'The Fall, and Rise, of Civilian Power Europe?'

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National Europe Centre Paper No. 16

ABSTRACT

The central focus of this paper is the concept of 'civilian power Europe', which has been associated with the characterisation and examination of the international role of the EU for almost thirty years.

The paper outlines the notion of civilian power Europe as originally formulated, examines how the idea has been used and adapted (or refuted) across time, and explores whether the idea has continuing utility in the early twenty-first century.

Central to this analysis is a consideration of whether the conception of civilian power Europe was undermined by the creation of the Common Foreign and Security Policy and the subsequent development of the Common European Security and Defence Policy.

The paper concludes that civilian power Europe still has empirical and theoretical purchase when the EU is considered in the context of the contemporary international relations of Europe. It demonstrates the need to develop a clear conception of the international capabilities of the EU if appropriate forms of understanding of the international role of the EU are to be developed.

The Rise and Fall of Civilian Power Europe

The literature that has sought to account for the international role of the EU within international relations breaks down into two distinctive sets of approaches. Firstly, approaches that have as their primary goal an explanation of the international significance (or not) of the EU through the theoretical literature of the discipline of International Relations.[i] These approaches focus upon the conformity of the EU to particular outcomes, actors or processes deemed to be the substance of international relations. The international role of the EC/EU is thereby a function of the type of actor that the EU represents.

With explanations of the EU's international role tied to developments within International Relations' literature, it is possible to find accounts of the EU written within all of the major stands, including the inter-paradigm debate, contemporary debates between neo-realists and neo-liberal institutionalists and within the post-positivist literature. The substance of these accounts is that the EU is embedded within the domain of international relations from which it is neither separate nor separable.

A second strand of the literature is represented by the premise that the EU is *sui generis* and requires the construction of new conceptual categorisations to fit the case of the EU and to explain its international role. Embedded within these accounts are premises about the nature of international relations but these are of second-order to the focus upon EU as the referent object. The conceptual categorisation that has attracted the most widespread usage is the notion of *civilian power*.

This debate on how to categorise the EU, in terms of its international significance, was first conducted from the early 1970s by attempting to construct a new conceptual category. The debate focused around the issue of whether the then EC was a 'civilian power' or a putative 'superpower'.[ii] The significance of these approaches is that they focused upon a distinctive (or potentially distinctive) international role for the EC.

François Duchêne's notion of a 'civilian power Europe' has resonated through the debate on the international role of the EC/EU.[iii] The notion of civilian power Europe as first advanced by François Duchêne was an exercise in futurology. Duchêne's contention was that maintaining a nuclear and superpower stalemate in Europe ought, and would, devalue military power and give scope to 'civilian forms of influence and action':

'Europe would be the first major area of the Old World where the age-old processes of war and indirect violence could be translated into something more in tune with the twentieth-century citizen's notion of civilised politics.'[iv]

Duchêne's conception of a European civilian power rested upon the inconceivability of a nuclear-armed European federation and the banishment of war from western Europe:

'The European Community's interest as a civilian group of countries long on economic power and relatively short on armed force is as far as possible to *domesticate* relations between states, including those of its own members and those with states outside its frontiers. This means trying to bring to international problems the sense of common responsibility and structures of contractual politics which have been in the past associated exclusively with 'home' and not foreign, that is *alien,* affairs.'[v]

A key observation has been made by Stavridis that this is both an empirical observation (on the forms of power exercised by the EC member states collectively) and a normative assertion about the then EC (the 'domestication' or 'civility' role).[vi] The intermingling of these two elements has been the hallmark of discussions about the notion of civilian power Europe. These two elements will be taken forward throughout this paper.

The most trenchant, and articulate, criticisms of the notion of civilian power Europe were provided by Hedley Bull at the height of the second cold war. The central component of Bull's criticism was that clear-cut: '…the power or influence exerted by the European Community and other such civilian actors was conditional upon a strategic environment provided by the military power of states, which they did not control'.[vii] Furthermore there was not one 'Europe' but only a Europe of state governments – a concert of states. The inference to be drawn from Bull's argument was that only with a European military capability would there be a European actorness. However, for Bull supranational authority in the area of defence policy would be a source of weakness, rather than strength, because only nation-states could inspire the loyalty to make war.[viii]

The changed European strategic environment post-Cold War and the tentative development of a defence identity for EU, would appear to render obsolete the two foundations on which the civilian power hypothesis was based (and the Bull criticisms thereon). Clearly, and following the line of thinking of Duchêne and Bull, the development of a military security capability by the European Union would appear to represent an alteration of pre-conditions upon which civilian power Europe was established and maintained.

