passports, and stolen vehicles; and specialized investigative support in key crime areas, including fugitives, drugs, terrorism, trafficking in human beings and corruption.[48]

SOCA and the FBI

Both the UK's SOCA and the US FBI maintain a liaison presence worldwide. The US FBI has dedicated officers in circa 75 US embassies and SOCA has a network of approximately 20 operatives dispersed around the world.[49] However, this is just two nations attempting to act unilaterally. Other nations have a similar approach in attempting to interdict transnational crime and terrorism. However, the problems with unilateral efforts include a lack of sufficient resources, a lack of legitimacy in the eyes of the wider international community and a lack of coordination of effort. It would be sensible to pool resources so that common threats to all states are dealt with in a coordinated manner by an organisation that has legitimacy to act on behalf of humanity, rather than on behalf of individual states. It would provide countries without the resources to tackle transnational crime and terror unilaterally, with a stake, and

therefore an interest, in the performance of the agency, thereby empowering every nation in the fight against transnational actors.

The International Legal Perspective

The Thirty Years' War, which ended in 1648 with the Treaty of Westphalia, brought about the concept of non-intervention into the affairs of nation states by other states. 300 years later, the UN was founded in an effort to 'save succeeding generations from the scourge of war.' To do this the founding nations resolved 'to unite our strength to maintain international peace and security' and 'to ensure that armed forces shall not be used, save in the common interest and to employ international machinery for the promotion of the economic and social advancement of all peoples.'[50] Therefore, there is a fundamental aversion to the use of military force by the UN that has its roots in the founding declaration. However, there is one intention, and reflective instrument of the UN that has never been fully realised: to allow the UN to have its own standing military, under the command of the UN Military Staff Committee (MSC), with forces donated by member states.

> All Members of the UN, in order to contribute to the maintenance of international peace and security, undertake to make available to the [UNSC], on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining peace and security. ... the agreement or agreements shall be negotiated as soon as possible on the initiative of the [UNSC].[51]

The MSC exists but there has never been the political appetite amongst member states to donate military forces to be controlled by the UN. However, the legal instrument to introduce a supranational force exists; Article 43 in Chapter VII of the UN Charter.

Membership of the UN has always been open to 'all other peace-loving states which accept the obligations contained in the present Charter.'[52] This is the fundamental reason why a standing military force under UN command has never been introduced. The establishment of an independent UN military force with the power to act unilaterally is simply incongruous with an international organisation committed to the peaceful resolution of conflict.

Article 43

Article 43 is moribund in the modern system.[53] The likelihood of the UN introducing its own military forces under this instrument, as initially envisaged, is virtually nil. However, the instrument is ratified by all 192 member states as it is a constituent part of the Charter. It would be possible to transform the current moribund nature of Article 43, indeed, the founding declaration of the UN states that the main purpose of the organisation is to promote peace and security, economic and social advancement, and to do so in the common interest.[54] Serious transnational crime and terrorism are blights on the international system and justify action in the common interest. In fact, the UN Office on Drugs and Crime (ODC) already exists. Therefore, there is consensus in international relations that drugs and crime warrant action by the UN.

It would be more politically acceptable to introduce a supranational law-enforcement agency under the auspices of Article 43 and Chapter VII than a military force. This would be more in keeping with the peaceful principles upon which the UN is built as the rule of law is essential in promoting international peace and security.

The sovereignty principle is a major stumbling block for the creation of any supranational body. Whilst various international policing agencies exist that assist national police forces to deal with transnational criminals, they lack operational or executive powers. Interpol, Europol, Borderpol, EuroJust and the UN Police Force all lack jurisdiction and the ability to arrest, detain or prosecute.

Erosion of the Sovereignty Principle

However, the sovereignty principle has been eroded in recent years. In Kosovo for instance, NATO decided that the hitherto primary principle of international relations had to be considered as secondary to the humanitarian needs of the population. This was the first time that humanitarian intervention had usurped the former primary principle of non-intervention, but it was not universally accepted. Indeed, Russia was understandably anxious to dispute the right of states to intervene in their neighbours' internal strife. However, more recently, Russia pleaded the right to intervene in

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Georgia on a humanitarian basis. Hence, both sides of the former East-West divide have set the precedent that humanitarian action can be taken despite the existence of the sovereignty principle. Indeed, this erosion is further supported by the widespread condemnation by the international community of the UNSC for failing to intervene in the Rwanda genocide (1994).[55] Therefore, the principle of non-intervention into the internal affairs of state has had caveats applied where previously there had been none. This blurring of the sovereignty principle is key to both the future of the international system and to the case for the creation of a supranational law-enforcement agency.

General Principles of Criminal Law

There is precedent for the consideration of general principles of domestic national law in the prosecution of international crime. Indeed, behind treaties and customary law, general principles of domestic law are the next recognised source.[56] However, as only treaties and customary law are considered as primary sources of international law, resorting to secondary sources is rare. However Yet, much of the work of the International Criminal Tribunal for the former Yugoslavia (ICTY) relies on general principles of domestic criminal law as justification for its decisions.[57]

Drazen Erdemovic

The Erdemovic case at the ICTY showed that it was possible for an international court to establish common principles of criminal law – accepted by the majority of states – to hold individuals personally responsible. This was a key development in international law relating to individual responsibility rather than law relating to the relations between states. However, the most notorious, and arguably important indictees, were not brought before the Tribunal for many years: Radovan Karadzic, Ratko Mladic, Goran Hadzic and senior generals were not handed over for at least ten years.

Indeed, when NATO went into the countries of the former Yugoslavia, there was much debate as to whether the forces on the ground were charged with apprehending Persons Indicted for War Crimes (PIFWCs), or whether this was a role for local law-enforcement.

The new administrations did not have the resources or the organi-
sational maturity to pursue PIFWCs and left it to NATO. NATO
quickly decided that chasing PIFWCs was not a part of its mandate
and actively avoided the role. This demonstrates well the capacity,
capability and political motivation vacuum that can exist in post-
conflict societies that is difficult to address with military forces or
current international law-enforcement arrangements.

Radovan Karadzic was apprehended by Bosnian authorities and
handed over to the ICTY in 2008, some 13 years after the original
indictment.

> In Bosnia we used personally targeted sanctions extensively
> against those who assisted the network protecting Karadzic,
> Mladic and the other war criminals – freezing bank accounts
> and placing individuals on the US and EU visa ban list. This
> was one of the key factors in breaking the nine-year dam of
> Serb obstructionism in capturing war criminals.[58]

This impotence of the international community, without exten-
sive diplomatic coercion, to pursue, arrest and prosecute those who
have been charged with crimes against humanity demonstrates the
need for a supranational body with operational powers to search,
pursue, arrest and present to local officials for the purposes of ex-
tradition. If the pursuit and arrest is conducted by a supranational
body, acting independently if necessary, then once the individuals
have been delivered to local authorities for extradition, it would be
much more politically difficult to prevent handing over the arrested
individual to the appropriate international court or tribunal.

The International Criminal Court

One of the criticisms of the ad-hoc tribunals of Nuremberg, ICTY,
Special Court for Sierra Leone (SCSL) and the International Crimi-
nal Tribunal for Rwanda (ICTR) is that they were not pre-existing
bodies with jurisdiction established before the events that they
were introduced to rule over. This legitimacy issue was one of the
key justifications for the creation of the ICC.

The Rome Statute was signed in 1998 but the ICC did not come
into force until 2002 when the required 60 states ratified it in their
domestic parliaments.

An important distinction to make however, is that the ICC is not a part of the UN system, whereas the ad-hoc tribunals are. The ICC is seen to have close ties with the UN but is an independent organisation. The Rome Statute details what is included under the heading *Crimes Against Humanity*. It expressly includes enslavement, forcible transfer of population, sexual slavery and enforced prostitution, particularly in respect to the trafficking of people. Hence, human trafficking falls under the current jurisdiction of the ICC. The Statute also stipulates:

> 'Attack directed against any civilian population' means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State *or organisational* [emphasis added] policy to commit such attack.[59]

By this definition, too, transnational organised human trafficking operations fall under the current remit of the ICC. However, human trafficking remains a growing concern, so there must be a problem with getting the jurisdiction to have an effect on the issue. Providing jurisdiction for a problem does not result in perpetrators being pursued and brought before the court. For this, a law-enforcement agency with a similar remit is required.

Info-Graph 1. Bottleneck: Limited ICC Jurisdiction & Action

BOTTLENECK: LIMITED ICC JURISDICTION & ACTION

Lack of law enforcement agency to provide the court with cases to try

Limited methods of referral and lack of willingness to refer cases to the ICC

Institutional mistrust, national chauvinism and sovereignty issues
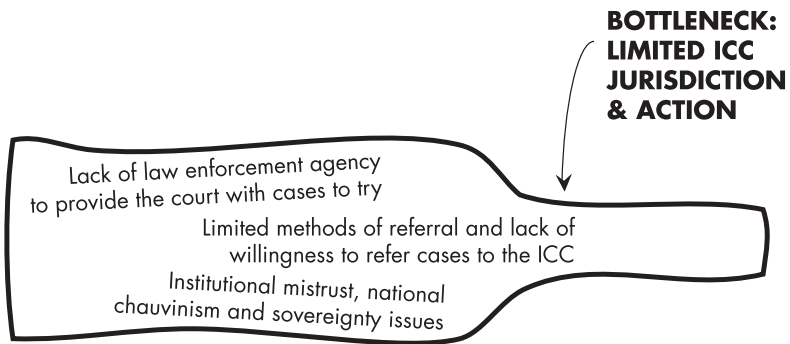
Source: Author.

The lack of either element of an integrated criminal justice system leads to impotency. Without police, criminal courts remain empty, no matter what jurisdiction they have. This is the problem with the pursuit of human trafficking internationally, under the auspices of the ICC. The question of referral to the court is a key one; the US FBI refers its cases to federal courts. However, how busy would those federal courts be if there was no agency established to investigate matters under federal jurisdiction? At the moment, the international system lacks an integrated international criminal justice system with law-enforcement, judiciary and detention elements. Take piracy for instance. There is disquiet among lawyers that dealing with pirates with the current system is the wrong tactic:

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> … the defense [sic] attorney, Ausma, [for Yusuf, see chapter 2] said the idea of bringing Somali pirates to the Netherlands for trial was poorly conceived. 'It's not a solution to bring them here; keep them there and look for a solution there.[60]

There is no effective court system in Somalia to deal with pirates. This indicates that the current system for dealing with captured pirates, in addition to the complication of refugee regulations post prosecution results in an incentive to commit the crime rather than act as a deterrent. If pirates were to be tried in an international court, refugee status could be removed as a constituent element of the problem.

INFO-GRAPH 2. Interrelationship: Global Law Enforcement and Courts

Coordinated transnational law enforcement action with global remit **+** International court with global jurisdiction **=** Effective international law enforcement against common transnational threats

Resolution E of the Final Act of the Rome Statute recommends inclusion of terrorism and drug crimes within the jurisdiction of the ICC, alongside that of human trafficking, and this would represent a comprehensive list of crimes against humanity that the

international community currently faces.[61] However, as Resolution E explicitly recognises, the significant difficulty in achieving this is the lack of consensus on a common definition of the crimes. Indeed, the inclusion of the word "terrorism" itself is pejorative; calling an act of political violence terrorism is not only a description but also a judgement. If this debate is to move forward it should do so by avoiding the pejorative term and restricting the legal definitions to the criminal acts that so-called *terrorists* employ, thereby having a greater chance of achieving consensus among states on the actions required by the international community to combat such crimes.[62] The European Arrest Warrant (EAW) provides a useful mechanism to resolve this definitional problem. All 192 states of the UN have signed the Global CT Strategy resolution. As there is consensus in the international community that terrorism is a scourge that needs to be addressed, work should begin on a treaty that establishes the general legal requirements to prosecute transnational criminals and terrorists for the most serious offences and, most importantly, empower a supranational law-enforcement agency to act independently to investigate, arrest and prosecute individuals. This would remove the unnecessary and critically delaying requirement to give primacy to individual state security forces to act on another state's behalf.

Prospects for the Development of the International Law-Enforcement system

The UK's National Security Strategy suggests that support for the rule of law internationally is an integral part of foreign policy to secure the UK for the future:

> Overseas, our belief in the rule of law means we will support a rules-based approach to international affairs, under which issues are resolved wherever possible through discussion and due process, with the use of force as a last resort.[63]

Hence, with the receding threat of inter-state war since the end of the Cold War, and the growing threat posed by transnational criminals and terrorists, it could be argued that support for the rule of law internationally is at least as important as military options in securing peace and security for the global society.

Just as the UN's inception was not an easy political development, and took a number of years before it was universally accepted, introducing a new global agency is not something that can be achieved overnight. Even simply altering the remit of existing organisations, like Interpol, the UN Police or Europol, to accept responsibility for transnational crime and terrorism, with operational powers to investigate, pursue, arrest, detain and prosecute, may take years or even decades to achieve. However, the fact that the journey ahead may be a difficult one does not mean that it should not be attempted. An ideological motivation is just as valid as a pragmatic one, as an ideal solution is a preferable outcome.[64]

Unfortunately, ideal solutions tend to be more steps removed from the status quo than more limited, pragmatic options. The LoN, and its successor, the UN, were born out of a difficult ideology that took decades to achieve global acceptance. A significant difficulty is that democracies are inherently short or medium term in their outlook due to regular elections of government officials. Therefore, ideological motivations rarely result in projects that could take longer than ten years, or two parliamentary terms, to come to fruition. Modern politics lends itself to a series of short term goals. The solution is to try to coordinate these distinct short-term goals into a long-term strategy that combines the pragmatism of short-termism with a long-term vision.

Info-Graph 3. The Vision

CRIME COMMITTED	INTERNATIONAL RESPONSE	POST INVESTIGATION
Serious Criminal Act committed by perpetrators who relocate across national borders to evade prosecution. Crime within remit of PICIS, therefore, no requirement for international response to be requested at UN.	Global FBI automatically establishes and coordinates JITs as required to pursue perpetrators worldwide, utilising local and international expertise and knowledge to apprehend suspects.	International Court prosecutes suspects, adhering to established highest international standards of legal process and respect for human rights. Convicted persons handed over to international detention and rehabilitation unit.

Source: Author.

The ideal vision for the second half of the century is an integrated criminal justice system with its own comprehensive law-enforcement agency that has limited jurisdiction to act independently around the world. Its remit would be restricted to those crimes that are universally accepted by nation states as worthy of attention by the supranational agency, as illustrated in Info-Graph 3, in concert with national and other agencies. This agency would be free to investigate as it saw fit and refer its own cases to its own independent court and legal system, which would be established conforming to the highest standards of legal process and human rights. This would bring the highest standards of the rule of law to the global society at large, regardless of national borders. Convicted criminals of this court would progress to a rehabilitation and detention system that, similarly, uses international best practice in the ongoing treatment of convicts to either protect global society from them and/or rehabilitate them into productive members of the global populace, before returning them to their country of origin.

Therefore, the solution is to combat the issue collectively by taking the best elements of each of the major organisations involved in transnational law-enforcement, and combining those elements into a solitary organisation, thereby utilising economies of scale and pooling the resources of all nations to pay for it.

The Proposed International Criminal Justice System (PICJS) would need to be associated with a court established to prosecute offenders. The ICC already exists but its jurisdiction is limited to certain crimes. Its jurisdiction could be increased to include other common threats to the global society. The ICC is internationally acknowledged as being a useful addition to international law-enforcement relating to war crimes. However, the inclusion of the crime of *Aggression* at the Kampala conference in Uganda in June 2010 catapulted the ICC into the political spotlight. The US, briefly a signatory of the ICC, is now less likely to sign up to the ICC due to the possibility that George W. Bush could be charged with aggression in relation to the invasion of Iraq in 2003. This may also mire the court in political controversy for the foreseeable future, rendering any further extension of its jurisdiction impossible. This may mean that a separate, entirely new court, directly linked to the proposed law-enforcement agency, has a better prospect of gaining widespread support among the international community. This is

the pragmatic option favoured by Sir David Veness, former Under-Secretary-General for safety and security.[65] The major benefit of this approach is that it divorces any new court from the political wrangling of the current ICC and allows the new institution's founding ideals to stand on their own merits.

Stuart Coffey

The European Arrest Warrant (EAW)

A major success of the European model is the introduction of the EAW. This has replaced extradition in the EU area and removes political involvement, as states can no longer refuse to hand over citizens charged with a crime within the EU on the grounds that they are their own citizens.[66] The ingenious element of the wording of the agreement on EAWs is in its acceptance of a difference in definitions: there are 32 offences, including terrorism, organised crime, human trafficking, arms trafficking, financial fraud, counterfeiting and corruption where it is recognised that different definitions exist within the EU. However, alleged crimes on this list have to be executed by the arresting state irrespective of whether or not the definition of the offence is the same, providing that the offence is serious enough to be punished by at least 3 years' imprisonment in the Member State that has issued the warrant.[67] If the EU can agree that a universally accepted definition is unnecessary, instead relying on the sentencing tariff in national laws as the deciding factor, then the definitional difficulty surrounding terrorism and drug crimes' inclusion in the jurisdiction of an international court can be overcome.

There is a radical solution: the UN Charter has always had the establishment of its own forces at the core of its being as recognised by Article 43 of the UN Charter. However, these forces have never been given independent UN control as originally intended. It would be difficult to justify a military force to the majority of nations given the peaceful principle upon which the UN is based. However, it may be politically possible to approve the commissioning of a supranational law-enforcement agency as the independent policing body of the international community, given the importance of the rule of law in promoting international peace and security.

Could a Global FBI have averted NATO's action in Afghanistan?

The events of 9/11 resulted in an invasion of Afghanistan by the end of the month of September 2001. Had there been a supranational law-enforcement agency with international legitimacy at the time of the attacks on the twin towers of New York, that had the operational powers to pursue Osama bin Laden and the other senior leaders of Al Qaeda, would NATO still be involved in a fight against the Taleban today? Would the current terrorist threat from home-grown extremism be as significant if the international response, post 9/11, was one that focussed on preserving the rule of law internationally, and bringing those responsible for the atrocity to justice, rather than a military-led action to punish the offenders? Indeed, it is widely accepted that Al Qaeda has largely moved on from Afghanistan to new pastures in other poorly governed, permissive or *ungoverned* areas of the globe.[68] However, the fact remains that if the international community persists in disproportionate responses then the cycle of reprisals will provide the popular support that terrorist factions thrive on.[69] A new integrated and comprehensive supranational criminal justice system is the only way to give pause to unilateral action by a state before it commits to military action. By having such a system, states will no longer be able to *take the law into their own hands*, as the international community itself will be able to act to enforce the international rule of law, thereby preventing fighting before it starts.

Indeed, it must be remembered that the reluctance to share sovereignty over policing has already resulted in a major war in the twentieth century: the assassination of Archduke Franz Ferdinand in Sarajevo by the Black Hand nationalist movement resulted in the formidable Austro-Hungarian ultimatum to Serbia.[70] Whilst there were many demands made in the document, the only significant demand that Serbia were unwilling to accede to was the insistence that Austrian police be allowed to travel to Sarajevo and actively investigate the assassination, on equal footing with Serbian law-enforcement officials. The Serbian refusal to share sovereignty over the investigation ultimately resulted in war being declared by Austro-Hungary; the web of alliances in Europe further resulted in the commencement of World War One.[71]

A significant, and probably insurmountable, barrier in the short to medium term to supranational bodies exercising operational powers, is simply the chauvinism of nation states. According to Veness:[72]

> If national leaders continue to do nothing, we shall have to wait until the criminal gangs over-reach themselves with a 9/11 type of outrageous crime. For example, if several European banks are hacked simultaneously so that thousands of Europeans lose their savings, or if a new artificial drug kills thousands of teenagers across Europe in a single night, then overwhelming public demand for action would follow.[73]

Global FBI

Conclusion

The balloon effect, where squeezing by law-enforcement in one area simply gives rise to that activity elsewhere, will remain in relation to organised crime of all types while a piecemeal attitude to introducing international policy agreements remains. Indeed, the ease with which criminal and terrorist groups can relocate across international boundaries and utilise international ungoverned space demands a radical rethink of how nation states collectively deal with transnational crime and terror.

A step change in international terrorism began when the terrorist attacks on the twin towers of New York occurred on 11th September 2001.

> The preparations for the September 11 terrorist attacks in 2001 spanned several continents, and so did the effects: the World Bank estimated the reduction of global GDP at almost 1%.[74]

This has escalated the threat of international terrorism from what could arguably have been seen as regional prior to 9/11, to being a truly global transnational issue.

Piracy is also on the increase. However, the current international criminal justice system is unable to act as a deterrent to piracy and this impotence will continue to encourage pirates. It also provides rich recruitment grounds from which corrupt businessmen can source their pirate navies.[75]

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A chief concern is the ability of modern terrorists to move to an area of the globe that is either poorly governed, ungoverned, or where local power is susceptible to bribery and corruption.[76] The areas of concern are Sudan, Somalia, the Maghreb in general, Yemen, the Federally Administered Tribal Areas of Pakistan (FATA), areas of Central America and Afghanistan. Bringing ungoverned spaces under the jurisdiction of the PICJS has the potential to deny safe havens from terrorists and organised criminal groups. Indeed, the greatest benefit to the international community of such a PICJS would be that it would extend the rule of law to those parts of the world where intentional or situational indifference to the concerns of other states, and impunity for transnational criminals and terrorists, exists.

Transnational crime and terrorism are rarely distinct; terrorism is often funded by transnational illicit activity.[77] Nation states have responded to the growth of transnational crime and terrorism by targeting their national security efforts and including development aid as an integral part of the battle against the phenomena.

There has never been the political appetite amongst member states to donate military forces to be controlled independently of those states by the UN. However, the legal instrument to introduce a supranational force exists in the form of Article 43 of the UN Charter. Article 43 is, however, moribund in the modern system.[78] The likelihood of the UN introducing its own military forces under this instrument, as initially envisaged, is virtually nil. However, the instrument remains and is ratified by all 192 member states as it is a constituent part of the Charter itself. It would be possible to transform the current moribund nature of Article 43: the founding declaration of the UN explicitly states that the purpose of the organisation is to promote peace and security, economic and social advancement, and to do so in the common interest.[79] Serious transnational crime and terrorism are blights on the international system and justify action in the common interest.

The sovereignty principle has begun to be eroded in recent years. In Kosovo, NATO decided that the hitherto primary principle of international relations had to be considered as secondary to the humanitarian needs of the population. This blurring of the sovereignty principle is key to both the future of the international system and to the case for the creation of a supranational law-enforcement agency.

There is precedent for the consideration of general principles of domestic national law in the prosecution of international crime. The Erdemovic case at the ICTY showed that it was possible for an international court to establish common principles of criminal law that would be accepted by the majority of states, to hold individuals personally criminally responsible.

Stuart Coffey

Altering the remit of existing organisations, like Interpol, the UN Police or Europol, to accept responsibility for transnational crime and terrorism, may take years or decades to achieve. The desired end-state for the global society is a comprehensive international criminal justice system including law-enforcement, courts and detention, with a level of independence from nation states.

The EAW has replaced extradition in the EU area and removes political involvement, as states can no longer refuse to hand over citizens charged with a crime within the EU on the grounds that they are their own citizens.[80] The ingenious element of the wording of the agreement on EAWs is in its acceptance of a difference in definitions: there are 32 offences, including terrorism, organised crime, human trafficking, arms trafficking, financial fraud, counterfeiting and corruption where it is recognised that different definitions exist within the EU. However, alleged crimes on this list have to be executed by the arresting state irrespective of whether or not the definition of the offence is the same, providing that the offence is serious enough and punished by at least 3 years' imprisonment in the Member State that has issued the warrant.[81] If the EU can agree that a universally accepted definition is unnecessary, instead relying on the sentencing tariff in national laws as the deciding factor, then the definitional difficulty surrounding terrorism and drug crimes' inclusion in the jurisdiction of an international court can be overcome.

The events of 9/11 resulted in the invasion of Afghanistan by the end of September/October 2001. Had there been a supranational law-enforcement agency with international legitimacy at the time of the attacks on the twin towers of New York, that had the operational powers to pursue Osama bin Laden and the other senior leaders of Al Qaeda, would NATO still be involved in a fight against the Taleban today? Would the current terrorist threat from home-grown extremism be as significant if the international response, post 9/11, was one that focussed on preserving the rule of

law internationally, and bringing those responsible for the atrocity to justice, rather than a military-led action to punish the offenders? Indeed, it is widely accepted that Al Qaeda is no longer in Afghanistan but has moved on to new pastures in other poorly governed, permissive or *ungoverned* states. However, the fact remains that if the international community persists in disproportionate responses that ignore the rule of law then the cycle of reprisals will provide the popular support that terrorist factions thrive on.[82] A new integrated and comprehensive supranational criminal justice system is the only way to give pause to states considering unilateral action before they commit to military action. By having such a system, states will no longer be able to *take the law into their own hands*, as the international community itself will be able to act to stop the fighting before it starts.

This author opines that the cost-effective and efficient solution is one that uses the newly accepted precedent of allowing humanitarian issues to displace the national sovereignty principle, whilst maintaining the over-riding peaceful principle upon which the UN is founded. By establishing an international organisation with its own jurisdiction to deal with serious breaches of internationally accepted law across international boundaries, the problems of ungoverned space and inconsistent national crime-fighting capacities can be overcome. There is an established international instrument signed by all members of the UN, the Charter itself, that allows for a force to be used under the sole direction of the UN; Articles 43 of Chapter VII.[83] It has been politically unacceptable to establish a purely military force under this article but, perhaps with the threat posed by transnational actors, the political landscape could stretch the extant caveats on sovereignty to allow the establishment of a truly independent and, hence, effective integrated international criminal justice system, if it was restricted to crimes that are universally deplored, as espoused in this article.

Rules and law are the process that society uses to keep anarchy at bay. In established modern society, law is used to protect the weak from the strong so that survival is not based on primal instinct but on universal principles. To do so, maintaining separation of the judiciary from governance is an essential element of policing. Over time, as people have become more mobile with the invention of various methods of transportation, the geographical remit of the

policing structures have had to grow alongside. The UN is the beginning of the evolution of global governance but the independent judiciary is limited and has no police force to pursue transnational criminals. Therefore, the anarchy that has been eradicated from the past in nation states, still exists in international relations, in part due to the absence of an effective set of international laws and a suitably resourced independent judiciary and policing system. This results in the prevalence of the utility of power projection as a means of exerting influence internationally; the bully of the international playground still exists, in the form of both transnational organised groups and western developed nations, and is able to operate with little interference as there are no effective playground monitors to ensure good, principled behaviour based on the rule of law. In this absence of a *playground presence* with the powers to act independently, states have to resort to power projection to achieve their own ends, rather than rely on maintaining the rule of law, because there is no confidence in the ability of the international system to ensure transnational criminals are held to account and justice is done. History has shown that the maturity of a state is directly linked to its ability to maintain law and order with the consent of the people; the immaturity of the international system is precisely because it has not been able to introduce its own police force and associated criminal justice system by agreeing common principles of criminal law. Let's hope that the realisation of the need for a global police force happens sooner rather than later thereby minimising unnecessary loss of life from the extant threats the proposed system would tackle.

↷ STUART COFFEY is a member of the Directing Staff at the UK Defence Academy and may be reached at:
SCoffey.jscsc@defenceacademy.mod.uk

1 Cabinet Office, *National Security Strategy of the UK:Update [June] 2009*, http://www.cabinetoffice.gov.uk/media/216734/nss2009v2.pdf (last accessed 12 July 2010).

2 *Ibid.*

3 *Ibid.*

4 European Movement, *Create a European FBI? A Police Force to Fight Cross-border International Crime,* http://www.cleg.org.uk/European%20FBI.pdf (last accessed 22 June 2010).

5 Alan Collins (2007), *Contemporary Security Studies,* Oxford: Oxford UP, p. 355.

6 Polaris Project, *Human Trafficking Statistics*, http://nhtrc.polaris-project.org/materials/Human-Trafficking-Statistics.pdf (last accessed 17 January 2010).

7 *Ibid*.

8 UN Office on Drugs and Crime, *Global Report on Trafficking in Persons Feb 2009*, http://www.unodc.org/documents/human-trafficking/Executive_summary_english.pdf (last accessed 18 January 2010).

9 *Ibid.*

10 UN Office on Drugs and Crime, *op cit*.

11 Drug Policy Alliance Network, *Drug Policy around the World*, http://www.drugpolicy.org/global/drugtraffick (last accessed 17 January 2010).

12 Chris Bellamy, *op cit*.

13 Christine Godfrey, G. Eaton, C. McDougall and A. Culyer, *The Economic and Social Costs of Class A Drug Use in England and Wales, 2000*, Home Office Research, Development and Statistics Directorate, July 2002, http://rds.homeoffice.gov.uk/rds/pdfs2/hors249.pdf (last accessed 22 June 2002).

14 Drug Policy Alliance Network, *op cit*.

15 Chris Bellamy, *op cit*.

16 Cabinet Office, *National Security Strategy of the UK:Update [June] 2009*, http://www.cabinetoffice.gov.uk/media/216734/nss2009v2.pdf (last accessed 12 July 2010).

17 Marc Sageman (2004), *Understanding Terror Networks,* Philadelphia: University of Pennsylvania Press, p. inside cover.

18 Alan Collins (2007), p. 302.

19 Tore Bjorgo (2005), *Root Causes of Terrorism*, London: Routledge, pp. 3-4.

20 Janet Smith, former MI5 officer and current history lecturer at Leicester University, interview conducted by email, 30 July 2010.

21 John S. Burnett (2002), *Dangerous Waters, Modern Piracy and Terror on the High Seas,* London: Penguin Books Ltd., abstract.

22 *Ibid.*

23 International Maritime Bureau International Chamber of Commerce, *2009 Worldwide piracy figures surpass 400, http://www.icc-ccs.org/index. php?option=com_content&view=article&id=385:2009-worldwide-piracy-figures-surpass-400&catid=60:news&Itemid=51 (last accessed 28 June 2010).*

24 *Ibid.*

25 *Ibid.*

26 *Associated Press*, 'Dutch court sentences 5 Somali pirates to 5 years,' 17 June 2010.

27 *Ibid.*

28 Tony Collings OBE, former Special Forces Officer in the British Army, currently managing director of ECA Ltd., detailed discussions regarding the subject title at the CT Expo at Olympia May 2010.

29 Sir David Veness, Former Under-Secretary General of the UN, direct quote taken from telephone interview conducted 9 June 2010.

30 Private discussions with former military commanders with recent CT responsibilities spoken with at the CT Expo at Olympia in May 2010, including a former SAS Colonel who would like to remain anonymous.

31 FBI, *A Brief History of the FBI,* http://www.fbi.gov/libref/historic/history/text.htm (last accessed 1 July 2010.

32 *Ibid.*

33 *Ibid.*

34 Peter Clarke, current non-executive director of SOCA, direct quote taken from interview conducted 21 June 2010.

35 Cabinet Office, *National Security Strategy of the UK:Update [June] 2009*, http://www.cabinetoffice.gov.uk/media/216734/nss2009v2.pdf (last accessed 19 January 2010).

36 *Ibid.*

37 UN Police, *Introductory remarks by Ban Ki Moon*, http://www.un.org/en/peacekeeping/sites/police/index.shtml (last accessed 5 July 2010).

38 UN Police, *What the UN Police Do*, http://www.un.org/en/peacekeeping/sites/police/policework.shtml (last accessed 5 July 2010).

39 UN Police, *Taking on Organised Crime, comment from Andrew Hughes, Commissioner and UN Police Advisor 2009*, http://www.un.org/en/peacekeeping/sites/police/crime.shtml (last accessed 5 July 2010).

40 Emanuel Marotta, Deputy Director of Europol, *Europol's Role in Anti-Terrorism Policing*, http://dx/doi/org/10.1080/09546559908427527 (last accessed 17 June 2010).

41 Alan Collins, *op cit*, p.362.

42 Peter Clarke, *op cit*.

43 House of Lords, *Select Committee on European Union, Twenty-Ninth Report*, http://www.publications.parliament.uk/pa/ld200708/ldselect/ldeucom/183/18306.htm (last accessed 6 July 2010).

44 Peter Clarke, *op cit*.

45 House of Lords, *op cit*.

46 Interpol, *Constitution and General Regulations*, http://www.interpol.int/Public/ICPO/LegalMaterials/constitution/constitutionGenReg/constitution.asp (last accessed 14 August 2010).

47 Interpol, *Mission Statement*, http://www.interpol.int/public/icpo/default.asp (last accessed 16 January 2010).

48 UN Police, *UN Police January 2010 magazine*, *op cit* (last accessed 5 July 2010), p. 4.

49 Peter Clarke, *op cit*.

50 Ian Brownlie (1995), *Basic Documents in International Law*, Oxford: Oxford UP, 1995), p. 15.

51 *Ibid*.

52 Ian Brownlie, *op cit,* p. 4.

53 Sir David Veness, Former Under-Secretary General for Safety and Security, Telephone interview conducted 9 June 2010.

54 Ian Brownlie, *op cit,* p. 4.

55 Steve Bradshaw, *When Good Men Do Nothing*, http://news.bbc.co.uk/1/hi/programmes/panorama/3577575.stm (last accessed 13 July 2010).

56 International Court of Justice, *Statute documents*, http://www.icj-cij.org/documents/index.php?p1=4&p2=2&p3=0#CHAPTER_II (last accessed 14 July 2010), article 38.

57 David Turns, International Law Barrister and Lecturer, Interview conducted 20 May 2010.

58 Paddy Ashdown (2008), *Swords and Ploughshares, Bringing Peace to the 21st Century*, London: Orion Books Ltd., pp. 152-153.

59 Rome Statute of the ICC 1998, http://untreaty.un.org/ilc/texts/instruments/english/conventions/7_4_1998.pdf (last accessed 15 July 2010).

60 *Associated Press*, 'Dutch court sentences 5 Somali pirates to 5 years,' 17 June 2010.

61 ICC, *Final Act of the Rome Statute transcript*, http://untreaty.un.org/cod/icc/statute/finalfra.htm (last accessed 15 July 2010).

62 Peter Clarke, current non-executive director of SOCA, opinion given in interview.

63 Cabinet Office, *National Security Strategy of the UK:Update [June] 2009*, http://www.cabinetoffice.gov.uk/media/216734/nss2009v2.pdf (last accessed 12 July 2010).

64 Bill Newton-Dunn, longest serving UK MEP in the European Parliament, interview conducted 2 July 2010.

65 Sir David Veness, Former Under-Secretary General of the UN, responsible for Safety and Security, telephone interview conducted 9 June 2010.

66 European Commission, European Arrest Warrant Replaces Extradition between Member States, http://ec.europa.eu/justice_home/fsj/criminal/extradition/fsj_criminal_extradition_en.htm (last accessed 20 July 2010).

67 *Ibid.*

68 Thom Cookes, Matt Brown and Sally Sara, *ABC News, Fewer than 100 Al Qaeda in Afghanistan: CIA chief*, http://www.abc.net.au/news/stories/2010/06/28/2938358.htm (last accessed 16 August 2010).

69 Patrick Sookhdeo (2007), *Global Jihad, The Future in the Face of Militant Islam,* McLean, V.A.: Isaac Publishing, p. 7.

70 Firstworldwar.com, *The Causes of World War One*, http://www.firstworldwar.com/origins/causes.htm (last accessed 10 August 2010).

71 David Turns, historical significance, in relation to World War One, of reluctance to share sovereignty over policing emphasised in interview conducted 9 August 2010.

72 Sir David Veness, Former Under-Secretary General of the UN, responsible for Safety and Security, telephone interview conducted 9 June 2010.

73 European Movement, *Create a European FBI?* http://www.cleg.org.uk/European%20FBI.pdf (last accessed 22 July 2010), p. 15.

74 Cabinet Office, *National Security Strategy of the UK:Update [June] 2009*, http://www.cabinetoffice.gov.uk/media/216734/nss2009v2.pdf (last accessed 12 July 2010).

75 *Ibid*.

76 Tony Collings OBE, Managing Director of private security firm and former British Army senior commander of UK special forces unit dealing with CT operations, interview conducted 14 April 2010 at CT Expo, Olympia.

77 Tom Maley, lecture on terrorist financing, as part of a post-graduate MSc module on terrorism, presented in March 2010 at Cranfield University.

78 Sir David Veness, Former Under-Secretary General for Safety and Security, Telephone interview conducted 9 June 2010.

79 Ian Brownlie, *op cit,* p. 4.

80 European Commission, European Arrest Warrant Replaces Extradition Between Member States, http://ec.europa.eu/justice_home/fsj/crimi-

nal/extradition/fsj_criminal_extradition_en.htm (last accessed 20 July 2010).

81 *Ibid.*
82 Patrick Sookhdeo (2007), p. 7.
83 Ian Brownlie (1995), pp. 15-16.

INFORMALITY REIGNS THE COUNTRY: THE CASE OF THE CZECH REPUBLIC[1]

Nicole Gallina

> *Criminal networks have infiltrated the Czech justice system.*
> Czech Security Information Services BIS, 2007

Abstract: *This work focuses on informal politics for the political elite level in the Czech Republic and proposes an actor-based view. It considers the relationship between formal and informal structures and the functions of informality. I analyse areas highly affected by informality: the justice system and anti-corruption agencies as well as state ministries and state monopolies distributing large amounts of money, and identify patterns of informality. Additionally, the work shows the effect of informality for the European level. The work concludes with a rather pessimistic view on the effects of informal politics in a democratic country.*

Keywords: Informality, Political Elite, Justice System, (anti-)Corruption, the Czech Republic

Introduction

At least 200 Czech state prosecutors sighed with relief at the end of October 2010: Finally, the general state prosecutor, Renata Vesecká had resigned from her office. This would finally put an end to the instrumentalisation of the state prosecution. The destructive informal networks that had developed between the state prosecution and politics had used the justice and political system for their personal gains, and impeded independent agencies from fulfilling their function as control institutions.

The Czech Republic has some democratic traditions; however it is still a country in transition. One important aspect is that the formalisation of politics and of the political system is outweighed in certain situations – for instance, should future possibilities arise to generate financial gain or power advantages. Here, the functioning

of the police and justice agencies as well as other independent organizations is prevented, or instrumentalised. The above case of the general prosecutor is simply the tip of the iceberg. In the Czech Republic, politicians have openly expressed distrust in the police and justice system, and neglected justice reform or actively hindered independent investigations. The use of the police as an instrument became publicly relevant from the mid-1990s onwards. The most notorious example of this behaviour was the case of the Berdych-gang who had infiltrated the police, leading to cooperation between inspectors and criminals for personal gain.[2] On a political level, suspects of political corruption were immune and official accusations were impossible. Until today, not a single person under investigation has been brought in front of a court, even if investigations have been possible. The case of Renata Vesecká has re-illustrated the problematic of close-knit, informal (and corrupted) justice-political elite networks.

Informality is not, *per se*, a vice. In traditional cultures most rules and institutions have been of informal character and a valued means to a structured society. In the Western world, it might seem that our whole lives are formalised. However, they are not. Often, formalisation is only a façade. This fact is particularly relevant for recently "formalised" countries. Much informalism is at work beyond formal rules and institutions. This paper holds that informality is rarely depictable in the form of institutions; for instance, the Czech Republic is a rather stable, formalised democracy which lacks informal institutions, but disposes of many informal practices. Thus, negative informal actions dominate over positive informal ones. This analysis has two purposes: first, to give a detailed overview of informal practices, namely political elite practices, and to generate insights that go beyond the discussion of informality-concepts. The second purpose is to identify patterns of informality in describing the relationship between formal institutions and informal politics in the Czech Republic. The paper starts with a theoretical discussion of the meaning of informality for Central/Eastern Europe and its various patterns. The empirical part identifies the relevant practices of informality in four crucial "informality areas" in the Czech Republic. Moreover, I list some consequences of informality for the international level as well. The paper concludes with insights on

the umbrella problem of corruption and the structural nature of informality.

The Meaning of Informality

Nicole Gallina

This paper holds that informality is a crucial power mechanism in Central/Eastern Europe, practiced by the vast majority of political elites – mostly, in a rather erratic way. Central/Eastern European political systems are not as institutionalised as those in the more established Western European democracies; they lack institutionalised informalism such as fixed power shares between parties. Overall, twenty years has not been enough time for the definite consolidation of formality and informality. Examples are the volatility of political parties and the instability of political party systems as well as political participation schemes. Informality is important at the level of political elites: informal instruments had been used to provide a certain scope of action during socialism, i.e. not to follow rules too strictly, rather to follow them formally, as the application of the five-year plans shows. Elites today have been determined to maintain informal practices that have been proven hard to control and support negative informal structures, such as corruption or clientelism. Informal instruments have been very important in the confrontation of formal structures after 1989 as they provide more flexibility than formal ones. The use of informality allows political elites to change and adapt more rapidly to political needs; and also to outweigh formal democratic instruments.

Some authors who examine informal structures emphasise informal institutions, such as corruption and clientelism.[3] Beyond the structural problematic of corruption and clientelism, this paper holds that informal institutions only emerge after a certain time. They emerge after both formal and informal institutionalisation processes have taken place. Therefore, the purpose of this paper is to look beyond informal institutions that are based on unwritten rules; rather, to focus on informal politics which are mostly chaotic and determined by their respective situation. A preliminary analysis of Czech politics and institutions is more aligned with the "chaotic scenario." Besides, drawing on findings from general political psychology, it is also problematic to assume that unwritten rules will be followed systematically by political elites. The ad-hoc nature of

informality has been neglected, maybe because authors on the topic largely ignore the behavioural aspect of the topic. They part from the "system" and a top-down view. This paper holds that it is of more use to part from the actors and their influence on the system. It applies an informality-concept for Central/Eastern Europe that understands informality as the use of informal practices. It claims two approaches toward informality: first, institutions are shaped and controlled by political elites, even those which are independent. Such institutions are "subversive" as they are instrumentalised by elites for their personal or political power purposes. Second (or in parallel), elites have an unsystematic and ad-hoc approach in which they apply informal instruments – mainly corruption. The case study of the Czech Republic has been undertaken examining whether it is possible to identify a "subversive institution" and an "informal practice" pattern of informality.

Another question to be addressed is whether corruption has been relevant in all informality patterns. On a theoretical level, Lauth holds that corruption is an informal institution; research in this tradition has treated corruption as an institutionalised umbrella-phenomenon. However, corruption is a diverse and volatile phenomenon, and corruptive practices depend both on the institutional framework as well as actor-based caprices.[4] When establishing the connection of informality to political corruption, Central/Eastern European countries are confronted with what Carothers called the syndrome of feckless pluralism.[5] In those countries 'political elites from all the major parties or groupings are widely perceived as corrupt, self-interested, and ineffective.' Feckless pluralism goes together with the absence of responsiveness and accountability on the part of political decision–makers. Such observations are consistent with studies of the gap between the informal values that guide political elites and the principles that guide formal democratic institutions.[6] This underlines the importance of an actor-based view of informality to detect patterns of informality.

Patterns of Informality

In any modern polity, informal political practices, or even institutions, continually "come up" against formal rules. Informality affects formal institutions through four mechanisms: replacement,

undermining, support, and the secondary effects of competition.[7] Helmke (et al.) presented a typology of informal institutions; the first two options represent that informal institutions co-exist with formal institutions, as well as that informal rules modify the effects of formal rules – those are common cases in functioning democracies.[8] For the purpose of this analysis, the other two options proposed by Helmke (et al.) are of more relevance: these are informal practices that compete with, or substitute, formal institutions. Substitutive informal institutions are employed where actors seek outcomes compatible with formal rules and procedures. Like competing institutions they exist in weak states where formal rules are not routinely enforced (this might be gentleman's agreements after elections or self-defense patrols). Informal rules are created because formal rules are incomplete. Corruption however goes further; it is informality that undermines and replaces formal institutions.[9]

Analysing informality empirically, this paper finds that those approaches have two weaknesses: the first is that the in-between zone is not included, i.e. political elites who create formal rules/institutions that outweigh independent institutions as well as political elites who create subversive formal institutions on purpose.[10] The second problem is the danger of the reduction of informality in institutions, and the exclusion of the ad-hoc nature (see above). Therefore, research has to look beyond informal institutions and seek to de-institutionalise informality for Central/Eastern Europe. Informality is operationalised as an informal, mostly corrupt, practice used to fulfil power-related goals or certain business and/or personal interests.

What are the patterns of informal practices? Meyer (et al.) discuss how informal practices influence political power in Central/Eastern Europe. They focus on the description of informal and formal patterns and argue that most studies on Central/Eastern Europe do not pay attention to the informal mechanism of rule, or only take a look at single aspects of informal politics (corruption, clientelism etc.). On a case study basis, Meyer (et al.) highlighted informal politics, but have not systematised informal instruments.[11] Additionally, existing accounts do not tell us which areas of a given state are most affected by informality. In sum, existing concepts differentiate informality, but they are reluctant to identify patterns and to qualify the importance of informal structures (e.g. high,

middle, low). Here, a research gap has to be filled when proposing empirical studies on informality patterns.

For Central/Eastern Europe, it can generally be said that the formal institutional change after 1989/1991 provoked a situation in which formal rules have not achieved the strength to control rising informality. Formal structures are confronted by informal practices, but where and how are they important? The first hypothesis is that informal structures are important, however controlled to a large extent by democratic state structures. In certain areas, strong informal actors challenge formal institutions, yet informality does not determine the relationship between political institutions and actors i.e. informality is formalised. The second hypothesis is that informal structures are important and successfully challenge formal institutions. Such a situation could be described by the "informalization of formality." The informalisation of formality would lead to a situation in which the elite only faces little control from formal institutions, hence giving political actors the power to generate their desired gains through corruption and/or violence. Areas most probably relevant for both hypotheses would be ones that (1) generate economic or power gains and (2) concern institutions/ agency control over elite behaviour – this means media, courts etc.

Patterns of Informality: A Case Study of the Czech Republic

This preliminary case study on informality in the Czech Republic concentrates on (1) areas that dispose of large financial resources and (2) control of institutions to identify patterns of informality. For the Czech Republic, (1) this includes areas with monopolies as monolithic structures which can be better controlled (and corrupted) than pluralistic ones. This concerns both economic and political monopolies.[12] In the Czech Republic, examples are the energy monopolist ČEZ and the monolithic political rule, e.g. twenty year rule of the ODS party in Prague. Additionally, we have to consider agencies administrating or distributing large amounts of money: consolidation agencies,[13] privatisation schemes, EU or national tenders for infrastructure projects, regional development etc.[14] The case study of point one thereby concentrates on the examples of the energy monopolist ČEZ and the defense ministry. Point (2) concerns the infiltration or intrumentalisation of

independent institutions, such as the justice system, anti-corruption-agencies, media, parliament etc. The case study of point two thereby focuses on the examples of the justice system and the office investigating organised crime. The examples have been selected on the basis of a media-analysis. The advantage of the Czech Republic is the existence of a full-scale developed investigative journalism. Journalists mostly publish in the weekly *Respekt*, but also in daily papers, blogs etc. This allows for an assessment and selection of relevant topics in the realm of informal politics. Informality has been operationalised as informal practices are used to fulfil power-related goals or certain business and/or personal interests. Those four topics presented are those that have had the highest relevance in terms of corrupt practices (and media publications) in the last five years.[15]

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Example 1: The Case of the ÚOOZ

Background: Formal independent police units for the battle against corruption were established in the mid-1990s: the Anticorruption Service SPOK, and the Office for the Detection of Organised Crime ÚOOZ.[16] Different political power networks, notably from the Czech Social-Democratic Party ČSSD, as well as from the Civic Democratic Party ODS, attempted to influence the ÚOOZ for their own political purposes or even to shut it down. In the summer of 2000, the only successful head of the Anticorruption Service, Evžen Šírek, was forced to leave office.[17]

 Patterns of Informality: The more recent (and perhaps also more important) case of Jan Kubice occurred in the mid-2000s and has had implications until today.[18] In May, 2006 he presented a report in his function as the head of the ÚOOZ that showed the deep involvement of Social-Democratic political elites with criminal structures – for example the case of a huge biological fuel licences tender. It stated that mafia structures have infiltrated the state administration and the ČSSD government led by Prime Minister Jiří Paroubek (2005–2006). Additionally, high level Social-Democratic politicians were accused of impeding the investigation of the murder of the controversial businessman František Mrázek, as they had been linked to his businesses.[19] In this case, a wire-tap was used to aid the investigation: on the tape, a policeman informs the trustee (Pavel Přibyl) of Prime Minister Stanislav Gross that the police

files have been cleared of all incriminatory material. Přibyl was then suspected of blocking the investigation, along with the police president who intervened in order to close the case. The state prosecutor finally terminated investigations of the matter in summer 2007. Jan Kubice, the main investigator, received threats to his life and faced sixteen criminal charges which culminated in a special investigation into whether his report signified a criminal act. He resigned in December 2007, along with many other key functionaries, mainly blaming the ODS Interior Minister Ivan Langer for the professional liquidation of the service.[20]

In August 2010, the daily *Mladá Fronta* reminded that administrative measures are used to prevent investigations in general, e.g. the sub-officials have to report on every planned meeting to their superiors. According to a regulation from 2007, individual investigators have to inform their superiors of the opening of a new criminal case. The police presidium or the head of the respective service are obliged to give a formal order to start a prosecution.[21] An informal rule here is that those superiors inform the head of the service, and the heads of service inform the president of the Czech police. The police president himself then regularly briefs the minister of the interior on pending investigations. On the formal side, a regulation was issued in 2002 (by former Prime Minister Gross) that the service is to investigate organised crime, but not in connection with corruption and the national economy. This complicates investigations as organised crime is often tied to political corruption.[22] The rapid change of the service's seven directors in the last ten years, and the different administrative and investigative proceedings they brought with them, has also had a negative impact. Another example of an administrative measure, for instance, has been the decision not to pay investigators overtime, knowing that the most important informants do not meet during office hours.