The notion of civilian power still, however, represents a touch-stone for debates on the international role of the EU because of the premise that it is conducting a distinctive form of diplomacy, in both form and substance, in the absence of the ability to use military force. For practitioners there has been attention paid to articulating a distinctive role for the EU in international relations. Describing, or making the case for a civilian power Europe has been a hallmark of pronouncements of Members of the European Commission and the Member States in recent years. This is illustrated in Prodi's call for the EU to become a 'global civil power'[ix]

Analytically this paper argues that civilian power Europe offers contemporary insights. Firstly, the wider European context within which the Union operates is crucial for understanding its own significance. Secondly, the Union's pursuit of a distinctive diplomacy would appear to be imbued with

the notion of 'civilianising' relations by creating forms of institutionalised association, partnership and co-operation. In short, there is the impact of a set of normative values on the international identity projected by the European Union. Thirdly, that assessing civilian power Europe requires a consideration of the form of power exercised by the EU.

A contemporary view of the EU, in contrast to Duchêne, was Johan Galtung's assertion that the European Community was a superpower in the making.[x] The then EC was characterised as a *Pax Bruxellana*; an attempt to create a eurocentric world with its centre in Europe and a unicentric Europe with its centre in the Western half of the continent. The power of the emerging superpower was categorised as two-fold: resource power and structural power. The resource power of the Union was relative to that of the other superpowers which were then in existence. Structural power was considered to be the international structures which the EU is promoting serving as instruments of structural power. The notion of resource power appears close to Hill's conception of resources advanced in his 'capabilities-expectations gap' (explored below). The structural power of the EU will be explored in the paper.

Without accepting the premises of Galtung's argument, that the EU is a neo-imperial entity, it is possible to utilise two elements to explore the international significance of the Union. The Cold War context, in which these latter approaches were articulated, is no longer in existence and the relevance of the notion of superpower, as then conventionally understood, is no longer useful. However, a comparison of the resource and structural power at the disposal of the EU would be one measure through which to explore the relative international significance of the Union and the continuing validity of the civilian power Europe thesis.

The Fall and Rise of Civilian Power Europe?
A popular rendering of the story of the EC/EU's development of a foreign and security policy is of the failure to live up to Member State and third party expectations. The most engaging assessment of this state of affairs was offered in the capability-expectations gap, first advanced by Christopher Hill in 1993 (and revamped in 1998).[xi] The capabilities-expectations gap suggested by Hill delineated two gaps; first, the gap between the capabilities of the Union and the expectations made of it; second, a gap between the expectation that we should have the ability to theorise about the EC/EU and our capability to do so.

In the period between the birth of the capability-expectations thesis and the present date the European Community has transformed itself into the EU.[xii] Furthermore, in the most pressing problem to confront the international relations of Europe - the conflicts in the former Yugoslavia - the Union repeatedly failed to achieve Hill's definition of an effective international actor: 'in terms both of its capacity to produce collective decisions and its impact on events'.[xiii] The conflict in the territories of the former Yugoslavia have demonstrated both the inability of the Union to cope with a conflict of such magnitude through its own efforts and problems of decision-making in a system in which the

Member States are a substantive source of influence. The EU can take little comfort from its involvement in the region from 1990 until 1995 and was a secondary actor in conflict resolution. However, there is something of a paradox in that since 1995 – and excluding the period of NATO 'war-fighting' over Kosovo - the EU and its Member States have been the political actor of greatest significance in the stabilisation of South Eastern Europe. The Yugoslav conflicts have proved such a salutary lesson in the development of the international identity of the Union that despite the real contribution that the EU has made to security of the sub-region since 1995 there is minimal widespread recognition of this success.