The case of Jan Kubice underlined the unwillingness of Czech political elites to tolerate an independent investigator as the head of the service. In particular, prime ministers and interior ministers have no interest in independent police work, as their interventions showed; ordering office searches, clearing of files, and making public accusations. Later, independent media proved that the accusations against Jan Kubice were constructed and illegal, though nobody had to face the consequences.[23] His successors

have not succeeded in stopping politically-motivated influence of investigations or the repression of inconvenient investigators. Until winter 2010, the Czech police had not closed a single of the big post-communist corruption scandals. In this case, the two main patterns of informality were to use administrative ressources in order to prevent serious investigation – i.e. to prevent wire-taping, to clear files, to report to the superior who is dependent on certain politicians to remain in office – and to create informal rules – obligations to report to the police president who has been influenced by political elites.

Example 2: The Justice Mafia

Background: The existence of a "justice-mafia" in the Czech Republic was unmasked with the case of Jiří Čunek.[24] The police initiated an investigation as this politician was suspected of corruption,[25] though the state prosecution publicly expressed doubts about the credibility of the principal witness and accused investigators of having manipulated relevant information (i.e. exchanging e-mails with the principal witness). The goal was to keep Jiří Čunek in office as vice-prime minister in a highly instable government.

   Patterns of Informality: The case gained relevance for informal power mechanisms, when the General Prosecuter Renata Vesecká consigned it to another prosecutor, because the prosecutor in charge had shown no readiness to close the case.[26] The new prosecutor stopped the investigation on account of procedural errors.[27] This decision led to a government crisis. The accused, Jiří Čunek, refused to step down and instead, he demanded the "cleansing" of the prosecution and the police. However, his power connections were not stronger than the connections of his adversaries. The police were allowed to re-open the bribery case, and the accused stepped down from the posts of regional development minister and deputy-prime minister. However, he insisted on remaining senator and chairman of the KDU-ČSL party. The General Prosecutor Renata Vesecká ordered detailed investigations (to maintain the façade), but the responsible prosecutor decided to close the corruption proceedings again in November 2007. The general prosecutor was suspected of having moved the corruption investigation from

one prosecutor to another to delay proceedings. Čunek returned to the government in April 2008.[28]

Another interesting fact in this case was that the general prosecutor had been appointed by the justice minister, a fact that could influence judicial investigations in "political cases" as a "willing" prosecutor could block the investigation of these so-called "political cases." The above case gained momentum in May 2008, when the displaced first prosecutor, Zlatuše Andělová, said in a court hearing that the Vice-President of the Supreme Court, Pavel Kučera, and the General Prosecuter, Renata Vesecká, had pressured her to stop the investigation during personal meetings. She used the term "justice-mafia" and accused the general prosecutor and members of the Supreme Court of control over the judiciary for the benefit of corrupt politicians. In this context, the Vice-President of the Supreme Court, Pavel Kučera allegedly stated that 'the stability of the government is more important than judicial independence.'[29] Justice Minister Jiří Pospíšil refused to dismiss the general prosecuter.

The police and judicial apparatus had to bear the consequences for political elite conduct and a politicised state prosecution. On the one hand, the state prosecution discredited itself in not suing corrupted politicians and proved its dependence on the political power structures. On the other hand, judicial staff members who were willing to enforce the rule of law were ousted by their own colleagues. The consequence of this behaviour has been a total loss of public trust in the office of the public prosecutor. Yet, in this case, new government constellations brought a solution with two new governing parties which placed ODS under heavy pressure. This new situation generated a new dynamic in the politically dependent justice sphere: in October 2010, more than 200 prosecutors (out of 1.200) signed a petition in which they urged a demission of Vesecká and the definite departure from public office. Public and official dissatisfaction accelerated the dynamic, and the two most prominently involved persons, Pavel Kučera and Renata Vesecká, had to leave their offices in September and October 2010, respectively.[30] Here, the main pattern of informality had been a personal network between state prosecutors and government politicans. When the involved politicians lost their powerful offices the network came under pressure.

Example 3 – The Defense Ministry

Background: The Czech Defense Ministry has been notoriously known for its corrupted directors and officials. An example of this was the former Deputy Defense Minister Martin Barták (a minister in the Fischer government). The reasons behind this are manyfold. One factor is the disproportionally high funds that were made available for the purchase of Western army equipment – e.g. the cases of the Gripen fighters, or the Pandur transport vehicles. The ministry has been notorious for its connections with providers of material and (re)construction enterprises where former ministry staff had worked.

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    Patterns of Informality: In this case, informality structures have been tied to monetary incentives. The employees of the ministry showed more loyalty to the providers of military equipment than to their employer, the state. Always the same firms benefited from the mandates and long-term contracts (and long–term relations with staff in the ministry), in particular the Czech firms Omnipol and Zenit. For example, in 2000, the former minister Jaroslav Tvrdík tried to cancel a contract with Omnipol after the firm had sold useless rockets to the Czech army for 80 million crowns; however, this was not possible due to the conditions established in the long term contracts. Besides, the anti-corruption efforts did not last long.[31]

    In fact, corruption in the ministry has been an issue since the 1990s.[32] The obligation of the ministry to purchase equipment through domestic agents since 1994 has fostered this development. Thus, Omnipol provided most of the flight-equipment, whereas ground-equipment was secured by the MPI Group and Praga-Export. Until the police were able to wire-tap the ministry in 2010, there was not enough evidence for the wide-scale corruptive practices (on one of these tapes, a long-serving director of the ministry outlines an absolutely useless purchase of mortars in order to milk the budget). Additionally, the former US ambassador William J. Cabaniss stated in the daily *Mladá Fronta Dnes* that then Deputy Defense Minister Barták offered a solution to lease the supply of Tatra vehicles at a meeting in the US. These accusations caused a series of follow-up accusations and statements from the involved parties.[33]

    Mostly, funds have been used beyond the regular military strategy: a show-case has been the Gripen scandal. In 2002, the

government decided to replace the old fighter jet fleet with British-Swedish Gripen fighters. Here, large amounts of money were spent to ensure government approval of the project and ODS politicians reported that they were offered bribes. In 2004, 14 jets were leased, presumably under corrupt conditions. Anti-corruption policemen faced huge pressure from their superiors who prevented the investigation of politicians, and an information embargo was issued by the state prosecution.[34] A similar scenario is observable with the case of the Pandur transport vehicles – first 400 of those vehicles were to be purchased, in the end it was merely 100 (a number still far too high for the Czech army). The government of Stanislav Gross approved the contract in 2005, and it remained a topic for the subsequent government. Czech politicians of all major parties were accused of having taken bribes to ease the 14 billion crown purchase, as well as officials in the ministry. In the case of the transport vehicles the Czech police first received valuable material from the Austrian authorities, but additional material was blocked, and investigations in the Czech Republic were hindered by the state prosecution.[35] Here, corruptive practices during contracting were eased by the respective suppliers both in the ministry and the parliament, supposedly also in the government, and ignored by the judicial authorities.

Example 4: ČEZ

Background: The Czech Republic has maintained some monopolies since the democratisation of the country, one example being the energy branch. The ČEZ company is a state monopoly, and the National Property Fund holds a strong share majority. In recent years, it has led an aggressive international and domestic expansion strategy concerning electricity and heating. This strategy had been supported by increasing energy prices and strategic investments.[36]

Patterns of Informality: ČEZ is a monopoly that has used its position economically (high domestic energy prices)[37] as well as politically (to realise its energy investments). Opposition politicians and the Head of the Constitutional Court openly discussed the fact that the company was taking important decisions that are not in line with environmental laws – in particular the semi-legal erection of coal-fired plants – nor EU competition politics (antitrust activities)[38] nor international agreements (CO_2 reduction promises). Recently,

Karel Schwarzenberg, the foreign minister of the Czech Republic, stated that the country is the property of ČEZ. Schwarzenberg had in mind that the former Environment Minister of the Fischer-government Rut Bízková is a former employee of the power company and she has been suspected of being a key player behind the politically approved expansion of the ČEZ-owned Prunéřov coal-fired power plant.[39] With the new government appointed in July 2010, she switched to the deputy post, and Pavel Drobil, another person suspected of being influenced by the energy giant became minister. Here, the company went beyond indirect political influence in installing "their" people in important political positions. Additionally, it scandalised provider-costumer relations: the ČEZ-security firm openly broke laws and used violence against citizens that did not pay their energy bills. However, the state prosecution closed the trial against 13 members of the energy squad in 2010 without issuing any sentences (this decision stood in contrast to the findings of the anti-corruption police).[40]

In sum, the energy sector as well as adjacent political offices have been characterised by high informality including political clientelism and corruptive practices, all with strong support from political personalities since the late 1990s.[41] In contrast to the defense ministry example, evidence shows that the company was actively building an energy-power complex with the goal to control energy-business relevant politics. The example of the Czech Republic shows how a state monopoly can develop sufficient political power using informal instruments and subversive institutions.

The presented corruption cases in the Czech Republic reveal the following patterns:

Informality	ÚOOZ	Justice-Mafia	Defense Ministry	ČEZ
Personal Networks	Yes	Yes	Yes*	Yes
Administrative Measures	Yes	No	No	No
Subversive Institutions	Yes	Yes*	No	Yes
Corruptive Practices	Yes	Yes	Yes	Yes

* Allegedly, they exist but they have not been described in depth, yet.

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In the case of the anti-corruption service, all relevant informal power methods have been used as this presumably independent institution posed the biggest threat to informal political elite power. Where public control has not been strong, corruptive practices and political networks have been sufficient to secure elite interests. Interestingly, subversive institutions have been created more often than previously assumed.

Corruption: The Umbrella Problem

The above case studies all have a connection to corruption or to corruptive practices which are often tied to personal networks. In the first example, non-corrupted heads of the anti-corruption service had to be stopped by a combination of law and illegal means (deleting evidence on their computers, charging them with crimes when following suspects, etc.). In the second example, a willing general prosecutor was not only generated by the fact that s/he is appointed by the minister, but most presumably also by a sufficient amount of money. The defense ministry has used high-value biddings to generate personal wealth. The state monopoly ČEZ corrupts political elites by influential posts in the company and utilises similar means to evade established environmental or financial regulation. According to Jordan, there are three potential explanations for political (and economic) elite corruption in the Czech Republic.[42] First, old structures enable corrupt behavior in the Czech Republic, such as the highly politicised state administration due to the civil service law in force. Second, high-level political corruption is based on corrupt networks which remain strongly embedded in the Czech government. Third, external corrupt networks, notably the Russian mafia and intelligence services, exploited the favourable conditions for corruption on all levels. This is seen in the above table: corruptive practices go hand in hand with old structures/relationships and personal networks. To weaken corruptive practices, a dynamic and open environment has to be created to discourage long-term political (economic, etc.) networks.[43]

Examples from the governing periods underline the assumption that corruption-climaxes were reached during long-term governments of one party, and the co-ruling of the largest parties:

the ČSSD government of Miloš Zeman from 1998–2002 (tolerated by the conservative party ODS) is supposed to have been one of the most corrupt, laying the basis for the above discussed cases. Later on, governments had less obstacles to build up corruptive networks: former Prime Minister Stanislav Gross (2004–2005) was suspected of having connections to the Czech underground. During the second Topolánek government, and beyond, another climax was reached in instrumentalising the state prosecution to conceal political corruption, and hindering the police to bring investigation results before the courts.[44] In the political realm, the Czech political scientist Bohumil Doležal argued that a culture of corruption has been established in politics, penetrating all political parties and a lot of the ministries.[45] Political elites were in a position that enabled them to exert political influence and to maintain powerful personal networks that reached into independent and control institutions (such as in the case of the "justice mafia."[46]

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An investigation against accused politicians could not be opened without proving the act of the physical handing over of the money, in accordance with the 1961 criminal code (exemplarily shown by the cases of Stanislav Gross or Jiří Čunek). A new criminal code was passed in the late 2000s but so far public pressure has not been strong enough, nor political interest existent in a sufficient amount, to establish effective instruments.[47] Every single government promised to combat corruption, but deeds did not follow words. The current example was the "anti-corruption strategy" of Interior Minister Radek John. Transparency International ceased cooperation with him in the late summer of 2010 when he presented his "anti-corruption strategy" on the grounds of not being professional and serious enough; he 'contained too many repressive measures and too few preventive ones.'[48] Until now, there have been no convincing steps, and anti-corruption politics is alibi-politics, proclaiming the great importance of anti-corruption measures verbally, however never enforcing effective instruments. Former ÚOOZ head Jan Kubice stated that the research and information collected had been useless as politicians circumvented prosecutions and gave the suspected activities certain legitimacy with their non-intervention.[49]

Implications for the International Level

One might assume that those informality patterns only have consequences for domestic politics. The first two examples have considered the connection between political elites and justice and criminal investigation. Those informality-levels thereby have more implications for the domestic level as they are tied to "political" informality and political corruption. Informality is more relevant for the international (or EU) levels in the third and fourth examples. High amount of public tenders for state ministries and monopolies generate countless incentives for informal bargaining and corruption. In accordance with the above patterns of informality, we can say that informality with "international" implication concentrates on large financial resources made available through high amount EU or public tenders, and on the level of control institutions – for instance, the audit/control agencies that ensure the application of EU regulation. Here, informality can have serious consequences for public health, for example if public agencies do not adhere to sanitation or food safety norms (EU norms).

The fact that political elites shape institutions and turn them into subversive ones, e.g. ministries administrating big public tenders, has implications for the EU level only as long as international funds are involved. In this sense, the European Commission has frequently criticised public tenders in the Czech Republic; corrupted tenders within the Ministry of Defense have been a show case.[50] Another problem are the monopolies which ignore domestic regulation, once again most of which is based on EU regulation. For example, the afore mentioned ČEZ has made dubious decisions in the field of energy policy. Additionally, domestic tenders have not been public, and it has not been clear on which grounds the respective enterprises were selected.[51]

EU funds have been corrupted, especially and systematically, in motorway construction where preference is almost always given to thehighest, though not necessarily the best, bid which has pushed the price to over 500 million Czech crowns per kilometer.[52] In some communities, for example in Southern and Northern Bohemia, EU funds have been systematically corrupted as well.[53] Such cases are proof that informality in the form of subversive, corrupt institutions can have both serious negative effects for domestic development as

well as international reputations. Here, personal networks and corruptive practices absorb capital that would otherwise be invested into the development of a public (or security) infrastructure.[54]

In sum, patterns of informality have concerned public tenders of all sorts, and the larger cases also have international implications, as they often violated EU regulations or prefer corrupted bidders. In this sense, informality can also have a serious impact on security, namely if strategic enterprises in the field of energy or transport can be bought through informal means or corruption.

Conclusion: The Structural Nature of Informality

Informality depends on institutional efficiency and the kind of institutions involved. If independent formal institutions are efficient, then informal instruments are used to prevent them from being efficient. This is the case with special anti-corruption and crime units: They are able to present results – however, informal power is used to stop investigations or to disallow evidence from reaching a court. This is especially elevated as the prime minister might call the interior minister or the police president to stop investigations, to dissolve the investigating unit etc. Also, the state prosecution can be instrumentalised to halt investigations, to delay procedures or to dismiss officers. In those cases, formal regulation is often misused. It can be said that regulations have been designed to serve a purpose, for instance, by the police president having to report to the minister, or the general prosecutor being dependent on the justice minister. Additionally, administrative measures are used: reports that have to be written many times, decisions made not to pay overtime, salaries held low etc. Here, the emergence of "negative" formal rules has been tied to the implications they provoke, rather than vice-versa. If independent agencies are perceived as a long-term threat then formal measures are applied.[55] In the Czech Republic, informal rules have rarely affected the emergence of formal rules. The actors have no interest in their informal codes becoming formalised. Furthermore, actors mostly do not have an interest in replacing formal rules with informal ones. They need the official framework to function and to structure their actions as few informal institutions exist.

Formal state structures are officially placed above the existing power networks. Generally, power networks adhere to the picture of a functioning democracy and stick to formal provisions; however, in a considerable amount of cases those networks try to outweigh formal institutions – for example, the application of lustration laws, anti-corruption measures, public tenders, privatisation etc. Thus, the function of formality is to maintain a certain façade and to structure politics. Informality, however, is "real life." Power relations are personalised and attached to emotions. The analysis suggests that informality can help to form institutions, though not to form actors.

Informality is highly structural, i.e. where formal institutions are weak, informality is strong. This means that informal networks are turned into institutions where desirable (media, justice) and become highly destabilising for the democratic political structures. From a democratic theoretical perspective this setting is negative as it undermines the democracy in place. From an institutional perspective the situation is ambivalent, but informality is mainly destructive in weakly institutionalised formal systems. From an elite theoretical perspective, informality prevents the establishment of democratic elite and supports vertical power structures, and a top-down approach to policy-making.

Informal networks subvert established institutions and outweigh formality everywhere, as they begin to work for their own egoistic goals and co-opt formal institutions. In the context of Central/Eastern European politics, informality is not an instrument that backs democratic structures, as informal structures are not controlled by strong democratic institutions (including supportive informal institutions). On the contrary, informality is negative and so are the informal codes which dominate political relations and stand diametrically to (democratic) institutions. Hence, an informalisation of formality has taken place. The personal needs of single members of political power networks have manipulated the state and its institutions to their favour. They are used as political instruments that drive the respective political actors further away from becoming democratic actors.

↻ Nicole Gallina is affiliated to the Interfaculty Institute for East and Central Europe, University of Fribourg, Switzerland. She may be reached at: nicole.gallina@unifr.ch.

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1   This paper was presented at the conference 'Informal Power and Practices,' Fribourg, 18 November 2010. The country has been selected as a test case for a research project on the patterns of informality in different Central/Eastern European countries.

2   Rob Cameron, 'Mafia Boss Berdych and Gang Appear in Court,' *Radio Prague*, 16 January 2007. <http://www.radio.cz/en/article/75412> (accessed 20 October 2010).

3   Joachim Lauth (2004), 'Formal and Informal Institutions: On Structuring Their Mutual Co-Existence,' *Romanian Journal of Political Science*, 4 (1), pp. 66–88.

4   For empirical overviews on different natures of corruption see the Transparency International Reports on corruption, <www.transparency.org>.

5   Thomas Carothers (2002), 'The End of the Transition Paradigm,' *Journal of Democracy*, (13)1, pp. 5–21.

6   Nicole Gallina (2008), *Political Elites in East Central Europe: Paving the Way for Negative Europanisation?* Leverkusen: Budrich UniPress.

7   Anna Grzymala-Busse (2010), 'The Best Laid Plans: The Impact of Informal Rules on Formal Institutions in Transitional Regimes,' *Studies in Comparative Intitutional Development*, (45), p. 313.

8   Gretchen Helmke and Steven Levitsky (2004), 'Informal Institutions and Comparative Politics: A Research Agenda.' *Perspectives on Politics*, 2 (4), pp. 725–740. Gretchen Helmke and Steven Levitsky (2006), *Informal Institutions and Democracy,* Baltimore: John Hopkins UP.

9   Joachim Lauth presents clientelism and corruption as informal institutions (see above; 2004, p. 73). However, Lauth fails to present cases or the detailed functioning of informal institutions.

10 Subversive Institutions in Russia are discussed by Vladimir Gel'man (2010), 'Subversive Institutions and Informal Governance in Contemporary Russia,' in Thomas Christiansen and Christine Neuhold (eds), *The International Handbook on Informal Governance,* Cheltenham: Edward Elgar.

11 Gerd Meyer (ed.) (2008), *Formal Institutions and Informal Politics in Central and Eastern Europe: Hungary, Poland, Russia and Ukraine*, Opladen & Farmington Hills: Barbara Budrich Publishers.

12 S. Kotkin and A. Sajos: *Political Corruption. A Sceptics Handbook*. Budapest: CEU Press.

13 For example, the Czech Consolidation Agency ČKA See Jaroslav Spurný, 'Ticho v České korupční,' *Respekt*, 18 September 2007.

14 Czech motorways are a third more expensive than similar ones in Germany, *Respekt* 26 July 2010.

15 Of course, this leaves out informality practices not covered by the media.

16 The ÚOOZ would investigate ordinary crime and not inspect political corruption, which should be subject to the Anticorruption Service SPOK. However, ordinary crime has reached deeply into politics since 1989 and has therefore also been a focus of the ÚOOZ.

17 Based on a claim that he had accessed delicate information from his private computer. In late 2007, the Czech daily *Mladá Fronta Dnes* quoted an official from the police presidium, who said that Evžen Šírek had been on the verge of uncovering serious fraud in the Czech Savings Bank. Investigative journalists claimed that the order came from the former Prime Minister Stanislav Gross. Jaroslav Spurný, Ondřej Kundra, 'Dědictví mafiáná Mrázka,' *Respekt*, 2 June 2008.

18 The described period included four prime ministers of different political parties.

19 He was negotiating the privatisation of state enterprises, e.g. the petrochemical giant Unipetrol to the Polish PKN Orlen on behalf and in favour of high ČSSD politicians during the 2000s. See Jaroslav Spurný 'ČSSD a organizovaný zločin,' *Respekt*, 26 May 2006. On the doubtful connections between politicians and Mrázek see Jaroslav Spurný '30 vražd kolem Mrázka,' *Respekt*, 12 February 2007.

20 Former Interior Minister Ivan Langer (and ODS-member of the "first" hour) is still highly suspected of being involved in the issue, such as the high-ranking politician Vlastimil Tlustý. See <http://www.radio.cz/en/ section/ news/news-2008-09-20> (accessed 20 October 2010).

21 The investigative journalist Jaroslav Spurný has counted the cases that the anti-corruption police brought to the procurator (180 for 400 employees). In Germany the figures are four times higher, in Austria three times, and Slovakia has shown similar figures as Austria since the governing of Robert Fico. The current police president Oldřich Martinů has allegedly informed the minister of the interior on each "hot" case. Jaroslav Spurný, 'Strážci korupce,' *Respekt*, 28 June 2010.

22 Jan Kubice in an interview with Ondřej Kundra 'Nový život lovce mafianů,' *Respekt* 19 July 2010.

23 On the Kubice case, www.kubice.estranky.cz/clanky/kauza-kubice---tisk/30_5_2006 (accessed 10 October 2010). The new superiors of the

elite police unit appointed had made their careers during communism. Jaroslav Spurný 'Policie odkrývá své práskače,' *Respekt*, 14 January 2008.

24 Mayor of a Moravian town and KDU-ČSL politician, vice-prime minister in the ODS/ KDU-ČSL/Green Party government of 2007–2009.

25 During his time in office, he allegedly obtained half a million crowns (18,000 Euro) from a real estate agency. Furthermore, Czech Television reported that he had accumulated three and a half million crowns in his bank account in the mid-1990s, at the same time receiving social benefits.

26 Jaroslav Spurný, 'Žalobkyně končí,' *Respekt*, 21 January 2008. In the Czech Republic, the justice minister still appoints the general prosecutor; a practice not tolerated in the rest of the EU countries.

27 Jaroslav Spurný, 'Detektiv Šošovička jednal fér,' *Respekt*, 1 October 2007, and Erik Tabery, 'Čunek drtí politickou scénu,' *Respekt*, 9 June 2007.

28 Ulrich Schmid, 'Rückkehr Cuneks in Tschechiens Regierung,' *Neue Züricher Zeitung*, 3 April 2008.

29 Jaroslav Spurný, Tomáš Sachr, Ondřej Kundra, 'Vláda v pasti justiční mafie,' *Respekt*, 17 May 2008.

30 Cat Contiguglia, 'Member of Judiciary Mafia Falls,' *Prague Post*, 15 September 2010. Her successor was Pavel Zeman.

31 Jaroslav Spurný, 'Vondra s matkou úplatků,' *Respekt*, 8 November 2010.

32 Till Janzer, 'Korruption im Verteidigungsressort,' *Radio Prag*, 2 September 2010.

33 Gabriella Hold, 'Gripen Inquiry Ordered Reopened,' *Prague Post*, 5 May 2010.

34 Jaroslav Spurný, 'Gripeny opět u ledu,' *Respekt*, 7 December 2009.

35 Sabina Slonková, 'Byl nákup Pandurů korupcí?,' *Aktualne,* 20 June 2010 <http://aktualne.centrum.cz/domaci/ kauzy/clanek.phtml?id=671827> (accessed 15 November 2010).

36 Stephan Delbes, 'CEZ is World's Most Profitable Energy Company,' *The Prague Post*, 4 November 2009.

37 Polish electricity prices have been 15 percent or 20 percent lower than in the Czech Republic, see above.

38 Global Competition Review: <http://www.globalcompetitonreview.com/review/20/sections/99/chapters/1094/ energy> (accessed 15 November 2010).

39 Gabriella Hold, 'Schwarzenberg Attacks CEZ,' *Prague Post*, 20 July 2010.

40 Those practices were revealed in 2008, see <http://www.dw-world.de/dw/article/0,,5232756,00.html> (accessed 20 October 2010).

41 Marek Švehla, 'Misto na slunci,'15 February 2010.

42 Jeffrey Jordan (2002), 'Patronage and Corruption in the Czech Republic,' *SAIS Review*, 22 (2), pp. 19–52.

43 Zpráva o boji proti korupci v ČR, 9 December 2010 <http://www.bez-korupce.cz/2010/12/zprava-boj-proti-korupci-cr2010/ > (accessed 12 December 2010).

44 Gallina, *Political Elites.*

45 One of the most notorious examples has been the defense ministry.

46 Jaroslav Spurný, 'Recepty proti korupci,' *Respekt*, 18 December 2007.

47 Among them are: the institution of a principal witness, pre-emptive law, the establishment of special courts with attached investigators and prosecutors; or the interdiction of anonymous shares in the economic sphere (a scheme that has been widely misused in the Czech Republic).

48 Klára Jířičná, 'John under Investigation for Corruption,' *The Prague Post*, 28 July 2010. Bill Lehane, 'Ministry Defends Anti-Corruption Plan,' *The Prague Post*, 22 September 2010.

49 Jaroslav Spurný and Ondřej Kundra, "Konec lovce zločinu," *Respekt*, 5 November 2007.

50 In March 2011, 52 persons have been accused of having participated in the corrupted network. In 2010, the Agency for anti-corruption and finance criminality accussed 37 persons for the whole year <http://www.nekorupci.cz/> (accessed 20 March 2011).

51 See <http://www.nekorupci.cz/> for suspicious ČEZ tenders. The last case was in December 2010, when AZ Elektrostav gained a seven million contract being the only bidder.

52 On roadprice corruption see 'Staví dálnice za miliardy, ale s korupcí se prý nikdy nesetkal,' *Hospodářské Noviny*, 1 September 2010.

53 'Korupce v Ústí,' *Aktualne.cz*, 25 March 2011, <http://aktualne.centrum.cz/domaci/kauzy/clanek.phtml?id=695214> (accessed 26 March 2011).

54 A highly debated issue has been the fact that the most important Czech hospital, Motol, mobilised one billion Czech crowns in the period 2000–2010, in contrast to other hospitals in the capital which got (approx.) five millions; see <http://www.nekorupci.cz/>.

55 For Eastern Europe, media legislation has been an example.

IL BUONO, IL BRUTTO, IL CATTIVO? ASSESSING THE IMPERIALIST ASPIRATIONS OF THE EU, RUSSIA & THE US

Nelli Babayan and Stefano Braghiroli

Abstract: *After the Cold War, three substantially different powers have emerged in international politics. While the United States has already established itself as a key international leader, though is attempting to limit an imperialist label, the EU and Russia struggled throughout the 1990s over their somewhat fuzzy and multiple identities. However, around 2000 the latter two began to have more distinct international images. While Putin made a concerted effort to reacquire Russian influence, EU Commission president Barroso compared the EU to the organisation of empire. The purpose of this article is to analyse the extent such imperialist claims correspond to the adopted ideal type of an empire and whether they are supported by adequate foreign policies. This article also aims to categorise the specifics of the foreign policies of each of the aforementioned actors, because a coherent foreign policy is a relevant indicator of actorness. This article tracks developments from 2000, which marked the elections of Vladimir Putin and George W. Bush and the enforcement of the EU Amsterdam Treaty, which supposedly shaped a more coherent foreign policy by introducing the position of the High Representative.*

Keywords: neo-imperialism, the EU, Russia, the US, conceptualising empire

Introduction

The unstable geopolitical conditions of the early 1990s and the breakup of the Cold War equilibrium resulted in the rise of regional conflicts and inter-state struggles for regional prominence in areas that previously had been frozen within the East-West confrontation. Since the conclusion of the first post-Cold War decade, three diverse powers have emerged and occupy important

positions within the hitherto "frozen" international arena. In academica and media circles the European Union (EU), Russian Federation (Russia), and the United States of America (US) are often referred to according to their foreign policy approaches. Despite similar objectives, even if dressed differently, the EU is often viewed as a benign normative power in contrast to the US, which is often regarded as a unilateral, hard-power. Alternatively, Russia's foreign affairs image is tinted by undemocratic tendencies in internal decision-making which undermine its international legitimacy. Despite such contrasts all three must be considered as key actors in the post-Cold War Atlantic/Eurasian region due to their military and economic power, and all three either explicitly or implicitly have embarked on imperialistic aspirations.

This article pursues two objectives. First, it aims to outline the main features and dynamics of a post-Cold War empire. Second, it aims to understand to what extent the imperialistic claims of the three mentioned powers are based on the features of an empire and whether such claims may be adequately pursued via effective foreign policy. Particularly, close attention is paid to the issues of representation and decision-making of the EU, Russia, and the US. This article tracks the developments in the foreign policies of the three beginning from 2000, which marked the elections of Vladimir Putin and George W. Bush which subsequently altered the foreign policies of Russia and the US respectively, and the enforcement of the EU Amsterdam Treaty, which shaped a more coherent EU-wide foreign policy by introducing the position of the High Representative. In order to identify the foreign policy dynamics that mark the three actors, this article qualitatively analyses official documents, news reports, among other sources.

Despite visible imperialist ambitions, this article argues that none of those correspond to the adopted concept of an empire. Thus, as an empire is an exaggeration which may be appealing but does not appear to correspond to reality.

Conceptualising Empire and Imperialist
Foreign Policy

After World War II the term "empire" gained negative connotations owing to the disastrous consequences of twentieth century

imperial competition which culminated in the two world wars and a spate of inter-ethnic and international violence during the period of decolonisation. However the imperialist label has begun to win its way back into political vocabularies and not necessarily with a negative implication. Despite the process of rehabilitating the term "empire" so that it is compatible with 21st century international relations, few contemporary scholars have offered adequate definitions of such a political actor. This intellectual gap has meant that researchers must turn to more popular definitions as the basis of enquiry. The standard dictionary definition holds that an empire is 'a state with politico-military dominion of populations who are culturally and ethnically distinct from the imperial (ruling) ethnic group and its culture.'[1] At first glance – and keeping this definition in mind – empire is applicable to most modern, liberal democracies since globalisation has produced mass migration movements that have settled and been absorbed by a host community. Indeed, some leaders have begun to refer to their multicultural political entities as some kind of empire. This tendency is becoming more popular in academia[2] as more and more works regard the EU as an empire with adjective.[3] However, while "imperialist" authors create new "imperialist" terms in reference to the EU, they do not always provide a definition or distinct features of what post-Cold War empires without adjectives look like. A broad definition of empire, including such features as control, force, coercion, domination, asymmetry and exploitation[4] is a useful starting point for comparing political entities, however it can run into the dangers of so-called maximalist definitions.[5] This section of the article elaborates on the features of an empire based on an evaluation of the current literature.

Considering the dominant liberal-democratic mood in the political sciences and consistent attempts by constructivism to challenge realism in international relations, the dictionary definition noted above is insufficient. Yet, it would be irresponsible to fully abandon some of its key elements since they do offer some important hints as to the configuration and impact of "empire" into the 21st century. The examination of the literature wielded several features that can be useful in defining "empire" and assessing the imperialistic ambitions of a potential empire (Table 1). One of the enduring characteristics of empires is the territorial size:

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'empires need to be big ... bigger is better.'[6] The size of an empire however, is not constant, as empires tend to grow not only in population and territory, but also in expanding their spheres of influence. However, a modern empire would not (necessarily) expand through military action but rather 'through cooperation and negotiation with the elites'[7] of its surroundings. The expansion may entail different security or economy related objectives with the ultimate goals of maintaining peace or developing trade opportunities, however for an empire it would mean acquisition of new territories and populations.[8]

To mobilise its own population and effectively represent itself internationally, an empire needs ideology[9] and leadership;[10] in this article understood as the charisma of a leader, enjoying popular support. Due to its elusiveness and complexity, here the notion of ideology is conceptualised as the self-perception of an aspirant empire stemming from its rhetoric. The type of ideology pursued by the empire is not expected to affect its standing in the short-term but the absence or obscurity of an ideology can have negative long-term implications on the actorness of the empire. Given the altered perception of military conquest, an empire would require a growing economy that can speak for the success of its objectives and strategies and popularise with surrounding territories. Along with these features additionally, this article suggests analysing foreign policy as an important feature of an empire and studies this proposition in great detail below. However, it is not expected that there would be a political entity that would fully comply with all the outlined features of a post-Cold War empire nor it is expected that all the political communities this work is based on would be equally disposed to all such criteria.

Understanding the mechanisms of foreign policy making and implementation is an "unfinished business" and entails numerous puzzles and exposes gaps in approaching it.[11] Foreign policy is understood as the development and management of relation with other actors,[12] to 'implement policies abroad which promote the domestic values and policies of the actor in question.'[13] However, this definition does not differentiate between an empire and a state. Thus, to assess the imperialist ambitions of the cases in question this article adopts the concept of a missionary foreign policy. A missionary foreign policy has objectives that not only aim to

promote domestic interests and values, but also attempt to shape the political and economic environments of other countries. To clearly communicate its objectives, the aspirant empire needs a coherent decision-making procedure for adequate strategies and effective representation. Table 1 presents possible variations in the variables of this article.

TABLE 1. CHARACTERISTICS OF POST-COLD WAR EMPIRE

	Good (empire)	Bad	Ugly
Population	regular growth	no growth	decline
Territorial expansion	regular with a specific purpose	no expansion	reduction
Economy	growth	no change	unstable/decline
Popular support for imperialistic ambitions	growth	decline/low support	absent
Charismatic leader	stable (over 50%) or growing popular support	unstable popular	declining popular support
Imperialist self-perception	obvious	obscure	absent
Missionary foreign policy	developed	underdeveloped	non-developed

SOURCE: Authors´.

While the ideal-typical empire, in other words a "good" empire would entail having a regularly growing population, expanding territory, growing economy and growing popularity of the leadership and imperialist aspirations, supported by a missionary foreign policy, this article acknowledges that there may be other "imperial" variants – the "bad" and the "ugly." A "bad" empire would still have the imperial features; however they would be underdeveloped; while an "ugly" empire would simply lack such features. However, it is important to consider the "ugly" type because a polity that has imperialist ambitions might still in practice be classified as "ugly" (as well as "bad") according to some of the imperialist features, but not all of them. Consequently, instead of labelling the polities under consideration as good, bad or ugly,

this article rather analyses the corresponding features and classifies them according to the mentioned categories to reveal the extent imperialist ambitions are justified.

The EU, Russia, and the US not only differ in terms of institutional structure but also in terms of their imperial past and consolidation as political entities (see Table 2).[14] This variety is potentially conducive to highlighting the link between the actor's structure and its foreign policy approaches.[15] The US consolidated its global leadership during the Cold War and emerged, after the collapse of the Soviet Union (USSR), as the only remaining superpower. Russia has historically developed an imperial tradition which dates back to the Tzarist period and which was consolidated, although under a different ideological label, during the Cold War as a challenger to the US. Although usually viewed through its self-constructed normative prism, the EU emerged from the "peace pact" between the former European empires after World War II, and is increasingly regarded as a kind of empire, especially in regard to its candidates and sometimes neighbours.[16] As expansion and foreign policy are important factors for the effective functioning of an empire, this article focuses on the relations of the cases US, EU and Russia with their surroundings and how they promote their objectives through their foreign policies. Thus, in the case of the EU focus will be paid to the relations with candidates and those belonging to the European Neighbourhood Policy (ENP). In the case of Russia the Commonwealth of Independent States (CIS) will be examined. Finally, in the case of the US, attention will be paid to both ENP and CIS countries.[17] This strategy of analysis is supposed to show whether there is also an on-going competition between the "empires" for "spheres of influence."

Table 2. Structure of Governance and the Imperial Past

	EU	Russia	USA
Structure	Non-state	Federal state	Federal state
Imperial past	No imperial past / originated from post-WWII	Historical imperial past / Recent imperial rebirth	Recent empire / Only remaining superpower

Source: Authors´.

How Imperialist are The Empires?

The European Union

The imperial aspirations of the EU were recognised by the President of the European Commission, Barroso, as he noted that: 'sometimes I like to compare the EU as a creation to the organisation of empire. We have the dimension of empire.'[18] Following its double track of "widening" and "deepening," the EU has regularly grown both in territory and in population since 1973.[19] The enlargements of 2004 and 2007 were arguably the most ambitious and successful foreign policy initiatives of the EU to date. The accession of 12 new member states produced an increase of 25% in EU territory – from 3,157,000 km² (EU15) to 4,234,000 km² (EU27) – and a growth of more than 20% of its population.[20] Unlike the traditional process of imperial expansion (re: military conquest), in the case of the EU, enlargements occurs after the candidate country voluntarily adopts the acquis communitaire and complies with the Copenhagen criteria. In other words, the candidates reshape their internal structures in order to become increasingly similar and compatible with the EU and to eventually convince the latter to "conquer" them.

In economic terms the EU represents the leading market place and largest economy in the world with more than 450 million consumers. In 2009 the EU generated an estimated gross domestic product (GDP) of 16.45 trillion (USD), representing 21% of the world's total economic output.[21] It is also the most significant trading partner of several great powers such as China and India. The EU's GDP regularly grew from 2000 to 2008, with positive peaks in 2000 (+3.9) and 2006 (+3.2).[22] The adoption of a single currency in 2001 and the expansion of the Eurozone[23] represent a factor of stability and convergence for the EU's economy. As articulated by Portuguese Prime Minister Antonio Guterres, 'Peter was the rock on which the church was built, so the Euro is the rock on which the European Union will be built.'[24]

The Eurobarometer (EB) surveys provide the necessary information about the public support for the alleged imperialism of the EU. Interestingly, in its official survey the EU clearly avoids any reference to the status of superpower and does not investigate

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citizens' favourability towards this specific aspect. The EB's silence in this respect is likely to indicate the lack of political assertiveness and public awareness. Nevertheless, the recent EB (EB53, EB69) shows that EU citizens' maintain persistently high level of support for a more coherent common foreign policy and for a stronger role of the EU in international affairs. In 2000 64% and 73% of the respondents declared their support for a common foreign policy and a common defence policy respectively; in 2008 the level of public support for the Common Defence and Security Policy (CDSP) equalled 69%.[25]

The leadership of the EU has been generally depicted as being far from charismatic. Given its decentralised nature, in order to effectively assess the level of public support for the EU´s leadership, it will have to be evaluated against the level of support for national leaders. This further step will allow the comparison the attractiveness of two distinct and competing dimensions: the political *centre* of the "empire" (European Commission president[26]) and its political *periphery* (national heads of state and governments). Since his appointment as the president of the European Commission in 2004, Barroso has enjoyed a fairly stable, but relatively low, level of public support, with an EU average around 35-40% (EB61, EB70). Over the successive four years the level of support never reached an average of 50%. The comparison between the EU and national leaders (of the five European "heavyweights") confirms the low level of Barroso's popularity. In 2009 the level of support for the national leader was higher than for Barroso in Germany (+23), Spain (+6), and the UK (+19); but equal in France (both 39%) and lower in Italy (-7%)[27], confirming the overall low support to the EU top.

The Russian Federation

After the break-up of the USSR Russia became the successor of the USSR seat in international organisations and treaties, but lost its unequivocal influence over 14 former Soviet states. On one hand, Russian political elites felt relieved of the burden of sometimes unruly and predominantly poor states, but on the other hand lamented the loss of their "sphere of influence."[28] The 1990s were marked by the "shock therapy" of the economy, armed conflicts

in the Northern Caucasus, the financial crisis of 1998 resulting in a further drop in GDP, the continual search for a stabilising prime minister, and the ever-declining role of Russia internationally. However, Russia retained the image of a democratising country and kept developing friendly relations with others, the "Bill and Boris" friendship being the most notable. Nostalgia for the imperialistic past and political influence became ever stronger after NATO´s bombing of Yugoslavia in 1999 despite strong Russian opposition. On New Year's Eve 2000, Yeltsin announced his unexpected resignation, giving the presidential seat to (then) Prime Minister Vladimir Putin, who inaugurated a "harder" approach to foreign affairs and economic development. Acknowledging that it would be unlikely for Russia to quickly become "liberal" as the US or the UK, Putin stated that Russia was, and is, a superpower and should further develop its economic, technological, and cultural power.[29] One of the first steps in pursuit of such an agenda was the restoration of the Soviet anthem, though albeit with new lyrics. The new anthem was meant to reconcile the Russian population with its own past and reassure them that despite the turmoil of the 1990s Russia would regain its international influence.

Putin's steps increased caution among Western states that Russia was 'breaking away from the core democratic values of the Euro-Atlantic community' and 'the return of rhetoric of militarism and empire.'[30] An influential figure in Russian politics, (former) Presidential Chief of Staff, Anatolii Chubais[31] echoes this opinion but in a positive way, stating that Russia's mission in the 21st century is to become a liberal empire. Seemingly an oxymoron, the liberal empire entails the promotion of Russian culture, the expansion of Russian businesses, and the safeguarding of democracy combined with respect for international norms and state sovereignty. While Putin's rhetoric and his foreign policy doctrine of 2000 included similar points, he has been more cautious on the usage of the word "empire" and has opted for "great power"[32] terminology, which stems from tsarist Russia. The traditional conception of an empire as a dominion over other nations also prompted opinions that 'only minds accustomed to viewing reality in zero-sum terms and unfamiliar with dialectical thinking'[33] would perceive Putin's Russia as an empire. However, alternative opinions claim, that Russia has become a full-fledged

empire because of its increased military power, increased corruption, and increased divergence between the poor and rich.

Though the largest country in the world with an impressive territorial area of 17,075.400 km², since the collapse of the USSR, it has not expanded its territories and cannot do so without violating others' territorial integrity. Russian influence stretches to many post-Soviet republics, however this influence is confined to the political or economic realms, and the latter retain their sovereignty. While, the territorial size of Russia has not changed since the early 1990s, its population has visibly decreased. According to the United Nations World Population Prospectus, the population of Russia decreased by 700,000 in the period of 2000-2005 and by 561,000 in the period of 2005-2010.[34] Despite the reverse of the demographic decline, Russia's population continues to shrink. Russia's economic growth, though not as radically declining as its demographics, has not been stable either. After a 10% GDP increase in 2000, it fell to 5% in 2001, 4.7% in 2002, rising to 7% in 2003 and 2004, and then falling again to 6% in 2005, with subsequent increase to 7.6 and 8% in 2006 and 2007 respectively.[35] However, what has been growing is the popular support for the institution of the president, its policies, and for Putin himself, showing that the Russian people have finally found their charismatic leader.

According to the survey data of the Russian Public Opinion Research Center (WCIOM)[36] when asked to name politicians the respondents trust most, consistently more than 50% of the respondents have named Putin since the day of his presidency until the expiration of his term. During his second term, Putin's approval ranking increased from 50% to 57%. Similarly, the approval rating of the presidency,[37] as an institution, increased during Putin's presidency reaching a peak of 74% at the end of Putin's term and declining to 50% following Dmitri Medvedev's inauguration (WCIOM). Russian public opinion is also increasingly in favour of regaining the status of a superpower like the one of the Soviet Union.[38] While in 2003 12% of respondents considered Russia a superpower, in 2008 the number increased to 16%. Likewise in 2003, 40% of respondents considered that Russia was capable of becoming a superpower, while in 2008 the number increased to 50%.[39]

The United States of America

In terms of territory, the US is the fourth largest country in the world, with an area of 9,826,675 km². While its territorial size is practically unaltered since the admission of Hawaii in 1959,[40] its population registered a significant increase over the past decade. In 2000 the US population was 281,421,906, while in 2008 it reached 304,374,846, registering a growth of approximately 7,5%.[41] The US has a capitalist mixed economy, which has been historically fuelled by abundant natural resources, a well-developed infrastructure, and high productivity. According to the International Monetary Fund (IMF), the US GDP constituted (2009)24% of the gross world product at market exchange rates. The US has the largest national GDP in the world, which was about 5% less than the GDP of the European Union in 2008. The country ranks seventeenth in the world in nominal GDP per capita and sixth in GDP per capita.[42] From 2000 to 2008 US GDP increased from $ 9.8 to $ 14.29 billion (USD) (+30,9%).[43] The US is the largest importer of goods and the third largest exporter, though exports per capita are relatively low.

The assessment of public based super-power attitudes shows that the US has been generally described as the super-power *par excellence* and as the only remaining global power after the Cold War. The representation of the US as a super-power seems to have a wide support and the level of favourability seems extremely high and fairly stable. In 2007, 80% of respondents answered positively to the question 'How desirable is it that the United States exerts strong leadership in world affairs?' In 2000, 83% gave positive responses to this question.[44] When asked about US involvement in establishing democracy in third countries however, a clear majority of respondents (56%) did not support this option in 2007. In this respect, the impact of the wars in Afghanistan and Iraq on the attitudes of the US public is evident. In 2005, 52% of the sample responded positively to this question.

The experience of the recent wars in Middle East seems to be related to the public support for George W. Bush in his role as US Commander-in-Chief. In 2007 only 36% of the US respondents approved 'the way the President of the United States George Bush is handling international policies;' while 59% disapproved of

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Bush's approach.[45] From 2001 to 2008 support for Bush decreased from 52% approval following his election to an embarrassing 24% in December 2008. The peak in Bush's popularity was reached after 11 September 2001.[46] The attacks transformed American public opinion and fundamentally reshaped Bush's image. His approval rating reached 86% by late September that year. The public expressed abroad willingness to use military force to combat terrorism. But controversies over the build-up to war in Iraq, among and other Bush policies took their toll. In other words, over the long term the President Bush was unable to produce a sustained 'rally around the flag.'

Mission: Building an Empire?

The European Union

The development of a common foreign policy for the EU is a relatively recent phenomenon. Only with the end of the Cold War, the EU realised that a more coherent foreign policy approach was necessary to prevent instability and conflicts at its borders.[47] The intergovernmental negotiations which preceded the adoption of the Maastricht Treaty initiated this process. The first version of the Common Foreign and Security Policy (CFSP) was defined by the Maastricht Treaty, within the framework of the three-pillar system. The intergovernmental CFSP pillar was based on unanimity of the member states through the European Council giving broad guidelines for the CFSP action and the Council of Foreign Ministers implementing those. The Amsterdam Treaty (1999) allowed qualified majority voting (QMV) and constructive abstention in the Council, slightly reducing the role of unanimity.[48] The Amsterdam Treaty also created the position of the High Representative (HR) for the CSFP to coordinate and to represent the EU's foreign policy. The HR, as part of the EU troika with the foreign minister of the country presiding in the European Council and the Commissioner for External Relations and European Neighbourhood Policy, had to put a "name and a face" on EU foreign policy. However, due to presidency rotation the composition of troika changed every six months, thus creating inconsistencies in policy cooperation.

The lack of coherence in the CSFP was supposed to be solved by the Lisbon Treaty, which eliminated the pillar system and established the position of the HR for Foreign Affairs and Security Policy, merging the HR and European Commissioner for External Relations and European Neighbourhood Policy.[49] Within the newly designed framework, although the HR has the key jurisdiction over the CFSP, the European Council President and the rotating Council President can also represent the EU internationally. The Treaty states that the European Council President shall represent the EU on the matters of external relations 'without prejudice to the powers of the High Representative of the Union for Foreign and Security Affairs' (Art 9b). However, the limits of the prejudice to HR are not clarified. At the same time the Commission can represent the EU in external matters apart from the CFSP, and again there is no clear dividing line between the two, and along with the HR makes proposals on external action to the European Council. Despite high expectations derived from the Lisbon Treaty, EU foreign policy seems neither coherent nor consistent, leaving the question of "who represents what" open to debate.

While the Maastricht Treaty outlined the objectives of the CFSP, the European Security Strategy entitled "A Secure Europe in a Better World,"[50] developed in 2003, was the first foreign policy strategy of the EU outlining its challenges, objectives, and strategies (see Table 3). This is an indicator of the EU's intention to assume responsibilities and undertake a more assertive international role. It is worth noting that among the strategic priorities identified by the EU, two are the basic components of a developed foreign policy: activeness and coherence. Most of the threats and their respective objectives – international terrorism, transnational organised crime, and regional conflicts – aim to shape the surrounding environment of the EU. The document also acknowledges that 'acting together, the European Union and the United States can be a formidable force for good in the world'[51] and promotes closer relations with Russia.[52] Keeping the image of a normative power, the EU defined a longer and more detailed list of objectives in the Lisbon Treaty, again with the aim of influencing the political and economic environments in neighbouring countries.

Imperialist
Aspirations

Table 3. The Foreign Policy of the EU

Challenges	Objectives	Strategies
Terrorism	Promote democracy and regional cooperation	Activeness
Proliferation of WMD	Build security in the EU's Neighbourhood	Capabilities
State failure	Promote an international order	Coherence
Regional conflicts	Promote economic development and market economy	Multilateralism
Organised crime	Eradicate poverty in the developing countries	

Source: Authors', based on the Maastricht Treaty, the European Security Strategy, and the Lisbon Treaty.

Within the framework of the new CFSP, the EU has been able to define a more assertive role beyond its borders, especially in the Western Balkans,[53] and to a lesser extent in the area defined by the European Neighbourhood Policy (ENP). However, the most effective imperial powers of the EU are noticeable with respect to candidate countries. During accession negotiations, the EU is able to impose costly changes of a political, economic, and/or institutional nature to the governing elites of those countries following a consolidated "take it or leave it" formula and the threat of failure in membership negotiations. In the eyes of the ruling elites of candidate countries, the EU's quasi-imperial approach and the rigidity of its conditionality is justified by the attractiveness of the final prize, that is, accession to the "club." On the other hand, the EU proved less successful exerting the same influence on ENP countries. As evident from the Action Plans between ENP countries and the EU, the ambitions of the EU requests are far more limited.[54] Due to the inability of enforcing rules that it attempts to promote to the ENP countries, the EU cannot produce effective conditionality towards these governments.

The Russian Federation

The Constitution of Russia adopted in 1993 grants the executive with exclusive foreign policy making powers, making the legislative a noticeably secondary actor. [55] The president decides on the direction and objectives of Russia's foreign policy based on the Constitution and the federal law. As the tradition dictates the president formulates the country's foreign policy in the annual addresses to the Federal Assembly. The president also exercises leadership in the implementation of the foreign policy, represents Russia in international negotiations and signs international treaties, directly controlling the Ministry of Foreign Affairs. As part of the executive, the government headed by the prime-minister, "takes measures" for the implementation of foreign policy, thus assistancing the president. The foreign policy strategy of 1993 states that Russia is a great power with the foreign policy objectives of ensuring national security; protecting the sovereignty and unity of the state; protecting the rights of Russians abroad; providing favourable external conditions for internal democratic reforms; mobilising international assistance for the establishment of a Russian market economy and assisting Russian exporters; furthering integration of the CIS and pursuing beneficial relations with other neighbouring states. In the early period of formation of Russia's foreign policy diplomacy was regarded as the main strategy.

The foreign policy strategy approved by President Putin in 2000, though retaining similar objectives as his predecessor´s, is less cautious; openly pointing to the US as a threat to a multi-polar world and Russian interests as a great power (see Table 4). The "pragmatic and predictable" foreign policy of Putin is supposed to advance the interests of great power Russia, which gravitate around the formation of a new world order under the auspices of the UN, the strengthening of international security and stability, the development of the national economy, the protection of human rights, and the clear communication of Russian interests to the world. Making clear that Russia has awoken from its hiatus and is determined to become a great power again, the 2000 foreign policy strategy names the dominance of the US, international terrorism, the promotion of regional groupings (one of the objectives

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of the EU CFSP), and the globalisation of the world economy as its main challenges. While Russia's foreign policy aims to advance its national interests, it does not claim the ability to influence the environments of other countries and calls for working under UN guidance. At the same time, understanding that the battle for influence over Central and Eastern Europe is long lost to the EU, Russia decisively turned to the post-Soviet countries, giving them priority in its foreign policy strategy. The close attention to the post-Soviet countries became even more obvious in Putin's (annual) address to the Federal Assembly, which included seven paragraphs on the post-Soviet countries out of nine dedicated to foreign policy.

TABLE 4. THE FOREIGN POLICY OF RUSSIA ADVANCED BY PUTIN, 2000

Challenges	Objectives	Strategies
Unipolar world led by the USA	Forming new world order based on UN	Constructiveness
	Strengthening of international security and regional stability by reducing the power factor	Consistency
Globalization of the world economy	Development of the national economy	Predictability
International terrorism	Protecting human rights	Pragmatism
Development of regional integration resulting in military-political rivalry	Communicating Russia's foreign policy to the world	Joint decision/multilaterism

Though Russia's first president, Boris Yeltsin, was at the centre of the USSR's dissolution, his foreign policy in the early 1990s sought to reclaim Russia's influence over the newly independent states, usually referred to as the "near abroad."[56] The primary occupation of Putin's Russia is assertion of the great power status and yet again recognition of the post-Soviet area as its sphere of influence.[57] Created in 1991, the CIS became the cornerstone of Russia's foreign policy doctrine of keeping its sphere of influence, however weakened by the absence of any financial aid.[58] This approach could not lure the Baltic States, which were offered the

material and social incentives of the EU. However, other post-Soviet states whose economies shrank even more than that of Russia, to varying extent remained within Russia's sphere of influence, immediately becoming Russia's debtors and allowing it to enter their markets. In the same manner, the leadership of most CIS countries were "elected" with Moscow's blessing. However, this sphere of influence has constantly been challenged by the attractiveness of EU incentives and the democracy-building programmes of the US. In his 1999 proposal for the 21st century Russia, Putin mentioned *derzhavnost*[59] as Russian tradition and took the road of increasing integration of the CIS countries. In 2005, President Putin established presidential administration's directorate for interregional and cultural contacts with the main mission to 'promote Russia's influence in the post-Soviet space.'[60]

The United States of America

The end of the Cold War not only influenced Russia's foreign policy but also the US's, traditionally marked by the concept of American exceptionalism and following an internationalist ideology (since the end of WWII). With the disappearance of the threat from the USSR, US foreign policy makers were left "searching for purpose" between internationalism and isolationism.[61] 'The vision thing' of President George H. W. Bush did not produce a coherent policy, leaving the Clinton administration with the debate over "Kennan sweepstakes," to find a foreign policy doctrine matching the one of Kennan's containment.[62] The debate ended with the choice of multilateralism and democratic enlargement, a concept defined by National Security Adviser Tony Lake and was supposed to promote the democratic peace theory. Clinton's second term also concentrated on the promotion of economic globalisation, regarded as a threat by Russia. The US president, having Constitutional powers, defines and directs foreign policy on the advice of the Secretary of State, and represents the state, and negotiates international treaties.[63] However, the election of George W. Bush and the September 11 terrorist attacks changed the liberal direction of US foreign policy to a more neo-conservative orientation.

The National Security Strategy approved by Bush in 2002, less than a year after 9/11, outlines the security and foreign policy

objectives, and layed the ground for the so-called Bush Doctrine of pre-emptive strikes as noted earlier.[64] Unlike Russia's desire to regain its great power status, the US National Security Strategy is void of such statements and simply declares its 'unparalleled military strength and great economic and political influence' ready to defend not only itself, but also its friends. The strategy clearly identifies terrorism and rogue states as threats to the US, which should be addressed through pre-emption and new multilateralism; by building and strengthening global alliances, diffusing regional conflicts, and promoting economic freedom and democracy (see Table 5). Unlike Russia's foreign policy strategy the US Strategy mentions that they are 'no longer strategic adversaries.' Though the National Security Strategy of 2006 emphasises international cooperation, it still sees states not sharing US visions as threats. It reasserts the status of the US as a global leader and mentions that terrorism should be fought against, not only by directly targeting terrorist organisations, but also by changing the conditions that create them.

Table 5. US Foreign Policy. According to the National Security Strategies of 2002 and 2006

Challenges	Objectives	Strategies
International terrorism	Strengthen alliances to defeat global terrorism	Pre-emption
Rogue states	Work with others to defuse regional conflicts	New multilateralism
Regional conflicts	Prevent our enemies from threatening us	Military supremacy
Catastrophic technologies of the embittered few	Promotion of free markets and free trade	Democracy promotion
WMD proliferation	Promote democracy	Unilateralism (whenever necessary)

Unlike the EU and Russia, which underscore their regional priorities and increasingly focus their foreign policy efforts of broadening their spheres of influence, the US stretches its initiatives virtually around the world. Interestingly, it not only targets

developing states with its policies of economic and democratic development, it also considers the expansion of the EU as a means to serve *its* interests and further weaken Russian influenc, at least in the post-Soviet spaces.[65] Within the territory covered by the CIS and ENP projects, the US actively deploys its foreign policy instruments to further its political and economic dominance and prevent any challenges to its leadership. For example the GUAM group[66] for energy projects favoured by US presidential administrations directly targeted the vitality of the CIS.[67] Extensive democracy promotion programmes, embraced by the majority of post-Soviet countries, aim to change the regime of governance, bringing them more in line with the US interests and promoted values.

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Concluding Remarks

Given the shock of the September 11 terrorist attacks, the US had to react to the sudden realisation that other actors had challenged its seemingly global supremacy. Following Putin's new imperialistic aspirations, Russia seems to have awakened as a potential global powers after a decade of hiatus under Yeltsin. The EU seems to have provided itself with more effective foreign policy tools and appears to have developed a more coherent approach to its neighbours, increasingly acting as a normative empire in the Western Balkans. Among others, these developments prompted academic and professional circles to discuss the re-emergence of empires.

This article aimed to analyse whether these concerns and the actual imperialist ambitions of the chosen three cases correspond to the adopted concept of an empire. Based on the analyses of the EU, Russian, and US demographic, political, and economic dimensions, this article argued that none of the cases fully correspond to the concept of empire (see Table 6). Looking at the performances of the three entities with respect to the imperial features proposed, interestingly what emerges is the preponderance of the two antipodical categories (good and ugly) over the median one (bad). The analysis of foreign policy strategies revealed that while the EU and the US aim to shape their surrounding environments, Russia is struggling to shape its internal environment,

thus, demonstrating that it is still under construction and itself in search of purpose.

Table 6. Imperialist Features of the EU, Russia, and the US.

	Good (empire)	Bad	Ugly
Population	EU, USA	N/A	Russia
Territorial expansion	EU	N/A	USA, Russia
Economy	EU, US	N/A	Russia
Popular support for imperialistic ambitions	Russia	US	EU
Charismatic leader	Russia	N/A	EU, USA
Imperialist self-perception	USA, Russia	N/A	EU
Missionary foreign policy	USA	EU	Russia

While the EU corresponds to the concept of empire within the population, territorial expansion and economy dimensions, it lacks charismatic leadership, and imperialist ideology supported by public opinion (see Table 6). Its foreign policy demonstrates features of a missionary foreign policy, however its attempts to build a coherent foreign policy speaking with one voice still requires development. Thus, calling the EU an empire solely based on its relations with candidate countries is to be an exaggeration. Likewise, Russia and the US are featured in some dimensions of an empire but not in others. However, the analysis of their foreign policies, demonstrates a clear missionary feature in US foreign policy that is absent from Russia´s.

Though none of the three analysed entities emerge as full-fledged empires, as defined by the ideal-typical model, they all share a number of imperial characteristics. Subsequently, while to some analysts this might imply that the EU, Russia, and the US are still struggling to acquire a status of a real empire; others may rightfully suggest that in the post-Cold War environment the concept of empire no longer provides the best analytical framework to define today's struggle for global power status at the international level, and that other concepts like hegemony and international leadership, which also entail some of imperialistic

features might be of better use to describe current dynamics.[68] Nevertheless, the proposed categorisation can be taken as a starting point to address this open question. Future research should endeavour to understand the interaction between the dimensions of an empire reveal which of those features impact the sustainability of the entity, cause its decline and/or drive its growth.

↻ Nelli Babayan is affiliated to the School of International Studies at the University of Trento and may be reached at: nelli.babayan@sis.unitn.it.

↻ Stefano Braghiroli is affiliated to the Centre for the Study of Political Change (CIRCaP), University of Siena in Siena, Italy and may be reached at: braghiroli@unisi.it.

Notes to Pages 79-99

1   Oxford English Dictionary (2001), Oxford: Oxford UP, p. 461.
2   See Ole Weaver (1997), 'Imperial Metaphors: Emerging European Analogies to Pre-Nation State Imperial Systems,' in Tunander, Ola, Pavel Baev, and Victoria Einagel (eds), *Geopolitics in Post-Wall Europe: Security, Territory and Identity,* London and Oslo: Sage and International Peace Research Institute, pp. 59–93; Thomas Christiansen and Knud Erik Jorgensen (2000), 'Transnational Governance "Above" and "Below" the State: The Changing Nature of Borders in the New Europe,' *Regional and Federal Studies,* 10:2, 62–77; Christopher S. Browning (2005), '*Remaking Europe in the Margins: Northern Europe After the Enlargements'* (Ashgate).
3   See Jan Zielonka (2008), 'Europe as a Global Actor: Empire by Example?' *International Affairs* 84:3, pp. 471–484; Timothy Garton Ash (2007), 'Today'svEuropean Union is 27 States in Search of a Story,' *The Guardian,* <http://www.guardian.co.uk/commentisfree/2007/jan/04/comment.eu>, (accessed 8 May 2010).
4   See Angelos Sepos (2010), Imperial Power Europe? The EU's Relations with the ACP Countries. Article presented at the workshop entitled Imperial Power Europe, 17 May 2010, Manchester, UK.
5   See Gerardo L. Munck and Jay Verkuilen (2002), 'Conceptualizing and Measuring Democracy: Evaluating Alternative Indices' *Comparative Political Studies,* 35:1, pp. 5–34.

6 Alexander Somek (2005), *The Benign Empire: A Post-Colonial Legal Study*, Discourse, Politics, Identity Working Paper Series No. 5, Lancaster University, p. 9.

7 Bohdana Dimitrova (2010), 'Remaking Europe's Borders through the European Neighbourhood Policy', *CEPS Working Article* (327), p. 6.

8 See Ole Weaver (1997), pp. 59–93.

9 See Bohdana Dimitrova (2010).

10 See Robert Cox (1987), *Production, Power and World Order*, New York: Columbia UP; Arrighi, Giovanni & Silver, Beverly (1999), *Chaos and Governance in the Modern World System*, Minneapolis: University of Minnesota Press; and Angelos Sepos (2010).

11 See Alexander L. George (2006), *On Foreign Policy: Unfinished Business*, Paradigm Publishers.

12 See Karen Smith (2008), *European Union Foreign Policy in a Changing World*, 2nd ed., Polity Press.

13 Hazel Knowles Smith (2002), *European Union Foreign Policy: What it is and What it Does,* Pluto Press, p. 7.

14 Some academic works pursue the idea that the EU and the US are similar due to their nature as compound democracies. See Sergio Fabbrini (2007), *Compound Democracies: Why the United States and Europe Are Becoming Similar* 1st ed., Oxford: UP.

15 This article does not suggest any hypothesis in relation to the likeliness of imperialistic ambitions and the type of governance, i.e. democratic, authoritarian etc.

16 See József Böröcz (et al) (2001), '*Empire's New Clothes: Unveiling EU-Enlargement,*' <http://aei.pitt.edu/144/>, (accessed 10 May 2010).

17 This rather large categorisation for the US approach stems from its unique international presence without giving specific grouping of countries unlike the EU and Russia.

18 See <http://euobserver.com/9/24458>.

19 In 1973 Denmark, Ireland, and UK joined the EU.

20 In this respect, it is worth noting that while in the old member states the birth rate is constantly decreasing, it is far higher in the New Member states from CEE.

21 Retrieved from 'World Economic Outlook Database, April 2010 Edition,' *International Monetary Fund*.

22 Similarly, the economic growth of the bloc seems to have benefited from the Eastern enlargements, given the more relaxed fiscal policies and more dynamics economies of the new member states from the CEE. In 2004 and 2007 EU25 and EU27 scored +0.2 GDP (if compared to EU15).

23 Slovenia joined in 2007, Malta and Cyprus in 2008, and Slovakia in 2009.

24 See 'German foreign Minister floats idea of elected EU president,' in *The Financial Times*, 7 July, 2000.

25 A clear majority of Europeans also believe that in the area of defence and foreign affairs decisions should be taken at the EU level, rather than by national governments (64% vs. 32% in 2008). Citizens' awareness of EU's role clearly increased over the past ten years as evident from the fact that in 2000 only 49% of the respondents (vs. 46%) favoured a shift of competences in this respect.

26 The EC president has been chosen as this figure represents what can be identified as closer to a head of government at EU level. In this respect, it seems too early, given the lack of data, to assess the public image of the newly created positions of High representative and permanent president of the European Council.

27 Harris Interactive / France 24 / International Herald Tribune / Leaders Barometer 2008.

28 See Michael Rywkin (2003), *Moscow's Lost Empire*, New York: M.E. Sharpe, Inc.

29 See Vladimir Putin (1999), 'Россия на рубеже тысячелетий [Russia crossing the Millenia],' *Nezavisimaya Gazeta*, <http://www.ng.ru/politics/1999-12-30/4_millenium.html>, (accessed 13 May 2010); Vladimir Putin (2002), 'Послание Федеральному Собранию Российской Федерации [Address to the Federal Assembly of the Russian Federation],' *President of Russia*, <http://archive.kremlin.ru/appears/2002/04/18/0001_type63372type63374type82634_28876.shtml>, (accessed 13 May 2010); Vladimir Putin (2003), 'Послание Федеральному Собранию Российской Федерации [Address to the Federal Assembly of the Russian Federation],' *President of Russia*, <http://archive.kremlin.ru/text/appears/2003/05/44623.shtml>, (accessed 13 May 2010); Vladimir Putin (2004), 'Послание Федеральному Собранию Российской Федерации [Address to the Federal Assembly of the Russian Federation],' *President of Russia*, <http://archive.kremlin.ru/text/appears/2004/05/71501.shtml>, (accessed 13 May 2010).

30 See Urban Ahlin (2004), 'An Open Letter to the Heads of State and Government Of the European Union and NATO,' < http://www.eurojournal.org/more.php?id=159_0_1_0_M13>, (accessed 14 May 2010).

31 See Anatolii Chubais (2003), 'Миссия России в XXI веке [Russia's Mission in the 21st century],' *Nezavisimaya Gazeta*, <http://www.ng.ru/ideas/2003-10-01/1_mission.html>, 10 January, (accessed 13 May 2010).

32 Verlikaya derzhava (великая держава).

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33 Andrei Tsygankov (2005), 'Vladimir Putin's Vision of Russia as a Normal Great Power,' *Post-Soviet Affairs,* 21:2, pp. 132–158, 134.

34 Within the period of 2000-2005, Russia had a negative growth rate of -0.48% and -0.4% in 2005-2010.

35 World Economic Outlook Database, April 2010.

36 See <http://wciom.ru/novosti/reitingi/doverie-politikam.html>

37 See <http://wciom.ru/novosti/reitingi/odobrenie-dejatelnosti-gosu-darstvennykh-institutov.html>

38 Currently the institution of presidency holds 71% approval ranking, and the one of the prime-minister 72%. Putin is leading in personal approval rankings by 49%, 5% more than Medvedev.

39 Interestingly, within 2003–2008 the number of respondents considering political instability in Russia as an obstacle to superpower status decreased from 19 to 11%, while the number of respondents considering the West as an obstacle increased from 8 to 19%. See <http://wciom.ru/arkhiv/tematicheskii-arkhiv/item/single/10954.html?no_cache=1&cHash=8e3b869e7e>

40 A largely irrelevant border change took place in 1970, when the village of Rio Rico was ceded by the US to Mexico. This represents the most recent cession of land by the U.S. from a state to a foreign country.

41 See <http://factfinder.census.gov/servlet/SAFFPopulation?_submenuId=population_0&_sse=on>

42 See <http://www.imf.org/external/pubs/ft/weo/2010/01/weodata/weorept.aspx?sy=2007&ey=2010&scsm=1&ssd=1&sort=country&ds=.&br=1&c=111&s=NGDPD%2CNGDPDPC%2CPPPGDP%2CPPPPC%2CLP&grp=0&a=&pr.x=40&pr.y=10>

43 See <http://zimor.com/chart/Nominal_GDP>

44 Transatlantic Trends, 2004-2008.

45 *Ibid.* Transatlantic Trends, 2004-2008.

46 See <http://pewresearch.org/pubs/1063/bush-and-public-opinion>

47 This became even more evident after the devastating experience of the Yugoslav wars and the uncoordinated recognition of the former-Yugoslav republics.

48 Indeed the QMV was possible only for the policy implementation but not decisions.

49 The HR is provided with a "double institutional hat" as it is member of both the Commission (vice-president) and of the Council of Ministers (chairman of the Foreign Affairs council).

50 See <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf >.

51 Council of the European Union, 2003.

52 For further details on Member States' perception of Russia see Stefano Braghiroli and Caterina Carta (2009), 'An Index of Friendliness Towards Russia: An Analysis of the Member States and Members of the European Parliament's positions,' *Pan-European Institute Electronic Publication Series,* See <http://www.tse.fi/FI/yksikot/erillislaitokset/pei/Documents/Julkaisut/Braghiroli_and_Carta_1509_web.pdf>, (accessed 15 May 2010).

53 The EU's imperial aspirations are particularly evident in Kosovo and Bosnia-Herzegovina. The two countries are *de facto* EU protectorates governed by EU officials (provided with outstanding political and institutional powers) with the assent of the UN. For further details on the EU's alleged neo-colonial approach see Jan Zielonka (2008), pp. 471–484.

54 See Nelli Babayan (2009), 'European Neighbourhood Policy in Armenia: On the Road to Failure or Success?' *CEU Political Science Journal,* 3:4, pp. 358–388.

55 The Constitution of the Russian Federation has so far been amended in 1996, 2001, and 2008, while substantial amendments were introduced only in 2008, prolonging the terms of the president and the State Duma from four to six and five years respectively.

56 Blizhnee zarybezhye [ближнее зарубежье].

57 See Stanislav Secrieru (2006), 'Russia's Foreign Policy under Putin: CIS Project Renewed' (English), *UNISCI Discussion Papers*, No. 10, January 2006, Madrid.

58 See Michael Rywkin (2003).

59 Status of a superpower [державность].

60 Ivan Krastev (2005), 'Russia's post orange empire', *Open Democracy*, 19 October 2005, p. 2.

61 See John Dumbrell (2008), pp. 88–104.

62 See Douglas Brinkley (1997), 'Democratic Enlargement: The Clinton Doctrine', *Foreign Policy,* 106, pp. 111–127.

63 An international treaty enters into force after being approved by two-thirds of the Senate. Though the power to declare war is constitutionally vested in the Congress.

64 See George W. Bush (2002), 'President Bush Delivers Graduation Speech at West Point', <http://georgewbush-whitehouse.archives.gov/news/releases/2002/06/print/20020601-3.html>, (accessed 17 May 2010).

65 See Zbigniew Brzezinski (1998), *The Grand Chessboard: American Primacy And Its Geostrategic Imperatives*, Basic Books.

66 GUAM Organisation for Development and Economic Development includes: Azerbaijan, Georgia, Moldova, and Ukraine.

67 See Rick Rozoff (2009), 'Former Soviet States: Battleground For Global Domination,' *Center for Research on Globalization*, <http://www.globalresearch.ca/index.php?context=va&aid=16243>, (accessed 20 May 2010).

68 See Angelos Sepos (2010).

STATISM IN RUSSIA: THE IMPLICATIONS FOR US-RUSSIAN RELATIONS

Shavkat Kasymov

Abstract: *This work identifies and assesses the general shift in Russian foreign policy thinking during Vladimir Putin's presidency. The main thesis of this work is that a general shift in Russian foreign policy had occurred during Putin's presidency owing to the rise in Statist thinking. To substantiate the thesis, the author uses the State of the Nation addresses of Boris Yeltsin and Vladimir Putin to make a comparative analysis of the presidents' foreign policy approaches. As demonstrated, Russian foreign policy experienced a dramatic influx of state power during Putin's presidency, which resulted in the relative quantitative and qualitative reduction of cooperative initiatives between the US and Russia.*

Keywords: *Russia, US, Statism, Putin, Yeltsin, Chechnya, foreign policy, nationalism*

Introduction

The beginning of the twenty first century marked the dawn of a new era in US-Russian relations. The winding down of the Cold War in the late 1980s and ensuing warm relations between the former adversaries brought the decades of geo-political, military, economic confrontation and of the competition for spheres of influence across the globe to an end. The collapse of the Soviet empire resulted in a form of tacit alliance between Moscow and Washington in the first half of the 1990s, when president Yeltsin was the head of the Russian state, which gradually transformed into fragile interstate relations filled with mutual suspicion, mistrust and political confrontation after Putin succeeded Yeltsin as the new Russian leader. During the Soviet era the confrontation and the inability to bridge the gap between the superpowers could be understood in the broader context of the ideological struggle. In the mid-1990s, however, when Russia's leadership vowed to support the ideals of

democracy and market economy and when the Western world was no longer concerned about the spread of communism in Europe, other factors came into play. Rising nationalism and internal political pressures engendered by deteriorating economic conditions, widespread social discontent and a threat posed to state security by the secessionist movements in the Caucasus, brought Putin to power and allowed him to accumulate a substantial amount of political leverage.

Given such adverse domestic conditions, the demand for strong leadership in Russia rose and, consequently, Yeltsin hand-picked Putin to lead the country out of chaos and disorder. Yeltsin assumed that Putin's character and determination would be critical in strengthening Russia's economic and political position in the world and also in assuring the continuity of the country's political and foreign policy course. However, Putin's response to major global political processes differed from the preceding political decisions made during Yeltsin's presidency. Putin hoped that a change of a political strategy would provoke the growth of the country's welfare, enhance security and revive the global power image that was largely lost by the preceding leadership as the former superpower transformed into a new nation-state. Increasingly, Putin maintained a hard-line stance on many domestic and foreign policy issues, which resulted in the renewal of political tensions between the US and Russia, reminiscent of the confrontation during the Cold War. Even today, he continues to wield a substantial amount of political power largely because he never lost the support of key power elites. Over the years of his rule, Putin structured the entire political system in Russia according to his own belief of how to reach progress and stability. Obviously, the centralisation of executive power was the major step taken by Putin toward authoritarianism and, simultaneously, the distancing of Russia from the West. Why did Putin decide to change the Russian foreign policy course and was it a product of his personal motives or of a much broader negotiation process among the political and business elites? While answering this question is not a simple task, I will try to bring to light some aspects of Putin's leadership which I consider the engine of this change.

Although a change from a pro-Western Russian foreign policy could be observed as early as 1993, while Yeltsin was still in power;

the arrival of Putin marked the beginning of a new political era for Russia. Moreover, following Putin's election, the official Russian foreign policy thinking experienced a dramatic shift. Undoubtedly, Putin came to power when Russia's domestic economic and political conditions differed drastically from those of Yeltsin's presidency. Such a policy shift could be seen as a normal reaction of any administration to various circumstances. Indeed, many scholars contend that there was no fundamental change of Russian foreign policy from Yeltsin to Putin. They believe that Putin's foreign policy was in large part a continuation of the course that was conceived during the late-Yeltsin period. For instance, Mankoff argues that 'the assertive, narrowly self-interested foreign policy that has characterised Russia during the Putin-Medvedev years is merely the culmination of a process that began over a decade earlier, during the presidency of Boris Yeltsin, at a time when the bulk of the Russian elite came to recognize that integration with the West and its institutions was neither possible nor desirable, at least in the short run.'[1] However, to understand the distinction between Yeltsin's and Putin's foreign policy, one would need to look deeply into Russia's official standing on various issues of global and domestic importance as expressed in the State of the Nation addresses and political behaviours of both presidents.

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The State of the Nation address is the central annual speech made by the Russian president to highlight the country's main economic and political challenges, objectives, and priorities. It also reflects and reinforces the general political orientation of the leadership. The rhetoric of the Russian president in the annual address sets the tone for the country's foreign policy during the years of any administration in power. Critical international and domestic issues are addressed in the speech to express the official standing of the leadership and inform any interested parties, including other global powers. I will use a number of case studies to support the main argument of the essay – namely, the US National Missile Defense, NATO expansion initiatives, the situation in Kosovo, the war in Chechnya and, more broadly, US reactions to the Russian policies in the Caucasus, as well as US-Russian relations in the context of the global campaign against terrorism. By comparing the annual State of the Nation addresses of Putin and Yeltsin, I identify the shift in the official positions toward these aspects of foreign policy

and assess the ramifications of the statements. The purpose of this work is not to formulate a substantive critique of Putin's or Yeltsin's approaches to foreign affairs but rather to trace the distinction and provide an explanation of policy actions of both presidents under various circumstances.

When Putin succeeded Yeltsin in 2000, Russian foreign policy toward the US began to shift; from what looked like a soft confrontation and sporadic economic and political partnership during Yeltsin's era to an explicitly cold, aggressive and highly pragmatic diplomatic form, accompanied by military demonstrations, strong rhetoric and other conspicuous aspects that characterised Putin's foreign policy. This change was mainly aroused by his personal perceptions of Russia's new political and military standing in the world, his strong patriotic and nationalist convictions. In order to illuminate this dramatic shift in Russia's foreign policy, I will draw a comparison of two time periods; the foreign policy trends from 1992 to 1999 and from 2000 to 2007 under Yeltsin's leadership and under Putin's leadership, respectively.

Russian policy towards the US under Putin was mainly concerned about the advancing US plan to build a National Missile Defense system against the so-called "rogue" states and the abrogation of the Anti-Ballistic Missile Treaty. Russia perceived the plan as being targeted against it. As a result, Putin launched an international campaign against these US initiatives. The missile shield was seen as a threat to the strategic parity, the global balance of power, and, more importantly, to Russia's strategic and geopolitical interests in Europe. The US plan 'wonderfully fits the overall picture of the American global anti-missile defense, which, according to our analysis – just look at the map – is being deployed along Russia's perimeter, and also China's, incidentally.'[2] US-Russian relations were further strained when George W. Bush succeeded Bill Clinton as US President in January 2001 mainly because he made the final decision to implement the project rapidly. Although, Bush had sought Putin's acquiescence to his administration's plans, in December 2001 Bush announced his intention that the US to withdraw from the ABM Treaty in six months without waiting for Moscow's agreement. The unilateral withdrawal of the US from the arms control treaty and the drive of US policymakers to expand their military presence and to pursue their security

objectives in areas of traditional Russian influence in Europe and across the globe, sparked a new cycle of political contention, when Russia began to rise as an energy superpower and an important world actor on matters related to international security and peace. Certainly, rocketing oil prices, the high dependence of foreign markets, primarily European, on Russia's energy resources, and an economic boom accounted for the tone with which Putin asserted the country's international position. More importantly however, this assertiveness mirrored the substantial agreement among the Russian political and public circles on the nature of Russia's new role in the world, inspired by the patriotic convictions of Putin. Herspring and Rutland explain the nationalist sentiments in Russia as such: 'if there is an "ism" that drives Putin, it is nationalism – nationalism built not on ethnic, cultural, or spiritual values, but on the centrality of state power, which in Putin's case embraces a deep-seated desire to restore Russia's former greatness.'[3] Putin claims that 'patriotism is a source of courage, staunchness, and strength of our people. If we lose patriotism and national pride and dignity, which are connected with it, we will lose ourselves as a nation capable of great achievements.'[4]

During the early 1990s, the situation was drastically different, when Russia, dependent on foreign, mainly US economic assistance and investments, sought to collaborate with the West on a multitude of issues, from liberal reforms to disarmament and space programs. US-Russian relations were often described as apprenticeship rather than rivalry during the early years of Yeltsin's presidency. The Russian society then quickly became embittered by the economic reforms initiated by a group of liberal reformists headed by Yegor Gaidar and soon after, Russia's leadership moved toward bilateral partnership and reduce the dependence on Western political expertise and guidance. Prior to Putin, Russian foreign policy thinking had been influenced by Primakov and other hardline policy-makers. Consequently, Putin's approach seemed not to be such a drastic departure of a change from state policies towards the West. The radically transformative domestic policies and a lean towards an authoritarian rule were suggestive of Putin's will that Russia appear as a strong and competitive player in the eyes of the West. While the contrast between Yeltsin's and Putin's domestic policies is hard to overlook, the correlation between domestic and

foreign policies in Russia is probably more intimate than in many other countries. Russian foreign policy is, in large part, reflective of the internal political processes as much as it is a reaction to international developments and events that touch upon the short- and long-term security interests of Russia.

The Revival of Statism in Russia

For centuries, Russia's foreign policy has been shaped by developments in the West, how the status of Russia as a global power was evolving in that light, and how its national strategic interests were met by key external actors. In the aftermath of the Soviet Union, the leadership embarked on a quest for a new sense of national identity. Initially, a pro-Western vision of national identity and foreign policy was espoused by Russian leaders, which was consistent with their perception of the world at large. Subsequently, following economic decline, the new Russian worldview was derived primarily from the perception of its own economic backwardness relative to the steadily growing Western economies and the ideological unity among most Western countries, consecutive financial crises, and the disintegration trends that dominated the Russian domestic arena.

Statists, along with "Westernists" and "Civilisationists," constituted the three distinct traditions, or schools, of Russian foreign policy thinking. Tsygankov maintains that these schools 'sought to preserve Russia's international choices in ways consistent with the schools' historically established images of the country and the outside world.'[5] Westernists tend to embrace Western modes of thinking, stressing Russia's similarities with the West. Westernists emphasise Russia's alignment along the Western-orientated political course. They view Russia as a Western power that should strive to acquire the status of a modern, liberal-democratic power. Westernists are also labeled as Atlanticists and international institutionalists. Their mode of thinking was popular from 1987 to 1990 and was captured in such phrases as "global problems" and "interdependence." Andrey Kozyrev was a foremost defender of Russia's orientation towards the West. Along with other reformists of the Yeltsin era, including Anatoly Chubais and Yegor Gaidar, he was later criticised for having conceded the Russian position to the

West on a multitude of foreign policy issues. In light of the political challenges brought about in the mid-1990s, the Russian political establishment was compelled to reassess the country's official foreign policy thinking and expel Westernists from the political arena.

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Faced with such new challenges as military conflicts in the Russian periphery and within Russia (Chechnya), the semihostile attitudes of some of the former Soviet republics toward Russia, NATO expansion, and flare-ups in the Balkans, those advocating international institutionalism were unable to offer a conceptual perspective on how the country should face such challenges. Their grand strategy involving the development of a deep, multisided partnership with the West turned out to be deeply flawed. As a result, international institutionalism has been challenged by other schools of foreign policy thinking.[6]

Civilisationists, on the other hand, have always seen Russia's distinctive role in the world through the prism of a cultural opposition between Russia and the West and they assert that Russia is not a Western power. Early-Soviet Civilizationists challenged the West in a most direct fashion, defending the doctrine of the world revolution. They are also labeled as revolutionary expansionists. Other Soviet thinkers however, advocated peaceful coexistence and limited cooperation with the "capitalist world." Yet another version of Civilizationist thinking is the so-called Eurasianism that saw Russia as a distinctive entity from both European and Asian cultures. Eurasianists believe that Russia has a unique destiny. According to this paradigm, Russia is a Eurasian power that lies between the Western and Eastern civilizations and has its own; a "third" way of development. Eurasianism stresses Russia's dominance in Central Asia and the Caucasus. Alexander Dugin, a neo-Eurasianist, contends that Russia and the West – represented by the US – are destined to collide because of their uncompromising values.[7] According to Dugin, 'In principle, Eurasia and our space, the Russian heartland, remains the staging area of a new anti-bourgeois, anti-American revolution.' According to his 1997 book, *The Basics of Geopolitics*, 'The new Eurasian empire will be constructed on the fundamental principle of the common enemy: the rejection of Atlanticism, strategic control of the US, and the refusal to allow liberal values to dominate us. This common civilisational impulse will be the basis of a political and strategic union.'[8] Generally speaking, Civilizationists have always

viewed Russian values as different from those of the West. How-ever, Dmitry Shlapentokh believes that it remains unclear whether Putin belongs to the so-called "Eurasianist camp" of policy-makers and ideologues.[9]

Putin's presidency marked a consistent political course toward the enhancement of the bilateral and multilateral partnership with the Central Asian republics. Additionally, Putin took steps to con-solidate the position of the Russian government in the Caucasus. Early in his tenure as president, Putin even proclaimed that Rus-sian foreign policy is prepared to make a "decisive turn" towards the Asia-Pacific region.[10] Indeed, Putin consistently attempted to re-store Russia´s geo-political and economic presence in Asia-Pacific. Relations with China and India, as well as other countries of the Asia-Pacific region, were promising mainly due to economic part-nership and numerous arms trade agreements, all which formed the backbone of a wider Russian strategy to weaken the US posi-tion in the region and prepare the groundwork for the so-called "multipolar triangle," and further a "quadrangle" – with Brazil to be included – despite the fact that US ties to China and India were also solid as never before. However, it would be wrong to view Pu-tin as guided entirely by the Eurasianist paradigm. The reform of state power institutions was seen by Putin as the best solution to Russia's looming political and economic crisis when he succeeded Yeltsin. Putin exhibited an undeniable conformity to a Statist para-digm though his commitment to an Eurasianist conception could justify the necessity to counterpoise the Western influence across the world.

Statists have always sought to preserve and increase the role of the state and its ability to sustain the social, political and interna-tional order. The Statist way of thinking is conducive to the con-solidation of state control. More importantly, Statism is reinforced and accompanied by a strong national idea. For Statists, the West is seen as a threat to a strong state because Western interests are thought to weaken statehood in Russia. Statists, by their nature, tend to prevent and undermine Western influence in Russia, the post-Soviet spaces and beyond. One of the central preexisting fac-tors leading to Statism is the presence or perception of an external threat to the security of the state. Plans to expand the US military presence in Europe and in the former Soviet territories had sparked

a new wave of Statist thinking because of the perception of imme-
diate threat to Russia's national interests, among other factors. As
will be demonstrated below Putin's main political vision of Russia's
place in the world coincided with the Statist paradigm, particularly
if Russia's national security and cultural identity initiatives under
Putin are scrutinised. Putin's views were intimately tied to a Civi-
lisationist perspective of Russia's international role combined with
a renewed belief in state institutions. In other words, according to
Putin, Russia is neither a Western nor an Eastern power. Russia is
a global power in its own right whose security and integrity are the
ultimate goals of state leadership.

Yeltsin sought Russia's integration in the Western community
even though he never challenged Russia's distinctive role in the
world. Likewise, Putin sought Russia's integration in global eco-
nomic and political affairs, yet through the increased reliance on
power structures and with the ambition to create a new Russian
state identity. The attempts to negotiate the accession of Russia
to the World Trade Organisation (WTO) have led to nothing since
Putin's reforms were aimed at the consolidation of state power in-
stitutions, the erosion of democratic mechanisms, and a marked
growth of state involvement in the economy, particularly, in the
resource extraction sector which contradicted the norms of the
WTO. Putin believed that the state plays a key role in Russia's re-
surgence as a global power whereas, all other considerations, in-
cluding the significance of a thriving civil society and democratic
institutions, are essentially incompatible with the Russian milieu.
Putin believed that Russia has its own form of governance – dem-
ocratic in essence, yet different from what is considered a "tra-
ditional democratic model" in the West – with a near complete
absence of checks on state leadership and the balance of political
powers. By and large, the executive branch fused with the legis-
lative and the judicial became subordinate to the executive. Pu-
tin took steps to reduce the involvement of private capital in the
economy, particularly in the industrial and resource extraction
sectors, thereby appropriating the major source of state income.
These tendencies significantly alienated Russia from the West
during Putin's presidency and the political contention between
Russia and US culminated in a 2008 war between Georgia and
Russia over South Ossetia and Abkhazia.

Complete reliance on power structures, military force, and coercive state power; excluding civil actors from the political process makes Statists diametrically opposed to Westernists. Putin eliminated those foreign NGOs and civil society actors who were actively promoting governance reforms, a free society, and crisis management from Russian territory. Many opposition groups and government critics were silenced during the first few years of his presidency. In the aftermath of Putin's reforms, the executive and legislative branches of power merged and many government officials were also members of the ruling party, United Russia, headed by Putin. Such a political model bears a close resemblance to the Communist Party's dominance of the political landscape during the Soviet era. Opposition parties and prominent anti-establishment figures were effectively marginalised so as to achieve state-centrist objectives. State-centrism also characterised the foreign policy course under Putin, which led to a discord with the US leadership over plans to install the components of the National Missile Defense (NMD) system in Central and Eastern Europe.

US National Missile Defense

Plans to install a NMD system date back to late 1950s when the US leadership sought to develop and implement a defensive system against Soviet ballistic missiles. The current national missile defense initiative is the latest version in a long series of attempts. It is intended to protect the US against a limited nuclear attack by a so-called "rogue" state like North Korea or Iran.

Although Yeltsin objected to US plans to deploy the elements of the National Missile Defense (NMD) system in the former Warsaw Pact countries, a financial aid package and membership in the G7/G8 were promised in exchange for implementing liberal and economic reforms which helped to tone down Russian criticism. The signing of the Comprehensive Nuclear Test Ban Treaty in 1996 and the promise of advancing the ratification of the Chemical Weapons Convention were indicative of the relative success and of the ongoing cooperation between the US and Russia during Yeltsin's terms. Following Yeltsin's resignation 1999, Putin became acting president. Soon after that, a new National Security Concept was signed into law which reaffirmed Russia's strong commitment of the previous

1997 Concept to the principle of nuclear deterrence and the possible preventive first use of nuclear weapons. The Concept reiterated the leading role of nuclear weapons in protecting state integrity and security. Whereas the 1997 National Security Concept had reserved the right to a nuclear strike 'in case an armed aggression creates a threat to the very existence of the Russian Federation as an independent sovereign state,'[11] Putin's version of the document contained an alteration of the wording: 'the use of all forces and means at its disposal, including nuclear weapons, in order to repel armed aggression against itself or its allies, when no other means are deemed possible to prevent the liquidation of Russia as a party to international relations.'[12] Putin's 2000 military and foreign policy doctrine referred to NATO as an impediment to securing Russia´s strategic interests, though it highlighted the difference between Europe and US and underscored the importance of a "multipolar" global order. The signing of the SORT treaty in May 2002 by Putin and Bush opened the door to the reduction in the number of nuclear warheads to 1700-2200 in Russia and US over the next ten years.[13] Unlike the START treaties that were signed prior to, and following, Putin's presidency, the SORT treaty was later criticised on a number of aspects, including the absence of proper verification provisions that ensured the implementation of the terms of the treaty; no guarantees prohibiting the redeployment of warheads after the treaty expires in 2011 and other weaknesses related to implementation mechanisms.[14]

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Interestingly, Yeltsin expressed his opposition to the US initiative to install the components of the NMD system in Central and Eastern Europe, yet he never used the language of threat to influence the decision of the countries involved and to delay or disrupt their plans. Both Yeltsin and Putin consistently stressed the importance of respecting Russia's national strategic interests by international partners: Putin went further and resorted to threatening to target former Warsaw Pact allies by Russia´s offensive strategic nuclear forces in an effort to prevent the installation of the system. In a newspaper interview while attending a G8 Summit, Putin stressed that '(i)f the US nuclear potential extends across the European territory, we will get new targets in Europe. It will then be up to our military experts to identify which targets will be targeted [sic.] by

ballistic missiles and which ones will be targeted [sic.] by cruise mis-
siles.'[15]

> We have taken several other steps required by the Adapted
> Conventional Armed Forces Treaty in Europe (ACAF). But
> what have we seen in response? Eastern Europe is receiv-
> ing new weapons, two new military bases are being set up
> in Romania and in Bulgaria, and there are two new missile
> launch areas – a radar in the Czech republic and missile
> systems in Poland. And we are asking ourselves a ques-
> tion: what is going on? Russia is disarming unilaterally.
> But if we disarm unilaterally then we would like to see our
> partners be willing to do the same thing in Europe. On
> the contrary, Europe is being pumped full of new weapons
> systems. And of course we cannot help, but be concerned.[16]

A perception of external threat posed by the expansion of US
defensive missile systems in Europe led Putin to pursue a counter-
strategy aimed at the revival of the military, building new alternative
alliances, demonstratively testing new missiles, resuming strategic
bomber flights in close proximity to NATO's bases, and conduct-
ing war games in concert with anti-Western countries. Putin also
took steps to restore relations with Germany and France, offering
them an alternative Russian-European missile shield to counter US
proposals. However, European NATO member countries were re-
luctant to accept Putin's proposal, which excluded the US. Indeed,
during his speech at the Munich Conference on Security Policy in
2007, Putin said:

> why is this being done, why are our American partners so
> insistent about implementing the missile defense plans
> in Europe, if they are obviously not needed for protec-
> tion against the Iranian or North Korean missiles? It is
> well known where North Korea is located and what the
> range of their missiles needs to be to reach Europe. It is
> clear that it is not against them or us, because everyone
> knows that Russia does not intend to attack anyone. Why
> is this being done? Perhaps, to provoke our response and
> to prevent our integration into Europe. Missiles with
> a range of about five to eight thousand kilometers that
> really pose a threat to Europe do not exist in any of the
> so-called "problem" countries. Any hypothetical launch of,

for example, a North Korean rocket to American territory through Western Europe obviously contradicts the laws of ballistics. As we say in Russia, it would be like using the right hand to reach the left ear.[17]

The global war against terrorism (GWOT) improved Russia´s relations with NATO and in May 2002 the NATO-Russia Council was formed. Its goal was to promote cooperation in fighting terrorism, crisis management, arms control, rescue operations and emergency situations, to name a few. In January 1992, Boris Yeltsin also called for a global missile defense system that could be developed and operated by both Russia and US. Such a system could be based on modified Strategic Defense Initiative (SDI) technology. In essence, Yeltsin's offer contradicted his previous statements reaffirming Russia's compliance with the Antiballistic Missile Treaty which prohibits extensive missile defense systems. The proposal was left unrealised because of the pessimism prevalent among US policy-makers with regard to a joint anti-ballistic missile defense system with Russia. Bobo Lo describes the 'overall of Russian foreign policy during the Yeltsin period as "ad hoc" and "reactive".' He argues that 'policy-makers consistently sought to give the impression of strategic vision and long-term thinking. But the competition between sectional interests within the elite had anaesthetising effect on policy. Decision-making was driven by lowest common denominator principles, based on the avoidance of risk. The outcome, largely accidental, was a "pragmatism by default" instead of the consensus sought by the regime.'[18] Russian foreign policy priorities during Yeltsin´s administrations were geared to accommodate the need to reinforce statehood to the expectation that was prevalent among the US decision-makers to move forward with the realisation of governance reforms in Russia and implement the disarmament initiatives according to the agree-upon timeline. It is clear that Yeltsin aspired to see Russia become a part of the international community and cooperating with the US on a broad range of issues was deemed as the most effective way of achieving that.

Putin's political course effectively decelerated the progression of the state along that vector. His rhetoric related to US missile defense initiatives manifests a more deterministic approach to foreign affairs; all the more so as Russian national interests were believed (and claimed) to be directly affected by the US defense initiatives

in Europe. Putin perceived the US plan to install the elements of NMD in Europe as designed to offer protection against Russia's nuclear weapons, not Iran´s or North Korea´s officials from the Bush administration had argued. Whereas Putin´s opposition to Western security initiatives may be seen as a response to the rejection of his proposals to deploy a joint missile defense system with both European states and the US, more importantly, state-centrism and the objectives set forth by a new military doctrine appeared to be the main vehicle of the shift in Russia's foreign policy thinking and relations to the US on the question of NMD deployment in Central and Eastern Europe.