Across the last decade the Union's foreign economic policy has been perceived in marked contrast to the widely perceived failure of the Union to fully engage with the conflict in the former Yugoslavia. In its foreign economic policy the EU has been at the centre of a re-casting of notions of both capabilities and expectations in the context of the world political economy. As Michael Smith noted contemporaneously to Hill, and as subsequent events have borne out:

'The 'EU model' and the 'EU method' thus provide a source of important questions about foreign economic policy in the 1990s, both in terms of the nature and role of the Union itself and in terms of its impact on the emerging global order.' [xiv]

Until relatively recently analytical attempts to unite the CFSP and external relations strands of the EU's international relations were limited. There has been a tendency to separate processes of European Political Co-operation (EPC)/CFSP and external relations and tell two separate stories about the processes and implementation of the EU's foreign policy. The capability-expectations gap (CEG) has become a familiar refrain in discussions on the EU's international role and been used to reinforce this bifurcation in analysis. The CEG thesis has generated case-study testing and inspired a volume analysing the CFSP.[xv] Those seeking to theorise the international role of the EU have digested the need to 'mind the gap'.

The thrust of the CEG thesis was the need to conceptualise the current status of the international role of the Union and to ascertain the extent of the *actorness* of the Union. Hill asserted in 1993 that his main argument was that the capabilities of the (then) EC had been 'talked-up' and that the expectations of third parties of what the EC could do were at variance with reality.[xvi] Hill has restated his original thesis, albeit in an amended form (CEG II).[xvii] In some respects Hill has sought to strengthen his original thesis but he also departed from a number of his original assertions. CEG II details the internal and external expectants to a degree that did not take place in CEG and this concept is now much more operationalised and much more amenable to application in empirical work. Ultimately Hill rejected CEG I thesis as 'a static concept which cannot do full justice to the complexities of the Community's evolving impact on world politics'.[xviii]

Hill's argument was not made to support the notion of civilian power Europe. Rather Hill maintained that two concepts that had been developed for an understanding of the EC/EU's international role were of particular utility – *actorness* and *presence*. Hill's approach was to explore the international role of the EC/EU by delineating its functions in the international system before making a decision about the 'form' of the EC. Hill viewed the EC's functions as four-fold:

- the stabilizing of western Europe;
- managing world trade;
- principal voice of the developed world in relations with the South;
- providing a second western voice in international diplomacy. [xix]

Hill's thesis, therefore, was one in which the interest was not in a specific policy arena (CFSP or external relations) but rather to 'capture' the EU's international role. Hill's four-fold functions are an articulation of what can be characterised as the hallmarks of civilian power Europe. Hill went further and identified six functions that the EC might perform in the future and these formed the basis of the 'expectations' from which Hill identified a gap with capabilities:

- a replacement for the [then] USSR in the global balance of power;
- regional pacifier;
- global intervenor;
- mediator of conflicts;
- bridge between rich and poor;
- joint supervisor of the world economy[xx]

With the exclusion of the first of these (and with a specific understanding of the third as non-military intervention) these can all be posited as contemporary functions of the EU and can also be characterised as civilian power functions. The shift in Hill's analysis from 1993-1998 was that the expectations of the EU were lowered across that period. However, simultaneously Hill has widened the *expectants* to include also those inside the Union.[xxi]

In 1993 Hill also outlined what he understood to be the capabilities of the EU: the *ability to agree*, the EU's *resources*, and the *instruments* at its disposal. In the CEG II capabilities were explored at greater length and were re-vamped as *resources*, *instruments*, and *cohesiveness*. *Resources* are broken down into fundamental resources (population, GDP, geographic and geo-political space), military capability, and financial resources (considered as funding at the disposal of the CFSP). *Instruments* are those available through the CFSP (Joint Actions, Common Positions), 'consistency' between development, external relations and CFSP policy areas, foreign aid, and sanctions. *Cohesiveness* is the cohesiveness of the EU in all of its external policies and across decision-making processes. The element of capabilities that was given devoted attention in CEG and CEG II was the defence capability of the

Union. In focusing on this capability Hill's view was that a European military capability is a *sine qua non* of actorness.