NATO Expansion

After the collapse of communism in East and Central Europe, deep structural transformations including liberal economic reforms, were encouraged by the West and reinforced through pledges to provide foreign financial aid, which in turn assisted the Westernists gain more influence on Yeltsin. Indeed, in 1991, in an effort to demonstrate a pro-Western policy orientation, the Yeltsin administration went so far as to send a letter to NATO expressing a strong interest in membership and the willingness to move toward a full-scale partnership. 'His letter did receive some publicity in the media, but suspicion lingered in the West about the permanency and even about the viability of Yeltsin's democratic reforms in Russia.'[19]

By not encouraging Russia to become a member, the West missed an excellent opportunity to strengthen Russia's nascent democracy. An acceptance, or at least a positive response, would have given an initial boost to Yeltsin's pro-Western foreign policies, a much-needed new identity to the floundering Russian military, and would have effectively countered Yeltsin's nationalist and Communist critics.[20]

Felkay maintains that 'despite NATO's reluctance to embrace Yeltsin's Russia, the Yeltsin-Kozyrev team pushed on toward integrating Russia with the rest of Europe and building a friendly relationship with the United States.'[21] Yeltsin realised that he had to make the post-Soviet political and economic transformations attractive to the US decision-makers, especially Clinton, since Russia's integration into the fold of the international society was a prime, short-term objective and it was recognised that strong relations to

the US could act as a political vehicle to achieving such an objective. And thus, Yeltsin may be regarded as driven by pragmatism and adaptability to a Western orientation in a foreign policy decision- and policy-making, a key avenue towards the realisation of such foreign policy goals. Lo suggests that 'during the Yeltsin period, America represented the single greatest external influence on Russian foreign policy, whether in relations with the IMF, in terms of the strategic disarmament agenda, in determining the level of Russian interest in regional and global issues, or in shaping elite perception of national identity.'[22]

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Such an orientation did not last long however and the rhetoric favoured by Putin was much less conciliatory and more confrontational over what he perceived and presented as Russia's geo-political encirclement by US-led NATO forces. Despite Putin's – like Yeltsin's – rhetorical interest in Russia's NATO membership, no tangible actions were taken to increase Russia's engagment with the vanguard European security community. Contrarily, Putin worked to consolidate Russia's energy position in Europe seeking to emphasise energy dependence (of a great percentage of European countries) on Russia's energy resources. In his 2000 State of the Nation address, Putin stressed the need to alleviate Russia's dependence on foreign aid by stressing that 'it not only relates to our national pride, though it is also important. The question is more dramatic and of much greater significance. It is whether or not we can survive as a nation and civilization when our well-being again and again depends on international loans and the favour of world economic leaders.'[23]

The 2000 State of the Nation Address served, in many ways, as a political blueprint for things to come and it is no coincidence that this tone was apparent throughout both of Putin's administrations. For instance, at the 2007 Munich Conference Putin criticised the US for conducting a unilateral foreign policy, for pursuing its national interests while ignoring those of other countries, both major and minor. He described US diplomacy as using an 'almost uncontained hyper use of force – military force – in international relations, a force that is plunging the world into an abyss of permanent conflicts.'[24] He also expressed Russia's concern when he pointed to the 'so-called flexible frontline American bases with up to five thousand men in each. Again, it turns out that NATO

has put its frontline bases on our borders.'[25] In a 2007 speech commemorating the 62nd anniversary of the Nazi defeat in World War II, Putin tacitly compared US foreign policy to that of the Third Reich. He stated that '(w)e do not have the right to forget the causes of any war, which must be sought in the mistakes and errors of peacetime. In our time, these threats are not diminishing. They are only transforming, changing their appearance. In these new threats, as during the time of the Third Reich, are the same contempt for human life and the same claims of exceptionality and diktat in the world.'[26]

In constrast, during a 1997 speech, Yeltsin reiterated his opposition to NATO expansion plans – in a somewhat softer tone – by stating that 'they aim to contradict the Russian security interests and are conducive to fracturing the European political space. The significance of existing European-wide political organisations will diminish. Never before has anyone been able to create an effective security system in Europe without Russia or against it.'[27] Yeltsin's suggestion however was to increase dialogue in an effort to ease tensions.

During the Yeltsin years Russia's diplomacy sought to implement the foreign policy objectives which centred on creating favourable external conditions for the continuation of domestic reforms, for building and maintaining genuinely equal relationships with the leading countries of the world, corresponding to the status and potential of Russia. Indeed the aim was 'to defend our national interests not by resorting to confrontation, but by building the foundation for future stability and cooperation in international relations. Russian foreign policy is aimed to construct the system of international relations based on the multipolar peace, devoid of the dominance by a single center of force.'[28]

It is important to mention that the agreed-upon financial aid package did not eliminate, but helped tone down, Russia´s criticism of NATO's eastward expansion during Yeltsin's terms. The US assurances given on the ABM Treaty also helped. The signing of the Comprehensive Nuclear Test Ban Treaty and the promise of advancing the ratification of the Chemical Weapons Convention were gestures of ongoing cooperation between the two, despite their disagreement on NATO expansion. Additionally, the US had made another concession to appease Yeltsin, by announcing that it

would support Russia's full participation in future meetings of the Group of Seven (G-7).

Despite Yeltsin's previous diplomatic gestures and his willingness to cooperate despite NATO's 1999 engagement in Kosovo, Putin pursued a consistent and strictly pro-Russian policy course on matters related to global peace and security. Putin was more cautious about the NATO expansion plans.

Kosovo

The conflict in Kosovo clearly demonstrates that the shift in Russian foreign policy thinking toward Statism was manifested not only in presidential rhetoric, but also in the actions of Russia. This change carried Russia through Putin's two terms and has defined Medvedev's presidency as well. The conflict in Georgia in 2008 over the two annexed Republics of Abkhazia and South Ossetia was justified as being in line with the actions of the West in Kosovo and the US-backed declaration of independence of the breakaway region is illustrative of the Putin administration's disregard for international legal norms and of the commitment to use military force in advancing a new national idea. In Yeltsin's era there was a tendency to defer the making of difficult decisions. Moscow was prone or at least attempted to ignore problems related to Yugoslavia in an effort to postpone a decision on how to respond to Milosevic.[29] As a result of such policy, it appeared that Moscow approved NATO's Balkan policy. Yeltsin was compelled to invent a new type of relationship with the US seeking greater economic support and a solution to accumulating domestic political pressures in light of the transition process and the successive financial crises that had nearly thrown the Russian economy into chaos. At that time, the US was the sole superpower and as many people in the Russian elites asserted, a major source of donor aid. In that context, Yeltsin had no choice but to emphasise the strengthening of US-Russian ties. However, his health problems, inability to handle domestic processes, the peculiarity of his personality, and, at times, a lack of assertiveness created additional impediments to forming a solid, long-lasting foreign policy course.

Putin came to power when Russian foreign policy was weak, inconsistent and ineffective. It was then that a new foreign policy

course began to form. Putin's foreign policy appeared increasingly solid, goal-oriented, and pragmatic. During his visit to Kosovo in 2001 Putin said that 'the international community, which set up a protectorate in Kosovo at the end of the civil war in 1999, must act to implement a UN Security Council resolution guaranteeing the rights of minority Serbs in the province of Kosovo and the integrity of Yugoslavia.'[30] Putin reiterated that the long-standing Russian ties to the Serbian people constitute the foundation of bilateral relations and publicly Russia viewed NATO´s intervention as the cause of Albanian nationalism throughout the region.

In his 2000 State of the Nation address, Putin said that

> The Cold War is in the past, yet even today we have to overcome its hard consequence, including the attempts to infringe the rights of sovereign states under the umbrella of the so-called humanitarian interventions and the difficulty of finding a common language when it comes to resolving the issues of regional and international threats.[31]

The situation in Kosovo, which Yeltsin failed to handle appropriately, sparked a new wave of anti-Western sentiments and helped Putin consolidate his political power-base and engage in widescale military operations in the North Caucasus. Yeltsin once remarked that 'Russia has a number of extreme measures in store, but we decided not to use them so far. We are above that. On the moral level we are superior to the Americans. The NATO aggression against Yugoslavia is a very big mistake made by America and by Clinton, and they will be held accountable.'[32] Subsequently, Yeltsin appealed to the leaders of the Contact Group on Yugoslavia and called for the Security Council meeting to end the bombing and to continue the search for peace; an effort that did not yield results. However, this demonstrates Yeltsin's commitment to peace and political dialogue. He strove to prevent unilateral military interventions and sought greater involvement of the UN in the resolution of the crisis. Yeltsin proclaimed that 'I will do everything to put an end to military actions in Yugoslavia, but Russia has already made its choice – it will not allow itself to be drawn into the conflict. We are trying to avoid another global split.'[33] In contrast, Putin stated that 'with increased money inflows from abroad we have more external interference with our internal affairs. In the past, states-colonisers referred to the so-called civilization mission

while expanding their national interests, which happens today, only with democracy as a pretext.'[34]

Chechnya

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Disagreements between the US and Russia over the resolution of the conflict in Chechnya were commonplace after Putin was elected. He perceived and presented Chechen rebels as a threat not only to Russia and its territorial integrity, but also to civilization at large, which he predominantly associated with the West, so as to gain greater international support for the operations in the Caucasus. In his April 2002 State of the Nation address, Putin said that 'in the aftermath of the September 11 attacks on New York and Washington, many people realised that the Cold War is over and that there are different threats and there is another war with international terrorism. This does not require additional evidence and equally applies to Russia.'[35] The first wave of terrorist attacks in Moscow and the second Chechen campaign that followed boosted his ratings substantially before the presidential elections in 2000 and gave him confidence in promoting a centralised system of governance.

Yet, despite such public support the events of 2004 proved a major challenge for Putin. In that year two civilian airplanes were downed and more than a thousand schoolchildren and teachers were taken hostage in Beslan, North Ossetia, both of which resulted in hundreds of casualties. Attacks seemed to have been spreading across the whole region and people felt increasing insecurity. The initial reaction was hardly in line with the pragmatic Western-oriented course. In his first statement, Putin admitted that Russia lacked sufficient and adequate defenses, but also relegated partial responsibility for the Beslan incident to some unspecified external forces that worked to undermine Russia's influence in the region and to instigate secessionist sentiments and movements. In a vague reference to the West, he said that 'some want to tear off a big chunk of our country and others are helping them. They are helping them in the belief that Russia, as one of the greatest nuclear powers of the world, still poses a threat to them and, therefore, this threat has to be eliminated. Terrorism is their only tool.'[36]

However, US-Russian relations improved in the wake of the terrorist attacks in New York and Washington. Whereas certain

Russian policymakers had expressed their willingness to support the US: concessions on NATO enlargement initiatives were made and Putin immediately endorsed the US plan to launch a global war on terrorism, which was seen as being in-sync with Russia's own domestic campaign to suppress insurgencies and secessionism. The events of 11 September 2001 presented an ideal opportunity for Moscow to build a solid foundation for domestic policies. 'Fighting terrorism has been the argument used by Russia to combat rebel groups in Chechnya and it builds on a strong national consensus created by the bombings of civilian apartment complexes in Russia in 1999.'[37] The obvious reason was that Putin already saw Russia as fighting such a war in Chechnya and that the resumption of this war in 1999 had greatly contributed to his accession to power. Russia thus supported the US-led campaign to oust the Taliban regime and to eliminate the Al-Qaida network in Afghanistan. As a result, Putin reluctantly accepted the US plan to deploy military bases in Central Asia, despite domestic opposition. The result was that Russia was seen as an even closer ally than NATO. The response of the US was softened criticism of the war in Chechnya, which was subsequently referred to as an internal affair of state.

When referring to the situation in Chechnya in 1994, Yeltsin had stressed the need to rely strictly on negotiations to reach a social and political consensus. The consensus aimed at a common goal of consolidating the Russian state and increasing the welfare of its citizens without regard to the differences in opinions and political positions.[38] His 1995 State of the Nation speech depicted a cooperative and conciliatory tone of Russian foreign policy, in large part due to the widely unpopular military campaign in Chechnya. In 1995, he stated that in rare cases when coercion is to be used all actions need to conform to the will of the people, which is enshrined in the Constitution. He further stated that Russia was compelled to use force against the outlawed Chechen regime in the first campaign that was started against the backdrop of weak statehood, the poor condition of military forces, fragile civil society institutions, and a still budding democracy when the government was able not to suppress the wave of criticism and remain open, both domestically and internationally. In 1997, Yeltsin signed a peace treaty with Maskhadov to put an end to hostilities between Russia and the Chechen republic. Despite the war, Yeltsin was well aware of the necessity to maintain

Map: David Erkomaishvili

NORTH CAUCASUS

Black Sea

KARACHAY-CHERKESSIA

GEORGIA

Cherkessk

Stavropol

Nal'chik

KABARDINO-BALKARIA

Vladikavkaz

NORTH OSSETIA

Nazran

ING.

STAVROPOL KRAI

Elista

KALMYKIA

Groznyy

CHECHNYA

DAGESTAN

Machackala

Caspian Sea

Astrakhan

45°N

45°E
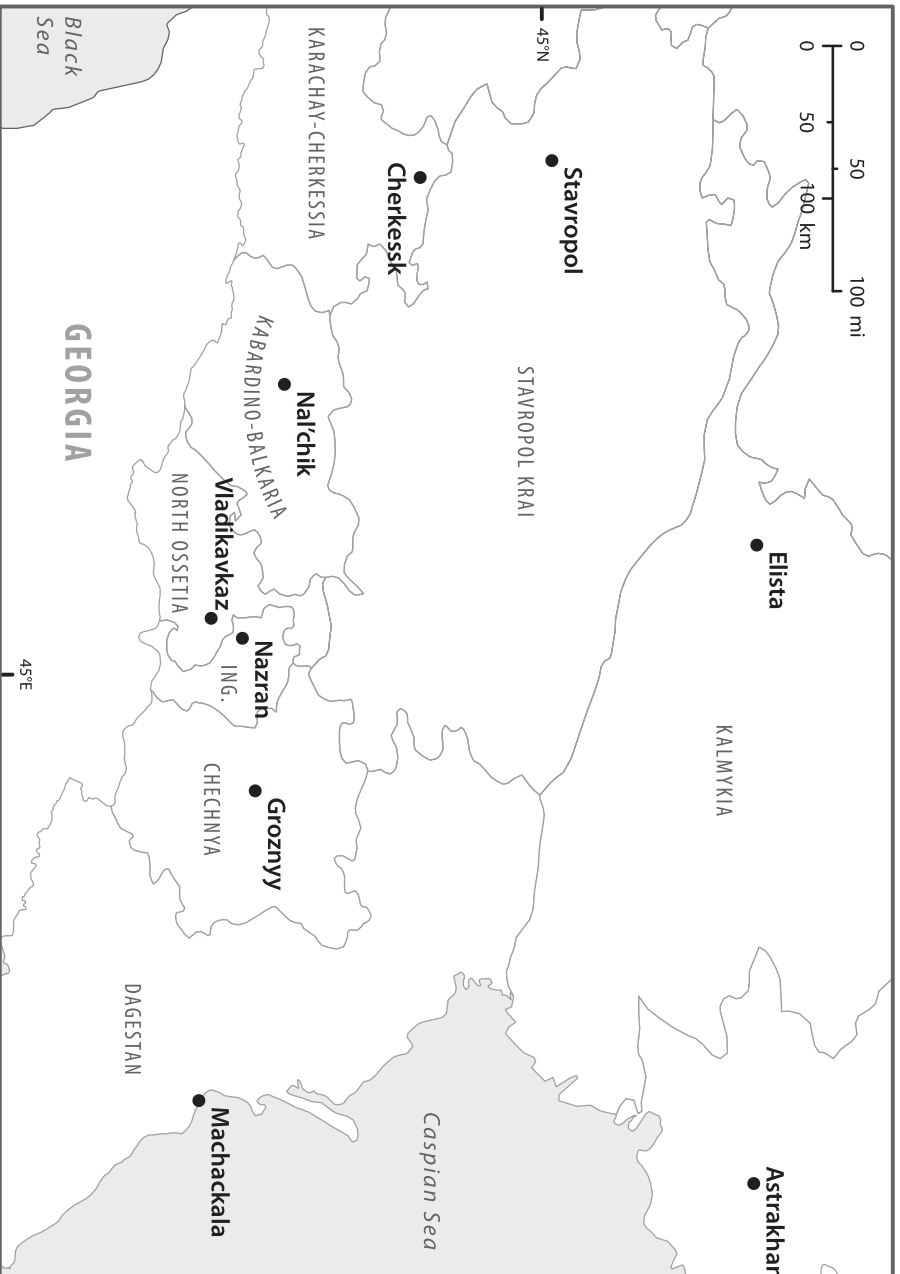
0   50   100 km
0   50   100 mi

a solid, business-like relationship with the West, and was not about to forfeit Russia's right to fully participate in European and world affairs. To alleviate international criticism during the height of the campaign, Yeltsin even allowed an OSCE fact-finding missions to enter Chechnya in an effort to resolve the conflict. By permitting the OSCE to play an important role in Chechnya, the Yeltsin administration attempted to show its willingness to cooperate with international organisations, notwithstanding the strong criticism by the Republican-majority US Congress.

Earlier still, in his 1994 State of the Nation address, Yeltsin stressed the need to enhance dialogue with Chechen authorities with the aim of holding democratic elections in the breakaway republic.[39] He also said that

> without developed civil society institutions, state power will inevitably become totalitarian and despotic. It is because of civil society that this power serves the interests of citizens. The distinction of the situation in Russia is that parallel to building civil society institutions, democratic foundations are being developed in so far as a democratic society cannot exist without a civil society. It is not about the interference of the state with the life of the civil society structures and not about equipping these organizations with executive powers, but about a targeted assistance of those institutions that are capable of consolidating the democratic potential of the power.[40]

Putin's position on the Chechen question was drastically different, derived primarily from his firm conviction that state collapse can be averted only by the strengthened nationwide state control. Putin was able to consolidate his rule in Chechnya following the major offensive by the Russian army and a counter-insurgency phase of the military campaign that began in September 1999. Putin's rhetoric related to the war in Chechnya and secessionism in general was obviously more rigid and harsh in comparison to that of Yeltsin. In his May 2003 address, Putin stated that

> Russia will be a strong country with modern, well-equipped, and mobile armed forces, with the army prepared to protect its homeland and its allies, the national interests of the country and its citizens. Our history shows that a country like Russia will exist and prosper only if it

is a great power, yet in time of economic or political crises there has always been a threat of disintegration.[41]

Putin took the problem of secessionism in Russia, especially in the regions dominated by Muslim populations, more seriously. His official rhetoric associated with the Chechen problem highlights the paramount necessity to suppress separatist movements by force of arms under the pretext of the war against international terrorism and to project Russian influence across the entire North Caucasus. Generally speaking, state centrism was the most salient feature of Russian foreign and domestic policies under Putin. When he succeeded Yeltsin, the policies of the state towards the Chechen republic and secessionism in general took a more assertive form; that is, despite Yeltsin's initiation of a major offensive against the Chechen separatists in December 1994, Putin's campaign against rebel fighters appeared increasingly uncompromising. This was, in part, due to the external circumstances that dominated the global and post-Soviet political space. Putin strove to link the struggle of the Chechens for independence to a global terrorist threat and Al-Qaida in order to achieve the support of the leading democracies in his state-building campaign. The 9/11 attacks in New York and Washington and the subsequent US-led military invasions of Afghanistan and Iraq proved to be a turning point in Putin's anti-insurgency campaign.

According to Sakwa, 'Putin's image as an "iron chancellor" was created and sustained by his uncompromising approach to the Chechen problem. His use of street language in a press conference on 8 September, where he used the underworld jargon of "soaking the bandits in the John," appeared at first as if it would be a public relations disaster, but in the event it only reinforced Putin's image as a man of the people.'[42]

Putin's rhetoric reveals a tendency towards increased state control and the use of coercive military force against the separatist movement in Chechnya in an effort to prevent the disintegration of the Russian state and, more importantly, to consolidate the power base of the ruling regime. Interestingly, Yeltsin had emphasised the involvement and the significance of democratic institutions, civil society and negotiations in tackling ethnic problems in his State of the Nation addresses. The First Chechen campaign that was waged during Yeltsin's presidency was the result of the decision-making

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process among the elite groups and individuals who often bypassed the president's approval of certain policies and avoided his complete comprehension of critical issues. This is not to suggest that it was launched without Yeltsin's consent. Yet many political decisions during his rule can be attributed to his inner circle and key generals in the military rather than his personal initiative. Yeltsin was forced to make unpopular decisions because of the pressure exerted on him by the oligarchy and individuals that were directly linked to his family. Putin was able to overcome the influence of various interest groups, suppress the impulses of power elites in the decision- and policy-making processes and impose his own will and convictions on the formation of new domestic and foreign policies.

Terrorism

In the wake of the terrorist attacks in New York and Washington in 2001, Putin offered the US leader his country's strong support in operations against Al-Qaida bases in Afghanistan. This included intelligence cooperation, opening Russian airspace for humanitarian aid flights, participation in rescue operations as well as compelling the Central Asian leaders to provide support to US military forces. There was logic behind these actions. In his February 2002 interview to the Wall Street Journal, Putin expressed his willingness to provide alternative energy market opportunities for the US.[43] At that time, Russia was a major oil producer, yet only one percent of imported US oil had Russian origins. Putin anticipated an increase in the production of crude oil, much of which was intended for export, mostly to the US. Theoretically, this could put the US in a position of dependence on Russia's oil supplies and create another economic lever through which to manipulate US foreign policy. Eager to engage the US, Putin was careful not to overly express his opposition on the long-standing issues, such as the NMD, NATO expansion and the situation in former Yugoslavia. His decision to support the US invasion of Afghanistan derived from the goal to oust the Taliban regime and to replace it with the Russia-backed Northern Alliance. However, while offering his support, Putin made it clear that Russia will not engage in military operations because of domestic and international authorisation processes. In return for his support of the US invasion of Afghanistan, he expected

US approval of his policies in Chechnya and, possibly, accession to WTO. When the Bush administration announced its plans to overthrow Saddam Hussein in support of a democrat Iraq, Russia responded in a different manner. Putin decided to join the coalition of opposing countries. Not convinced by US arguments about the WMD threat, he was insisting on broader UN involvement, thereby asserting disagreement with the US. The decision to oppose the US invasion was driven by Russia's economic and geo-political interests in Iraq under Saddam Hussein and by the reluctance to let US companies occupy the oil-rich country. At that time, Russia was the main supplier of arms to Iraq and had highly profitable oil contracts with the Iraqi regime. In his 2003 State of the Nation address, Putin said that '(c)ountries with highly developed economies are around us. I must say they push us aside from the lucrative world markets whenever possible. Their visible economic advantages give them the reason for geopolitical ambitions.'[44] However, in the end, his efforts to oppose the invasion of Iraq were wasted and Russia could not use its veto power in the Security Council because of the Bush administration's disregard for international normative standards and in favour of unilateralism. In addition, Putin's fears have not materialised and Russian companies have won significant numbers of auction bids for oil development projects in Iraq.

Conclusion

The State of the Nation addresses of Yeltsin and Putin examined in this work suggest that there was a fundamental shift in thinking from Yeltsin to Putin on Russia's foreign policy priorities. This is seen from the expressed commitment to consolidate bilateral cooperation with the US, to develop civil society institutions and to build a free market economy during Yeltsin's presidency to a strong political and diplomatic opposition by Putin of nearly all US-backed security initiatives, military and economic coercion, the centralisation of executive power and the willingness to use military force in tackling political problems, both domestically and internationally. The shift is mainly manifest in the rhetoric and policy actions of Putin and members of his administration. Multiple factors can explain the difference in foreign policy approaches of Yeltsin and Putin in the context of US-Russian relations, such as different

personalities, distinct socio-political circumstances that accompanied both leaders, distinct manners of speaking, particular personal relationship and different manners of reacting to US proposals. Most importantly however, the changes to foreign policy may be seen as a consequence of Putin's strong personal conviction that Russia's global power image can be restored by means of a consolidation of coercive state power. Arousing the nationalist agenda is one way of achieving that.

As mentioned, Yeltsin was compelled to make difficult and unpopular decisions that were hardly in line with his stated commitment to adhere to a liberal-democratic course. However, many of his decisions were the result of the political pressure that was exerted on him by the oligarchy and senior administration officials. Yeltsin's poor health condition essentially undermined his ability to fully engage in the decision-making process closer to the end of his second term as president. He was preoccupied with the necessity of finding a political successor and ensuring the continuity of Russia's foreign policy course. Yeltsin anticipated a change of domestic and foreign policies; however, at that time, he was mainly concerned about the ability of his successor to handle the complex situation inside the country and in the ever-changing world. Throughout the span of Putin's presidency, his rhetoric on major political and economic affairs suggests a heightened patriotic and nationalist stance. Despite the many setbacks that followed Putin's decisions, Russia achieved a high degree of stability and consolidation. Favourable economic conditions, particularly as a result of high oil and gas prices on the world market and the revenues from resource exports, proved to be the stimulus for the Russian leader to transform the system of governance and the entire concept of the Russian state security in the twenty first century. This was seen as the reassertion of Russian state interests in the West and resulted in tension with the global security vision that was and continues to be espoused by the US.

꩜ SHAVKAT KASYMOV is an independent, international policy analyst based in Moscow and may be reached at: shavkatik@gmail.com.

1   Jeffrey Mankoff (2009), *Russian Foreign Policy: The Return of Great Power Politics*, Maryland: Rowman & Littlefield Publishers, p. 4.

2   'Putin: We Will Target Europe if US Builds Missile System,' *Deutsche Welle,* 3 June 2007, available at: <http://www.dw-world.de/dw/article/0,2144,2574113,00.html>.

3   Dale Herspring and Peter Rutland (ed.) (2003), *Putin's Russia: Past Imperfect, Future Uncertain*, Maryland: Rowman & Littlefield Publishers Inc., p. 259.

4   Ibid.

5   Andrei Tsygankov (2006), *Russia's Foreign Policy: Change and Continuity in National Identity*, Maryland: Rowman and Littlefield Publishers Inc., p. 4.

6   Andrei Tsygankov (1997), 'From International Institutionalism to Revolutionary Expansionism: The Foreign Policy Discourse of Contemporary Russia,' *Mershon International Studies Review*: 2, p. 250.

7   Alexander Dugin (2000), 'Osnovy Geopolitiki,' *Arktogaia*, available at: <http://www.arctogaia.com/public/osnovygeo/>.

8   Ibid.

9   Dmitry Shlapentokh (2005), 'Russia's Foreign Policy and Eurasianism,' available at: <http://www.eurasianet.org/departments/insight/articles/eav080205a.shtml>.

10 Vladimir Putin (2000).

11 National Security Concept of the Russian Federation, 1997, available at: <http://www.armscontrol.ru/start/rus/docs/snconold.htm>.

12 National Security Concept of the Russian Federation, 2000, available at: <http://www.armscontrol.ru/start/rus/docs/sncon00.htm>.

13 Joseph Cirincione and Jon Wolfsthal, 'Sort of a Treaty,' *Carnegie Endowment for International Peace*, available at: <http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=13823>.

14 Ibid.

15 Adrian Blomfield (2007), 'Putin threatens to point nuclear missiles at Europe,' *The Age*, available at: <http://www.theage.com.au/news/world/putin-threatens-to-point-nuclear-missiles-at-europe/2007/06/04/1180809421620.html>.

16 Vladimir Putin (2007), 'G8 Summit Press Conference,' 9 June 2007, Heiligendamm, Germany, available at: <http://www.information-clearinghouse.info/article17855.htm>.

17 Vladimir Putin (2007), Speech to the Munich Conference on Security Policy, 2007, available at: <http://www.securityconference.de/>

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archive/konferenzen/rede.php?menu_2007=&menu_konferenzen
=&sprache=en&id=179&>.

18 Bobo Lo (2002), *Russian Foreign Policy in the Post-Soviet Era: Reality, Illusion and Mythmaking*, Palgrave Macmillan, p. 8.

19 Andrew Felkay (2002), *Yeltsin's Russia and the West*, Westport CT: Praeger Publishers, p. 178.

20 Ibid., p. 178.

21 Ibid., p. 178.

22 Bobo Lo (2002), p. 8.

23 Vladimir Putin (2000), 'Poslanie Prezidenta Rossii Vladimira Putina Federal'nomu Sobraniyu RF,' 8 July 2000, available at: <http://www.intelros.ru/2007/01/17/poslanie_prezidenta_rossii_vladimira_putina_federalnomu_sobraniju_rf_2000_god.html>.

24 Vladimir Putin (2007).

25 Ibid.

26 Quoted in Andrew Kramer (2007), 'Putin is Said to Compare US Policies to Third Reich,' *New York Times*, 10 May, 2007, available at: <http://www.nytimes.com/2007/05/10/world/europe/10russia.html>.

27 Boris Yeltsin (1997), 'Poslanie Prezidenta Rossii Borisa Yeltsina Federal'nomu Sobraniyu RF,' available at: <http://www.intelros.ru/2007/02/05/poslanie_prezidenta_rosii_borisa_elcina_federalnomu_sobraniju_rf_porjadok_vo_vlasti__porjadok_v_strane_1997_god.html>.

28 Ibid.

29 Dale Herspring and Peter Rutland (ed.) (2003), p. 227.

30 Quoted in 'Putin urges Kosovo crackdown,' *BBC News*, 18 June 2001, available at: <http://news.bbc.co.uk/1/hi/world/europe/1392938.stm>.

31 Vladimir Putin (2000).

32 Andrew Felkay (2002), pp. 88-120.

33 Ibid., pp. 88-120.

34 Vladimir Putin (2007), 'Poslanie Prezidenta Rossii Vladimira Putina Federal'nomu Sobraniyu RF,' 26 April 2007, available at: <http://www.intelros.ru/2007/04/27/poslanie_prezidenta_rossii_vladimira_putina_federalnomu_sobraniju_rossijjskojj_federacii_2007_g.html>.

35 Vladimir Putin (2002).

36 Andrei Tsygankov (2006).

37 Peter Wallensteen (2007), *Understanding Conflict Resolution: War Peace and the Global System*, London: SAGE Publications Ltd., p. 217.

38 Boris Yeltsin (1994).

39 Ibid.
40 Ibid.
41 Vladimir Putin (2003).
42 Richard Sakwa (2008), *Putin: Russia's Choice*, 2dn ed., (London: Routledge, p. 22.
43 Vladimir Putin (2002), 'Interview to the Wall Street Journal,' 12 February 2002, available at: <http://www.ln.mid.ru/bl.nsf/5d5fc0348b8b2 d26c3256def0051fa20/ab5431e15c70d0df43256b5f00268928?Open Document>.
44 Vladimir Putin (2003).

FRENCH FOREIGN POLICY AND THE EU'S CFSP

Miron Lakomy

Abstract: *This article examines some of the main phases of French activities within framework of the EU´s Common Foreign and Security Policy. Since the end of the Cold War the Fifth Republic has become obsessed with strengthening European political and military importance around the world. This was caused not only by the collapse of the bipolar world order, but also by France's clear ambition to regain its global power status. In the twenty-first century, Paris was a main architect of the CFSP, however not all of its initiatives were successful. After the ratification of the Lisbon Treaty, France continues to pursue its goal to obtain such a level of integration, which will ensure Europe's place as a one of the most important pillars in the new multi-polar world order and France as a pillar within such a configuration.*

Introduction

The development of the EU´s Foreign and Security Policy (CFSP) is certainly one of the most important priorities of French foreign policy. During the Cold War, French initiatives jump-started the slow process of Europe's (re)empowerment on the international scene. For example, the revitalisation of the Western European Union (WEU) in the 1980s was a project strongly inspired by Paris. The collapse of the bipolar system presented both new opportunities and challenges for the European integration process. At the beginning of 1990s, as a historical initiator and promoter of a united Europe, the Fifth French Republic was faced with a choice: either to continue and support European integration, or to forfeit its position as a leading country in Western Europe. According to Szeptycki, the French postulates to develop a European integration process after 1989 were caused mostly by the disadvantageous changes in the international environment. Therefore, France became more

interested in the development of a European identity than other countries. Szeptycki suggests that there were several motives for creating the CFSP and they became key goals for French diplomacy. Firstly, political cooperation between European Community members seemed naturally, consequential and supplemental for economic integration. Secondly, the CFSP would enable more effective protection of European interests and values, which were threatened by hyperpuissance – re: the US. Thirdly, the realisation of the CFSP would allow Europe to promote its values such as: peace, liberty, international law and environment protection. According to Palais d'Elysee, the world needed Europe as an example of the 'power of peace,' focused on the economic, social and cultural problems.[1] That would also allow the realisation of a more, traditional goal of French foreign policy; building a multi-polar world order with Europe as one of its pillars and France as one of its main gravitational pulls.[2] Gordon formulated a similar opinion, noting four explanations for why the Fifth Republic became so tied to the idea of the CFSP. These are:

- The unification of Germany that was perceived as a challenge for Paris;
- The need to complement European integration with political cooperation;
- The need to ensure the safety of Europe if the United States withdraws its forces;
- The need to have a greater impact on European matters.[3]

In the following years, the Fifth Republic confirmed that European integration, especially its political and security dimensions, would become one of the key goals of its own foreign policy. Thanks to French activities, together with German and British cooperation (re: the St. Malo Summit), since the end of the 1990s, the EU has made tremendous progress towards constructing a unique European identity in international relations. Such progress was accelerated by the Kosovo War (1999), when it became apparent that the EU had no crisis response capability. To develop such tools the Helsinki Summit later the same year became a turning point in the European Rapid Reaction Forces development as it produced a constructive blueprint for such forces.[4] The process was also influenced by the 9/11 terrorist attacks as well as the Iraq War in 2003. A "transatlantic divorce," as referred

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to by the French, initiated several new ideas that extended the EU's military capabilities.

France, the Constitutional Treaty and European Security

The most important achievement for France at the beginning of the twenty-first century was the Constitutional Treaty. The 'Constitution for Europe,' shaped predominantly,[5] included a number of legislations that opened new perspectives for the CFSP. To start with, the Constitutional Treaty established a Foreign Affairs Ministerial post, whose main task was to conduct the Union's foreign and security policy, by giving them the initiative in the foreign and security matters under the mandate of the Council of Ministers. The minister could also perform a similar role in the area of Common Security and Defence Policy and had a right to represent the EU in the international environment. The Constitutional Treaty also established a European External Action Service, which was tasked with supporting the office of the Foreign Affairs Minister. According to Czaputowicz, the Treaty Establishing a Constitution for Europe expressed European ambition in playing a major role in international relations[6]. That opinion was also supported by (then) Belgian Prime Minister Guy Verhofstadt, who observed that Europe should become a 'counterweight' to the US, but in a constructive way. He also claimed that Europe's autonomy is not an attempt to 'strengthen the ESDI by weakening NATO.' These ambitions were also a long-term goal of the Fifth Republic. As Palais d'Elysée stated several times, Europe should become a counterweight for American influence in the world, while avoiding bilateral rivalry. Europe and the US should continue its equal cooperation, especially in security affairs.[7]

The Constitutional Treaty also contained several important solutions concerning the European Security and Defence Policy (ESDP). First, the Petersberg Tasks were updated and adjusted to the challenges of the twenty-first century. Second, member states committed to creating multinational military forces, ready to be deployed by the EU. Third, the creation of the European Defence Agency (EDA), as an institution supporting EU efforts to improve defensive capabilities. Article I-41 introduced mutual solidarity if

any member state is the target of military aggression. Again, it was France which sought to adopt more comprehensive options than those offered under NATO's Washington Treaty. Paris has often criticised NATO's key, Article 5, as being insufficient in ensuring the safety of NATO's European members. That is why the Constitution for Europe introduced an obligation to help member states with all available means. The Constitutional Treaty also codified the EU's cooperation mechanisims in combatting terrorism.[8] This document can therefore be perceived as being breakthrough for the development of the CFSP. The most important sections of this Treaty, the Foreign Affairs Ministry and the mutual solidarity in defence, correspond to key parts of France's strategy for advancing its own international relations ambitions. Therefore, these two additives to the EU's international engagement should be measured against France's ideal-type international position.

Consequently, and because of the deep connection between the Treaty provisions and France's international ambitions, controversy arose in public and leadership circles in traditionally neutral EU member states: Austria, Sweden and Finland. However, it was supported by Great Britain which had been reluctant to duplicate the defence functions of NATO and the EU. The Constitution was signed on 29 October 2005 in Rome. Paradoxically, and despite France's influence an engine behind the realisation of the Treaty, it failed largely due to the French society's reluctance to further submit parts of its sovereignty. In May 2005, 54.87% of the French electorate voted against the ratification of the Constitution,[9] an act repeated by the Netherlands. The outcome of the referendum came as a great surprise for French political elites, who were, for the first time, faced with vote of no-confidence for the European policy of the Fifth Republic.[10]

Chaouad and Nies noted that the setbacks of the ratification process hinder French initiatives to further develop the ESDP and neither did it influence the EU's international activities in any significant way. The EU simply cooperated under older arrangements.[11] Indeed, France and its partners continued their efforts to deploy the first Battle Groups as elaborated in the *Headline Goal 2010* document, which assumed that the EU would develop the capacity to deploy small, well armed and trained, rapid reaction forces for preventing crises. Some of the most important tasks for the

Battle Groups were humanitarian interventions, rescue and peace-keeping missions, peace enforcing operations, disarmament, and anti-terrorist actions as well as security capabilities development. *Headline Goal 2010* also listed the main EU security projects untill 2010 as:

- Improving cooperation between military and civilian components within crisis management operations;
- Developing the European Defence Agency;
- Obtaining strategic transportation capabilities;
- Achieving fully operational Battle Groups by the end of 2007, as well as a maritime component.[12]

Eventually, the EU, supported by France, built 20 Battle Groups, mostly consisting of multinational forces. Additionally, France was engaged in the development of civilian components of the ESDP. In December 2004 the European Council adopted the *Civilian Headline Goal 2008*, which concluded document concluded that the Union's crisis management operations should consist of military forces together with civilian components. Both were to be ready to launch missions within thirty days of the date of the decision.[13]

Major breakthroughs were however made in 2007; after the "phase of reflection" Germany proposed adopting a new document, an answer for to most significant challenges facing further European integration.[14] This effort was boosted with the May 2007 election of Sarkozy.

The Lisbon Treaty and European Security

On 21-23 June 2007, the European Council decided on a negotiating mandate for the Intergovernmental Conference to determine the final shape of the new EU Treaty. The conference started in July at the ministerial meeting in Belgium, lasted 3 months and in October 2007, at the European Council meeting in Lisbon, the new document was adopted.

The Lisbon Treaty reformed many important fields related to European integration, in particular the CFSP. The new Treaty however copied many of the solutions, with slight adjustments, from the Constitution for Europe. Ultimately, the core legislation remained intact. The Foreign Affairs Minister post was replaced by a High Representative of the Union for Foreign Affairs and Security

Policy (article 9).[15] That change was due to fears expressed by several states, that the Foreign Affairs Minister might limit national sovereignty in international relations and in the declarations attached to the main document, member states concluded the main legislation in foreign policy and security matters. The Treaty ensured that the EU would not interfere in member states' external activities.[16] The EU also obtained legal subjectivity and the Lisbon Treaty cancelled the Constitution's legislation concerning the European Council's rotational presidency; replaced by a president with a 2,5 year cadence, whose main tasks were to preside over the Council's activities, to prepare and support the Council's work, to support consensus in the EU and prepare reports of the Council's actions for the European Parliament.[17] As some have noted, depending on the person holding this office, the president might greatly influence the external actions of the EU.

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The Lisbon Treaty also introduced the European External Action Service (EEAS), responsible for diplomatic relations with third party states. The EEAS would serve as a foreign ministry support and diplomatic corps for the Union. Among the most important goals of the EU in the international environment, the Lisbon Treaty listed:

- Protection of European values;
- Protection of fundamental interests;
- Security;
- Independence;
- Support of democracy;
- Rule of law;
- Human rights;
- International public law;
- Conducting peacekeeping operations and conflict prevention in accordance with the United Nations Charter.

Other goals of the Treaty included support for economic and social development, environmental protection, the promotion of international economic integration support of the Third World countries, and the support for a multilateral system, based on cooperation and good governance.[18] Closer analysis shows that such goals are almost identical to the main foreign policy preferences of the Fifth Republic. Legislation concerning the promotion of a multi-polar international order, support of democratic values, the rule of law and human rights and peacekeeping actions, as well

as conflict prevention, have all been traditional, long-term goals of the Fifth Republic since Charles de Gaulle´s presidency. Such policy similarities provides insights into the close connection between French and EU foreign policy as reflected in the Lisbon Treaty.

Another section of the LisbonTreaty was dedicated to the Common Security and Defence Policy (ESDP). Article 28a, paragraph 1 stated, that the CSDP was an integral part of the CFSP and it assured the Union's operational capabilities in regards to civilian and military components. Those resources were to be used by the EU to conduct peacekeeping, conflict prevention, and security strengthening missions in accordance with the UN.[19] A significant role was granted to the EDA and its main goals listed in the Treaty included support for European defence industries and the development of European military capabilities.

Interestingly, article 28a paragraph 7 contained a solidarity mechanism whereby in the event of aggression, all EU member states were to use all means to help and support the attacked country, in accordance with the principles outlined in article 51 of the UN Charter.[20] In article 28b paragraph 1, the Treaty expanded the catalogue of Petersberg missions to include:

- Disarmament;
- Humanitarian missions;
- Search and rescue operations;
- Military advisory missions;
- Conflict prevention activities;
- Peacekeeping and crisis management.

Article 28b also introduced the EU to the war against terrorism by allowing the scope of their military operations to involve anti-terrorist objectives. Furthermore, each EU military operation should be supported by a special political representative of the EU.[21] Thus Missiroli was correct in stating that the Lisbon Treaty laid strong 'fundaments for the CFSP which should allow the Union to play a larger role in international relations – a role postulated by France since the end of the Cold War'.[22] Another opinion was formulated by Gnesotto, who stated that despite the Lisbon Treaty, the EU 'urgently needs further clarification of its goals in the CFSP, especially when it comes to security problems and the EU's realisation of its interests in the international environment.'[23] The Lisbon Treaty did not share the fate of the European Constitution though

it was rejected by Ireland, the only country to organise a referendum for public approval. In June 2008, 53.4% of Irish voters rejected ratification, which questioned the future of CFSP and CSDP.[24]

The reaction of France, one of the Treaty's main supporters, was quite severe. Although Sarkozy initially said that an 'Irish "no" is not a sign that the Irish want to leave the European Union. It is a sign that they have many different concerns in this matter.' Shortly afterwards he threatened that without the Lisbon Treaty, the EU would not be prepared for extension.[25] There were also rumours that during private conversations with Irish politicians, Sarkozy pressed them to prepare a second referendum.[26] French officials also harshly criticised the presidents of Poland and the Czech Republic due to their reluctance to ratify the Treaty until the Irish changed their minds. Senior Elysée officials described Poland´s president Kaczyński (July 2008) as a difficult partner: 'He has never been a particularly easy partner to work with in building and shaping Europe.' At the same time Sarkozy declared that he 'believes that the president of Poland will honour its signature and ratify the Treaty.'[27]

France perceived itself as a main engine (together with Germany) of the EU´s process in the political and security dimensions. Indeed, during France's 2007 presidential elections, Sarkozy emphasised his commitment to reclaim France's role as a promoter of a unified, strong and active Europe. On 06 May 2007, after winning the election, he declared: 'I believe in Europe, and I believe that today France returns to Europe.' He assured the public that he would not ignore those who perceived the EU as a "Trojan horse," not as protection.'[28] His vision of European integration had been included in his speech to the European Parliament in February (2007) where he said that he had wished to build Europe 'with the capacity to act and to defend.'[29] Sarkozy's European vision is based on two main pillars.

Sarkozy's two main goals were based on strengthening EU defence capabilities while enhancing it´s resources for conducting independent foreign policy. During his 2007 speech to the European Parliament, he asked: 'This would prove to be a clear sign that France would pursue its goal of developing EU defensive potentials.[30] In doing so it became increasingly evident that French interests revolved around gaining independent capabilities to deploy

CFSP
& French
Foreign Policy

military forces to achieve the Petersberg objectives. The retardation of the ratification process (June 2008), slowed, according to Paris, the possibility of opening a new era in political integration. Sarkozy indicated as much following the end of Russo-Georgian hostilities in late August 2008, when he linked the impotent EU response to the crisis to the lack of progress in implementing the Lisbon Treaty. Sarkozy believed that the ratified Treaty would have provided the EU with the appropriate tools for contributing to an adequate solution to the conflict. Sarkozy specifically indicated that the High Representative For Foreign Affairs and Security Policy, supported by the EEAS could have positively effected the conflict. Without them, France despite having presided over the European Council, could not adequately represent all member states.[31]

France´s EU Presidency

The significance of the CFSP and the 'Europe of Defence' concept for Paris had been supported by the main goals of the French presidency in the European Council (from 1 July to 31 December 2008), and developed under the slogan of a 'Europe that acts to respond to today's challenges.' One of the five main goals of the presidency indicated the urgency of the further development of the ESDP and the formulation of the Union's common security doctrine.[32] Paris Palais d'Elysée during this was committed to:

- Developing the resources allowing the EU to obtain the status of a global subject in crisis management operations;
- Fighting against the proliferation of weapons of mass destruction;
- Fighting against terrorism.

These tasks were to be implemented in cooperation with NATO North, the UN and the African Union (AU). France also pursued the further development of the European Rapid Reaction Forces as assets for conducting crisis management operations and expanding of the civilian components of the CSDP and strategic air transport. Paris was interested in deepening cooperation between national defence industries and military research institutes while strengthening the EU's minister of defence role in the decision-making process for crisis management.[33]

The second pillar of Sarkozy's European vision concerned heightening momentum for the EU's international relations related actions. This was to be achieved via multidimensional partnerships in Africa, Asia, Middle East and the America´s. Such engagements were not primarily of a political or security nature - as more traditional alliance structures had been - they rather gravitated around economics, social issues, and environmental cooperation.

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France sought opportunities to promote both its (and, by extension, the EU's) interests and its most coveted values: the rule of international law, the proliferation and defense of democracy, the protection of fundamental human rights. Promoting a multi-dimensional track for EU activities through the establishment of a broad network of partners would, it was hoped, facilitate a more international role for the EU, with France at the helm. This was the dominate policy thinking in Paris as France assumed the EU presidency to the European Council.

It did not take long for French plans to materialise, hoisting the importance of the EU's CFSP while further projecting France's international influence. Indeed, such mutual policy enhancements (re: France's and the EU's) are clearly reflected in France's Mediterranean initiatives where Sarkozy proposed the creation of a Union for the Mediterranean, an institutional arrangement meant to mimic the EU's budding supranationalism and economic solutions to political problems. The first step was rooted in strengthening the so-called Barcelona Process, which was, essentially, an infrastructural thrust literally paving the way for deeper and more comprehensive trade partnerships between the EU and non-EU Mediterranean countries as well as between non-EU Mediterranean countries themselves. Such a narrow set of ambitions rapidly expanded beyond the initial scope and priority lists transformed from economic-centric partnerships between EU, North African and Middle Eastern states to broader coordination in: foreign affairs, security-related issues, regional social and cultural issues, human rights, and environmental protection. Despite the expansiveness, and problematics surrounding such an ambitious proposal for Sarkozy such a policy would ultimately 'build peace in the Mediterranean ... like yesterday we built peace in Europe.'

Given the current situation in the Middle East and North Africa (early 2011), it is difficult to conceive of Sarkozy's Mediterranean

policy as anything except naive (at the least) or malicious. However, it is necessary to contextualise France's regional interests since it is clear that France and the EU depend on the South and East Mediterranean for their economic stability. Hence, regional harmony must be seen as a vital French interest. In fact, Sarkozy was certain that his Mediterranean policy would encourage the bridging of political gaps between the Arab states and Israel, Greece and Turkey and Morocco and Algeria. Sarkozy continued to suggest that a Union for the Mediterranean would not be an organisation of 'north against south, not Europe against the rest ... but united;' in other words, it was to be an organisation for reconciliation much like the Schuman Plan was for Germany and France in the 1950's. The Union for the Mediterranean was realised during the 13 July 2008 Heads of State Summit.[34]

Consequently, the Union for the Mediterranean can be assessed from two perspectives. First, it afforded the EU and France opportunities to cooperate – with greater influence - with South and East Mediterranean states. In trailblazing such cooperative relations on behalf of the EU, France was, in some ways, labouring to construct a viable socio-political and economic bridge over the Mediterranean and may be seen as a unifying actor in the region. Second, and alternatively, the Union for the Mediterranean sparked internal EU tensions since it was seen as duplicating the existing political infrastructure embedded in the Mediterranean Partnership programme and was therefore a waste of money. Additionally, critics were wary of the unifying force of the Union for the Mediterranean. Since it would be impossible to harmonise relations between the EU and *all* South and East Mediterranean countries simultaneously such a plan may inadvertently lead to further divisions in Africa: between those granted preferential treatment and those kept at arms lenght, not to mention African states south of the Sahara.

France, Lisbon and Transatlantic Security Architecture

Any failure in enhancing the CFSP through the Lisbon Treaty would also thwart French plans to construct new architecture for the Euro-Atlantic security system based on close and equal partnership between NATO and the EU. While it is true that both actors

were not in competition and should ultimately complement each other, Sarkozy was interested in carving a political niche in transatlantic leadership. On this point compromise was reached and it was agreed, even if tacitly, that NATO would primarily deal with 'hard' security challenges, while the EU would assume responsibility for so-called 'soft' security issues. To confirm this idea, it was essential for France to normalise relations with NATO and Sarkozy prioritised France's full re-entry into NATO's military structures. However, this was done against the backdrop of a key requirement: that the EU should militarily contribute to the "Europe of Defence" concept.

Visions of relations between EU and NATO in the twenty-first century were fully introduced by Nicolas Sarkozy during the Sarkozy's vision of EU-NATO relations were introduced during the 45th Munich Security Conference (07 February 2009) in which he suggested that unipolarity (re: US hegemony) has been an international problem since 1989: 'We are living in a world of relative powers. It's a first observation around which we should plan our strategies. As Angela Merkel said, as Donald Tusk said, one power cannot face major problems or conflicts in the world (…) We need new powers, to […] pressure belligerents and achieve peace.' In this way, Sarkozy articulated a key foreign policy goal, that France sought to create a multi-polar world order based on cooperation to solve global security challenges. In this context, Sarkozy referred to Franco-American and Euro-American relations: 'I am very attached to our friendship with the United States of America. It is a friendship between independent and respecting allies (…) We all face the same problems: terrorism, [re: nuclear] proliferation, attacks against network systems, climate changes (…) That is why in a family, as we call the West, Europe and America, we have common values, we need to defend together, not to force others to our will, but to convince. Europe has made its choice between European constructions and NATO. We have built peace on both. And France is attached to [this model].' For Sarkozy the basis of European peace – and possibly international peace - are common values. Without Euro-Atlantic values, you cannot belong to the 'family' of NATO and the EU: 'In the European Union you have to be prepared to share your own independence, and in NATO you have to be ready to help your allies. It's

a family (...) NATO and Europe are very important for the stability of the world.' Referred to his first 'pillar:'

> In my conception the deal is simple: it's Europe of defence *and* NATO, not Europe of defence *or* NATO. This is why in strengthening Europe you have to simultaneously strengthen NATO. It would be a grave mistake to weaken one to develop another. However I understand that this choice is not a simple matter for a contemporary France.

Sarkozy also presented his vision of relations between France and NATO:

> Many times France was suspected of weakening NATO. It was funny because, when France was suspected of weakening NATO, we developed our place there (...) In France some people believe that NATO is a threat to our independence (...) I will never do anything what might harm the sovereignty of my country. Never. However an alliance between the United States and Europe is not a threat to our independence, rather it strengthens it (...) France can renew its relations with the Atlantic Alliance, being a free and sovereign ally of the United States (...) I had an opportunity to talk with Barack Obama and like him, I suppose that the renewal of NATO-French relations will be beneficial for the Fifth Republic, Europe and the Alliance'[35].

Sarkozy was vindicated at the beginning of April 2009 when France officially rejoined NATO after a forty year (+) absence. This policy ran parallel to events that were shaping the EU for the foreseeable future, events that France was deeply involved with.[36].

Conclusion: France and the CFSP

French efforts to save the Lisbon Treaty were accomplished in October 2009, when Ireland agreed (in a second referendum) to ratify the document. This was followed by Poland and the Czech Republic which kept their promises to ratify once Ireland agreed and their own demands met. The significance of French efforts was underlined by Barroso who declared that the adoption of the Treaty 'is a strong expression of the European institutions modernisation to achieve a more effective and transparent European Union (...) By

being one of the first countries that ratified Lisbon Treaty, France confirmed its aspirations to lead Europe.'[37]

French policy towards the CFSP/CSDP after the Lisbon Treaty was refined in 2009 by a declaration from the Ministry of Foreign and European Affairs which listed the main French priorities in the development of "Europe of Defence:"

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- Development of technological and industrial fundaments for the CSDP;
- Consolidation of the EU's partnerships with NATO and the United Nations;
- Enhancement of the EU's responsibilities in managing global problems.

Those goals were to be achieved by:

- Strengthening the Union's capability of using military forces in crisis management operations;
- The development of satellite intelligence under the EU's Satellite Center;
- Increasing the effectiveness of the EU task forces via the activity of the European Defence Agency;
- The development of a 'common defence culture' and an interoperability within European military forces.

Furthermore, according to the Ministry, the EU should be ready to simultaneously conduct two large stabilisation operations (10 000 soldiers and civilians each), two rapid reaction missions (1500 soldiers and civilians) and evacuation and humanitarian missions as well as 12 civilian operations (3000 members together).[38]

French plans in the post-Lisbon development of the CFSP/CSDP faced some major obstacles. First of all, there was still no uniform idea for improving European integration mechanisms supported by all members. As Maulny and Biscop noted, there was an urgent need to create a proposal, which would indicate the main directions of development of the European Defence for the future.[39] A similar opinion was formulated by Errera who suggested that European countries must answer a few fundamental questions:

- What are the most serious threats for the European Union?
- How does the EU distribute costs of common defence?
- How does the EU use military forces in the international environment?[40]

Another problem for French plans, as Ghez and Larrabee noted, was a reluctance of the EU member states to further develop the CSDP. Giving a new impetus for the "Europe of Defence" idea would not be possible if all member states were not involved. According to Ghez and Larrabee, in an age of great economic and social problems in Europe, it is difficult to expect the governments of Great Britain or Germany to be enthusiastic about the French plans in increasing military expenditures, which was *sine qua non* requirement for making progress in the area of defence.[41]

For decades France was one of the most active promoters of the development of a common European defence and the EU's identity in international relations. Despite many obstacles, Paris repeatedly initiated important projects under the second EU pillar. It became clearly visible in the first decade of the twenty-first century that the Fifth Republic, motivated by the Kosovo war and rising global threats, contributed to the development of European crisis management capabilities. One of these manifestations was in the French role in the elaboration of a Constitution for Europe. The ensuing fiasco led to the situation in which the Fifth Republic lost its status as one of Europe's leaders. The ratification of the Lisbon Treaty was a chance for France to regain its significance. France made every effort to persuade other countries into ratifying the document and was rewarded when Ireland, Poland and the Czech Republic were finally convinced, in large part thanks to the efforts of Sarkozy. Since 2007, Sarkozy has been strongly interested in opening up a new era in the development of the CFSP and CSDP. Paris, following the main goals of its *politique de grandeur*, sought new ways to enhance its international power status and since its national potential was insufficient it decided to rely on the capabilities of the EU, which was within its capacity to influence. As such it might be expected that the French Fifth Republic will continue to remain a major promoter of defence and foreign policy integration in the EU, despite possible obstacles.

❧ Miron Lakomy is affiliated to the Institute of Political Science and Journalism, Faculty of Social Science, University of Silesia, Poland and may be reached at: miron-lakomy@wp.pl.

1 Andrzej Szeptycki (2005), *Francja czy Europa? Dziedzictwo generała de Gaulle'a w polityce zagranicznej V Republiki*, Warszawa:Wydawnictwo Scholar, p. 266.

2 Pascal Boniface (1998), *La Frace est-elle encore une grande puissance*?, Paris: Presses de la Fondation Nationale des Sciences Politiques, p. 48; Jacek Rudnicki (2000), 'Prawo interwencji a nowy system bezpieczeństwa w ocenie Francji,' in Erhard Cziomer (ed) (2000), *NATO u progu XXI wieku. Wobec nowych wyzwań i problemów bezpieczeństwa*, Krakow: Instytut Studiow Strategicznych, pp. 135-140; Anne Dulphy and Christine Manigand (2006), *La France au risque de l'Europe*, Paris: Armand Colin, pp. 206-208.

3 Philip H. Gordon (1993), *A Certain Idea of France. French Security Policy and the Gaullist Legacy*, New Jersey: Princeton UP, pp. 172-177.

4 Peter Schimdt (2000), 'Where's the Boeuf? Policy Rhetoric and Reality in the EU's Decisions to Develop a Common Security and Defence Policy,' in David G. Haglund (ed) (2000), *The France-US Leadership Race: Closely Watched Allies,* Kingston: Queen's Quarterly, pp. 128-129.

5 For instance Valery Giscard d'Estaing was the President of the Convention on the Future of Europe.

6 Jacek Czaputowicz (2005), 'Polityka zagraniczna i dyplomacja Unii Europejskiej a Traktat Konstytucyjny,' *Raporty i Analizy,* 4, pp. 1-10.

7 For example, this opinion was stated several times by Dominique de Villepin. See: Miron Lakomy (2008), 'Stosunki transatlantyckie w polityce zagranicznej Francji na początku XXI wieku,' in Mieczysław Stolarczyk (ed) (2008) *Problemy polityki zagranicznej Polski i stosunków międzynarodowych na początku XXI wieku*, Katowice: Wydawnictwo Uniwersytetu Śląskiego, pp. 152, 165.

8 *Opinia Komisji Spraw Zagranicznych Parlamentu Europejskiego dla Komisji Spraw Konstytucyjnych w sprawie projektu Traktatu ustanawiającego Konstytucję dla Europy* (2004/2129(INI)), at: <http://www.europarl.europa.eu/meetdocs/2004_2009/documents/ad/548/548262/548262pl.pdf> (accessed 20 November 2010); See: *Tekst Traktatu Ustanawiającego Konstytucję dla Europy*, at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2004:310:0011:0040:PL:PDF> (accessed 20 November 2010); Claire Piana (2005), 'Vers une Europe de la defense?' in Damien Helly and Franck Petiteville (2005) *L'Union européenne, acteur international*, Paris: L'Harmattan, pp. 101-104.

9 See: *The Ratification Process in France*, at: <http://www.unizar.es/euroconstitucion/Treaties/Treaty_Const_Rat_France.htm> (accessed 21 November 2010); See: Dulphy and Manigand, *La France au risque de*

l'Europe, pp. 84-122; Loic Azoulai and Fabrice Picod (2007), 'Introduction: La France dans la construction europeenne,' *Annuaire Francais de Relations Internationales*, VIII, pp. 430-431; Gerard Soulier (2007), 'La France et l'Union europeenne apres le "non" au referendum du 29 mai 2005,' *Annuaire Francais de Relations Internationales*, VIII, pp. 432-457; Fabrice de la Serre (2005), 'L'architecture institutionelle de l'Union europeenne comme acteur international: genese et evolution,' in Helly and Petiteville (eds) (2005), pp. 18-20, 36-40.

10 As Charles Cogan noted, France perceives European integration as a way to regain its long lost 'global power' status. From this perspective, French politicians support political and security integration to multiply their own influence in Europe and beyond. A similar opinion was formulated by Frederic Bozo and Katarzyna Kubiak. See: Charles Cogan (1999), *Alliés éternels, amis ombrageux*: *Les Etats-Unis et la France depuis 1940*, Bruxelles: Bruylant, pp. 14-42, 359-382; Katarzyna Kubiak (2002), 'Role międzynarodowe V Republiki,' *Stosunki Międzynarodowe*, 1:2, pp. 135-139; Frederic Bozo (1997), *La politique étrangere de la France depuis 1945*, Paris: La Decouverte, p. 103.

11 See: Chaouad and Nies (2008), in Boniface (2008), p. 136; Andre Dumoulin (2006), 'La PESD apres l'echec du Traite Constitutionnel europeen: avenirs possible,' *Annuaire Francais de Relations Internationales,* VII; Claire Brodin (2006), 'L'efficacite de l'aide europeenne pour le developpement,' *Annuaire Francais de Relations Internationales*, VII; Renaud Dehousse (2006), 'L'Europe politique at-elle encore un avenir?' *Annuaire Francais de Relations Internationales*, VII; and Gerard Soulier (2007), pp. 432-457.

12 *Headline Goal 2010*, General Affairs and External Relations Council, Brussels 17 May 2004, pp. 1-8.

13 *Civilian Headline Goal 2008*, Council of the European Union, 15863/04, Brussels, 7 December 2004.

14 Chaouad and Nies, (2008), pp. 91-101.

15 See *Le Traité de Lisbonne et la PESC/PESD*, at: <http://pesd.blogspot.com/2008/01/le-trait-de-lisbonne-et-lapescpesd-en.html> (accessed 25 November, 2010).

16 Antonio Missiroli (2008), 'The impact of the Lisbon Treaty on ESDP,' *Briefing Paper*, 1, p. 5.

17 *Tekst Traktatu Lizbońskiego*, Dziennik Urzędowy Unii Europejskiej, 17 December 2007, p. 18.

18 Ibid. pp. 23-24.

19 Ibid. p. 34.

20 Ibid. p. 35.

21 Ibid. pp. 35-36.

22 Missiroli,(2008), pp. 14-18.

23 See Nicole Gnesotto (2008), 'La Politique Europeenne de Securite et de Defense (PESD) apres la Traite de Lisbonne,' *Actuelle de l'IFRI*, 15 April 2008.

24 Susanne Nies (2008), 'Ratification du Traite de Lisbonne: 1 "non," 22 "oui," 4 "en cours," Institut francais de relations internationales, 09 September 2008, pp. 1-9; 'Irlandia odrzuciła w referendum Traktat Lizboński,' *Polska Agencja Prasowa*, 16 June 2008.

25 Thomas Ferenczi and Arnaud Leparmentier (2008), 'La desamour europeen,' *Le Monde*, 16 June 2008.

26 Ewelina Miklas (2008), 'Sarkozy zaproponował datę drugiego referendum w Irlandii,' Portal Spraw Zagranicznych, at: <http://www.psz.pl/index.php?option=com_content&task=view&id=12220> (accessed 24 July 2008).

27 Ian Traynor (2008), 'EU: Poland threatens Sarkozy's scheme to rescue Lisbon treaty,' *The Guardian*, 02 July 2008.

28 Nicolas Sarkozy (2007), 'Discours de 6 mai 2007,' Le Mouvement Populaire, last modified 06 May 2007, available at: <http://www.u-m-p.org/site/index.php/ump/s_informer/discours/je_serai_le_president_de_tous_les_francais>.

29 'Ministere des Affaires etrangeres et europeennes,' at: <http://www.diplomatie.gouv.fr>.

30 Sarkozy listed new ways to achieve this goal. For example he postulated joint European soldiers training, harmonisation of educational programmes in military schools, as well as experience exchange between member states military officers. See: Sylwia Domańska (2007), 'UE/ Sarkozy przedstawił cele francuskiej prezydencji w 2008,' Portal Spraw Zagranicznych, at: <http://www.psz.pl/content/view/7151>.

31 Honor Mahony (2008), 'Lisbon treaty would have helped in Georgia crisis, says France,' *EU Observer*, at: <http://euobserver.com/18/26613> (accessed 18 August 2008).

32 M. Lefebre (2008), 'La France a la veille de la presidence europeenne,' *Europe Visions*, 1, p. 14.

33 'Work Programme 1 July-31 December 2008: Europe Taking Action to Meet Today's Challenges,' *French Presidency of the Council of the European Union*, pp. 23-25.

34 'Mediterranean union is launched,' *BBC NEWS*, at: <http://news.bbc.co.uk/2/hi/europe/7504214.stm> (accessed 13 July 2008).

35 'Conference sur la securite "Wehrkunde." Allocution du President de la Republique, Nicolas Sarkozy,' Declarations de la politique etrangeres, at: <https://pastel.diplomatie. gouv.fr/editorial/actual/ael2/bulletin.asp?liste=20090209.html&xtor=EPR-7> (accessed 07 February 2009).

36 Edward Cody (2009), 'After 43 Years, France to Rejoin NATO as Full Member,' *Washington Post*, 12 March 2009.

37 Anna Kamińska (2008), 'UE/Francja ratyfikowała Traktat Lizboński,' *Portal Spraw Zagranicznych*, at: <http://www.psz.pl/tekst-8761/UE-Francja-ratyfikowala-Traktat-Lizbonski> (accessed 08 February 2008).

38 'Un nouvel elan a l'Europe de la defense et de la securite,' *France Diplomatie*, at: <http://www.diplomatie. gouv.fr/fr/europe_828/union-europeenne-monde_13399/defense-europeenne_852/index.html#so_2> (accessed 29 January 2009).

39 Borja Lasheras, Enrique Ayala, Jean-Pierre Maulny, Fabio Liberati, Christos Katsioulis and Sven Biscop (2009), *A Future Agenda for the European Security and Defence Policy*, Paris: Institut de Relations Internationales et Strategiques, p. 14.

40 Gerard Errera (2008), 'Exchanging Ideas on Europe,' *UACES Lecture on the Future Europe*, 21 February 2008.

41 Jeremy Ghez and Stephen F. Larrabee (2010), 'France and NATO,' American Institute For Contemporary German Studies, at: <http://www. aicgs.org/documents/advisor/larrabee.ghez0309.pdf> (accessed 08 December 2010).

THE POTENTIAL OF POLAND'S BIO-PETROL

Yossi Mann

Abstract: *The aspiration to promote the bio-petrol industry is an attempt to provide a solution for some of the problems the European Union countries share, such as the decreasing importance of peripheral areas, the need to diversify energy sources and the commitment to the Kyoto Protocol. Once Poland joined the EU in 2004, it became committed to adopting the organisation's decisions regarding the bio-petrol industry and to keep up with EU production objectives. An analysis of the factors that influence the bio-petrol industry indicates that Poland has great potential in the field and the ability to become an important player on the market.*

Introduction

According to the EU, the implementation of a bio-petrol industry and the need to subsidise it are justifiable because it contributes to reducing pollution, is a means to diversify energy sources, can help reduce unemployment, strengthen peripheral areas and to preserve Europe's agricultural areas. Bio-petrol's potential varies from country to country in accordance with social, economic, geographical and political conditions. Geographical factors that influence the industry are the amount of raw material a country has. The influence on the industry from the social point of view are factors such as public environmental awareness, "Green" organisation activities, the status of agricultural pressure groups, the structure of the agricultural sector, the extent of cooperation amid agriculturalists, educational levels, and the strength of the peripheral society. There are also factors linked to the political structure of a country, such as the status of parties affiliated to the agricultural sector and to Green issues, government commitment to EU resolutions and to the Kyoto Protocol, Public Administration efficiency, and the government's

perception of energy security. Additionally, economic conditions have a substantial influence on the various countries' bio-petrol potential. Indeed the ability of a country to invest in subsidies and the amount that it invests in public transport has much bearing on the industry.

In the European bio-petrol industry, Poland is a country with great potential, if based on a combination of the industry's objectives and the factors that influence it. Indeed, several matters on the Polish agenda can be resolved through bio-petrol. Moreover, Poland has many important advantages, such as a variety of raw material sources and wide-scale agricultural areas, an agricultural sector with significant political influence, its geographical position close to countries that use Green energy, high standard, cheap manpower, an industry that is just starting out, and a large population.

The aim of this research is to pinpoint Poland's bio-petrol potential. The research will examine which of the goals the EU has set for the bio-petrol industry have been achieved in Poland. The research will also examine the advantages and disadvantages of the Polish bio-petrol sector. The parameters used to analyse the industry can serve as a model for the analysis of other Polish industries related to bio-petrol because the raw material composition of bio-energy, government policy and social considerations all correlate with those of bio-petrol.

The article is written in a thematic manner and surveys the objectives of the bio-petrol industry defined by the EU. The article also examines the influence of the increasing emphasis on the environment in the Polish transportation sector, as well as Poland's social and financial considerations towards Green energy and the influence of those considerations on the bio-petrol sector.

Trends in Poland's Transportation Sector and Influence on the Bio-Petrol Industry

The European tradition of spreading and implementing new social and economic ideas has created global awareness about the environment in the last decades. The damage to the environment and to health attributed to greenhouse gas emissions has caused the EU to place the matter at the top of its list of priorities and adopt policies that aim at reducing those emissions. Over the years, the

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European transportation sector has been designated as the main culprit of air pollution and CO2 emissions. Indeed, between 1995 and 2004, emissions from the transportation sector rose by 35%, mainly due to the increase in vehicles on the roads and to improved infrastructure.[1]

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Info-Graph 1. Green House Gas Emissions from Transport

TRANSPORT GREEN HOUSE GAS EMISSIONS

1990
17%

2006
24%
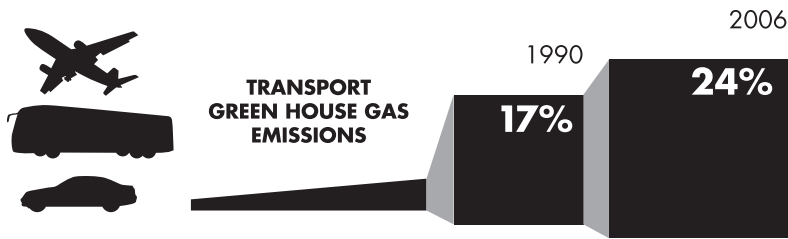
Source: European Environment Agency, June, 2008.

Poland has a longstanding motor industry, ever since the days when Fiat established its first factory there in the 1930s. The low cost of high-standard manpower combined with the fact that Poland has the sixth largest population in the EU have made Poland one of the most appealing countries for vehicle production and for car-selling companies. Poland had 5.26 million cars in 1990 and a reported 9.28 million in 1999, and its entry into the EU in 2004 contributed to further increase in its number of cars. Although there was an increase in the number of new cars on the roads before 2003, the number of second-hand cars rose even more significantly after Poland joined the EU, due to the cancellation of various taxes. As a result, vehicle imports grew from 50,000 in 2003 to 877,000 in 2004. The sharp increase in the number of vehicles in Poland will be the cause of a significant increase in air pollution in the years to come, and the Polish government, which wishes to conform to the accepted EU policy on greenhouse gas emissions, will need to provide solutions.[2]

The increase in the numbers of vehicles and the consequent pollution is also attributed to Poland's lack of effective public transport. An ambitious plan to lay down very expensive public infrastructure, combined with a reduction of government subsidies on

public transport since the 1980s, have dealt a fatal blow to the sector and have instigated the move to private cars. In addition, the closure of heavy industries in the 1980s caused a constantly lessening need for trains, which resulted in a sharp drop in their profitability. Moreover, due to the lack of efficient pressure groups such as iron and coal miners, government budgets for the purchase of carriages and laying down new railroad tracks were gradually reduced. Finally, the transfer of responsibility for municipal railways from the government to the local authorities made matters worse because of the high maintenance costs of the municipal railways (trams) and the need to buy new carriages, all of which caused less investment in new infrastructure and accelerated the transfer to private cars.[3]

In an attempt to improve the country's transportation system, the EU announced that it would transfer funds to the effect of $ 19,074,990,000 (USD) to the Polish government.[4] An examination of where that aid will be invested, however, shows that 60% of the budget will be used to build motorways and only 20% will be used for public transport. The rehabilitation budget for the roads is, in that respect, high, even when compared to other countries in the CEE-10. Moreover, the Polish government has reduced its investment into enlarging the national bus company and most of the country's buses are therefore at least 10 years old. All these factors indicate that there will continue to be an increase in the use of private cars in the years to come.[5]

The attempt to encourage the use of the aviation sector instead of trains and private transport is hard to implement in a country that has been classified in one of the last places in terms of airport quality. Moreover, Poland will have difficulty in building toll road infrastructure due to its cumbersome administration system and its conservative population.[6] This means that Poland's negative gas emissions record could get worse in the years to come because of the significant increase in private cars. Neglecting solutions such as encouraging the use of public transport at a time when population density in the main cities is on the rise could make it even more difficult for the government to solve the problem. Encouraging the use of environmentally-friendly petrol could therefore reduce the issues facing the country in terms of gas emissions in the years to come.

Government policy is of vital importance to the bio-petrol industry. A number of factors influence Poland's policy, and first of all, the government's commitment to EU resolutions and to the Kyoto Protocol. An EU report in 2000 determining that dependence on foreign energy sources was on a constant rise, for example, caused the government to take steps such as committing to buying electricity from renewable energy sources, and also to express its commitment to the matter of bio-petrol. Other than that, Poland's economic situation has an influence on the government's ability to promote the sector, and the benefits granted to the industry are therefore set every year anew, after the budget has been examined and after an assessment has been made of the loss of profits from taxes on Green energy products. Finally, the price of oil influences the government's decisions as whether to continue to boost bio-petrol or not. Indeed, substantial oil price increases render the use of bio-petrol worthwhile and reduce the need for significant government subsidies. Sharp decreases in oil prices, on the other hand, render the bio-petrol industry a burden on the country's budget.[7]

Poland's Bio-Petrol

The Polish government's policy on bio-petrol is not as effective as that of Germany or France, despite the great raw material potential the country has. Between 2005 and 2006, there were many delays to the legislation and the establishment of standards for bio-petrol, proof of the local administration's inability to rapidly adopt EU resolutions. The fact that effective administration is one of the basics for Green energy is a stumbling block in Poland's attempt to make changes with far-reaching consequences. The attempt to blame the delay on the short period in which Poland has been a member of the EU does not fall in line with the fact that the number of rapeseed fields in the country has been on the increase since 2003. It would seem, therefore, that the Polish government's request that the EU lower the bio-petrol target to 0.5% instead of the 2% set in 2005 proves the link between the budget and encouraging the use of bio-petrol. Indeed, the economic hardships that faced the government at the time, combined with political disagreements between liberals and conservatives, influenced the authorities and prevented them from putting the legislation forward.[8]

The Polish government claims that its position towards bio-petrol must be based on the annual budget. According to estimates, the bio-petrol industry cost the economy 120 million Zloty in 2007 and 240 million Zloty in 2008 in government expenses. Due to bio-petrol's influence on the annual budget, the Polish government decided to have a single tax policy for all types of bio-petrol in 2007, which resulted in a sharp decrease in consumption. Many believe however, that the problem is not only the government's taxation policy but also its minimal support for research and development within the industry. For the sake of comparison, Sweden invested some € 88 million (euros) into 2nd generation bio-petrol research and development in 2006, Spain invested € 22 million (euros) and Finland invested € 9 million (euros), while Poland invested a mere € 68,000 (euros) that were collected by an engineers' association which does not receive any government support.[9]

Despite the limitations of the research and the hesitant support of the administration, the Polish government has decided, in principle, to promote bio-petrol. In 2007, the government announced its objectives for the coming years. In 2008, it set a target of 3.45%, in 2009, a target of 4.60%, and it aspires to reach the EU objective of 5.75 by the end of 2010.[10] Furthermore, in July 2007, the government decided to promote the bio-petrol industry with a plan – to be implemented between 2008 and 2014 – which aimed at improving the bio-petrol "food chain" from the agricultural stage to the refining stage. Moreover, it offered to grant tax benefits on cars suited for bio-petrol, but has not yet taken the steps to implement those plans.[11]

Can the Bio-Petrol Industry Reduce Unemployment?

In 2002, political elements associated with the agricultural sector claimed that encouraging the bio-petrol industry would ensure the creation of about 100,000 new jobs. In those days, unemployment had soared to 18.5% and many in Poland demanded investment into the industry in order to create more local employment. It is however, difficult to attribute the bio-petrol industry any significant contribution in reducing unemployment. Moreover, it is difficult to find data on the number of people employed in the industry and its

offshoots. Data from 2007, when the industry was at its peak, shows an increase of 3.2% in the number of jobs in the various agricultural branches and it seems that the initial estimates of a significant rise in employment were exaggerated. Furthermore, estimates of job increases are linked to 1st generation bio-petrol which was produced from two main crops: sugarcane and rapeseed. 2nd generation bio-petrol, which makes use of different raw materials, could therefore cause a significant decrease in the number of jobs promised by politicians and pressure groups.[12]

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Several researchers have reacted with scepticism to the attempt to attribute bio-petrol influence on Polish employment. Most believe that even if more jobs were created in the bio-petrol industry, it would be at the expense of other sectors such as the coal and refinery industries. Therefore, the bio-petrol industry does not have any significant short-term direct impact on employment. According to estimates, if the bio-petrol sector comes to constitute 15% of petrol consumption, there will be 350,000 more jobs, but it will be at the expense of other sectors.[13]

The influence on *unemployment* depends on the government's role in the market. Countries that promote technological development such as Germany, Sweden, Denmark and Austria, believe that they will become the main exporters of renewable and Green energy machinery and therefore expect significant growth in employment numbers. Countries that have raw materials for industry – and are able to export more than they require for domestic consumption and do not require significant government subsidies – will likely succeed in stemming the decrease in jobs in the agricultural and service sectors. The bio-petrol industry is able to improve the economy in peripheral areas where there is a high dependence on various branches of agriculture. The number of people employed mainly depends on the number and quality of the facilities established, as well as the type of raw material used.[14]
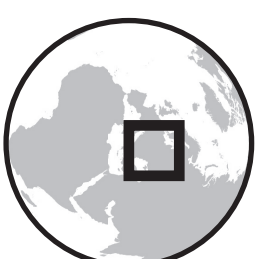
Bio-Petrol: A Means of Strengthening Peripheral Areas

93% of EU territory is classified as peripheral land and rural areas. 58% of the EU population lives on that land, and although the economic and infrastructural conditions of those areas vary from

country to country, the peripheral areas all play important social, economic and ecological roles. In recent years, a number of problems, common to all the peripheral areas of the EU, have arisen. First, the trend of urbanisation has left peripheral areas with an aging population. Second, soil pollution has worsened and water quality has deteriorated, mainly in Eastern and Central European countries. Third and finally, biological diversity has decreased and the accumulation of rubbish and debris continues to pollute the soil, all of which diminishes the status of European peripheral areas and has dealt a fatal blow to the agricultural sector. The fact that the EU considers it important to produce food that abides by exacting standards could, in the long run, have a negative bearing on the international influence of countries that produce agricultural goods.[15]

93% of Polish territory is rural and peripheral. In a long process that began in the 1950s, the rural population, which consisted of 57% of the entire population after the WWII, has dwindled. Between 1989 and 2002, there was a sharp increase in the number of people who moved from rural and peripheral areas to the big cities. This resulted in a crucial decrease in construction, a migration of young people and the decline in the percentage of women in peripheral society.[16] From the beginning of 2002 however, there has been a process of "return migration" to rural and peripheral areas due to a lack of work places, urban density, and village development (etc). This process will require the creation of new jobs in the sectors that are the mainstay in those areas, such as tourism and agriculture.[17]

The rural areas in Poland have developed a dependence on agriculture over the past decades. Despite a sharp decrease in jobs in the sector – from 26% in 1996 to 16% in 2003 – agriculture was the source of income for 40% of the rural population in 2006. To a great extent, the rise in the price of goods in recent years has justified continued dependence on agriculture. According to the Polish Bureau of Statistics, there was a significant increase in income from agriculture and in land prices between 2006 and 2007, with the average cost of land, for example, rising from 4000 Zloty to 5000 Zloty. Moreover, because Poland joined the EU, agriculturists have got more economic incentives in recent years.[18]

POLAND

Map: David Erkomaishvili

Baltic Sea

GER.

CZECH REPUBLIC

SLOVAKIA

UKRAINE

BEL.

RUSSIA

LITHUANIA

50°N
20°E

0   50   100 km
0   50   100 mi

Szczecin
ZACHODNIOPOMORSKIE
LUBUSKIE
Gorzow Wielkopolski
Zielona Gora
DOLNOSLASKIE
Wroclaw
OPOLSKIE
Opole
WIELKOPOLSKIE
Poznan
KUJAWSKO-POMORSKIE
Bydgoszcz Torun
POMORSKIE
Gdansk
WARMINSKO-MAZURSKIE
Olsztyn
LODZKIE
Lodz
SLASKIE
Katowice
MALOPOLSKIE
Krakow
SWIETOKRZYSKIE
Kielce
MAZOWIECKIE
Warsaw
PODLASKIE
Bialystok
LUBELSKIE
Lublin
PODKARPACKIE
Rzeszow

The importance of the Polish periphery to the EU´s economy, and to Poland's unique character, is reason for its conservation. In order to enhance the status of the Polish periphery, financial sources must be diversified, means of access improved, and educated young people encouraged to live there. The EU´s support for the Polish periphery – more comprehensive for Poland than for any of the other EU-27 countries and is estimated at $17.2 billion (USD) – demonstrates how important the EU considers that periphery to be and what potential it sees in it. One of the proposed solutions for the preservation of peripheral stability is to establish a bio-petrol sector that will contribute to economic diversification and strengthen the country's traditional structures.[19]

Other than its contribution to strengthening peripheral areas, bio-petrol also provides solutions for remote areas where energy is costly and inaccessible. Bio-energy is an important element in the general energy consumption of most countries. In Africa, for example, bio-energy makes up 47% of general energy consumption, in South America 18% and in Asia 29%.[20] The economic status of the EU countries limits the role of bio-petrol to total energy consumption. In peripheral and rural areas, however, the bio-petrol market plays an important role because access to those areas is difficult and because of the high cost of energy. In 2005, for example, only 17.5% of inhabitants of Poland's peripheral areas were connected to the national gas system, which is considered to be more expensive because of transportation costs. Developing an effective bio-petrol system could (partially) provide for the needs of the peripheral.[21]

The role of the peripheral areas in shaping Poland's economic, social and ecological structure compels the government to work towards growth in those areas. Many consider that bio-petrol is important for the strengthening of the economy and for the reduction of migration to the cities. It seems that the aspiration to bolster the peripheral areas is the most significant reason for encouraging bio-petrol development, but in order to help the periphery, pressure groups which can influence government policy need to engage in more direct action.

In order to encourage the government to invest in the bio-petrol in-
dustry, there is a need for pressure groups to promote it. The politi-
cal influence of the agricultural sector in France and Germany, for
example, greatly impacted on the promotion of bio-petrol in those
countries. In order to create effective public pressure however, it is
not enough to activate the agricultural sector. Indeed, in order for
a government to willingly reduce taxes on environmental-friendly
oil, Green pressure groups need to infuse the industry with an ideo-
logical angle. The rise in the status of Germany's bio-petrol indus-
try, for example, is also linked to the pressure the Green Party put
on the government there.[22]

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    Poland's agricultural sector influences governmental structures
but the country's agricultural organisations do not have the same
influence as they do in other countries such as the US, Germany
and France. There are less agricultural organisations in Poland than
in any EU-15 country and they have less association with one anoth-
er than is customary among their Western European counterparts.
Differences in production capacity in the various agricultural areas
and the lack of a free-market until 1989 prevented such organisa-
tions from having common interests, but since the beginning of the
1980s, pressure and political groups have become more powerful
due to the rise to power of the Solidarity movement. Some of the
organisations that influence the government's resolutions on ag-
riculture are: the Federation of Large Scale Producers, the Polish
Grain Chamber, the National Association of Farmers, Circles and
Agricultural Organisations, the Polish Farmers Union, and the Self-
Defence of the Polish Republic party whose leader, Andrzej Lepper,
became Minister of Agriculture and Vice Prime Minister in 2006.[23]

    The pressure groups seeking to promote the use of renewable
Green energy were mostly established in Poland after it joined the
EU. Prior, the matter was not on the public agenda because of the
need to resolve the economic and social problems that the country
had to contend with after the dissolution of the Soviet Union. In re-
cent years due to the development of Poland's economy and greater
exposure to Western European countries, public debate over Green
matters has gradually entered the scene. Nonetheless, the Green

organisations' activities are still limited compared to EU-15 countries. Moreover, most Polish governments have not afforded great importance to Green organisation activities, and granting them few funding options compared to Western countries.[24]

Due to a lack of social organisations of any significance, pressure for the use of bio-petrol tends to come from agricultural organisations which considers the industry to be economically advantageous. In 2002 the Polish Peasant Party began to work towards legislating the matter of bio-petrol. Attempts to promote such legal trappings met with strong resistance from liberal-economic groups, and brought the Minister of the Economy to labour against such legal steps with the argument that legislating a particular sector of Poland's economy would likely produce spill-overs and could be detrimental to the economy as a whole. Alternatively, those supporting such legislation claimed that it would safeguard agricultural classes who feared further reforms (after Poland's membership to the EU) and lopsided competition with international producers.[25]

Pressure groups have a great influence on government policy. The change in Polish political structures, economic acceleration and the influence of the EU will give social and political organisations additional leverage in the years to come. It seems that the link between agricultural organisations and Green pressure groups will proliferate in the future in order to secure their common economic and ideological interests, similar to situation in Western Europe. Inter-group cooperation will ensure pressure on the government, provide the Green industry with more incentives and help implement EU resolutions on the subject.

The Bio-Petrol Industry and Energy Security in Poland

The EU's concept of "Energy Security" was expressed in the Green Paper on the Security of Energy Supply published in 2002, in line with the changes to global energy markets. The report was made because of the global trends towards open markets, China's rapid industrialisation, rising consumption of oil products in various Asian countries, tremendous fluctuations of the oil markets between 1998 and 2000, instability in the Middle East due to the breakout of the Al-Aqsa Intifada a month prior to the report's publication, tensions

in Iraq over weapons of mass destruction and estimate that the EU's dependence on foreign energy sources was on the rise. The report expressed fears of a lack of continuous oil and gas supplies and of the growing conflict between the superpowers over access to, and control over, energy resources.[26]

The conclusions of the EU report were reinforced by ensuing geopolitical events such as: Operation Enduring Freedom (Afghanistan, 2001), Operation Iraqi Freedom (2003), and the rise of oil prices in Russia. The fact that the EU imports 50% of its energy and that its dependence on foreign sources will probably reach 65% by 2030, has forced it to diversify its energy sources by means of Middle Eastern and Central Asian countries, but also to work towards producing its own sources.[27]

Changes to the global energy market have influenced Poland political choices and behaviour. Despite that it only joined the EU in 2004, energy security has been one of Poland's priorities for over a decade. Between 1990 and 2000 gasoline consumption in Poland rose by 90% and there are constant increases in gas and oil imports. The Polish government hoped that joining the EU would ensure it access to new energy sources and help it build an efficient logistics system and render it part of a unified energy security policy for dealing with energy crises.[28] Just one year after joining the EU, Poland was at the forefront of countries seeking solutions to potential energy disruptions and shortages. In 2005, Germany and Russia signed an agreement to establish the North European Gas Pipeline in the Baltic Sea, which ensured Germany diversified energy sources. As far as Poland was concerned, this symbolised fractured EU energy policy where each country secures its own energy sources without forming a united front to provide solutions for all EU members.[29]

The need for the diversification of energy sources intensified following several key events. The gas crisis between Ukraine and Russia (January 2006); for example, engendered a decrease of some 30% in gas supplies to several countries, including Poland, Germany and Austria. For Poland, this was clear evidence that Russia was set on using EU energy dependency to fulfil its geopolitical and geoeconomic aspirations in Europe. Furthermore, in 2009 the Ukrainian company RUE encountered difficulties in supplying

gas to Poland´s PGNiG, and Poland was forced to request gas from Russia´s Gazprom instead.[30]

The crisis between Ukraine and Russia, and the spill-over effects which limited gas supplies to Central and Eastern Europe, hardened Poland´s position towards its, and the EU's, energy security. Fears that Russia was using energy as a weapon to promote political goals, even if not entirely accurate, brought about the need for Poland to play an active role in pushing the energy industry to the fore, and Poland therefore proposed constructing intra-European energy pipelines to be used in case of prolonged disruptions. Also, the government ordered that the strategic oil reserve be enlarged to last for 90 days and intends to expand the national gas stock storage capacity from 11 to 30 days by 2012.[31] Additionally, the Polish government holds 84.75% of the shares of PNGiG, the country's largest gas company, 100% of Gaz-System, the Polish gas transmission system operator, and 100% of Pern "Przyjazn," the Polish oil pipelines operator, to prevent attempts of foreign energy companies from gaining control of significant portions of the Polish energy industry.[32]

The Polish government operates on several levels in order to diversify energy sources. For example, it decided to establish LNG infrastructure in the city of Swinoujscie in the North-West of Poland and signed an agreement with Norway in 2007 for gas to be supplied via the Energinet.dk pipeline from 2011.[33] While Poland is succeeding in diversifying its gas sources, it faces difficulty securing adequate access to oil. Indeed, 96% of Polish oil imports come from Russia, which means that disconnecting the oil pipeline between Russia and Poland would virtually paralyse the Polish oil economy. One way to minimize that danger is to import oil via the port of Gdansk. The Polish government has also turned towards the Caspian Sea countries in order to reduce dependence on Russian oil, and that has resulted in the establishment of the Odessa-Brody-Plock pipeline, which facilitates increased oil imports from Central Asian countries. Furthermore, the Polish government sought to sign gas and oil product supply agreements with Qatar and Saudi Arabia in 2009, although no significant breakthrough has yet been made.[34]

Despite the great importance the Polish government attributes to energy, the bio-petrol industry's ability to diversify energy

sources is very restricted. Production costs are high and the amount of raw material available limits the ability to contribute to lessening dependence of foreign sources. The bio-petrol industry has, however, proven to be a deterrent to sharp oil price increases. OPEC understands that oil price increases engender more investment into alternative energy such as bio-petrol, and indeed, the increase in crude oil prices has resulted in the acceleration of development and research into 2nd generation bio-petrol and raised public awareness on the subject. New technological developments can therefore slightly reduce dependence on foreign energy sources and be a deterrent against OPEC states and Russia, who will likely seek to raise oil prices in the years to come.

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The Raw Material Potential of Poland's Bio-Petrol

Idle agricultural lands are required in order to produce substantial amounts of bio-petrol, and when the bio-petrol industry was starting out, several countries with vast agricultural areas joined the EU, Poland and Rumania were the most prominent in that they had the ability to become the main raw material producers for the biomass industry, and bio-petrol in particular. Despite their raw material potential however, most CEE countries suffered from symptoms of agricultural economies developed under Communist regimes where there was scant cooperation between agriculturalists, agricultural produce was low in relation to the size of the land, and there was a lack of educated manpower. In order to assume a leading role in the bio-energy field those countries need to make significant reforms, including the expansion of agricultural farmland areas and product quality control.[35]

Poland is a leading producer of several agricultural products; it is the 3rd largest rye producer in the world and 40% of EU rye is produced in Poland. It is also a top producer of raw material sources for the bio-petrol industry. For example, it is the 7th largest rapeseed producer in the world and the 3rd largest in the EU. Rapeseed crops in Poland constitute 10.7% of total EU production and 3.4% of global production.[36]

Table 1. Production in Top Ten Rapeseed Producing MS (1,000 MT)

	2006	2007	2008
Germany	5,337	5,307	5,300
France	4,124	4,600	4,500
Poland	1,652	2,125	2,200
United Kingdom	1,890	2,108	2,150
Czech Republic	880	1,031	990
Romania	170	352	650
Denmark	435	586	600
Hungary	338	494	570
Lithuania	170	330	350
Slovak Republic	260	321	347

Source: Gain Report EU-27 Oilseeds and Products Annual 2008.

Poland has land with the potential of producing about a million hectares of rapeseed per year but climactic conditions, particularly in the North of the country, affect produce and limit cultivation areas. Nonetheless, there has been a significant increase in lands allotted to rapeseed cultivation in recent years. Other than the traditional cultivation areas such as Pomerania, the number of fields in areas such as Lubelskie, Opolskie and Dolnoślą have been expanded. On average, 2.5–2.6 tonnes of rapeseed can be produced per hectare of land in Poland, but this varies according to the cultivation area and the season of the year. In the Northern parts of the country, and mainly in Szczecin, the average production is 3.2 tons per hectare, while it is 2.4 tonnes in Southern Poland.[37]

Poland's agricultural nature, cheap manpower and raw material capacity make it a country with high potential for the bio-petrol industry, and for biomass in general. Success however, largely depends on cultural, economic and social changes to Polish agriculture. First, Poland will need to enlarge the average farm to make the agricultural sector more appealing. Polish agricultural farms are normally much smaller than those in Western Europe because, during the Communist era only 20% of lands were state not owned and the size of an average agricultural plot in Poland was and is

set at 7.8 hectares whilst it is 46 hectares in Germany. Nonetheless, there has been an increase in commercial agricultural plots in the last few years. In some areas in Northern Poland, for example, there are agricultural farms with areas of between 100 and 500 hectares. Second, there has been an increase in the number of farms with an area of 20 to 50 hectares in the last decade and such farms consisted of 3.6% of the country's entire agricultural area in 2008, while they had consisted only of 2.4% in 1996. Furthermore, the total number of agricultural areas grew between 2006 and 2007 because more uncultivated lands were put to use. Finally, the Polish government is promoting laws to enlarge the average agricultural farm plot. According to a 2009 bill, for example, only one son will be able to inherit family land in order to enable the extension of the average size of farms.[38]

Improved agricultural produce and lower bio-petrol production costs are linked to agriculturalists' ability to cooperate with one another. The fact that the bio-energy market is composed of a long "food chain" demands that the various bodies involved work together efficiently. However, agriculturalists in Poland are not accustomed to working together for cultural and political reasons, and if there is any cooperation at all, it is generally more in order to safeguard agriculturalist rights than to improve the produce. Although strong cooperation occurs in Western parts of the country where there is a tradition of cooperative farms, the mass migration in the 1950s from Eastern to Western areas increased the number of cost-ineffective farms even in areas with a tradition of cooperation. The ramifications of not working together effectively include difficulties in purchasing production machinery, a lack of price coordination for goods and land, inferior bargaining power against the big factories, and a lack of understanding of market requirements. If educated young people move to agricultural areas, and farms are enlarged through the use of an effective enforcement system, there could, in the long run, be significant changes. The presence of German, Swedish and Danish companies in the Northern areas of the country, for example, has helped agriculturalists establish effective farms along the Scandinavian model.[39]

Bio-energy production is also affected by transportation costs of raw material to the factories. Despite EU support in establishing effective transportation, many areas in Poland lack suitable

infrastructure, which affects production costs. In a number of areas, mainly to the South and East of the country, it is difficult to transfer raw materials via truck or rail due to the narrow roads and a lack of railway tracks. Research has even shown that transferring raw materials such as biomass is not cost-effective if the transportation is by trucks that drive more than 100km to get to the factory. However, although, in most cases, raw material is transported to factories that are less than 100km away, transportation by truck often costs more because the trucks are old.

Poland and Rumania's difficulty in transporting raw materials is more obvious than in countries like the Czech and Slovakia Republics and Hungary. Nonetheless, in the areas of Lublin and Szczecin, which are considered to be areas with important raw material sources for the bio-petrol and biomass industries, the distance between the factories and the raw material areas is shorter than it is anywhere else in the CEE-10 countries. Moreover, the fact that North-Western areas are close to the Baltic Sea can contribute to the reduction of costs. Indeed, research shows that transferring goods by sea is the cheapest means of transport, which increases Poland´s future bio-energy role.[40]

Poland's Bio-Petrol Infrastructure

Investment into new facilities and improving the technology in old factories are indications of the bio-petrol industry's potential. Poland has much experience in producing bio-ethanol. Ethanol refineries have operated there for more than 600 years, although most of them closed over the last decades due to financial difficulties, a lack of supervision by the authorities, and decreasing demand. As a result, a number of ethanol refineries have taken steps towards modernisation, mainly by purchasing advanced equipment and reducing energy consumption to reduce operation costs. Those steps have engendered a positive change in the industry, and an estimated 200 refineries, which produce varying amounts of bio-ethanol, are currently operating.[41]

Bio-ethanol production calls for the use of dehydration equipment. This equipment first appeared in Poland in 1928. The international revival of the bio-ethanol industry has given a boost to the

equipment and as of 2008 19 such machines operate in Poland. Poland's experience, as well as the large amount of raw material available in the country, will make it possible to significantly expand bio-ethanol exports in the coming years. Indeed, a number of alcohol producers and companies that produce sugar have shown an interest in investing in the field, but the rise in raw material prices, as well as the Polish government's hesitation have put the projects on hold.[42]

The bio-diesel industry can be divided into two parts: the first part consists of cleaning and pressing the rapeseed and the second part is producing bio-diesel. There are, at the moment, ten major companies producing rapeseed oil in Poland. In 2007, eight other companies announced that they intended to open similar factories but suspended their plans due to increased prices of agricultural products and decreased oil prices. There are also other 100 or so companies that produce bio-diesel in varying amounts in Poland. The fact that most of Poland´s bio-diesel industry was established in 2004 ensures that companies have modern technological equipment developed in the West, but most suffer from a shortage of raw material and lack long-term contracts with agriculturalists. Should there be a significant increase in agricultural lands and should relations with the agriculturalists be resolved further investors will be able to establish new infrastructure.[43]

Other than establishing facilities, the industry also depends on effective bio-petrol station deployment. Installing many stations will ensure that people adapt to the product and that it enters public consciousness. In recent years, there has been a significant increase in the number of bio-petrol stations in Western Europe. In Germany for example, there were more than 1800 petrol stations where B100 could be obtained in 2007, at a distance of 30km from one to the other.[44] There was a substantial increase in the number of bio-petrol stations in Britain too: between 2006 and 2007, the number grew from 110 to 499 stations. The Swedish government decided in April 2006 that all the petrol stations in Sweden – which is considered to be the leading country in Green product use – should offer a variety of bio-petrol products. The deployment of bio-petrol stations in Poland, on the other hand, is not as effective as it is in Western Europe because of the low number of petrol stations relative to the number of cars and because bio-petrol products have

not entered public consciousness due to consumer scepticism as to the quality of the product. At this stage, Poland has a few hundred stations that offer a variety of bio-petrol products, mostly in the Northern parts of the country.[45] The Polish government will therefore have to help establish petrol stations in general and bio-petrol stations in particular in order to raise consumption and strengthen the industry in the coming years.

Conclusion

The bio-petrol industry's contribution to achieving the objectives for which it was established has been very limited. An examination of its objectives shows, first of all, that it was designated to strengthen peripheral areas and to provide support for the agricultural sector. The industry's contribution to diversifying energy sources, on the other hand, has been minimal due to the limited amount of raw material and the influence of oil prices on its profitability. Nonetheless, bio-petrol is a deterring factor against high oil prices and, as technology advances in the coming years, it has the ability of posing more of a challenge to "black gold." From the unemployment point of view, bio-petrol can provide solutions for unemployment, mainly in peripheral areas where there is a high dependence on agriculture. Other than that, countries that invest in developing machinery for the renewable energy industry are likely to be able to offer more jobs in the field in the years to come. And finally, the factors that define the industry are the raw materials a country has, government policy towards the industry, public opinion and pressure groups.

The variety of Poland's raw material, the rising power of social and political organisations linked to the agricultural sector, the expected increase in gas emissions from cars and the decreasing status of peripheral areas, all contribute towards making Poland the country with the greatest potential of all the CEE countries in terms of bio-energy. The lack of effective administration and of government consensus on the need to promote the industry however, will make it difficult for Poland to render its industry appealing and to meet EU targets. It seems that only pressure on the part of the EU, and entrepreneurs from countries like Germany, Denmark and Sweden getting involved in developing the industry, might yield positive

results and bring about a change in government policy with regard to bio-petrol and to bio-energy in general.

ॐ Yossi Mann is affiliated to the Department of Middle Eastern Studies at Bar Ilan University, Israel. He may be reached at: jmann1@bezeqint.net.

Poland's Bio-Petrol

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1   For example, between 1998 and 2008, 16.7 to 17.7 million cars a year were sold in the EU. Despite the sharp decrease in sales as a result of the 2008/9 economic crisis, the motor industry business is expected to increase by 36% in the coming years.

2   'The Central and Eastern European Automotive Market,' Ernst & Young (2007), pp. 34-38; 'Trends in Europe and North America: The Statistical Yearbook of the Economic Commission for Europe 2005.'

3   Andrzej Brzezinski (2002), 'Tram Systems in Poland. From Neglect to a Recognition of Great Potentials,' Warsaw University of Technology, pp. 1-8; Jerzy Wronka, 'Development of the Railway Transport in Poland,' University of Szczecin, pp. 3-4; Marcin Wolek, 'Incentives in Contracts on Public Transport Market in Poland,' Department of Transportation Market University of Gdansk- Presentation, pp. 2-4.

4   EU Structural Funds, Status Update for Poland (February 5, 2008), p. 1.

5   'EU Funds for Public and Environment-Friendly Transport,' in *CEE Bank Watch Network and Friends of the Earth Europe*, pp. 3-8.

6   Rafal Kierzenkowski (2008), 'The Challenge of Rapidly Improving Transport Infrastructure in Poland,' *Organisation for Economic Co-operation and Development*, pp. 10-14.

7   Konstantinos Patlitzianas (2005), 'The Policy Perspective for RES Development in the New Member States of the EU,' *Renewable Energy*, 30, pp. 477-480.

8   E. Van Thuijl and E. P. Deurwaarder (2006), 'European Biofuel Policies in Retrospect,' *Supplementary Memorandum by the Energy Research Centre for the Netherlands*, pp. 45-47.

9   Geraldine Kutas, Carina Lindberg and Ronald Steenblik (2007), 'Biofuels at What Cost? Government Support for Ethanol and Biodiesel in the European Union,' *The Global Subsidies Initiative*, p. 64; 'Poland's Agricultural Situation: New Tax Regulation for Biofuels, 2007,' *Gain Report*, pp. 1-3.

10 'Poland´s Bio-Fuels: Biofuel Update 2007,' *GAIN Report*, pp. 2-3.

11 'Biofuels Sector in Poland,' *Economic and Commercial Office of the Embassy of Spain in Warsaw* (September 2007), pp. 25-43.

12 Goran Berndes and Julia Hansson (2007), 'Bioenergy Expansion in the EU: Cost-Effective Climate Change Mitigation, Employment Creation and Reduced Dependency on Imported Fuels,' *Energy Policy*, 35:12, pp. 5965-5970.

13 Frederik Neuwahla, Andreas Loschelb, Ignazio Mongellia and Luis Delgadoa (2008), 'Employment Impacts of EU Biofuels Policy: Combining Bottom-Up Technology Information and Sectoral Market Simulations in an Input–Output Framework,' *Economics Ecological*, 68:1-2, pp. 447-453; Marlene Kratzat and Ulrike Lehr (2007), 'Renewable Energy: Employment Effects: Models, Discussions and Results,' *Ministry of the Environment, Nature Conservation and Nuclear Safety*, pp. 12-20.

14 Ibid; Leena Fagernas, Allan Johansson, Carl Wilen, Kai Sipila, Tuula Makinen, Satu Helynen, Erik Daugherty, Uil Den Herman, Jurgen Vehlow, Tomas Kaberger and Magdalena Rogulska (2006), 'Bioenergy in Europe: Opportunities and Barriers,' *VTT Technical Research Centre of Finland*, pp. 76-80.

15 'Future Policies for Rural Europe: 2013 and Beyond: Delivering Sustainable Rural Land Management in a Changing Europe,' *The Land Use Policy Group* (LUPG) and *Bundesamt fur Naturschutz* (BfN), pp. 3-10.

16 Jerzy Banski (2003), 'Suburban and Peripheral Rural Areas in Poland: The Balance of Development in the Transformation Period,' *Polish Academy of Sciences*, p. 7.

17 'Rural Development Programme for 2007-2013,' *Poland's Ministry of Agriculture and Rural Development* (July 2007), pp. 13-17; Adrianna Pulecka (2003), 'Rural Landscape Planning in Poland,' in Rural Landscape Planning in Poland: Surveyors and Landscape-Architects Cooperation, pp. 2-6.

18 Jerzy Bański (2004), 'Contemporary Transformations of the Rural Space in Poland: Selected Problems,' *Stanislaw Leszczycki Institute of Geography and Spatial Organisation*, pp. 2-8.

19 'Poland's Agricultural Situation, Rural Development Program 2007-2013,' *Gain Report* (2007). pp. 1-3.

20 Goran Berndes and Julia Hansson, pp. 59-74.

21 Ministry of Agriculture and Rural Development: Rural Development Programme (2008), p. 111; Hilkka Summa (2009), 'European Agricultural Policy and the Promotion of Biofuel Technologies,' *European Commission DG Agriculture and Rural Development*, pp. 1-2.

22 'The EU Strategy on Biofuels: From Field to Fuel,' UK House of Lords European Union Committee 47th Report of Session 2005-06, pp. 55-56.

23 'Poland's Agricultural Situation: Farm Organisations in Poland, 2006,' *Gain Report*, 7 July 2006.

24 Matthew R. Auer (2005), Prospects for Improved Air Quality at the Regional Level in Poland,' *European Urban and Regional Studies*, 12:133, pp. 14-15.

25 E. Van Thuijl and E. P. Deurwaarder(2006), pp. 45-47; Matthew R. Auer (2005), pp. 14-15.

26 'The European Union's Energy Security Challenges,' *CRS Report*, 30 January 2008, pp. 5-6; 'Green Paper: Towards a European Strategy for the Security of Energy Supply,' *The European Commission* (November 2000), pp. 22-28; 'Green Paper: Towards Fair and Efficient Pricing in Transport Policy - Options for Internalising the External Cost of Transport in the European Union,' *European Commission* (December 1995), pp. 15-36.

27 Ibid.

28 Oliver Geden, Clemence Marcelis, Maurer Andreas (2206), 'Perspectives for the European Union's External Energy Policy: Discourse, Ideas and Interests in Germany, the UK, Poland and France,' *German Institute for International and Security Affairs*, p. 3.

29 'The European Union's Energy Security Challenges,' *CRS Report*, 11 September 2006, pp. 7-8.

30 Simon Pirani, Jonathan Stern and Katja Yafimava (2009), 'The Russo-Ukrainian Gas Dispute of January 2009: A Comprehensive Assessment,' *Oxford Institute for Energy Studies*, p. 42 and pp. 14-17.

31 Ibid., p. 2; Maurer, p. 26.

32 Adam Kopysc (2008)*,* 'Poland's Energy Security: Dealing with Russia,' Institute for the Analysis of Global Security, pp. 2-3.

33 Piotr Naimski (2007), 'Energy Diversification Strategy for Poland,' Columbia University (report), pp. 9-10.

34 Ibid.

35 'Rural Development Programme for 2007-2013,' pp. 13-50.

36 'Agriculture and Food Economy in Poland,' *Ministry of Agriculture and Rural Development* (Warsaw 2008), pp 3-9 ; Izabela Dąbrowska (2009), 'Cereals and Oil seeds Market,' *BNZ Bank, Bureau of the Chief Economist*, pp. 4-7.

37 Adam Kupczyk (2007), 'Market Report of Bioethanol & Biodiesel,' Institute for Renewable Energy, Poland, pp. 30-43.

38 Adam Mickiewicz Adam and Henryk Rogacki (2002), 'International Markets, Regions of Growth, and Stagnation in Poland: Changes

Yossi Mann

in Agriculture, Industry and International Markets,' *European Urban and Regional Studies*, 9:1, pp. 53-59; 'Polish Agriculture in the EU: A Broad Outline,' *The Centre for International Studies* (2009), pp. 2-12.

39 Jarka Chloupkova (2002), 'European Cooperative Movement: Background and Common Denominators,' *The Royal Veterinary and Agricultural University Food and Resource Economic Institute*, pp. 10-16.

40 Kes McCormick and Tomas Kaberger (2007), 'Key Barriers for Bio-energy in Europe: Economic Conditions, Know-How and Institutional Capacity, and Supply Chain Coordination,' *Biomass and Bio-Energy*, 31:7, pp. 447-448.

41 Adam Kupczyk (2007), pp. 19-28.

42 Ibid., pp.19-28.

43 Ibid., pp. 19-28.

44 Jurgen Fischer (2005), 'Biodiesel in Germany,' Presentation at the Second International Biodiesel Conference, Barcelona, 21 October 2005, pp. 5-6.

45 'Sweden's Biofuels,' Biofuel's Annual 2008, *Gain Report* 06 April 2008, p. 5.

IS THE EU ATTRACTIVE?

Tomáš Rohrbacher and Martina Jeníčková

Abstract: *This article introduces the EU as an attractive actor. It aspires to classify approaches shaping the current debate about various aspects of the EU's relations towards other international actors (Europeanisation, soft power, civilian power or normative power) and derives two dimensions of attractiveness: 1) attractiveness leading to issue adoption and 2) attractiveness leading to the adoption of these issues on various levels and combination of these. This scheme is applied on EU governance mechanisms and value paradigms and helps to identify reasons behind the EU's external attractiveness.*

Introduction

The aim of this text is to introduce the term *attractiveness* in its relation to the European Union (EU) *actorness* concept. While there is a voluminous body of literature dealing with the EU's relations to other international actors, a systematisation of these various approaches is lacking. Concepts such as "soft power," "civilian power," and "normative power" have a lot in common but also differ in some characteristics and in this ability to explain the sources of power and therefore focus mostly on descriptions of their qualities. Deriving from the concept of actorness we emphasise that there are two basic dimensions of attractiveness: 1) attractiveness leading to issue adoption and 2) attractiveness leading to adoption of these issues on various levels and in various combinations. In both cases we try to introduce specific EU models of attractiveness and illustrate these with some examples.

Firstly, the actorness concept, its particular types and dimensions and their specifics, are described. Then we try to map the existing debate about both the actorness and especially attractiveness including concepts of power and the possible transfer of such debates into concrete political steps. This can assist in identifying why the EU internal mechanisms and value paradigms are or are not

interesting for actors (countries or regional groupings) outside the EU, and what could promote the EU's attractiveness. At the same time this overview can reveal weaknesses of EU governance as well as its strengths as seen externally. The attractiveness of the EU can have many interesting dimensions: the model of EU governance functions as a source of inspiration for various regional groupings, national and global governance and in some cases even local governance, while specific values contained in EU policies influence other actors in environmental, human rights and good governance issues. But first let us introduce several important concepts which serve as a starting point for our text.

Actorness of the EU

Actorness (of the EU) can be generally defined as the ability to express (the EU's) interests and defend those interests internationally. Over the past 50 years the EC/EU has formed a foreign policy and established itself as an important international actor. In this article we work with the conception of actorness introduced by Kratochvíl (et al) in 'The EU as a "Framing Actor:" Reflections on Media Debates about EU Foreign Policy.[1] In this paper the authors distinguish four basic types of actorness which are schematised in the following table:

Table 1. EU Actorness – Different Foci of Academic Debates

	Inside the EU	Outside the EU
EU internal governance	EU as a legitimate actor	EU as an attractive actor
EU external policies	EU as a framing actor	EU as a recognised actor

Source: Kratochvíl (et al) (forthcoming).

As argued by Kratochvíl (et al.), the three types of actorness are already the focus of academic debates from various angles – attractiveness, legitimacy, recognition. The ability of the EU to frame the debate about its external policies within the EU itself is the fourth type suggested by the authors to complete the three former ones.

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We shall now proceed to briefly introduce all four dimensions of actorness.

Legitimacy:This type of actorness is examined as a topic with high resonance and the debate involves different views of the ability of EU institutions to govern in accordance with public opinion and support. The question of legitimacy is deeply interconnected with the further integration of the EU and with the strengthening of its position compared to the member states. While national states are perceived as actors with an established legitimising structure (elections on various levels, interdependence of legislative, executive and judicial power, integrated public sphere), international organisations, including the EU, seem to be lacking some of these channels of legitimacy and thus suffer from a democratic deficit.[2] Without legitimacy, the position of EU institutions (internally and externally) is weakened and remedies seem hard to find.[3]

Recognition: Dealing with this type of actorness, scholars tend to identify the position of the EU in relations to other actors, especially among other great powers.[4] Recognition can be understood as the ability of the EU to be accepted as an independent actor by other actors and to take part in international relations and pursue its own policies. Two basic views concerning this type of actorness are visible. Firstly, that the EU is overestimated by external actors and that there is a consensus-expectations gap, 'a gap between what the member-states are expected to agree on and what they are actually able to consent to'[5] while, secondly, the EU, as an underestimated actor attributed with only low expectations, including e.g. relations to Russia or building democracy in Iraq and Afghanistan.[6]

*Framing***:** This more recent type of actorness understands the EU as an influential actor regarding the internal debate about external policies of the EU. According to Kratochvíl (et al) this characteristic of actorness is marginalised in current debates about the EU. As Kratochvíl (et al) note, the EU is a framing actor when it is able to 'convince the national governments and societies that a policy or a relationship with a country is primarily a task for the EU.'[7] Thus, the EU as a dominating actor ("reference point") in the debates, is able to influence the external policies of member states and the Union itself.

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Attractiveness: Although all of the dimensions of actorness deserve attention, this article focuses on the EU as an attractive actor because this focus can significantly contribute to the identification of source of influence of the EU towards external actors. The EU (despite many criticisms on its democratic deficit[8]) and its internal mechanisms, values and norms are apparently attractive to various actors outside the EU. This is obvious especially in some areas, such as environmental and human rights protection but also in specific models of member states cooperation in the age of new regionalism (or rather neo new regionalism[9]) (e.g. multi-level governance).

It is necessary to add that all the aspects of actorness influence each other and are therefore interconnected. Thanks to the unique internal governance and value paradigm (the EU is an attractive actor) the EU has the potential to be a self-confident actor in relations with others (the EU is a recognised actor). And, vice versa: the acceptance of the EU by actors outside (the EU is a recognised actor) can promote its "gravity field" (the EU is an attractive actor). Also, the fact that the EU is a recognised actor can support the EU's ability to frame internal debates about external topics (the EU is a framing actor) and thus obtain a greater legitimising boost from member states' societies (the EU is a legitimate actor), because successful international actions of the EU strengthen the internal legitimacy and vice versa.[10]

Attractiveness

But let us now leave the general debate about different types of actorness and concentrate only on one of them. After the fall of the iron curtain, the magnetism of the EU appeared clearly. Countries of Central and Eastern European (CEE) entered into negotiations with the EU during the 1990s and later became members. The Balkans followed although at a slower pace and with more complex negotiations. The process of accession attracted the attention of scholars and was labelled as Europeanisation. Although this concept dominated (perhaps) the debate, other concepts explaining the attractiveness of the EU also received attention. In this part of the article we try to summarise

the current debate about the EU as an attractive actor. We focus especially on these three areas:

1. various concepts explaining the appealing force of the EU;
2. dimensions of this appealing force
   a) issues which are spread by the EU;
   b) levels on which these issues are spread;
3. sources of this appealing force.

Concepts Explaining the Appealing Force of the EU

In this part we discuss some concepts which define the EU as an actor concerning its internal and external image. Although these concepts are developed by scholars, they are based on the EU's self-presentation towards both internal and external publics. According to a constructivist approach to actorness, the EU defines itself as an actor with specific qualities and aspires to be recognised as such.[11] This self-definition also affects dimensions of attractiveness and therefore we will briefly discuss these concepts to find possible sources of the EU's appealing force towards external actors.

One frequently discussed concept concerning the diffusion of EU norms and values is *Europeanisation*. This concept focuses on the description of the process of adoption of the EU legislature mostly by the member states (internal Europeanisation[12]) and less often by the states outside the EU (applicant states or other; external Europeanisation[13]). The latter one has recently come in scholarly focus and includes the European Neighbourhood Policy and the EU's policy towards Central Asia.[14] The Europeanisation research area studies two basic topics:

1. the creation of European governance through
   a) a hard transfer (incl. formal and informal rules, procedures);
   b) a soft transfer (styles, beliefs and norms) and
2. adoption of European norms by domestic governments.[15]

The direction of Europeanisation is not simply top-down (the EU influences domestic policy while the norms are adapted by member countries after either a certain pressure or voluntarily) but also bottom-up[16]. We see the importance of this concept mostly in its focus on emerging multilevel European governance and its mechanisms and specifics which can help to explain the attractiveness for

the actors outside the EU. Also, EU enlargement and external Europeanisation itself is a consequence of the EU's gravity force. And finally, deeper Europeanisation strengthens the ability of the EU in its role as an international actor.[17] The weakness of this concept of the EU's attractiveness consists of its dominant concern with the EU member states or acceding countries (CEE states or the Balkans). Thus the ability of this concept to reveal the motivation of countries outside the EU or even Europe to converge to a European model is limited and refers above all to the direct material benefits of membership.

Another approach dealing with the EU seen from the outside is Emerson and Noutcheva's *gravity centre* concept.[18] They argue that there are certain centres of democratic gravity, each representing a slightly different model, the EU being a prospective 'major world centre of democracy.' Generally, gravity centres are characterised by 'the tendency for other states to converge on the democratic model of the centre' and it 'depends on the reputational quality and attractiveness of that democracy, its geographic and cultural-historical proximity, and its openness to the periphery.'[19] Europe is one of these gravity fields and belonging to Europe (not only the EU, but also e.g. Council of Europe) has a symbolic value. Also this concept can help to define the sources of EU attractiveness, but while Europeanisation studies mostly focus on EU member-states or acceding countries, this concept deals with the transfer of European (not necessarily EU) norms e.g. to the Balkans or the Caucasus where Russia's military and energy power competes with European normative power.[20] Or, as in Central Asia, the EU's liberal-democratic model challenges China's authoritarian regime.[21] This demonstrates that the gravity centre concept is more useful in explaining the attractiveness of various models or types of power, including the European one, because it suggests that the EU is attractive for its democracy-based political arrangements.

Similarly, in the *normative power* concept, the EU is seen as a source of civilian and democratic standards[22] and an actor using primarily the "export" of ideas and values instead of other forms of power.[23] The identity of the EU is built on strengthening peace, justice, human rights protection and security in the world and that creates its normative power.[24] As a consequence, norms and values are unintentionally spread from the EU to other political actors

(e.g. MERCOSUR) which adopt these values voluntarily. This unintentional diffusion of norms and values can be understood as evidence of their own, and the attractiveness of the EU itself. According to Manners,[25] attractiveness is caused by the uniqueness of the EU and its dissimilarity to pre-existing political forms (and thus can be weakened by deeper integration towards a European state).

Similar approaches may be seen in the works of Telo or Moravcsik who see the EU as a *civilian power*[26] (or civilising power).[27] Also, in this conception, the EU is given attributes of 'international political responsibility' but some new characteristics are added to distinguishing it from the normative power approach. The EU's importance relies also in its "smart" and "soft" power (as well in economic power and institutional uniqueness) and thus the attractiveness of the EU is embodied in its specific ability to understand and learn from its history,[28] the EU having been able to 'tame and civilise the state sovereignties of its members.'[29] This common historical memory is, accordingly, the reason why the EU does not aspire to act as a politico-military power. Nevertheless Larsen argues that the EU has shifted from its position as a civilian power and accepted some military elements into its discourse.[30] Still, the EU is seen as an important contributor to democratisation using rather persuasion than force and building on its historical experience and success in learning from it.

In the conception of *soft power*[31] the influence of an actor on the behaviour of other actors is based on attraction and seduction: 'Ideas and policy have a power of attraction that facilitates their diffusion between polities at different levels.'[32] The original concept is ascribed to Nye who highlighted the importance of argument as the key role to attract: 'in behavioural terms soft power is attractive power' (quoted by Jones). In terms of force or military power the EU is (relatively) weak but in terms of soft power, in attracting others to its "way of thinking" it is quite the contrary.[33] In other words, using both hard and soft power, the EU's advantage lies more in its ability to attract outside actors thanks to its internal value paradigms and institutional scheme. But most importantly this happens using subtlety; rough the non-coercive way employed by the EU.

The *EU's actorship* introduced by Hettne[34] is the 'ability to influence the external world' in three dimensions: regioness, presence and actorness. Regioness describes the processes of regionalisation

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on five levels and the EU is a unique regional bloc which has reached the highest level of "institutional society." Presence is understood as an ability to influence external subjects e.g. by size, military or economic power and thus create expectations of these subjects. Finally, actorness is the ability to act externally and results of such acts are accepted voluntarily by the other actors. Thus the EU is portrayed as an attractive actor with inspiring unique structure, non-military power and the ability to unintentionally shape other subject´s policies.

All the aforementioned conceptions have a lot in common concerning the EU. They state that the EU has profiled itself as an actor whose power is based on economic and institutional power rather than military power. That would support the thesis that the EU gains external recognition through its attractiveness. According to the current debate, the power of the EU seems to stem from the ability to persuade or to (unintentionally) spread its values and 'ways of thinking and doing things.'

The final theoretical concept in which the EU plays an important role and which we intend to present here is the concept of *regionalism*. This concept differs from the above mentioned because it does not explicitly work with the reasons for the creation of the specific kind of power and attractiveness of the EU. It rather represents one of the areas (multi-level governance) and levels (regional level – see below), and probably the most important ones, in which the EU functions as a source of inspiration. For this and because there is still some ambiguities surrounding the use of the term regionalism, we seek to first theoretically introduce what is implied by our use of regionalism.

Examining the EU, Kratochvíl suggests distinguishing between two concepts of regionalism –from the point of view of political science (connected with multilevel governance) and regionalism from the point of view of international political economy (as a tendency to create integration blocs).[35] Both could be useful for this article though we deploy the latter in order to illustrate the examples of the EU as a source of inspiration to other integration blocs from the position of the most developed regional grouping. The basic starting point of theories of regionalism is a classical model developed by Belassa in the 1960s who developed 'the term of "economic integration" to refer to the creation of formal co-operation between

states and the progressive movement towards the free trade area, a customs union, a common market, monetary union and finally total economic integration,'[36] which is sometimes replaced by the term political union. Since the 1980s, international relations (IR) have changed significantly and one of these changes consisted of a rise in the number of regional initiatives or the renewal of existing ones; in the EU this process started with the White Paper and the Single European Act.[37] These shifts were reflected by a rethinking of the regionalism concept and have lead to the rise of new regionalism. The new regionalism differs from more traditional approach for three main reasons:

1. the multipolar context of IR,
2. 'the dominant role of hegemonic actors (regionalism from "outside" and "above") in the creation of old regionalism as opposed to the "autonomous" nature of new regionalism (from "within" and "below"), and
3. the comprehensiveness and multidimensional nature of new regionalism as opposed to the narrow and specific focus of the old.'[38]

New regionalism includes a wider spectrum of actors, and greater influence of non-state actors.[39] For this reason the term "regionalisation" (that describes the more spontaneous process of the formation of regions led by different actors, e.g. the private sector) should be distinguished from regionalism (which refers to state-led projects).[40] Although the role of new actors, such as international organisations, rises the role of states and their active participation in shaping IR remains important. 'Regional integration though describes how states are persuaded to make *voluntary* concessions on sovereignty in order to realize collective goals.'[41] One of the most important conclusions of early new regionalism is that the economic dimension of relations cannot be separated from other dimensions (political, social, cultural etc.) characterised by aspects: 'a) deep economic integration plus political elements; b) multi-level governance; c) devolution within states; d) strong international legal framework; e) cooperation along many dimensions.'[42]

After years of developing of new regionalism, some authors tried to identify new aspects of this phenomenon and asked if contemporary new regionalism should rather be classified as 'neo' new regionalism because the initiatives of new regionalism (what Van

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Langenhove and Costea call second generation) were based on the neo-liberal policies of the Washington Consensus, policies strongly influenced by the US and multilateral economic institutions (e.g. International Monetary Fund).[43] As these policies have been mostly abandoned (e.g. in Latin America), the EU, with its socio-economic model, represents an attractive alternative.

In this part we intended to introduce several conceptions which we find crucial for understanding the attractiveness of the EU for external actors. All of them, more or less, implicitly outline various areas in which the EU can be inspiring for others but what we find insufficient is the analysis of how this is achieved – where the sources of this attractiveness stem from. We aspire to answer this question in the following part.

Dimensions of the Appealing Force of the EU

The overview of specific theoretical conceptions should now assist in describing some reasons for EU attractiveness as seen by exogenous actors. Attractiveness then can be one of the sources of external Europeanisation, of the EU's external power, e.g. transfer of EU norms or values to non-member states, in this case concerning internal EU mechanisms. In our view, the academic debate lacks deeper focus on these issues and limits itself to merely stating the relevance of the attractiveness and the EU's soft power. Even when factors of the attractiveness are further examined, the "idealistic" approach focused on the magnetism of ideas and values seems prevalent.

Based on the presented concepts portaying the EU as a power of various qualities and the specifics of regionalism, we suggest that the EU functions as a model in two dimensions:

1. in specific issues, methods or processes. We call this **issue dimension** and it includes values, the socio-economic model or the multi-level governance model of the EU and

2. on various levels. In this **level dimension** the EU and its issues are adapted on a local, national, regional or global scale.

The following table shows some concrete examples of these issues which are an important part of the EU´s discourse and levels on which they are adapted above all due to the attractiveness of the EU.

Table 2. Issues and Levels

Case	Issue	Level(s)
African Union	governance	regional
Mercosur	values, governance	regional, national
European Neighbourhood Policy	human rights	national
Genetically modified organisms	environment	global, national (China)
Turkey/Kurds	human rights	local, national

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Issues which are Spread by the EU

The EU functions as an ideal-type or as a model[44] in various important regards not only intentionally but as well 'by example-setting and unintended policy transfer.'[45] This example-setting is further strengthened by the external civilising role of the EU, meaning worldwide activities in supporting peace, human rights and environmental stability.[46] It should be noted that the EU is not a homogeneous subject and therefore the below described models have to be accepted on a certain level of abstraction and generalisation.[47] We distinguish two basic branches of thought about the EU as a model that can be identified as follows:

1. the EU as an example for internal governance of particular states, regional groupings and global governance (multi-level governance) or as an example for integration elsewhere;

2. the EU as a value leader, including the EU's socio-economic model.

The EU's internal mechanisms are in many respects unique or at least the EU has the longest experience with their usage. The architecture of the European institutions and projects of integration, monetary union and sharing political power both inside and outside the EU serve as an example for other regional groupings. Multi-level governance lay-out with the elements of network interlock across various levels brings possible innovations for local, national regional and global governance. Not only scholars see an inspiration in the EU.[48] According to official materials published by the African Union Commission, 'the vision of the African Union is that of an Africa integrated, prosperous and peaceful, an Africa driven by its own citizens, a dynamic force in the global arena.'[49] The inspiration by the EU, at least in the discourse, is obvious. The

institutions of the AU reveal clear fingerprints of the EU: the legislative body is represented by Pan-African Parliament, the executive body by the Commission (with similar functions as those of the European Commission), judicial power is represented by the African Court of Justice and the structure of committees copies in some respects EU structures. Although there are also other bodies (Assembly, Executive Council) the inspiration in internal setting of this regional group is evident so when it comes to declared values: peace, security, solidarity, human rights protection (although here the similarity probably cannot be simply credited only to the EU).

Also, in the case of Mercosur which is along with the EU considered as an example of deep integration,[50] the inspiration can be traced. Mercosur was founded in 1991 with the 'desire to create a common market on the model of the European Community'[51] which was already reached at this time.[52] The inspiration of European values is reinforced.[53] Due to the conquista, colonisation and also the persisting influence after gaining independence, the (West-)European culture and values have become an integral part of Latin-American culture, e.g. the principle of democracy and the protection of human rights.[54] The importance of strengthening democracy was formally expressed in Mercosur and its member countries in 1996 when the democracy clause was adopted by the *Common Parliamentary Commission*.[55] This clause enables the suspension of a state's membership if it violates democratic principles and institutions. In practice this clause was used in 1998 to help to settle the crisis in Paraguay. This leads us to another parallel between Mercosur and the EU; democracy as a condition for membership of the regional bloc. In case of the EU, Spain and Portugal were admitted to the European Community only after regime change.

Despite the inspiration of the EU, the institutional structure differs in some key points. The integration initiative is based on the intergovernmental principle without supranational institutions.[56] This is illustrated by the extremely high respect for state sovereignty and nationalist tendencies in the region. But similar to the EU, in 2006 the Parliament of Mercosur was added into the institutional structure as a consultative body with a perspective of strengthening it. Unfortunately, solutions to regional disputes are still weak and there is no permanent court for this purpose (which is also the

consequence of unwillingness to build the bloc on the supranational principle).

Besides the internal application of specific values the EU builds its external image on exporting them abroad. This happens through universal human rights advocacy, humanitarian aid, environmental protection etc. But as Falkner put it, more can be done to bridge the gap between verbal support and concrete political action.[57] In this case, the attractiveness of the EU's values needs to be supported by recognition and active external policies. One of the particular areas in which the EU confirms its importance and aspires to be a value leader lies in environmental policy. The long-time tradition of this policy (since the 1960s[58]) predestined the EU. Firstly, the EU uses its recognised actorness to push multilateral agreements, such as the Kyoto Protocol on climate change or the Cartagena Protocol on Biosafety.[59] Secondly, based on its soft power (including economic power) and attractiveness the EU influences through diffusion the environmental standards not only of its members but of applicants and neighbouring countries as well. The EU's approach to genetically modified organisms (GMO) has an impact on decisions on using this technology in China and India.[60]

An Attractive EU?

In another case of EU values diffusion – the European Neighbourhood Policy – countries involved are in bilateral relations with the EU to realise a 'zone of stability, security and prosperity.'[61] The partnership involves the closest EU neighbouring countries (e.g. Ukraine, Belarus, Moldova, Morocco, Egypt, Israel and Syria) and cooperation takes place in various areas: politics, security, economics, environment etc. Again the basic values of the EU and their diffusion are subject to this relationship: democracy, human rights, rule of law as well as pro-market measures and economic cooperation. This clearly shows the necessity of shifting the debate about Europeanisation more outside the EU.

Finally, we will mention the socio-economic model of the EU. Although it can look strange to put together values with an economic model, it is relevant. The European social model,[62] despite certain features, seems not so different from the other welfare state systems; the difference lies in the value paradigm. While the roots of the welfare system are seen in France,[63] the EU is labelled 'as a world's Scandinavia'[64] regarding the social policy regime based on values of freedom, social justice, solidarity and democracy. And, at

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the same time, the socio-economic model of the EU is important for its internal social cohesion and quality of democracy.[65]

As an example we can again use Mercosur. After serious crises in Mercosur's strongest economies (Brazil and Argentina) in the first years of the new millennium, and due to persisting social problems and the incapability of neo-liberal policies to solve the situation, both countries abandoned the Washington Consensus and tried to cooperate with a more diverse set of partners including the EU. Moreover, the EU as an important player in multilateral IR, and cooperates with the whole region bilaterally (e.g. EU – Chile, EU – Mexico) and also on the EU-regional blocs (EU-Mercosur or EU-Andean Community) level. The EU is considered a strategic partner of Mercosur, which participates in solving regional problems. For both, this cooperation means support of multilateralism in IR and is part of the solution of the 'need for a more balanced international system in which they will depend less on the United States.'[66] In addition to such channels of cooperation, interregional summits are organised, such as the EU – Africa or EU – Latin America summit. These summits are not substantial for decision making but do represent 'general transregional relations which could become more institutionalised with time and thus take a more formal interregional form.'[67]

Levels on which these Issues are Spread

After mapping the debate on two major topics which represent European models perceived as attractive outside the EU, we discuss various levels in which the model of governance can be, or, already is being applied. To simplify, we distinguish four basic levels in which this happens: 1. the local level, 2. the national level, 3. the regional level and 4. the global level.

    1. As the governance model of the EU is defined as a multi-level governance model, it also includes the local level on which some Union issues can be applied. Casier describes the case of the Kurdish minority in Turkey whose rights have been constrained for many decades.[68] For them, the EU serves as a model and helpful ally and through the transnational networks they were able to improve their outlooks on equality and thus strengthening democracy and human rights protection in all of Turkey.

2. Also on the national level the inspiration taken from the EU lies in its multi-level setting and network governance which interlinks various actors on various levels (municipal, regional, state level). The EU contributes to the stabilisation of democratic regimes inside, between applicants and elsewhere, including e.g. Mercosur countries.[69] It is necessary to admit that this works better when membership comes with promises of economic opportunities. As an example we can mention the inclusion of civil society actors into decision-making processes or public-private partnerships. On the other hand, the EU lacks some political channels developed in national states and therefore the inspiration could be reciprocal.

3. There are many factors in today's interconnected globalising world leading to regional cooperation. Integration is perceived as one reaction of states to globalisation and EU member states were probably the first to react this way (the integration started already before globalisation was so widely discussed). Telò suggests that the EU model is not intentionally exported but rather spontaneously adopted by other regional groups.[70] Of all regional actors the EU seems to have gone the furthest and thus the EU functions as a model of regionalism around the world. The actions are intentional, e.g. supporting arrangements and agreements through which 'the civilian power of the EU supports regional cooperation elsewhere.' The EU tries to persuade other regions to integrate by technical and political support (e.g. Mercosur).[71] With Mercosur, the EU develops a strategic partnership based also on the spreading of values of democracy and human rights.[72] Unintentionally, the EU works as an example of 'both the importance and the limits of regional parliaments' but also of regional citizenship and regional civil society and identity.[73] These are obviously supported from above by the EU and have a strong "top-down" character. The EU also promotes interregional partnerships as part of transnational relations between civil societies.[74]

4. While the EU aspired to be a regional actor,[75] the situation seems to have changed. After the fall of the iron curtain, cosmopolitanism, which has its roots in Europe, returned (or its

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new version, neo-cosmopolitanism[76] and in this new constellation the EU can be not only an example for other regional integrations but also as a global governance system. Rifkin[77] mentions polycentric governance, Castells[78] proposes network settings, both of which are already employed in the EU and are seen as viable ways of governing in a globalised world. At the same time the EU can act as a source of global bottom-up democratisation because the uniqueness of the EU inheres in its ability to 'coordinate diverse national democracies in a manner which is complementary to a transnational and supranational public sphere'[79] Telò calls this a "mirror effect" of the EU.[80] The values of social justice (as noted above), solidarity and democracy can be used to democratize global governance although their acceptance can't be expected to be really global (more likely in Latin America than in USA etc.). But the more the EU tries to appear like a superstate in the making, the less appealing it is for the actors abroad.[81]

Despite the possibilities of applying of the EU internal mechanisms on different levels of governance, it is obvious that the EU still has to improve itself. Apart from the institutions' lack of legitimacy; we should mention the need for higher accountability, a stronger public sphere and civil society on the European level. Reality often differs from words and thus 'the internal democratic governance of the EU needs to be better translated into consistent policies.'[82]

Sources of the Appealing Force of the EU

After mapping some issues which are typical for the EU and reflect its internal governance and value paradigms and are therefore transmitted to other parts of the world, we should be able to state some reasons for this phenomenon. Some of them are instrumental, others based on ideas and values.

Firstly, the EU was able to prevent conflict and stimulate and strengthen democratic regimes in former authoritarian countries and was able to secure internal peace within a growing number of countries while securing economic stability in the post-war period.[83] The EU thus works as a good example and its appealing power

stems from its own experience of two cruel wars in the 20th century and the ability to bridge this experience and create a successful socio-economic model.[84] Secondly, the EU simultaneously works as an engine of a global multilateral system, because it is a novel type of international actor – 'its model of power is innovative in terms of legitimacy and effectiveness.'[85, 86] Whether this power is civilian, normative or soft, the European political culture is based on a refusal and criticism of war and participates in the creation of multilateral institutions.

Thirdly, the internal democratisation processes in new countries, such as the formation of civil society, public spheres and political parties are an important part of the European integration experience. The EU enables the participation of citizens on various levels of its governance system and strengthens the role of civil society.[87] This participation produces legitimacy within the EU and thus supports the civilian power of the EU.[88] Fourthly, Europeanisation can be understood as an alternative to Westernisation (Americanisation) or neoliberal globalisation which has been strongly influenced by the US.[89] The European social model and the European welfare state are seen as alternatives to the American liberal economic model.[90] Also, the external policy with an accent on democracy and human rights based on soft power rather than military power seem to be well perceived. To sum up, the EU's value paradigm – cosmopolitan values, global consciousness and the 'commitment to defending mankind's common interests'[91] – represent the unique character of the Union. However in all of these aspects the EU's attractiveness can be rather an unintended consequence.

But there is always the risk that the attractiveness of the EU is overestimated or seen too idealistically. Regionalism or multi-level governance can be perceived as attractive ways of governing and the inspiration by the EU can be unintended and the similarity in some cases accidental. Moreover, from the instrumental point of view it seems that this attractiveness is not based on the governance mechanisms (multi-level governance) or specific values but rather on material advantages coming with being part of the West or Europe (symbolised by the EU) or which can lead to an imitation of the successful European economy. The EU has a lot to offer: trade and association agreements, aid and diplomatic recognition.[92] But in the current debate the instrumental approach seems to be

used to a lesser degree although the EU is also attractive for what it can materially offer: financial resources, business opportunities, security agreements etc. At the same time, not only does the EU foster its legitimacy through various campaigns with internal scope but its attractiveness is also created with the help of material or financial resources and supported through campaigns from above. So the EU combines hard economic power with soft power which lends more effectiveness to its external policies.[93] It is obvious that these sources of attractiveness can be camouflaged. For example, when a government needs to execute certain policies these can be used as arguments to persuade the public and thus get legitimacy for political steps undertaken which does not mean that values are irrelevant.

There are also reasons why the EU is unattractive for some states (e.g. Russia, being a member of the Council of Europe and Belarus, which is part of the European Neighbourhood Policy). Like the EU, Russia as a former great power represents a gravity centre on its own.[94] Therefore, for Russia, the EU is recognised but not attractive, as these two gravity centres compete in the same area but with different means. The consequence is that in the area of Eastern Europe, the Balkans and the Caucasus both the EU and Russia seem to be recognised and attractive actors, but in different ways and ratios.

To conclude this part, if we look at the consequences of the reasons for attractiveness, it seems clear that actors outside the EU perceiving it as an attractive actor want to:
1. be members;
2. not become members but belong to Europe (e.g. Council of Europe, common market, free trade zone) in order to be "in the club" and also to contribute to the European image. The EU's attractiveness can be used as political marketing of elites outside the EU;
3. imitate the governance models of the EU (democratic gravity centre, socio-economic model) not necessarily because these systems work but because of the EU's reputation (e.g. African Union) and concrete material benefits.

It is difficult to determine whether and when the instrumental or idealistic motives prevail concerning the EU's attractiveness. It is likely that the combination of both causes the EU to have many followers on the European continent but also elsewhere; and the

overview of the current debate shows the EU has a lot to offer in both cases.

Conclusion

In this article we introduced one type of EU actorness and presented the EU as an attractive actor in the sense that it functions as a model for external actors even without the intentional use of military or economic power. The EU is rather labelled as normative, civilian or soft power, creating a gravity centre through its actorship and being the most important inspiration for new regionalism. Based on these theoretical concepts and some concrete examples we suggest various reasons for the EU's attractiveness. These can be divided into two basic groups: ideal (values) and instrumental (material benefits). The ideal ones present the EU as a "good example" – concerning democracy, human rights protection, violent conflicts prevention, environmental responsibility, global consciousness (etc.) – and thus the EU functions as an important actor for global agenda setting. In the case of instrumental reasons, the European socio-economic model and good relations with the EU are perceived as a source of material advantages. All these reasons cause that the EU has many successors in various issues and on various levels and the EU's internal value paradigm, governance mechanisms and discourse spread around the world. We have mentioned various issues including governance models and typical European values which are being accepted and applied on different levels: local, national, regional and global. We tried to highlight the EU's role in new regionalism, especially in the Mercosur, where the inspiration by the EU seems to be both evident and voluntary as well as in the case of the African Union where the institutional similarity to the EU is even higher. Despite these examples, the aim of this theoretical text mapping the current debate about EU attractiveness is primarily to serve as a methodological background for further research, and needs to be complemented by deeper empirical case studies which would focus on particular areas of the EU's attractiveness and its reasons.

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↫ Tomas Rohrbacher is affiliated to the Faculty of International Relations at the University of Economics, Prague and may be reached at: tomas.rohrbacher@vse.cz.

↫ Martina Jeníčková is affiliated to the Jan Masaryk Centre of International Studies, Faculty of International Relations, University of Economics, Prague and may be reached at: martina.jenickova@vse.cz.

Notes to Pages 177-195

1 Petr Kratochvil, Petra Cibulkova and Michal Benik, 'EU as a "Framing Actor:" Reflections on Media Debates about EU Foreign Policy' (forthcoming).

2 See for example: Mathias Koenig-Archibugi (2004), 'International Governance as New Raison d'Etat? The Case of the EU Common Foreign and Security Policy.' *European Journal of International Relations*, 10:2, pp. 147-188; Hans-Jorg Trenz and Klaus Eder (2004), 'The Democratizing Dynamics of a European Public Sphere: Towards a Theory of Democratic Functionalism.' *European Journal of Social Theory*, 7:1, pp. 5-25; and Jens Steffek (2003), 'The Legitimation of International Governance: A Discourse Approach.' *European Journal of International Relations*, 9:2, pp. 249-275.

3 See for example: Michael Zurn (2000), 'Democratic Governance Beyond the Nation-State: The EU and Other International Institutions,' *European Journal of International Relations*, 6, p. 204.

4 Kratochvil, Cibulkova , Benik (forthcoming).

5 Asle Toje (2008), 'The Consensus Expectations Gap: Explaining Europe's Ineffective Foreign Policy,' *Security Dialogue*, 39:1, p. 122.

6 Ibid., p. 138.

7 Kratochvil, Cibulkova, Benik (forthcoming).

8 See for example: Mathias Koenig-Archibugi (2004), pp. 147–188; Hans-Jorg Trenz and Klaus Eder (2005), pp. 5-25 and Jens Steffek (2003), pp. 249-275.

9 See for instance: Luk Van Langenhove and Ana-Cristina Costea (2007), 'The EU as a Global Actor and the Emergence of "Third-Generation" Regionalism' in Paolo Foradori, Paolo Rosa and Riccardo Scartezzini (eds), *Managing a Multilevel Foreign Policy: The EU in International Affairs*, Lexington Books: NY.

10 Mario Telò (2007), *Europe: A Civilian Power? European Union, Global Governance, World Order*, London: Palgrave Macmillan, p. 78.

11 Henrik Larsen (2002), 'The EU: A Global Military Actor?' *Cooperation and Conflict*, 37:3, p. 288.

12 See: Kevin Featherstone and Claudio M. Radaelli (2003), 'A Conversant Research Agenda' in Kevin Featherstone and Claudio M. Radaelli (eds), *The Politics of Europeanisation*, Oxford: Oxford UP, pp. 331-341, and Vlastimil Fiala (et al) (2009), *Evropeizace zájmů: Politické strany a zájmové skupiny v České republice*, Brno: MUNI Press.

13 See: Michael Emerson and Gergana Noutcheva, 'Europeanisation as a Gravity Model of Democratisation,' *Draft 28.9.4* 'Promoting Democracy and the Rule of Law: EU and US Strategies and Instruments,' presented at a conference of the Center for Democracy, Development and the Rule of Law, Stanford University, 4-5 October 2004.

14 Kavalski (2007).

15 Heather Grabbe (2003), 'Europeanisation Goes East: Power and Uncertainty in the EU Accession Process,' in Kevin Featherstone and Claudio M. Radaelli (eds)*The Politics of Europeanization*, p. 307; and Claudio Radaelli (2004), 'Europeanisation: Solution or Problem?' *European Integration Online Papers (EIoP)* 8:16, p. 4.

16 See: Ulusoy (2009), for an example of Turkey and Kurds.

17 Radaelli (2009), p. 12.

18 Emerson and Noutcheva (2004).

19 Ibid., p. 3.

20 Ibid., 21.

21 Kavalski (2007), p. 45.

22 Ian Manners (2001), 'Normative Power Europe: The International Role of the EU.' Paper presented at European Union Studies Association (EUSA) Biennial Conference, May 31-June 2 2001, Madison, Wisconsin, p. 6.

23 Robert Falkner (2007), 'The Political Economy of "Normative Power" Europe: EU Environmental Leadership in International Biotechnology Regulation.' *Journal of European Public Policy*, 14:4, pp. 507-526.

24 See: Manners (2001).

25 Ibid., pp. 21-22.

26 Telò (2007), and Moravcsik (2009).

27 This term was probably first used by Hedley Bull (1982) and serves as a base in Manners' (2001) normative power concept.

28 Ulrich Beck (2003), 'Understanding the Real Europe,' *Dissent* 50:3, pp. 32-38.

29 Telò (2007), p. 51.

30 Larsen (2002), p. 297.

31 See: Larsen (2002), and Christopher Jones (2008), 'Seduce Me: Kagan, Power, the US and Europe,' *International Politics*, 45, pp. 266-275.

32 Jones (2008), p. 271.

33 Ibid., p. 273.

34 Bjorn Hettne (2008), 'EU as a Global Actor: An Anatomy of Actorship,' Paper presented at the EU in International Affairs Conference 2008, 25 April.

35 Petr Kratochvil, *Teorie evropské integrace*, Prague: Portal, 2008, p. 153.

36 Shaun Breslin (et al) (2002), 'Regions in comparative perspective,' in Shaun Breslin (et al) (2002), *New Regionalism in the Global Political Economy: Theories and Cases*, London: Routledge, p. 13.

37 Ibid., p. 4.

38 Hettne and Itonai cited in Amitav Acharya (2002), 'Regionalism and the Emerging World Order: Sovereignty, Autonomy, Identity,' in Shaun Breslin (et al) (2002), p. 26.

39 Ibid., p. 17.

40 Hettne (2008), p. 3, and Breslin (et al), p. 15.

41 Acharya (2002), p. 28.

42 Van Langenhove and Costea (2007), p. 66.

43 Ibid., 64.

44 Telò (2007), p. 2.

45 Grabbe (2003), p. 311.

46 See: Telò (2007).

47 See: Ulrika Morth (2003), 'Europeanisation as Interpretation, Translation, and Editing of Public Policies' In Featherstone and Radaelli (2003) and Grabbe (2004).

48 See: Alex Warleigh (2006), 'Learning from Europe? EU Studies and the Rethinking of "International Relations,"' *European Journal of International Relations*, 12:1, pp. 31-51.

49 'Strategic Plan of the African Union Commission,' p. 26, (accessed 15 August 2010).

50 Alvaro Vasconcelos, 'European Union and MERCOSUR,' in Mario Telò (ed) (2001), *European Union and New Regionalism: Regional Actors and Governance in a Posthegemonic Era,* London: Ashgate, p. 135.

51 M. Hirst, cited by Vasconcelos (2001), pp. 136-138.

52 Vasconcelos (2001), p. 136.

53 The roots of the EU resulted from the post-war situation in Europe, Mercosur was created after the fall of undemocratic, military regimes in the 1980s. Both are connected with the need to overcome political consequences as well as economic problems.

54 Martina Jeničkova, 'The New Face of the Institutions and the Role of Identity (Latin-American Case),' Paper presented on SGIR Pan-European International Relations Conference 'Politics in Hard Times:

International Relations Responses to the Financial Crisis,' Stockholm, September 2010.

55 Vasconcelos (2001), pp. 139-140.
56 Ibid., p. 141.
57 Falkner (2007), p. 522.
58 Markus Haverland, 'The Impact of the European Union on Environmental Policies,' In Featherstone and Radaelli (2003), p. 205.
59 Falkner (2007), p. 509.
60 Ibid., p. 518.
61 'The Policy: How Does the European Neighbourhood Policy Work?' (Accessed 15 August 2010).
62 See: Daniel Wincott (2004), 'The Idea of the European Social Model: Limits and Paradoxes of Europeanisation,' in Featherstone (et al) (2004).
63 Wincott (2004), p. 281.
64 Telò (2007), p. 222.
65 Ibid., p. 152.
66 Vasconcelos (2001), p. 147.
67 Hettne (2002), p. 15.
68 M. Casier (2010), 'Turkey's Kurds and the Quest for Recognition: Transnational Politics and the EU - Turkey's Accession Negotiations,' *Ethnicities*, 10:1, pp. 3-25.
69 Telò (2007, p. 145.
70 Ibid., p. 16.
71 Ibid., p. 55.
72 Jean B. Grugel (2004), 'New Regionalism and Modes of Governance: Comparing US and EU Strategies in Latin America,' *European Journal of International Relations*, 10:4, p. 613.
73 Telò (2007), p. 143 and Grugel (2004), p. 617.
74 Telò (2007), p. 55.
75 See: Larsen (2002).
76 See: Beck (2003).
77 See: Jeremy Rifkin (2004), 'The European Dream: How Europe's Vision of the Future is Quietly Eclipsing the American Dream,' *Polity Press*.
78 Manuel Castells, *The Information Age* (Vol. 1) *The Rise of the Network Society*, 1996.
79 Telò (2007), pp. 82, 146.
80 Ibid., p. 146.
81 See: Manners (2001).
82 Telò (2007), p. 82.

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83 Mette Eilstrup-Sangiovanni and Daniel Verdier (2005), 'European Integration as a Solution to War,' *European Journal of International Relations*, 11:1, pp. 99-135.

84 See: Beck (2003), Wincott (2003), and Telò (2007), pp. 59, 61.

85 See: Beck (2003), Wincott (2003), and Telò (2007), pp. 59, 61.

86 This again shows the interconnectedness between legitimacy attractiveness.

87 See: Deirdre Curtin (2003), 'Private Interest Representation or Civil Society Deliberation? A Contemporary Dilemma for European Union Governance,' *Social and Legal Studies*, 12:1, pp. 55-75.

88 Telò (2007), pp. 73, 79.

89 See: John Gray (1998), 'False Dawn;' Dieter Rucht (2006), 'Social Movements Challenging Neoliberal Globalisation,' in John Keane (ed), *Civil Society: Berlin Perspectives*, New York: Berghahn Books.

90 See: Wincott (2003).

91 Telò (2007), p. 224.

92 Larsen (2002), p. 284.

93 Telò (2007), pp. 57-58.

94 Emerson and Noutcheva (2004), p. 19.

RESHAPING EUROPE IN A MULTIPOLAR WORLD: CAN THE EU RISE TO THE CHALLENGE?

Dean Carroll

ABSTRACT: *Globalisation and the emergence of economic players such as Brazil, Russia, India and China (BRIC) have led to predictions that US hegemony will quickly decline as a new world order emerges. With the European Union (EU) also facing a downgrading of its own status – as economic, political and cultural power shifts from west to east – now is the time to ensure the Union has a strategy in place to remain an influential global actor despite its lack of natural resources and member state sovereign debt arising from the 2008/9 economic crisis. Only concerted efforts at institutional future-proofing (or widening and deepening plus) by the EU and a global vision for the supranational body will ensure its survival and prosperity.*

Introduction

Using a deductive approach, we can say that the EU capitalised on the collapse of communism and the unfreezing of the old world order to extend its power and influence through accessions into Central and Eastern Europe. Can this causal theory be logically extended – to advocate the EU capitalising on globalisation through an extended international vision of institutional future-proofing – as we move towards a critical juncture? This article proposes exactly that, a completely re-conceptualised Europe.

In fact, the Treaty of Lisbon itself refers to 'bringing together external policy tools' to promote 'Europe as an actor on the global stage.'[1] Indeed, a Reflection Group led by Felipe Gonzalez (2010) published its report on the future of Europe looking forward to 2030 – beckoning politicians and policy-makers to craft a more energetic approach.[2] Gonsalez demands assertive leadership, in a 'wake-up call for Europe to respond to the changing global order', if the union is to avoid marginalisation. He recommends supranational

economic governance, transportable social rights, a long-term European defence vision and common strategic concept – imploring the EU to translate 'its huge financial bargaining power into political leverage.'

Using a world-systems approach, we can see that global power structures are changing as the baton is passed east in a potential Asian century. The EU needs to craft an intelligent place for itself in this new world order so that it can effectively cooperate and compete with the Asia-Pacific region and the emerging economies of Brazil, Russia, India and China (BRIC).

For the purpose of this paper, EU protective widening and deepening measures – along with bolstered economic governance, strengthened military capabilities, improved policy competences and further democratisation of supranational bodies are classified as institutional future-proofing. A process already tentatively started by Lisbon ratification, the new permanent EU President and High Representative for Foreign and Security Policy, and manoeuvring by the EU to achieve pseudo-state status at the UN.

Institutional future-proofing explains the causal relationship between EU expansion/integration and a new multi-polar world in line with globalisation and a downgrading of classical sovereignty via Europeanisation. Through review of existing literature and examination of primary and secondary data in this area, we can demonstrate support for the hypothesis.

The EU as a Global Actor Despite the Economic Crisis

Evaluating growing EU prominence in the areas of trade, climate change and agriculture as well the potential for a stronger euro reserve currency and the prospect of imminent accessions – there are positives to consider. We know that the magnetism of single market has worked well by incentivising countries to adopt EU norms.

Using multivariate analysis to explain institutional future-proofing – the dependent variable is defined as the requirement for further EU widening and deepening plus. The independent variables informing this need are the rise of the BRIC countries, the decline of US hegemony and the birth of a multi-polar world as well as globalisation, the 2008/9 economic crisis and EU environmental leadership

(see Info-Graph 1). There is already talk of a new treaty now to deliver the Europe 2020 vision, a European Monetary Fund (EMF) and supranational economic governance to follow the recent bailout plan for eurozone countries as well as eventual direct EU taxes.

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Info-Graph 1. EU Institutional Future-Proofing

DV
Need for EU institutional future-proofing (widening and deepening)

IV
Rise of the BRIC countries

IV
Decline of US hegemony and the birth of multipolar world

IV
Globalisation, the 2008/9 economic crisis and EU environmental leadership
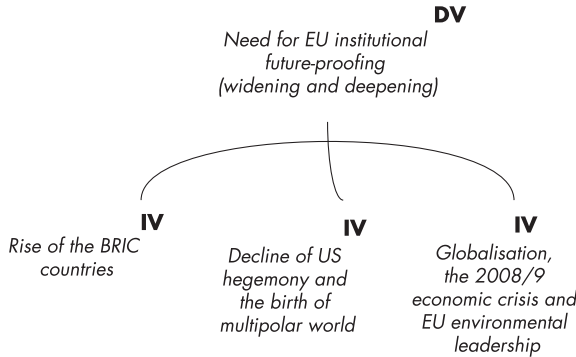
IV - independent variable, DV - dependent variable

The new European External Action Service (EEAS) might also allow the EU to become a conflict manager in global diplomacy. And the case for institutional future-proofing may, indeed, become overwhelming as time moves on and exogenous shocks – such as the end of US hegemony, another financial downturn, war, a natural resources crunch or quickened climate change – arise. The 2008/9 economic crisis has already created a crossroads of sorts. We can see that Eurobarometer data shows public opinion is favourable on accessions strengthening the EU (see Table 1).

Table 1.

SINCE 2004 THE EUROPEAN UNION ENLARGED FROM 15 TO 27 COUNTRIES. OVERALL, HOW WOULD YOU JUDGE THIS ENLARGEMENT OF THE EUROPEAN UNION?	
It has strengthened the European Union	48%
It has weakened the European Union	36%
Don't know/ no answer	16%

Source: Eurobarometer 70 (2008, p. 62).

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The Eurobarometer 70[3] data also details how 72 per cent of citizens feel protecting the environment is an issue that should be pursued at a supranational level. Alongside trade, tackling climate change has allowed the union to construct an embryonic social identity. This could provide a base to boost linkages with citizens through further democratisation of institutions.

Data from questionnaires sent to all MEPs (see Table 2) shows that, although, there is a view that subsidiarity is not an outdated concept – there is an overwhelming belief that the EU's strong performance as an environmental leader, for example, proves the supranational body should have greater authority on other major trans-boundary issues.

TABLE 2.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
Does the EU's strong performance as a leader on climate change and trade issues prove that the supranational body should have authority (over and above member states) on other major trans-boundary issues including tackling international terrorism?	100%			33.3%	66.6%	
Is subsidiarity an outdated concept in a globalised age?	100%				100%	

SOURCE: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

But how do we address imperfect institutional design? Major policy failures do exist such as the Common Agricultural Policy and Common Fisheries Policy. Internal conflicts over leg hold traps and the Tuna-Dolphin case have also shown the EU in a poor light, demonstrating clear examples of the contradictory environmental and trade priorities. Consensus, continuity and clarity should be the aims going forward. This research (Table 3) shows MEPs recognise the policy incoherencies which stymie the EU – although

tellingly, they reject any debate on repatriating powers to member states. We must now see the courage to match their conviction.

TABLE 3.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
Does policy incoherence across Member states and directorates-generals stymie the EU's effectiveness?	66.6%	33.3%		66.6%	33.3%	
Should member states attempt to repatriate some powers previously surrendered to the EU?		100%		66.6%	33.3%	

SOURCE: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

TABLE 4.

THE EU'S INTERNATIONAL ACTORNESS: A FRAMEWORK FOR ANALYSIS		
	Rational-choice institutionalism	Sociological institutionalism
Cohesion	Officially agreed upon common positions resulting from similar initial preferences, a trade-off, issue linkage, side payment or a voting rule that has made it possible to outvote an opposing minority	Shared norms and values leading to both procedural and substantive agreement among EU member states
Authority	Legal authority to represent the EU delegated to one EU actor, as stipulated in formal provisions	Authority based on acceptance by EU member states that their position is represented by a single EU actor
Autonomy	Actor representing EU can act relatively independently from the member states	Main decision-makers on the EU position and the EU's representative consider themselves European actors
Recognition	EU's representative is officially recognised as such and the EU (EC) is party to an international agreement or member of an international Organisation	Interaction by third states and non-states actors with EU instead of, or in addition to, individual member states

SOURCE: Groenleer & van Schaik (2007, p. 976).

In fact, some scholars argue that we are already witnessing a transition away from national sovereignty (see Table 4) to rational choice institutionalism and the EU rescuing member states by providing them with 'trans-national legitimacy.'[4]

Historically, the EU advanced only when there was a disaster to act as a catalyst for change. And in interview – a think-tank director – insists: 'Fragile national governments have not come to terms with globalisation as a big phenomenon and societal transformation after the digital revolution. You see it in the decline of catch-all parties, the hollowing out of the bigger parties and the decline in trust of politics in general.'

For all its faults, the EU has the potential to tackle issues like drug-smuggling, people trafficking and corruption in new geographical areas if it attains processes of economic governance to match its existing mechanisms of political governance, which must also be improved.

Should We Tackle the EU's Democratic Deficit?

We can, without doubt, put forward the case that a more representative EU must address the democratic deficit, while expanding further to the south and east – and eradicating introverted institutional wrangling. For Eurasia has become a geopolitical axis as the supercontinent accounts for 60 per cent of the world's GNP and 75 per cent of energy resources – and the EU must ensure it has a key governance role. A sense of public space to provide legitimacy must appear through enhanced chains of accountability and electoral linkages.

Further inroads, beyond Lisbon, have to be made to nurture a European demos as the post-war permissive consensus ends. Meanwhile, MEPs are equivocally split along ideological lines (see Table 5) on the topic of EU democratisation.

Table 5.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
Is it necessary for further democratisation of the EU to occur (to address the alleged 'democratic deficit') before another tranche of accessions?		100%		100%		

SOURCE: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

As to left-right divisions as a solution, there is a highly-convincing argument for an injection of ideological politics, while creating a bigger media profile for the European Parliament and encouraging greater scrutiny of EU legislation in member states.

Table 6.

FOR EACH OF THE FOLLOWING AREAS, DO YOU THINK THAT DECISIONS SHOULD BE MADE BY THE (NATIONALITY) GOVERNMENT, OR MADE JOINTLY WITHIN THE EU? (% JOINTLY WITHIN THE EU)			
	Eurobarometer (Autumn 2007)	Eurobarometer (Spring 2008)	Eurobarometer (Autumn 2008)
Fighting terrorism	81	79	79
Protecting the environment	73	71	67
Defence and foreign affairs	67	64	64
Energy	68	61	63
Economy	48	47	51
Agriculture and fishery	53	51	50
Health	33	33	37
The educational system	32	31	33
Social welfare	32	30	32
Taxation	30	28	29

SOURCE: Eurobarometer 70 (2008, 50).

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Without further reforms, public perceptions of the EU will remain confused (see Table 6). Tellingly, a ComRes survey details the low regard in which MEPs perceive their constituents to hold them (see Table 7), perhaps due to the pseudo-democratic nature of the EP.[5]

Table 7.

HOW DO YOU BELIEVE MEPs ARE PERCIEVED BY VOTERS IN YOUR MEMBER STATE (%)?					
	Total	European People's Party Group	Socialist Group	Alliance of Liberals and Democrats for Europe Group	Independence Democracy Group
Very positively	0	0	0	0	0
Positively	36	48	33	0	17
Neither positively or negatively	39	32	52	36	0
Negatively	13	6	10	45	33
Very Negatively	11	13	0	9	50
DO YOU BELIEVE MEPs ARE MORE OR LESS RESPECTED THAN DOMESTIC LEGISLATORS IN YOUR MEMBER STATE (%)?					
MEPs are respected more	31	29	38	45	17
MEPs are respected less	55	61	43	36	50

Source: Total Politics magazine (2009, January edition, 36).

As things stand, the supranational body receives a small degree of public support during periods of economic growth and suffers from deep unpopularity during financial downturns; an unsustainable position. Institutional future-proofing has the potential to overcome the gridlock that often results in lowest common denominator policies in Brussels whenever one member state in the council, a majority of commissioners or one of the main EP political groups decides to dilute legislation.

For, an empowered demos surely equals empowered politics – and the creation of a European civic identity is not a Utopian dream; it will just be a gradual process that needs encouragement.

Opinion among MEPs on the potential to create a European public space is marginally positive (see Table 8).

Table 8.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
Is it possible to create a European public space or EU identity among the European population?	100%			33.3%	66.6%	

Source: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

At some point soon, the majority of the EP – and other EU institutions – must be able to conform to the majority of the people (see Info-Graph 2).

Info-Graph 2. Radical View of Representative Democracy

RADICAL VIEW OF REPRESENTATIVE DEMOCRACY

GOVERNMENT   PARLIAMENT   PEOPLE
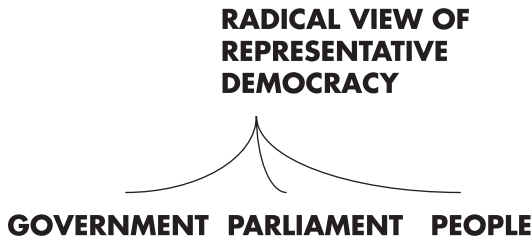
Source: adapted from Schmitt and Thomassen (1999, 15, fig 1.1).

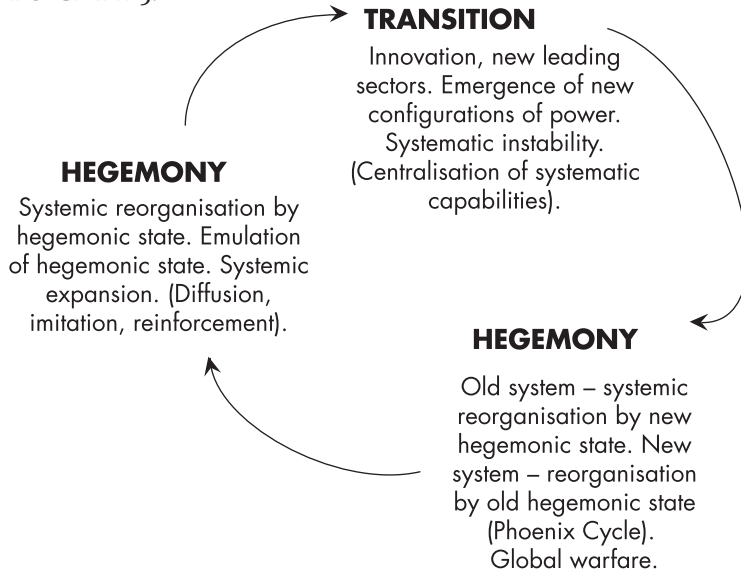## Considering Shifting Power: From US Hegemony to a Multi-Polar World

With Goldman Sachs estimating that emerging BRIC economies now account for more than 15 per cent of global GDP while looking like they will be the fastest growth areas in the coming years alongside the Next Eleven including Indonesia and Vietnam, it seems the

world map of power has to be redrawn (see Table 9). The only certainty is that change lies ahead with the G20, potentially, needing to partner with a G150.

There is no choice but to harden and deepen the capabilities of intergovernmental organisations like NATO, the UN and the EU. The imperative is to do so with great sensitivity and transparency. For world-systems theorists tell us that cyclical power redistribution is inevitable (see Info-Graph 3).[6]

INFO-GRAPH 3.

TRANSITION
Innovation, new leading sectors. Emergence of new configurations of power. Systematic instability. (Centralisation of systematic capabilities).

HEGEMONY
Systemic reorganisation by hegemonic state. Emulation of hegemonic state. Systemic expansion. (Diffusion, imitation, reinforcement).

HEGEMONY
Old system – systemic reorganisation by new hegemonic state. New system – reorganisation by old hegemonic state (Phoenix Cycle). Global warfare.

SOURCE: Rennstich (2005, p. 227).

Although, the current global framework is held together by trade and commerce – the tensions are plain to see and diplomatic skirmishes between the likes of the US, Russia, China and India are regular occurrences.

Table 9.

PERCENTAGE SHARE OF GLOBAL GROWTH BASED ON IMF ANALYSIS AND FORECASTS			
	1990–2000	2000–2008	2008–2014
BRIC countries	32.2	46.3	61.3
G7 countries (US, UK, Japan, Germany, Canada, France and Italy)	41.1	19.8	12.8

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Source: IMF.

Among Eurosceptic MEPs, there is a large degree of concern about the rise of China and some worries about the situation in the Middle East and Russia (see Table 10). Meanwhile, Europhile MEPs are true to their pluralist roots and show no concern about emerging nations.

Table 10.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
Is China's emergence a threat to the EU – in economic, political and cultural terms?		100%		100%		
Is Russia's emergence a threat to the EU – in economic, political and cultural terms?		100%			66.6%	33.3%
Is the Middle East a threat to the EU – in economic, political and cultural terms?		100%		33.3%	33.3%	33.3%

Source: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

The unthinkable bleak alternative to multi-polarity is an a-polar world (Ferguson 2004) – populated by waning empires, religious extremism and anarchy – should a hegemonic power vacuum be created by the failure of the EU and others to step up to the plate. And Europe's ageing demographic may eventually mean it has no

choice, but to extend its borders further to prevent decline. The EU must project a single voice of strength and tolerance – it must be a counterweight to any negative forces.

External events such as a-polarity or US withdrawal from NATO might push Europe to address its collective military deficit? So numerous are the potential forces of change that this seems almost a fait accompli. At the same time through the further internationalisation of norms, like a carbon emissions trading scheme stretching beyond EU borders, Europe can ensure its place at the top decision-making table. In relation to European military capability, MEPs do prefer NATO collaboration rather than an independent EU defence force (see Table 11).

Table 11.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
Is it possible that the absence of a global hegemonic power will result in an a-polar, rather than multi-polar, world – meaning new non-state or non-supranational powers like Al Qaeda gain greater influence?	33.3%	66.6%		33.3%	33.3%	33.3%
Should the EU develop a practical as well as a notional defence force, using its leverage in a more confrontational way i.e. hard power to work alongside its soft power initiatives like the neighbourhood policy?	33.3%	66.6%		33.3%	66.6%	
Should the EU develop military capabilities through greater collaboration with NATO?	100%			33.3%	66.6%	

Source: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

And to the Turkish dilemma. Turkey provides a geopolitical opportunity; by 2017 it could be the second fastest growing economy in the world. But some experts see Turkish accession taking up to 30 years due to migration and cultural issues, with Germany and

France continually raising membership thresholds. This attitude is borne out by the reaction of MEPs (see Table 12). There is support for enlargement to Croatia and Iceland, but for other candidates like Turkey there is no consensus across ideological divides.

Table 12.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing) parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
Should Turkey be allowed to become a member of the EU?	66.6%		33.3%		100%	
Should Croatia be allowed to become a member of the EU?	100%			66.6%	33.3%	
Should Iceland be allowed to become a member of the EU?	100%			66.6%	33.3%	
Is Eurocentrism still a big problem in the EU?		66.6%	33.3%	100%		

Source: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

Well, Turkey might not be willing to wait decades for European approval, preferring to turn away. Despite the short-term difficulties of fresh accessions – in terms of market competition and migration causing unemployment, lower business revenues and ethnic conflict – economic growth rates will be raised in the long term for both the EU and new member states.

With critical mass, the union can reap the full benefits of regional agency on the world stage. The extension of EU policy competencies – like multilateral environmental agreements – must be built upon with more courageous projects. The sooner such bravery is found, the more stable Europe's position as a global actor will be.

Looking ahead, the results from the questionnaires and interviews demonstrate that institutional future-proofing is not only desirable, but necessary (see Table 13). Without it, there is a real threat that the EU will fall victim to systemic collapse.

Table 13.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
Can continued widening and deepening ensure that the EU achieves institutional future-proofing?	100%			33.3%	66.6%	
Is there a threat of systemic collapse of the supranational body if it fails to address the transition to a multi-polar world by extending its influence geopolitically?	33.3%	66.6%			66.6%	33.3%

Source: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

As the world's energy resources all exist beyond EU boundaries, there is an urgent requirement to expand the union to countries that can facilitate oil and gas pipelines from the Caspian Sea region and the Middle East (see Table 14).

Table 14.

	EUROPHILE MEPs (from left-wing parties)			EUROSCEPTIC MEPs (from right-wing) parties)		
	Agree	Disagree	No view	Agree	Disagree	No view
As most natural resources – like oil and gas – lie beyond the EU's borders, is expansion of Europe's territory and the development of pipelines like Nabucco an economic imperative?	66.6%	33.3%		33.3%	66.6%	

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Source: Fieldwork conducted in this research project consisting of questionnaires sent to all MEPs.

So grasping the nettle of change, Europe must collectively push forward in order to remain competitive, trigger economic growth and encourage high-value research and development within new industries such as green technologies. With more than 22 per cent of the world's GDP, highly-rated healthcare systems, internet access in 65 per cent of households, esteemed environmental leadership and conservation, Europe's promise is obvious for all to see.

Europe must be fearless in its ambitions through institutional future-proofing or risk becoming a peripheral power. Only enlargement and cementing the structures, powers and influence of institutions will ensure the EU's partnership for peace with the new international players. This, along with financial management and new routes to natural resources, must be improved further to lead the way for others and establish Europe as a perennial global actor focused on consensus, continuity and clarity.

Looking to the decades ahead, it is clear – from the secondary data garnered from the theory reviewed and the empirical evidence gained through the primary data in this research project – that the supranational body cannot stand still as the rest of the world moves along at pace. It is highly important for the EU to embrace this brave new world of shifting geopolitical dividing lines – protecting its interests and institutions by demonstrating sanguine flexibility (as the casual links prove it did following the collapse of communism and the withdrawal of the US as an environmental hegemon).

Unless it does so, this century could be based on a G2 of America and China or G3 of the US, China and India, with the EU on the outside looking in and at risk of implosion or even domination by new colonial powers. Enlargement, like environmental leadership to tackle climate change (diplomacy, carbon taxes and emissions trading) and EU economic governance must come to be considered a vital foreign policy tool.

In addition, the euro needs to be ready to fill the void if the dollar loses its position as the world's premier reserve currency as a result of soaring US indebtedness following the turbulence caused by the 2008/9 economic crisis – as happened with the pound after the UK's expensive involvement in the First World War. We have seen other similar cycles of debt, resultant lower spending and hegemonic decline in Habsburg Spain, pre-Revolutionary France and the Ottoman Empire.

Conclusion

Only concerted efforts at institutional future-proofing through the celebrated heterogeneity of enlargement to new member states – especially Turkey and Balkan nations – and cementing the structures, powers and influence of supranational institutions will ensure the EU's partnership for peace with the largest key players (the US, China and India) if multi-polarity develops. The EU will need to protect itself through further widening and deepening, Europeanisation and a sure-footed collective defence capacity. For, the EU risks becoming a peripheral power in an Asia-Pacific Century, should the Union fail to defend its position as an innovative economic and technological player.

There are valid concerns over further enlargement, but they pale in comparison to the potential damage to the EU's status as a global actor should the supranational body turn inwards towards narrow national priorities. However gradual new accessions to candidates like Turkey are, they must be pursued with true commitment to gain critical mass, trans-national legitimacy and collective bargaining power to guard against external global threats. After all, Turkey has already been a European suitor for 50 years so dangling the rhetorical carrot of membership is no longer sustainable.

The extremely fluid EU has always evolved and must reshape its boundaries and powers once again to avoid becoming a spectator as geopolitical events unfold and fresh global power frameworks develop. Officials and politicians have to ensure that the EU's future transformation is outward-looking enough to force other international players to recognise its status as a global actor, without triggering accusations of a new Western imperialism by an overly powerful super-state. Member state sovereignty, the democratic deficit and mixed competencies can no longer be allowed to cause paralysis when it comes to policy-making, reforming institutions or rational choice institutionalism.

With its relatively impressive recent record on human rights and democracy promotion, Europe can speak with a constructive and powerful voice on the world stage for many years to come, if it so desires and the political will is found to achieve regional agency. Increasingly effective institutions and diplomatic skills will encourage the BRIC countries into deeper partnership with Europe while, in unison, maintaining the union's important links with the US as a key ally; against the backdrop of a new paradigm represented through multi-polarity.

Ultimately, the EU needs a world-wide vision based upon pluralism and diversity. Following the ratification of Lisbon, there is hope. The EU can move beyond mainstay common interests of peace, security and economic growth; if Europe's mid-term crisis is prevented from spiralling into long-term fatalism. Instead, the union will have to upgrade its economic, political, military, environmental and cultural capacity. It is long overdue.

If the Union fails to adopt an effective and cohesive cross-boundary stance to issues including military capability and natural resources scarcity, the evidence base indicates that the gap could instead be filled by neighbouring powers like China, India and Middle Eastern states as Western supremacy fades. The supranational body must also craft a European public space to replace the current mixture of divergent and confusing member state identities, despite the robust testing of its institutions resulting from 2008/9 economic crisis – which led some soothsayers to question the very future of the Union due to sovereign debt problems.

The EU needs to prove wrong those that say it can never move beyond mainstay common interests of peace, security and economic

growth. The risk in not doing so is greater than the peril of showing limited desire for progress and seeing Europe's status as a global actor become no more than heritage in the new epoch. By preparing for the long and difficult road ahead through institutional future-proofing, the EU will be able to react rapidly and flexibly to the ramifications of a world no longer based on US hegemony, which we perhaps saw the beginning of the end of with the 2008/9 economic crisis.

Europe is currently the biggest trading partner of both China and Russia. These positions must be capitalised on, not lost, if the EU is to secure its financial, energy and military security and emerge from the 2008/9 economic crisis as a stronger force; there is no alternative but to act together with one voice as we reach this geopolitical critical juncture.

It is time for the rhetoric of collectivism to be matched by granular practical action from both member states and the supranational body at the same time as citizen engagement is pursued. The union will have push forward with lofty ambitions in terms of enhanced economic, political, military, environmental and cultural capacity.

A long-overdue redefinition of the EU's purpose in the 21st century is the only hope for boosting Europe's dynamism through high-quality universities, competitive companies, modern infrastructure, digital communications and low-carbon transport to solidify the often talked of knowledge-economy. Should the union put its own house in order, its shared norms and values can even be a model for other global actors to replicate.

∾ Dean Carroll is editor of PublicServiceEurope.com and may be reached at: dcarroll@publicserviceeurope.com.

1   See *Treaty of Lisbon: Taking Europe into the 21ˢᵗ Century, Europa Portal*, 2009.
2   See *Reflection Group – Project Europe 2030: Challenges and Opportunities*, 2010.
3   See *Eurobarometer* 70, 2008.
4   M. Groenleer and L. van Schaik (2007), 'United We Stand? The European Union's International Actorness in the Cases of the International Criminal Court and the Kyoto Protocol,' *Journal of Common Market Studies*, 45:5, pp. 969-98.
5   See *Total Politics* magazine, January edition, p. 36, 2009.

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THE DARK AND BRIGHT SIDES OF NON-STATE ACTORS: AN EVALUATION

Radana Makariusová

ABSTRACT: *Non-state actors occupy an irreplaceable position in the current global system. Over the past decades they have become so influential that any analysis of international relations is impossible without their characterisation. This article advances a controversial hypothesis that the existence of global civil society and the structure of global governance inadvertently supports the participation of "unsocial" non-state actors. This article endeavours answer whether the international community should create specific institutions which would be responsible for controlling non-state actors? Is this the right approach for eliminating the potential of specific global threats derived from uncontrolled non-state actors?*

INTRODUCTION

Eleven years into the new millennium and the need to solve elementary questions of how best to organise and govern the international community has become more acute. Since it is the first time in recorded history that we can speak of such a thorough interconnection of all parts of the world, national and international actors as well as individuals which form a truly global system. The development of mutual relations in the global arena is undergoing significant change and it is necessary to understand these changes thoroughly. The global system of the 20th and 21st centuries is not only a system of sovereign states, or unitary rational actors, constructed with the Peace of Westphalia and the general acceptance of Westphalian "rules," – a system of countries that communicate with each other primarily through diplomacy, public international

law and international organisations. In the current global system countries and other actors are more closely tied, and more dependent, on each other, which is best characterised by interdependence.[1] Individual countries are still the basic units of the global system, but the international environment, to which countries must adjust, is changing.

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Yet, it is no longer only states that participate in the global system, non-state actors are increasingly active and can influence, or even regulate, state behaviour. The *international system of states* from the end of the 19th century is evolving and acquiring new contours; the truly global contours of a cobweb-like network of interconnected relations on several levels, including on non-state levels. In short, we are witnessing the transformation of the world order. The growing and proliferating institutionalisation goes uncontrolled by anything or anyone, it knows no borders. The interconnection of institutionalisation of mutual relations transforms the structure of international relations into a structure of a global character. But is it possible to call this system "global governance" and what is the role of non-state actors within it?

Non-state actors retain an irreplaceable position in the current global system. In the last decades they have become so influential that analysis of the current global system is impossible without their characterisation. Individuals and non-state actors are pillars of global civil society and of the institutional structure of global governance.

Global civil society is a space in which non-governmental actors are active and influence the lives of people around the world. As Kaldor remarked, 'global civil society (societas civilis) is a peaceful political community based on an implicit or explicit consensus of all its members.' To what extent is Kaldor correct? Are there dark recesses in the international community which neither recognise nor participate in building and maintaining consensus on the contours of the international community.

I advance an alternative hypothesis that the existence of global civil society and the structures of global governance inadvertently support the participation of "unsocial" non-state actors. My hypothesis leads to a discussion of whether non-state actors may be defined according to two contradictory assumptions: a positive altruistic approach and a negative aspect supporting the emergence

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of war, terrorism, radicalism (etc.). Non-state actors are heterogeneous and the lack of their control produce negative international tendencies. This article endeavours to answer the following questions: Shall specific institutions be constructed to govern and regulate non-state actors? Would such an institution, realistically, contribute positively to the international community and help reduce the potency of non-state security challenges?

I divide non-state actors into two categories: non-profit (NGOs, charities, etc.), profitable (multinational corporations), and conclude that each non-state actor – on all levels of analysis – occupies specific and, sometimes, powerful influencing potential. The current global system – the system of global governance is based on a unique interconnection of intergovernmental relations and non-state actors which stresses the deepening of mutual cooperation and political coordination. Therefore, this work concentrates on solutions to specific threats resulting from the lack of control over non-state actors.

Democratic Principles of Globality

As a consequence of globalisation, social relations have begun to transcend territorial geography and raw territorial governance has become, somewhat, impractical. National governments are unable to effectively tackle phenomena like global terrorism, the arms trade and ecological problems on their own. Transborder flows cannot be tied to a strictly delineated territorial space over which a state might endeavour to exercise unilateral control. Moreover globalisation has loosened some important cultural and psychological underpinnings of sovereign statehood.[2]

Increasing institutionalisation and interdependence has cracked the border between international anarchy and local hierarchically organised politics. Traditional state sovereignty, started to shake the classical notion of the territorial state, which according to the Westphalian model requisitions unlimited, all-encompassing, unconditioned and exclusive governance over a certain area is rapidly unravelling.[3] According to Keohane, sovereignty thus 'no longer enables states to exert effective supremacy over what occurs within their territories' and it has thus become social institutions which change over time. [4]

To be sure, states are still key actors in international relations, nevertheless they have not been the sole actors for well over a century. A number of institutions as well as non-state actors, which contribute to the decline of state sovereignty, is continually growing. Indeed, we are presently witnessing the acceleration of integration of national economies into a single global market-place and the rise of a global civil society. It is no longer possible to govern local markets and the behaviour of non-state actors without external influences. The lack of state authority and transfers to "no man's" global space forms a vacuum which has no specific authority but is still governed. The sovereignty of states is thus undergoing a dramatic change and it is literally, automatically, and naturally constricted in favour of global institutional processes.

Non-State Actors

A significant aspect of the current era is the expansion of power from the state to other non-state actors which significantly participate on the current global relations. Groups of non-state actors as well as individuals obtain power, while the role of hierarchy, centralisation and control of state power is undermined. Power is gradually transferred from states to higher as well as lower organisational units. The traditional use of state power, whether economic or military, loses its effectiveness in this atmosphere.

Governing of global spaces is not only different, but also lacks democratic legitimacy. On the whole, current arrangements to regulate global communications, conflict, terrorism, ecology, finance and production rest on very limited explicit consent from affected populations. In each area, public participation and public accountability are generally weak. It is no exaggeration to suggest that globalisation has provoked a crisis of democracy. This crisis is derived from a major structural problem which is, in turn, reflected in a host of institutional deficiencies. The structural problem relates to the changing contours of the disjunction between supraterritorial spaces and territorial self-determination. While many social relations have gained a global dimension, practices of democracy have largely failed to keep pace. Territorial democratic mechanisms are not adequate to bring transborder actors and flows under collective control of the people they affect. Democratic global governance cannot be derived from democratic government alone.[5]

Non-State Actors

Research on non-state actors is rooted in transnational relations and a significant scientific step in understanding non-state actors was Keohane and Nye's work *Transnational Relations and World Politics* (1972). They defined a situation where many actors (state, suprastate, substate) are connected in various relations on many levels and this interconnection across the spectrum forms mutual dependency of all actors as the *theory of complex interdependence*. The added value of this theory is in its granting of non-state actors autonomous activity and thus opened space for the study of non-state actors appreciating their growing influence on international politics.[6] Keohane and Nye pointed at the large number of transnational relations which they identified as a separate sphere within the wide space of international activities.[7]

The formation of transnational relations and transnational actors is generally considered as contrary to (neo)realism, which is based on the assumption that states are the only significant actors in the international system. On the other hand liberal arguments stem from the acceptance of all types of actors participating in the international system, including non-governmental organisations, transnational corporations, religious communities, terrorist and organised criminal groups. But in fact, the realist approach is based on the assumption of the existence of transnational actors. If we follow the basic premises of realism – the existence of state actors as the sole sovereign units in an anarchically organised international system – then logically there must also exist transnational actors because there is no over-arching political authority which would limit transnational actors. Transnational actors can thus function only in a system where there are several centres of political authority. If the system is anarchic and there in no present, unified political authority governing international relations.[8] Only if states were completely self-sufficient or if all interstate contacts were governed by officials there would not be space for the functioning of transnational actors.

Transnational actors are a manifestation and result of the institutional structure of states, especially the most powerful and influential states. The character of transnational actors will reflect the institutional environment of states. In this sense, states are

understood as a set of institutional relations including the support of the existence of formal intergovernmental organisations, civil society and the support of rules stemming from mutual interactions.[9] This institutional perspective differs from (neo)realist approaches. While the essence of power is stressed, the unit of analysis is rather institutional structure than individual actors. This thesis is currently supported by many authors, for example by Risse-Kappen, Katzenstein and others who support the argument that states´ local structures and transnational actors cooperate and complement each other. Of course it is necessary to stress that the state is the most powerful actor and other actors must conform to this structure. States, as the most "powerful" actors are also not equal; some are more powerful than others and the more powerful states have greater influence over the institutional arrangement of transnational actors.[10] The fundamental argument for the functioning of transnational actors is that transnational actors must reflect the institutional environment in which they operate and the most important element of their functioning environment is the sovereign state. The modes in which transnational actors are organised differ depending on the state in which this transnational actor is fully active, because all transnational actors must adapt to the opportunities and needs of the sovereign state in which they operate.[11] The more powerful states – in the sense of a political regime with more resources – will have greater influence on the formation of institutional structures, including transnational, than states with dilatory political governance. Mutual institutional "resonance" between a state and transnational actors supports the legitimacy of transnational actors and their access to resources. Institutional norms of transnational actors must be in compliance with institutional norms and values of the host state in which the transnational actor operates. If the given norms and values are not in compliance, the transnational actor leaves the host country and bases its agency in another state where there is a more conducive environment for the existence of the transnational actor. It is possible to follow that the more fragmented a state (with a well functioning civil society) is, the easier access is for the functioning of non-state actors. Indeed, gradually formed structures of global governance result from the effort to legitimise transnational activities to make them constantly more intensive and to gradually intensify their access and influence

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on state policies. The success or failure of transnational activities lies thus in the ability of non-state actors to influence state governments, especially in the ability to persuade local, governmental actors.

How do transnational interactions influence domestic policy? If I am to characterise transnational relations in general, they help the strengthening of mutual sensitivity and receptiveness of individual communities and thus change relations between governments. This idea is supported by the arguments of Cooper who notes that 'small changes in one state's policies may have large effects on the system.'[12]

The current global system is a space within which thousands of non-state actors participate, but without any inner systematic controls. There is no supervisory body responsible for monitoring non-state entities.

On one hand, we can argue that non-state actors are under control, because they have to adapt to the conditions and legal forms of the state on whose territory they operate, but what is the situation in cases where we speak of weak states which do not have sufficient opportunities for forming good governance? These are cases most in need remedy. It is the domestic political dysfunction in such countries that is a threat to the entire global community. We should create functional democratic criteria with which to fill the so-far ineffectively governed transnational space.

We can ask ourselves whether the formation of a supranational body supervising violent non-state actors in conflict with the principles of state sovereignty as the basic and unrivalled criterion of the existence of state units? It is not: violent non-state actors can pose a significant threat to the whole international/global community.

Violent Non-State Actors

Violent non-state actors are non-state groups that resort to organised violence as a tool to achieve their objectives. Violent non-state actors often exist in a dependent relation to the state in terms of support, benefits and recognition.[13]

Non-state entities which deploy violence are best assessed by Mulaj who suggests the following catagorisation:

- *National liberation movements* confronting an occupying force and separatist movements seeking to secede from a state with the view to either establish a new state or join an adjacent mother country: for example ETA (Euskadi ta Askatasuna), IRA (the Irish Republican Army), KLA (the Kosovo Liberation Army) and SPLA (the Sudan People´s Liberation Army);
- *Insurgent guerrilla bands* which are engaged in political and military struggle aimed at weakening or destroying the power and legitimacy of a ruling government: PLO (the Palestine Liberation Organisation), Hizbullah, Hamas, the Taliban and Islamic Armed Groups which operate currently in Iraq under the umbrella of various organisations such as the Islamic State of Iraq, Awakening (Sahwa) (etc.);
- *Terrorist groups* who spread fear through the threat or use of violence, mainly against civilians and for political purposes, for instance Al Qaeda;
- *Mercenary militias* such as private military firms;
- *Militants* made up of irregular but recognisable armed forces – including warlords and paramilitary adjuncts – operating within an ungoverned area of a weak, fragmented or failing state, such as various armed groups in Somalia.[14]

This typology is only tentative, without a definite outline, because many violent non-state actors (VNSAs) represent hybrid forms which are difficult to classify and define. There is an interesting counter-factual; while in the past non-state actors were formed as a result of on-going conflicts, at present we can identify a completely different, inverted tendency: interstate conflicts and other asymmetric threats come about precisely as a result of the formation and participation of violent non-state actors. VNSAs often operate in states which are very weak, failing, fragmented or in collapse. The political power of these non-state actors lies in their ability to use violence. They frequently manifest strategies that seek to provide themselves and their communities with some degrees of order and security, which in conditions of mitigated conflict or post-conflict setting are likely to produce "mediated states" where a feeble government shares power and sovereignty with VNSAs.[15]

Such states, where VNSAs hold a significant share of power, even political power, can undoubtedly be called weak states; states that need help.

Weak States

Weak states have been prioritised on the agendas of politicians, military personnel and academia, due to the understanding that these states and the regions that belong to have risen as a significant threats to global security.

Weak states stem from the collapse of the governing and political structures in a country and the loss of the ability to enforce law and order. The process is initiated and accompanied by manifestations of anarchy and forms of violence. A weak state is one in which the government does not have effective control over its territory, is not perceived as legitimate by a significant portion of its citizenry, and/or lacks a monopoly on the use of force. A weak state may experience active violence or simply be vulnerable to violence.[16]

From a sociological perspective weak states are characterised by what Weber terms the 'loss of monopoly over power...'[17] In this situation, the legal system, police, and other entities that serve the role of maintaining law and order stop functioning or cease to exist. These entities may join various armed groups or criminal elements that take over state infrastructures and resources for their own needs and establish a "government" of their own within various regions and among various populations of the state. In this type of situation the state ceases to exist and society reverts to a status of pre-state chaos.[18]

We should take the responsibility and give order to the "interconnectedness" and "globality" of our current global system and to form an international body, which will be responsible for the control of non-state entities within weak states or within the least developed countries. This is the only means of protection and the only way to prevent the spread of potential security threats.

The international community should form specific parameters to identify which countries need to be monitored. This could act as an engine to establish a second institution, one designed to mediate and enable sufficient controls over the actions of non-state actors.

It is a question of national interest. This is the only way in which we can effectively eliminate potential global security threats.

On the level of profit-making non-state actors; multinational corporations, a certain development in the monitoring of their activities, even though it is voluntary, is visible in Kofi Annan's original initiative: The *UN Global Compact*.

Radana Makariusová

UN Global Compact

The formation of the UN Global Compact as a UN initiative was proclaimed by (former) UN Secretary General Kofi Annan at the World Economic Forum in Davos on 31 January 1999. He called on prominent business people and representatives of firms to co-operate with UN agencies and civil society organisations to fulfil the ten objectives in the fields of human rights, observing working standards, fight against corruption, and environmental protection.19 In his speech, Annan called for the private sector to 'share common values and principles which will give the global market a human face.' The Global Compact soon gained the support of the international business community because in the official opening of the functional period of the Global Compact in July 2000 it was supported by almost fifty multinational corporations. The Global Compact represents the beginning of new relations between the business community and the UN – relations which had not been intensive during the previous decades. Annan regularly convened the heads of UN agencies to cooperate with multinational corporations since 1997 and the reactions of some UN agencies were very fast. For example the Office of the High Commissioner for Refugees, UNESCO, the UN Development Programme and others announced the establishment of their own projects which supported cooperation with business partners. The Global Compact creates a thorough network of mutual cooperation and its centre are the secretariats of six UN agencies: the International Labour Organisation, the UN Environmental Programme, the UN Development Programme, the UN Industrial Development Organisation, the UN Office on Drugs and Crime and the Office of High Commissioner for Human Rights. The Global Compact arises from the cooperation between the UN and profit-making actors (multinational corporations, firms), as well as non-profit making actors (international

organisations both governmental and nongovernmental) within global, multi-level governance. Global multi-level governance requires the adaptation of various actors to new challenges of the international environment and, simultaneously, it stimulates the understanding of otherwise contradictory interests. Multinational corporations are, on one hand, mainly interested in increasing their profit, while non-governmental organisations, on the other hand, appeal to observing human rights and working standards in developing countries where multinational corporations are active. The Global Compact creates a unique global forum, the main and general "organiser" of international cooperation.

Global Compact and Corporate Social Responsibility

The Global Compact is the first effort of the UN to establish a cooperative relationship between international and national actors of both a profit and non-profit making character. On the basis of such mutual cooperation – the UN, NGOs and multinational corporations – the Global Compact ensues from the effort to increase so-called global corporate social responsibility; a concept aimed at a company's total impact on a society, both national and global. The principle of corporate social responsibility requires that a multinational corporation shows responsible behaviour in its business decisions and strategies in the field of social impact of the functioning of the multinational corporation.[20] Multinational corporations are expected to show responsibility in fulfilling all their roles, in the economic sector (transparent business, principle of good management), in the environmental sector (meeting ecological standards, local natural resources protection, waste recycling) as well as in the social sector. The bases of social responsibility are charity activities on the level of cooperation with local non-governmental organisations and creating conditions for cooperation with non-profit making entities which meet the above-mentioned requirements in the environmental and social fields.

Tools for Implementing the Objectives of the Global Compact

Each year the Global Compact organises meetings and conferences which focus on the issues of the economic globalisation,

development, and corporate multi-level governance. Representatives of multinational corporations, non-governmental organisations, heads of the UN agencies as well as academics gather at these meetings. The role of business in the field of human rights, sustainable development as well as HIV/AIDS are discussed. The aim of the Global Compact is to establish of national and regional offices in individual countries, or which support processes of mutual information sharing in regional and local dialogue. Offices within the structure of the Global Compact work independently with a connection to the home office in New York. They try to enrol new multinational corporations into the programme and they participate on the establishment of new partnership programmes.

Non-State Actors

Disadvantages of the Global Compact

The Global Compact does not contain any enforcement measures or mechanisms, but it is based on ethical approaches of multinational corporations and non-governmental organisations. In that case multinational corporations can profit from the good name of a socially responsible donor and yet not fully meet the Global Compact goals. To participate at the application and implementation of the Global Compact rules is purely voluntary, so a participating actor faces no consequences or obligations related to meeting the Global Compact rules.

Despite this, the Global Compact is a significant evolutionary step to understanding the concept of global governance in the 21st century. Global corporate social responsibility, which partly characterises social relations within global governance, is increasingly understood on the level of transnational and global relations. The transnational and global character of the Global Compact, its multi-level structure with a typically wide range of all participants on the regional and local level, its implementation on the global political level within the wider structure of the UN system features a complex many-level governance of the end of the 20th and start of the 21st century.[21]

Conclusion

The Global Compact can establish a new practical model for international relations, because it is an example of forming structures, norms and identities between international institutions. It helps explain the formation of a legitimate and more democratic multi-lateral cooperation forum. Currently, thousands of firms and NGOs from around the world participate on the fulfilment of this international initiative and their basic objective is the fulfilment of the ten basic principles. That is why the future development of the UN Global Compact and the intensification of cooperation between non-profit making and profit-making international actors can significantly impact the formation and future development of global corporate governance.

It is time to form a similar body for all non-governmental actors both on the regional levels as well as on the global level within the UN.

The example of the functioning of the UN Global Compact can be a unique model for the formation of such an initiative for the control and cooperation of non-governmental and charity organisations working and originating in weak states and in the least developed countries. The disadvantage of the UN Global Compact lies in the fact that it is a voluntary initiative, but my proposal works towards another level of cooperation; the "obligatory monitoring" of non-governmental actors in the countries which meet specific criteria.

The timing of the 11 September 2001 (9/11) is symptomatic of the changing nature of world politics. We define the beginning of relations where non-state actors, which were not previously taken into account and are still, unfortunately, not seriously considered, are beginning to hold significant positions. So far there is no formal global space which would explicitly and formally direct and monitor these non-state actors; a space which would determine an explicit order for non-state actors. As a global community we have not yet adapted to the current situation, or conditions. But when is the right time? When multinational corporations start dictating their rules for the functioning of global economy, when they pollute the world´s oceans or when terrorist organisations acquire nuclear weapons? It is necessary to start acting, without delay. While the

previous centuries were centuries of development and progress of the state as a unique social unit with all its pros and cons, the current century is, and will be, a century of non-state actors which will use power and influence internationally. It is necessary to devise a means to "anchor" non-state actors within global space.

☙ Radana Makariusová is affiliated to the Department of International Relations and European Studies at Metropolitan University Prague and may be reached at: makariusova@mup.cz.

Notes to Pages 220-232

1   Harvey Starr (1997), *Anarchy, Order and Integration: How to Manage Interdependence*, The University of Michigan, pp. 1-6.
2   Jan Aart Scholte (2005), Civil Society and Democracy in Global Governance, in *The Global Governance Reader*, Routledge: London, p. 327.
3   Max Weber (ed. 1998) ‚Politika jako povolani, Praha,' in Pavel Barša and O. Cisař, *Anarchie a řád ve světové politice*, Portal: Praha (2008), p. 386.
4   Ibid., p. 386.
5   Zakaria Fareed (2010), *Post-American World*, Academia: Praha, p. 329.
6   Šarka Waisova (2003), *Mezinárodní organizace a režimy ve Středovýchodní Evropě*, Eurolex: Bohemia, Praha, p. 89.
7   Joseph S. Nye Jr., and Robert Keohane (1974), *Transgovernmental Relations and World Politics*, Harvard UP, pp. 15-21.
8   Thomas Risse-Kappen (1995), *Bringing Transnational Relations Back In, Non-State Actors, Domestic Structures and International Institutions*, Cambridge UP, pp. 4-10.
9   Ibid., pp. 17-20.
10 Thomas Risse-Kappen (1995), *Structures of Governance and Transnational Relations: What have we Learned*?, p. 282.
11 Stephen Krasner (1983), *International Regimes*, Cornell UP, p. 141-177.
12 Robert O. Keohane and Joseph Nye (1971) *Transnational Relations and World Politics*, Harvard UP, p. 17.
13 Klejda Mulaj (2010), *Violent Non-State Actors in World Politics*, Hurst and Company: London, p. 3.
14 Ibid., p. 3.
15 Ibid., p. 7.

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16 Shaul Shay (2008), *Somalia between Jihad and Restoration*, Transaction Publishers: New Jersey, p. 142.

17 Max Weber (ed. 1997), *Staatssoziologie*, Berlin, p. 27.

18 Ibid., p. 144.

19 See: <http://www.unglobalcompact.org>.

20 Zuzana Bartošova and Pavlina Kalousova (2005), *Průvodce firemní filantropií* (Company Philanthropy Guide), Forum Darců: Prague, p. 19.

21 S. Fritsch (2008), ‚The UN Global Compact and the Global Governance of Corporate Social Responsibility: Complex Multilateralism for a More Human Globalisation?‘ *Global Social Journal*, Vol. 22, No.1 January, p. 3.

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RESEARCH ARTICLES
BOOK REVIEWS
NOTES

GLOBAL JUSTICE: THE POLITICS OF WAR CRIMES TRIALS

By Kingsley Chiedu Moghalu, Stanford University Press, 2008, ISBN 9780804759717

Reviewer: David Erkomaishvili
(Metropolitan University Prague)

> *Judge: 'Are you Saddam Hussein?'*
> *Saddam Hussein: 'Yes, I am Saddam Hussein, President of Iraq …*
> *current, present, chosen by people. Who are you?'*

THIS EFFECTIVE DIALOGUE TRANSCRIPT between a judge and the former Iraqi dictator Hussein is part of a chapter revealing the latter's war crimes trial. Moghalu's work entitled: *Global Justice: The Politics of War Crimes Trials*, does not commence with this dialogue – thus centring the work exclusively on the practical side of such trials – but rather delves deep into the theoretical and philosophical origins of modern war crimes trials which find their roots in Nuremberg and Tokyo – the controversial trial of Emperor Hirohito – and shows the thread that links them to more recent trials such as the case of (former) Yugoslav President Slobodan Milosevic.

Moghalu explores the nature of international criminal prosecution. In doing so, he does not limit himself by detailing legal processes but explains the core issues and contrasts globalisation with sovereignty; in some ways two opposing fixtures.

Moghalu takes the reader on a historic journey of the international criminal prosecution system, explaining how it was formed from the ashes of World War II together with its evolution in the new international order. Importantly, his detailed review of the post-Cold War era demonstrates how the wreckage of the Cold War system affected international justice and how globalisation and diplomacy contributed to this process. Finally, Moghalu reveals how vulnerable justice is in war and how it could be dependent on politicians and the ambitions of states. Moghalu sets himself clear boundaries of the book's target audience; broad, not limited to scholars and field practitioners as his research of Hussein's, Milosevic's and

Taylor's trial's also effectively highlight the picture of civilian reactions in related states to those trials revealing nuances of international justice-making.

A common characteristic of most of war crimes tribunals is their controversial nature. One of the most striking accounts is based on the US involvement in the Hirohito trial. Moghalu goes back in history to expose the deep commitment of the US to hold Japan's Emperor 'not guilty' of war crimes committed by Japanese forces during World War II. In fact, Moghalu demonstrates the origins of command responsibility for war crimes which were rooted in post-World War II trials. The US was the key power in the Pacific at that time, and its patronage of Japan's emperor during the trial, and the methods it deployed, allowed it to secure Japan from a potential communist takeover and gain a strategic ally during the Cold War. However, such a policy affected the trial's outcome and thus the impartiality of justice.

The book traces the origins of humanitarian law and exhibits political reasons behind the concept of 'universal justice.' Moghalu provides a very detailed account of what universal justice consists of and whether it really is so 'universal.' For instance Moghalu convincingly argues that high seas piracy is a place where justice is universal and supports his position with the example of the UN Convention on the Law of the Sea (UNCLOS) which instructs any country to combat piracy in any place outside the jurisdiction of any state and giving it a *carte blanche* in dealing with pirates as enemies of the human race. Moghalu links up the concept of universal jurisdiction with the international legal principle of *jus cogens* – a norm of no derogation.

To illustrate the emergence of a framework of international law, Moghalu suggests a very interesting perspective on the origins of the treaties and key conventions, which now regulates the international system and humanitarian issues.

Moghalu takes readers into origins of various problems emerging during the war crimes trials and explains why such problems might have had the possibility to emerge. One of such accounts is the origin of conflict in former republic of Yugoslavia. State's break up, Serbia´s response, the reaction of the international society, international organisations and finally the trial of Slobodan Milosevic –

all these events are described on several pages providing a detailed depiction.

Each case of war crimes trials, which the book researches, has a chain of 'behind the scenes' negotiations between great powers or powerful actors that influenced the decisions of the courts to a certain degree. For instance, the controversial US invasion of Iraq in 2003 and even more controversial trial of Saddam Hussein, which the author calls 'mixture of law, politics and strategy.' He contends that Hussein's trial is not as much about justice as it was about policy – justice as strategy. As for the invasion, the book presents an interesting legal standpoint, with the focus on legal elements – like the right of state to wage defensive war without authorisation of the Security Council – of preparation of the US administration to use force in Iraq.

Moghalu builds his arguments from the position of the so-called English School. He explains why such a sensitive topic as war crimes trials should be best researched through the realist perspective of the English School – that is to say, due to the notion of international community which the English School advocates. The author contends that the international community is what that shaped the system of international law. Later on this position helps explain the problems of universality of justice. In the depicted casework, not only are specific details affected the outcomes of trials presented, but international justice itself, provided it with duality. The triumph or failure of *international* justice depends on secondary, specific nuances of each case, and as the author argues – war crimes tribunals are 'inherently imperfect.' The author contends that politics and justice are inextricably linked together.

This book is recommended for a wide range of readers as an interpretation of legal aspects of international politics in a more public manner. Definitely a 'must have' piece in the library of scholars and specialists researching the field of international relations, especially those who are not majoring in international law and justice, as the work provides a solid introduction to the field. This book is excellent contribution to the field from a scholar who 'at the frontlines of international law policy and diplomacy.'

THE POLITICAL ECONOMY OF THE EUROPEAN UNION

By Dermot McCann, Polity Press, 2010,
ISBN 9780745638911

Reviewer: Marta M. Golonka
(Centre for International Relations, Warsaw)

The Political Economy of the European Union is an impressive analysis of the varieties of national capitalist models within the European Union. Not to be taken as an introductory text to EU policies, the book aims to demonstrate the relationship between economic activity coordination in the member states versus the pursued policies at the EU level. The argument is that, at times, divergence between the liberal approach of the Commission and the economic nationalist approaches of individual member states over-shadows attempts at further Europeanisation of economic governance in the EU.

While thorough in covering governance of product, financial and labour markets, this is not an easy read for those unwilling to explore institutionalist approaches to economic integration. The core theory of institutionalism stems from public choice analysis, and at times, omits the potentially larger role of structural factors in shaping EU institutions. Systemic questions of global processes and pressures underway with financial disintegration on the one hand, and power shifts in international relations, on the other, are underplayed.

McCann elaborately covers EU policies ranging from competition, to finance, banking, social, industrial, monetary union, and in general structural and macroeconomic policy coordination at EU level. Power games and national rivalries are discussed between the member states, as well as between EU institutions and individual countries. The chapters provide an excellent overview of fifty years of developments in economic governance rules, both formal and informal. In-depth case studies are exemplary; showing everything from the principle of mutual recognition to various judgements by the European Court of Justice questioning fundamental member states' policies.

The arguments are swift to point to the mercantilist leaning of the member states, in opposition to the more Anglo-Saxon liberal leaning of EU level institutions. The impact of the Europeanisation process on individual member states is classified and measured according to ideological preferences for economic coordination structures, such as labour relations between social partners or public regulation and the role of the financial sector in the bigger economy. This kind of analysis bodes well of a varieties of capitalism exploration of the future of EU economic policy-making.

However, the book falls short of its ambitions for two fundamental reasons. One Firstly, the discussion focuses on the old EU 15, neglecting to attempt at least briefly to cover the five years after enlargement to the new member states. These new member states are now members of the Eurogroup as well as major players in the growth of intra-EU trade and internal market developments. Their influence and, vice versa, the influence of Europeanisation on their own economic transitions should be touched upon for sake of a more balanced reflection of the political economy of the EU.

Secondly Two, the book barley considers the impact of the recent global economic crisis on both the Europeanisation process as well as on the EU in general. The current debt crisis of the peripheral countries is, for reasons of timing, not debated, as its role in re-shaping the governance structure of the Euro area and Stability and Growth Pact. Again, the new EU 10 are missing; which felt profound economic shocks as a result of the European and global economic and financial meltdown. The EU model of liberal capitalism proved inadequate in addressing the needs of poorer and less developed countries on the EU's periphery.

These two external developments have touched upon the ideology of the liberal EU institutions regarding financial liberalisation and macro-prudential regulation in the financial sector. Coordinated EU responses to the global economic crisis, such as fiscal stimuli or ECB intervention are omitted in the analysis. Developments such as these have called into question larger issues of social and labour market policies in the Union, as well as the ideology behind the entire Euro project. The European Social Model cannot be sustained at current levels due to external financing, debt and credit developments in the global markets. Public Finance is not discussed in the McCann book, an issue at the top of the EU economic agenda.

Shifts in power and macroeconomic imbalances in international economics are not addressed with relation to EU competitiveness vis a vis emerging markets. The Lisbon Agenda is mentioned, however developments have sped-up the pressures of economic competition world-wide. With the centre of economic gravity shifting towards the East, how is the EU responding in its institutionalist structures? This sense of missed timing puts the book into a more historical perspective on varieties of capitalist development in the old EU. It is a good overview of past developments as well an interesting summary of how the old European Union came to be but is limited to such a contribution.

COLD WAR BROADCASTING: IMPACT ON THE SOVIET UNION AND EASTERN EUROPE: A COLLECTION OF STUDIES AND DOCUMENTS

By A. Ross Johnson and R. Eugene Parta (eds), Central European Press, 2010,
ISBN 9789639776807

Reviewer: George Hays II
(Charles University, Prague)

With their work *Cold War Broadcasting: Impact on the Soviet Union and Eastern Europe: A Collection of Studies and Documents*, Johnson and Parta attempt to address a gap that has been heretofore ignored in the literature concerning Cold War broadcasting; that of the effects of the Western broadcasts on the Communist societies and regimes as documented by the targeted governments (p. xi). Their method to accomplish this is to gather into four sections 16 chapters which examine the beginnings of Radio Free Europe, Radio Liberty, and the Voice of America; the technical components and tactics of Cold War broadcasting; and the separate impacts on Eastern Europe and the USSR. The majority of the chapters originated from a conference at the Hoover Institution at Stanford University (pp. xi-xii). In addition to the collection of these wide ranging essays, there are two further sections where the editors provide a conclusion of their own and several hundred pages of transcripts and documents from the government archives of the Cold War Eastern Bloc, detailing the discussions, debates, and effects of the Western broadcasts as experienced and perceived by these governments.

In Part 1, the editors provide the accounts of individuals who were involved in the establishment of Radio Free Europe, Radio Liberty, and the Voice of America. These historical actors describe the haphazard and ad hoc beginnings of their various broadcasting organisations. More importantly, however, they describe the important role these instruments came to play, not only in the battle for hearts and minds in the Cold War, but also as repositories and

lanterns for the cultural and intellectual souls of the oppressed nations behind the Iron Curtain.

Part 2 concentrates on the technical side of both broadcasting and broadcast jamming, as well as the success of each. The chapter on the mechanics, tactics, and strategies of the daily broadcast "battles" introduces – to the unfamiliar – the dynamics of the situation that may otherwise have been assumed to be rather static in nature. The other chapters verify, from research on listenership conducted both outside as well as inside the Eastern Bloc, that in these constant battles for the air waves, the West was winning.

Parts 3 and 4 describe the impacts that the broadcasts had on both the populations and regimes of several targeted countries in Eastern Europe, as well as the Soviet Union. There are several running themes which may be found throughout almost all of the chapters in these two sections. The first is the place that the Western broadcasts had among the various populations as a source of relatively honest objective news and valuable cultural support. The second is the double-edged nature of the broadcasts for the various regimes; existing as both a threat to their authority, but also as a valuable tool of information for internal political maneuvering. The third is the complete inability of the regimes to prevent the broadcasts or their impacting the populations; whether their attempts were through broadcast jamming, informants and harsh punishments, or contract killings and terrorism against the broadcast personnel and stations in the West.

In Part 5, the editors provide several conclusions. The first is that, based on the internal, external, and post-1989 surveys, roughly 1/3 of Soviet urban adults and 1/2 of East European adults were regular listeners of Western broadcasts (p. 345). This had a tremendous effect on the populations, especially as Western broadcasts were particularly prized sources of information during domestic and international political crises (pp. 345-346). Another conclusion is that, due to such widespread listenership and value of Western information and programming, the various Communist regimes spent considerable time, energy, and resources combating the broadcasts (p. 346). The editors conclude that the work of Western broadcasters, especially Radio Free Europe and Radio Liberty, was successful because they: 1. had a purpose congruent with that of their audiences; 2. appraised the individual countries and regimes in the Communist bloc

in a sophisticated manner; 3. tailored programs for multiple audiences in each country; 4. provided purposeful, credible, responsible, relevant programming; 5. were decentralized; 6. operated with media beyond radio broadcasts; 7. had proper funding and oversight; 8. had journalistic independence from the government; and 9. had receptive audiences which shared their goals (pp. 347–350).

Part 6 consists of documents from former Communist East European and Soviet archives discussing various aspects of the Cold War broadcasts, their impacts, and attempts to combat them.

At first approach, this work is difficult to assess. To return to the initially stated goal of the authors, to address the gap in the literature of the effects of Western broadcasts as perceived by the targeted governments, the authors and editors do manage to accomplish this, but only to a certain degree. This is due to the manner and content of the composition. In terms of the manner of the composition, the work is much more a '*Collection of Studies and Documents*' than any digested account of the impacts mentioned. There is nothing specifically wrong with such collections, provided the chosen content provides a cobbled, if not paved, road towards the goal. On this level, the work also seems lacking. With Poland receiving three chapters of investigation, Romania two, and Hungary and Bulgaria each one, there is a glaring absence of Czechoslovakia and East Germany, not to mention Yugoslovia or non-European Soviet nations. Space that could and should have been filled with investigations of these countries was given rather to redundant sections or whole chapters, most obviously in the first section, telling much the same story of origin and intent with merely the substitution of names. It would have been better, perhaps, for the editors to write their own introductory chapter covering the material of these three, and opening space for a more complete account. Concerns about space are, perhaps, a mistaken attribute, as the editors include some 200 pages of archival documents. While these documents are fascinating, as are the other chapters individually, the overall effect is one of incompleteness and imbalance, which keeps the work from fully addressing the gap in the Cold War broadcasting literature. In place of such an account, this text seems to be a nearly complete collection of research materials between two covers that would be excellent to use for the composition of a grand work, but is itself one step removed from being that work.

TERROR IN CHECHNYA: RUSSIA AND THE TRAGEDY OF CIVILIANS IN WAR

By Emma Gilligan, Princeton University Press, 2010,
ISBN 9780691130798

Reviewer: Kiryl Kaścian
(University of Bremen)

> *I will not get a response*
> *Where a question is asked by a bullet*
> Y. Shevchuk, Death City. Christmas

This book is a difficult read. Equally difficult was it for the author to depict the problematics of the Chechen conflict during 1999–2005. Gilligan made such an attempt, which itself is noteworthy. Regardless of the accentuations made by the author of such a book, it would attract massive discussions just by the fact of its appearance.

This book targeted Western readers and is full of such words as *murder*, *disappearance*, *torture* to capture the atrocities of war. The book's narrative partly simplifies the complicated task of readers to digest the depicted tragedies.

The book consists of two parts with four chapters each, as well as an introduction and conclusion. Chapter one provides an introduction to the Chechen conflict prior to the second war and then highlights the bombings of the Chechen capital Grozny by Russian forces throughout winter 1999–2000. The author underlines the personal commitment of Putin (then the newly-appointed prime-minister) who relaunched the military campaign in the rebel republic to consolidate his position as head of Russia's new government.

Chapter two documents so-called "sweep operations" (sing.: *zachistka*) of Russian forces in 2000–2002. Those actions were aimed not at weakening resistance but rather at humiliation and torture of civilians which may, according to the author, be taken as acts of collective punishment. Mistreatment of civilians were, if not an

approved military strategy, than rather a tolerated practice of Russian forces reasoned by multi-causal motives.

The third chapter deals with disappearances that took place in Chechnya between 2002 and 2005. These are regarded as the most efficient method for Russian forces to make away with their enemies. Gilligan argues that Russian authorities denied any responsibility for disappearances and tried to present those practices as traditional for Chechen culture. Moreover, the increased involvement of pro-Moscow Chechen forces (lead by the Kadyrov family) in those actions only deepened the suspicions between Chechens themselves, further complicating an already complicated situation.

The subsequent chapter deals with Chechen refugees and Internally Displaced Persons (IDPs). Obstacles for those categories of Chechen civilians to enjoy basic rights (right to asylum, the freedom of movement, etc) as well as violations of domestic and international law by Russian authorities are depicted.

The fifth chapter opens the second part of the book and is devoted to the activities of radical Chechen separatists such as hostage taking (Budennovsk, Kizliar, Dubrovka Theatre in Moscow, Beslan). Those endeavours represent cases of grave violations of humanitarian law which negatively contributed to the image of Chechen rebels.

Chapter six portrays the reaction of Russian civil society to what happened in Chechnya. It describes attempts of Russian human rights defenders and journalists (Sergei Kovalev, Anna Politkovskaya, etc) to draw attention to the Chechen conflict. The author points out the intentions of the (then) President Putin to dominate the country's civil society, and accusations against human rights movement of being 'unconstructive' and not serving Russia's national interests. Such efforts by Russian authorities to subdue opposition sentiment were rather successful both in creating a negative image of human rights defenders and in the marginalisation of their voices in the eyes of the Russian public.

Chapter seven is concerned with the international dynamics of the Chechen conflict. It describes the reactions of the UN Commission on Human Rights, the Council of Europe, the OSCE, and the US, and emphasises their inefficiency. A failure of the international community to establish war crimes tribunal on Chechnya is just

one in a series of examples how it did not manage to overcome the political weight of Russia on the international level.

Chapter eight focuses on several cases submitted by Chechen civilians before the ECHR. The challenges and obstacles erected by Russian authorities, Chechen applicants had to overcome through are meticulously depicted and the issue of national reconciliation between Chechens and Russians is addressed.

In her book Gilligan attempted to describe numerous human rights violations of the second Chechen war emphasising the disproportionate violence and intents of Russian authorities. The book sought to depict the second Chechen war from the perspective of the supremacy of human rights and humanitarian law. This represents a characteristic clash of approaches with the view of the Kremlin over the Chechen conflict that could perfectly fit the formula '*realpolitik* above all.' This clash raises the question of whether voices like Gilligan's can be heard in the Kremlin that reasoned its policies by the need to combat "purely internal" terrorism and banditism as well as by necessity to maintain the territorial integrity of the state. Moreover, it is questionable whether the approach of Gilligan's book may be understood by the majority of Russian society. Since Russian authorities managed to subdue the country's civil society and marginalise human right activists as not serving Russia's national interests, it is difficult to believe that 'pro-Chechen' voices may gain wide support within Russia. Growing state-sponsored Russian nationalism combined with the outspoken prejudices against Chechens contributes to the creation of growing public opinion that endorses the endeavours of Russian forces during the second Chechen war. As for the Chechens as a society, as Gilligan underlines, they 'ended up the victim of two political agendas: latent Russian neo-imperialism and Wahhabi extremism.' This situation, combined with a lack of real reconciliation both within Chechen society and between Chechens and Russians, raises new questions about this region's future and prospects of its sustainable development within the Russian Federation. But the answers could hardly be found where questions are asked by bullets as it was in the case of the Chechen conflict. Nevertheless, the Chechen conflict, as a research subject, should be more frequently addressed to from the various perspectives. Gilligan's book is a solid pioneering piece of work in this direction.

RIVALS: HOW THE POWER STRUGGLE BETWEEN CHINA, INDIA AND JAPAN WILL SHAPE OUR NEXT DECADE

*REVIEWER: CILLIAN O'DONOGHUE
(CENTRAL EUROPEAN UNIVERSITY)*

THE HISTORY of modern Europe teaches that when one power replaces another conflicts tend to ensue. Over the past years, people have trotted out the same old platitude that the 21st century will belong to China. Numerous books such as William H. Overholt's *The rise of China* have expressed breathless enthusiasm over Asia's rising powers.[1] Others such as Bernstein's and Munro's *The Coming Conflict of China* have foreseen disaster as just around the corner.[2] Amongst IR academic circles, extensive research has also been carried out by scholars divided on how the rise of China will impact on the future of the international system. Scholars such as Mearsheimer and Mastunduno have both tackled the question from similar viewpoints, producing different predictions and prescribing different policies for the US.[3] However both scholars would agree that in order to understand the Chinese phenomenon two questions are foremost. For realists we need to first identify whether China can be classified as a *status quo* or *revisionist* power.[4] The second, and contingent on the first, is thus what policies the world's current superpower, the US should pursue to preserve its preeminent position in the global order *vis-à-vis* China and also to ensure that China's rise is a peaceful one. A recent book *'Rivals: How the Power Struggle between China, India and Japan will Shape Our Next Decade'* by Emmott gives a more nuanced account of how power is shifting eastwards then many other scholars. Emmott offers a sober assessment of the opportunities and danger's of Asia's rise which occupies something of a middle ground between the alarmists, such as Bernstein and Munro, and the celebratorists, such as Overholt.

For Emmott, the issue at hand is not the rise of China itself but rather the rise the Asian region more generally. The problem as

Emmott highlights in his opening chapter is that 'there is no one entity called Asia and that the term is little more than a Western construct.'[5] The Asian today is not a united one gripped by Pan-Asian ideals akin to post WW2 Europe but more a continent divided between three great power rivals, India, China and Japan similar to balance of power politics that characterised Europe at the beginning of the 20th century. As Emmott notes it, 'the rise of Asia is not going to pit Asia against the West, it is going to pit Asians and Asians.'[6] Indeed for the first time in its history Asia will have three big powers simultaneously. This might not matter so much if they liked each other or were somehow compatible but as Emmott shows throughout the book they are not.

In discussing this new balance of power in Asia the author acknowledges that China is likely to emerge as the most powerful, but not powerful enough to dominate. He compares China to Britain at the beginning of the 19th century where, despite being the most powerful, it was unable to dominate. While on the surface each power may appear friendly to each other, the reality for Emmott is that this friendship is only 'skin deep and instead all are manoeuvring to strengthen their own positions and maximise their long-term advantages'.[7] Each is playing a great game in pursuit of resources and influence. With rapidly rising military budgets in all three states Emmott, while not referring to the situation as a fully fledged arms race, sees Asian states pursing a 'strategic- insurance policy race.' The situation is reflective of the term security dilemma where the actions by a state intended to heighten its security will lead to other states responding with similar measures.

The examples of balancing behaviour are aplenty in chapters three, four and five where Emmott goes into detail about each country's domestic system and foreign policy actions. From this we can see the Emmott's neo-realist outlook he considers foreign policy actions as responding to constrains in the international system rather than an outcome of bargaining by different groups within the state.

First up is Japan which the author views as extremely worried about China's rise and has made every effort to form anti-Chinese coalitions where possible. The most notable development in recent years has been the changing relations with India, brought together by an acceptance that my 'enemy's enemy is my friend.' As part of

this anti-Chinese coalition Japan has made India the biggest re-
cipient of Japanese aid since 2004, financed much of the costs of
the Delhi underground railway system, is planning a new freight
transport route between Kolkata, Delhi and Mumbai and pushed
for India to be included in the new Pan-Asian grouping, the East
Asia summit, despite the fact that it is plainly not in East Asia. One
statistic that really stands out is that despite years of economic
stagnation the Japanese economy remains larger than the Chinese
and Indian economies combined. Emmott, already the author of
a number of books dealing with Japan, seems most confident pre-
dicting its future outcome than the other two. He foresees the
country as overcoming its currents problems thanks to a 'stealth
revolution' of quiet reforms partly inspired by a deep lying fear of
China catching up.

India may have embraced China as a Third World partner in the
1950s, but the wars of the 1960s over their shared border quashed
any positive sentiment. The border issues remain outstanding and
unresolved to this day. Emmott twice repeats in the book a quote
from an Indian government official 'China and India both think that
the future belongs to us, we can't both be right.'[8] He is also quick to
praise Bush for spotting the shifting regional balance and embrac-
ing India as a counterweight to China. Referring to the US-India
nuclear agreement, 'an act of grand strategic importance,' Emmott
foresees a solid future relationship for the US and India. The rea-
son will not be solely through the recognition of a common enemy
but we can also see a liberal/constructivist perspective to Emmott's
analysis when he discusses how shared democratic systems of gov-
ernance make them closer allies. For the first time we begin to see
a constructivist viewpoint from Emmott as he goes beyond mate-
rial factors and shows how ideas and values matter in addition to
interests.

According to Morgenthau, 'the policy of a status quo power aims
at the distribution of power as it exists at a particular moment in
history.' [9] While revisionist states for Schweller are those that 'value
what they covet more than they possess and will employ military
force to change the status quo and extend their values.'[10] Emmott's
analysis of China in chapter three lies somewhere in between.

For readers it is apparent that the enmity between all three is
rooted in history and that serious issues remain. One Japanese

government official interviewed by Emmott said that Japanese-Chinese relations have always been characterised by mutual hate. 'We have hated each other for 1,000 years; such deep rooted hatred is unlikely to change in the future.'[11] In the potential catalysts for conflict, as laid out in chapter 8, Emmott also lists five flashpoints that could serve as a catalyst for a future war: the Sino-Indian border, Tibet, Korea, the East China Sea and the Senkaku/Diaoyatai islands, Taiwan and Pakistan. Of these he sees Pakistan as 'the likeliest of them all to see sparks fly.'[12]

While adopting a predominantly neo-realist balance of power perspective throughout Emmott does place great emphasis on identity. As he contends, a sense of Asian identity within these countries is almost impossible to pin down. One of the key problems is that the great powers identity themselves primarily in terms of nationality. This important aspect of international relations is social, not material. He hopes that greater regional integration will work towards an Asian identity but remains very cautious that the gains from the economic sphere will trickle into the political. Such views on identity contrast with that of Kishore Mahbubani whose recent book *The New Asian Hemisphere*: *The Irresistible Shift of Global Power to the East* argues that a truly continental identity is emerging from Asia's economic success.[13] Emmott agrees about Asia's economic integration but does not see it transferring into politics. As he notes, competition generally in economics has 'overwhelmingly positive results' but 'in politics we cannot be sure.'[14] By separating the two spheres so sharply Emmott provides the more compelling argument. Add the lack of an Asian identity to the vastly different political models, cultures and economics, and one can see that a sense of regional integration is a grand aspiration, and at best a long way off.

In the final chapter Emmott, in true journalistic style, sits on the fence somewhat and offers two scenarios of what the future may hold for Asia. As he admits, the most benign scenario will see that by 2020, the 3 powers between them will be the world's largest market, the largest economic entity and a force for global prosperity The less desirable option would see one of the many flashpoints erupt; escalating into a regional and possible global conflict. The chief problem, as Emmott concludes, is 'the fear and suspicion of China. It is not going to go away.' Thus, with this in mind, he offers nine recommendations on how to best ensure peace.

From these a neo-liberal/neo-institutionalist side to Emmott begins to emerge. We can see that he is a strong believer of the European model of reducing international tensions and communication through trade. He also calls on Asia to develop an Asian counterpart for both the EU and NATO, the first being an economic union to be constructed around the East Asian summit and the second a security pact based around ASEAN. From this we can gather that Emmott believes that under the correct circumstances co-operation is certainly possible under anarchy and that the great powers while rivals will be satisfied with absolute gains rather than pursue solely relative gains. Emmott also calls on the US to offer its support for regional Asian institutions, thus he advocates a similar role to the US in post war Europe.

Such recommendations stand in sharp contrast to offensive realists such as Merschiemer, who have called on the US to contain China. In an article in Foreign Affairs in 2001 he offered an alternative realist strategy to the one's proposed by Emmott and Mastunduno arguing that '[t]he United States has a profound interest in seeing Chinese economic growth slow considerably in the years ahead.' However such containment strategies are increasingly unworkable in this era of globalisation with long-term interdependence for rising as well as established powers.[15] By trying to inhibit Chinese economic progress the US would openly flaunt its long standing commitment to free markets and global institutions. Indeed such a strategy would undermine the basis for US power which rests on the global system. Since the fall of the Berlin Wall, policymakers in Washington have struggled to define the strategic framework for the US relationship to China but have always continued down the path of engagement. Emmott rightly argues this should continue.

His recommendations also include plenty of advice for each of the 3 powers and picks out one issue which each needs to address. India should make peace with its neighbours and strengthen economic ties with the others. Japan should come to terms with its WW2 activities and establish a commission to consider compensation for wartime slavery and forced prostitution. China should become more transparent with its armed forces and reduce the uncertainty as to other's intentions that is central in understanding the tragedy of the security dilemma.

One drawback to Emmott's analysis is that he neglects Russia's role in Asia. Indeed, his geopolitical analysis would have been much stronger if he had not ignored Russia as an Asian power. Many Indians see Russia as an important part of the strategy to contain China. Also, despite good current relations, Russia's fear of Chinese encroachment could turn things on its head. A recent visit by Medvedev to the Kunashiri Island one in a group of disputed islands seized by Moscow during WW2 led to a diplomatic dispute which highlighted just how involved Russia is in the region.[16]

International relations never has a sole drive or explanation and this is applicable to Asia as a region: the new power game between India, China and Japan is not going to shape everything that happens during the next few decades but it will shape an increasing amount of what happens and indeed has already done so. There are numerous books that examine the countries individually but the value of rivals lies in Emmott's interchangeable knowledge of all three. Indeed once you look at Asia through the prism of the balance of power game, many things start to make more sense. Emmott's book offers an excellent insight and some much needed nuance about an increasingly important part of the world too often left out in the parsimonious neo- realist theories. The catastrophic decisions made by European nations a century ago still live in memory. Let's hope that Asia manages to cope with a shifting balance of power better than Europe did.

Notes to Pages 259-264

1   William Overholt, 'The rise of China: How economic reform is creating a new superpower', (WW Norton and Company, 1993), published where?
2   Richard Bernstein and Ross Munro '*The Coming conflict of China'*, 1997, Knopf.
3   Mastunduno: 'Preserving the Unipolar Movement: Realist Theories and U.S. grand Strategy after the Cold war': International Security, Volume 21, Number 4, Spring 1997, p 49-88.
    Johnston, Alistair, Iain, 'Is China a status quo power', International security, 27: 4, 5.
    Mearsheimer, John, 'The future of the American pacifier', Foreign affairs , volume 80, no 5, Septmember/ October 2001.

4   Merscheimer offers a different perspective. In his view if a state has the economic potential to become a hegemon, it will become a hegemon. The state's strategic intentions are simply judged by its relative power.

5   Emmott, Bill, Rivals: How the power struggle between China, India and Japan will shape our next decade', London, Penguin Books, 2009: 15.

6   Emmott: opt cit: 12.

7   Emmott: opt cit: 9.

8   Emmott: opt cit: 122.

9   Hans Morgenthau. *Politics among nations: the struggle for power and peace*, 5th edition: 74.

10 Randall Schweller, 'Bandwagoning for profit: bringing the revisionist state back in', *International security*, Volume 19, No 1: 105.

11 Emmott: opt cit: 87.

12 Emmott: opt cit: 214-249.

13 Mahbubani, Kishore '*The New Asian Hemisphere*: *The Irresistible Shift of Global Power to the East' Public Affairs, January 2008.*

14 Emmott: opt cit: 35.

15 Garnett (reference) similarly sees the US as having little option but to engage China in this era of globalization, he refers to such limited strategic options as the 'strategic straightjacket'.

16 http://www.ft.com/cms/s/0/75041bb2-e592-11df-b023-00144feabdc0.html#axzz15Zr7xawm.

EMPIRE

Reviewer: Nóra Radó
(Central European University)

Nietzsche once said that 'everything is different and nothing seems to have change,'[1] which could be seen as the theoretical manifestation for the scholars of critical approaches who tend to focus on both the changes and the constants of the contemporary era and theorize the globalised, networked and deterritorialised 'brave new social world' in contradiction to classical and rationalist theories which fundamentally deny such transformation regarding it either as the return of anarchical disorder (realism) or as the operation of international interdependence and the institutionalisation of politics (liberalism).

Hardt and Negri attempted, in their provocative and extensive work *Empire*, to elaborate a distinctively postmodern analysis to show the remnants and novelties of our contemporary world, decomposing boundaries between political, economic or cultural studies while applying such postmodern tools as the Foucauldian notion of genealogy or the method of double-reading employed by Derrida for the concept of the *new* empire. The book opens up new horizons for linkages between the workings of capitalism in globalisation and the possibilities for governing the processes through some kind of a revised authority and therefore broadens the understandings of world politics on the theoretical level in a unique way. Throughout their work, they are re-reading and re-constructing the history of European and (later on) global operations of sovereignty while re-reading and re-constructing also the operation of capitalism, which contributed to the incremental invocation of the concept of empire for characterising the amorphous power (super) structure emerging in the beginning of the 21st century. In this sense, the spirit of Spinoza engages with the spirit of Hobbes, while Marx and Weber from the 19th century on the one hand, and Foucault, Deleuze, Guattari from the 20th century on the other, appear on the

scene to give theoretical foundations to the arguments of the authors. Precisely because of that, Walker regarded the book as a kind of textbook 'with a rich exposition of various contemporary theoretical traditions.'[2]

In the reading of Hardt and Negri, an empire could no longer be conceived as a large, territorially bound polity with the imposition of a central rule over some kind of dependent periphery, consisting of various political communities and created through forceful (whether with sword or agreement) expansion, which would be the working definition for empire by such scholars, as Beissinger, Suny or Lieven, but Empire is rather a *concept* embodying the new sovereignty logic and structure of rule which governs the processes being political, economic, social or cultural prevalent on the globe – without borders, without central command, without force. In their formulation, 'sovereignty has taken a new form, composed of a series of national and supranational organisms united under a single logic of rule. This new global form of sovereignty is what we call empire.'[3] Whereas Benedict Anderson claimed that 'we study empires as we do dinosaurs, as things of the past, irretrievable except in the laboratory,'[4] they are rather assuming the operation of empire in a different form, producing and reproducing its own subjectivities in the multitude (borrowing the concept from Machiavelli and Spinoza). On the other hand, resembling the Marxist tradition, they frame the operation of the new structure of rule in the dialectic between the multitude and the empire, and while they regard empire as an extensive command structure constantly producing its own subjectivities, they also see the multitude as the living, constructive and productive force which is able to escape empire and find new ways of resistance or liberation.

The operation of the empire is decomposed into juridico-political and economic foundations, by which the theories of Foucault, Marx and Carl Schmitt are invoked. They create the model of imperial authority based on the Foucauldian term, biopower, which leads the disciplinary society to the society of control, where the subjectivities are produced and reproduced in a certain 'democratic' manner throughout certain social machines operating in flexible and fluctuating networks. On the other hand, they place the capitalist economy, moreover the transnational corporations as the connective fabric of the biopolitical world into their analysis.

Therefore, their argumentation intermingles the economic factors as the "content," and the juridico-political factors as the "form" of the empire.

Biopower, as a Janus-faced concept, aims at both the "body" of the subjectivity and the "population" as such. The first focuses on the bodies as referent objects expected to internalise certain norms through procedures of learning, training, imitation or other disciplinary techniques, while the second considers the population as a whole in which the "individual" represents just a number in a statistical analysis and certain measures, rules or norms are formulated to enhance its productivity and viability in the long run, protecting its pure life from internal and external dangers.[5] In such a way, it carries out the process of constant pacification for the "inside,"[6] and aims at mobilising the population in cases of exceptional situations for its own purpose "outside" – for protecting its way of life.

In the concept of the empire, the mechanisms of biopower are adapted to the process of globalisation and therefore a new structure is created in which there is only place for an "inside." It is the most important claim of the book and the authors centre their argumentation around underpinning it through the re-reading of certain passages of sovereignty and capitalist production. As Hardt and Negri formulated, 'the spatial configuration of inside and outside itself seems to us a general and foundational characteristic of modern thought. In the passage from modern to postmodern and from imperialism to Empire there is progressively less distinction between inside and outside.'[7] Therefore, conflicts only take the form of a police action and there is no place for the Other – and in the construction of such new order, a kind of radical immanence appears (revoking the tensions between transcendence and immanence). However, by eradicating the "outside," Walker argues that they are 'undermining the logic of a pluralistic states system,'[8] which also makes the binary opposition between the Self and the Other problematic. How could the concept of the Other be formulated when the machines of the new juridico-political authority overgrew the entire globe? Hardt and Negri places the problematical question on a Marxist analysis and say that the possibility of resistance and that of 'escaping' control resides in the multitude which has to reorganize itself and develop positively its constituent projects *inside* the empire. Towards the end of the book, they say

that 'in effect, by working, the multitude produces itself as singularity. It is a singularity that establishes a new place in the non-place of Empire,'[9] which means that they create new forms of life and cooperation, confronting the empire directly and giving an active power or as the authors say, *posse*, against the constant re-production and re-organisation of imperial strategies.

Concerning that the book was published before the attacks of September 11, the invasion of Afghanistan and Iraq, where the actions of Al Qaeda could be conceived as a powerful attack on the biopolitical strategies carried out formally by the United States, however also legitimated within the framework of the United Nations and on the global level as well – through the workings of various non-state actors, such as certain human rights groups and other activists hand in hand with the UN, it could be plausibly said, that the notion of empire offers a 'more brutally frank account of the dominant forces of our time than, say, 'great power', or 'hegemony''[10] and therefore it could grasp and understand the workings of the underlying forces of globalisation with a special explanatory potential. The movement from multilateral action towards unilateral one in the case of the invasion of Iraq also shows that the US operates in the frameworks of a potential focal point of the emerging empire, carrying out certain police actions on the world stage. However, in other cases, as for example the Russian invasion in Georgia in 2008, it seems that Russia acted also as a kind of disciplining player attempting to preserve its sphere of influence and it seems that the EU also adopted certain imperial practices regarding the new member states in its territory. Therefore it could be certainly claimed that the concept of empire as a new or a newly discovered logic of rule based on the Foucauldian notions of biopower is useful in analysing contemporary phenomena on the international arena, but on the other hand, the concept of the empire as such a global order which contain everything and eliminates the distinctions between inside and outside, is open to critical inquiry and theoretical questioning which places this imaginative and unique book from time to time under scholarly interest.

Bibliography

Foucault, Michel (1978). *The History of Sexuality. Vol. 1: An Introduction.* New York: Pantheon.

Interview with Benedict Anderson. *'We Study Empires As We Do Dinosaurs:' Nations, Nationalism, and Empire in a Critical Perspective*. Ab Imperio. 2003. Vol. 3. pp. 57-73.

R.B.J. Walker. *On the Immanence/Imminence of Empire*. Millennium: Journal of International Studies. 2002. Vol. 31, No. 2. pp. 337-345.

Reid, Julien (2006). 'Logistical Life: War, Discipline, and the Martial Origins of Liberal Societies' In: Reid, Julien (2006) *The Biopolitics of the War on Terror*. Manchester: Manchester University Press, pp. 17-39.

Notes to pages 260-263

1 Hardt, Michael & Negri, Antonio. *Empire* (2000). Harvard University Press. Cambridge, Massachusetts. pp. 90.

2 R.B.J. Walker. On the Immanence/Imminence of Empire. *Millennium: Journal of International Studies*. 2002. Vol. 31, No. 2. pp. 339.

3 Hardt, Michael & Negri, Antonio. *Empire* (2000). Harvard University Press. Cambridge, Massachusetts. xii.

4 Interview with Benedict Anderson. 'We Study Empires As We Do Dinosaurs:' Nations, Nationalism, and Empire in a Critical Perspective. Ab Imperio. 2003. Vol. 3. pp. 72.

5 Foucault, Michel (1978) *The History of Sexuality. Vol. 1: An Introduction.* New York: Pantheon. pp. 262-263.

6 Reid, Julien (2006) 'Logistical Life: War, Discipline, and the Martial Origins of Liberal Societies' In: Reid, Julien (2006) *The Biopolitics of the War on Terror*. Manchester: Manchester University Press, pp. 18.

7 Hardt, Michael & Negri, Antonio. *Empire* (2000). Harvard University Press. Cambridge, Massachusetts. pp. 186-188.

8 R.B.J. Walker. On the Immanence/Imminence of Empire. *Millennium: Journal of International Studies*. 2002. Vol. 31, No. 2. pp. 343-344.

9 Hardt, Michael & Negri, Antonio. *Empire* (2000). Harvard University Press. Cambridge, Massachusetts. pp. 395.

10 R.B.J. Walker. On the Immanence/Imminence of Empire. *Millennium: Journal of International Studies*. 2002. Vol. 31, No. 2. pp. 344.

CHINA'S RISE AND THE TWO KOREAS: POLITICS, ECONOMICS, SECURITY

Reviewer: Irene Vinogradova (Metropolitan University Prague)

China's rise in both political and economic dimensions inspired a number of debates concerning its perspectives as a regional leader in East Asia, and as a prospective counterweight of the US in the Korean peninsula. Most scholars tend to dwell on this issue using a logical framework of different IR theories. However, such theories provide only partial insights into Sino-Korean economic interdependence and mutual political influence. In-depth examination is needed to reveal important nuances of these relations, and Scott Snyder provides this in his latest book, devoted to the description of the complicated Chinese relationship with both North and South Korea and an effect thereof on the US's role in East Asia.

China's Rise and the Two Koreas: Politics, Economics, Security consists of 3 parts.

First, the author tackles the issue of Sino-South Korean relations (chapters 2–4), highlighting economic interdependence and the mutually beneficial character of these ties. Nevertheless, it is shadowed by unfair economic competition in the regional and global markets, rivalry for strategic influence over North Korea, unresolved border claims (Yanbian Korean autonomous region in the PRC), and historical disputes over whether the ancient Koguryo kingdom should be categorised as Chinese or Korean. As a result, Seoul diversifies its economic options, inking free-trade agreements with the US and the EU, and that limits Chinese political leverage on South Korea through economic instruments.

Second, Snyder devotes chapters 5–6 to the analysis of Sino-North Korean relations. The author describes the shift from the "special" to "normal" relations explaining it primarily by China's failure to utilise economic incentives in an 'attempt to influence

North Korea's political choices and to prevent North Korean leaders from taking actions contrary to China's national interests' (p. 202), and, secondly, by proving extremely unbeneficial character of economic relations with North Korea for China.

Thirdly, in chapters 7–9 Snyder raises an extremely important issue – regional security. This contains three sub-issues: China-South Korea-United States security triangle, Sino-Japanese rivalry, and the influence of Sino-South Korean economic relations on the security in East Asia. As to the first sub-issue, the author highlights 'the prospects for change in the nature of triangular relations… from that of a "stable marriage"…to that of a "romantic triangle"… with South Korea seeking greater scope of action to develop new relations and China seeking to secure its economic and strategic interests through enhanced cooperation with South Korea' (p. 168). Nevertheless, Snyder states that the shift from the US-South Korean security alliance to Sino-South Korean is unlikely, at least in the short-term. As to the second sub-issue, the author explores the historical background of Sino-Japanese rivalry and South Korea's responses to this threat to region's stability, including the theory of 'balancer' (as a non-hegemonic country SK should act as mediator in the region balancing PRC and Japan and attempting to prevent "a new cold war") and the US-Japanese-South Korean trilateral coordination against China. Also, Snyder considers perspectives of Korean reunification through lenses of Sino-Japanese competition, concluding that it is a potential minefield capable of exacerbating the security dilemma in the region. As to the third issue, South Korea's antihegemonism principle towards both China and the US is emphasised. Nevertheless, Snyder notes that the US has a certain advantage as it is a distant power, which allows the US to transform security alliance in to political leverage.

Although Snyder makes a valuable contribution to the issue of exploring and explaining Sino-Korean relations and the role of external actors, his work has a few shortcomings. For instance, the book lacks sequence. This is probably because of Snyder's refusal to use any theoretical framework because of his assumption that theory does not allow one to take into consideration the entire empirics. Another shortcoming is connected with the absence of clearly stated hypotheses. The book contains a considerable amount of information about the region, especially the PRC and two Koreas,

relations within and outside of it, and the role of external actors, especially the US. Nevertheless, without succinctly expressed proposals it is only a fact sheet with elements of analysis.

However, *China's Rise and the Two Koreas* is a useful book to get an insightful view on the current situation in the region, mutual relations between China, South and North Korea, and new challenges to security and other issues, although they are regarded mostly in terms of possible gains and implications to the US foreign policy in the region.

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