Hill plumpted for describing the then EC-12 *as a system of international relations* that generates international relations and consists of three strands: National Foreign Policies, European Political Co-operation and, External Relations of the EC. The notion of a *system of international relations* represented an entirely new conceptualisation that Hill presented in lieu of a conclusion on the capability-expectations thesis. This idea has been taken-up most recently by Brian White in his analysis of the strands of European foreign policy.[xxii]

The ambition of this paper is not to explore the multiple strands of a European foreign policy which the author has done elsewhere but rather to focus upon identifying how the capabilities of the Union can be restated more clearly.[xxiii] Furthermore, in clarifying what are to be understood as the Union's capabilities further observations on the nature of the contemporary international role of the EU can be advanced and civilian power Europe 're-emerges'.[xxiv]

Structural transformation and the exercise of civilian power

In the twilight of the end of the cold war and before the conflicts of former Yugoslavia were in their ascendancy, there was something of a renaissance of the concept of civilian power. More generally arguments were made that the exercise of power within international relations was much less dependent upon military power and forms of 'soft power' were to the fore.[xxv] Arguments were rehearsed about a change in the structure and substance of international relations that suggested a changing landscape in which civilian forms of power were more appropriate. Hanns Maull took Richard Rosencrance's notion of emergence of 'trading states' and developed this as a systematic re-statement of civilian power. For Maull the implications for civilian power as he applied these to Germany and Japan were:

'a) the acceptance of the necessity of cooperation with others in the pursuit of international objectives;
b) the concentration on non-military, primarily economic, means to secure national goals with military power left as a residual instrument serving essentially to safeguard other means of international interaction; and
c) a willingness to develop supranational structures to address critical issues of international management.'[xxvi]

Interestingly, a decade after these ideas were articulated to examine Germany and Japan they provide an accurate characterisation of the contemporary EU's international role and identity. However, this characterisation tells us little about how this 'power' in civilian power is generated and exercised and, therefore, does not assist us in an understanding of the EU's structural power.

To assist in an understanding of how structural power is exercised the author has utilised the concept of 'international society' elsewhere (developed by the English School).[xxvii] Whereas an international system thus operates more or less mechanically and by necessity, international society represents the conscious effort to transform and regulate relations amongst its constitutive units, alerting us to the norms and institutions in the international realm that, while being set up by its members for a specific purpose, also shape their identity. This is a useful characterization of the process at work in the relationship that the EU has developed with Central and Eastern Europe, and more recently with South Eastern Europe.

The classic international society of English School writing, composed of territorial states recognising each other and a basic set of common rules between themselves, can now be said to be nearly global in its reach.[xxviii] More interesting for our purposes though, is that within the EU this society is particularly well developed in that the set of common rules is particularly dense. This suggests that the EU forms a specific sub-system of the current international system in which the societal element is stronger than elsewhere.

The membership of EU international society should be distinguished from formal membership of the EU. All international societies are delineated through the *self-identification* of their members with common interests and values, and furthermore the acceptance of being *bound by rules and institutions*. As a consequence, although EU membership formalises being part of EU international society, in principle EU and European international society cannot be distinguished solely on the basis of formal membership. The decisive criterion for distinction rather is the degree of self-identification and of the acceptance of being bound by the rules and norms of the respective international society.

EU international society discourse embraces all states that self-identify with the common interests and common values of the EU and accept common sets of rules in the relations with other members of the society. States that define themselves as candidates for entry, or re-entry into 'Europe' do not all fall within the category of candidate member states for the EU (e.g. Croatia). Therefore the EU international society discourse embraces more states than those that are formally applicant states to the EU. The degrees of self-identification can also be differential. This is true not only beyond the borders of the EU, but also for EU members. More importantly for our purpose here, however, considering EU international society in this manner places both EU member states and prospective member states of the EU within the same international society. This illustrates well the structural power effect that the EU exercises over a group of non-Member States.

However, the exercise of the structural power of civilian power Europe does not begin and end in Europe. This interrelationship can be illustrated, for example, through the EU's CFSP, which has to conform with the values of both European and global international society and to be implemented through their respective institutions. [xxix]

As discussed above, EU member states form the core of EU international society. The gradated relationship of other states to the core is dependent upon both the self-identification with the common interests and values of the core and the degree to which they accept the EU rules and institutions. This places EU applicant states in a dominion or suzerain relationship within the EU international society, where the EU can extend its governance regime beyond its formal borders.[xxx] The fuzziness of the borders of the EU's system of governance is therefore a result of a two-way relationship.[xxxi]

On the one hand, the choice by the EU to use particular kinds of trade and aid instruments to deepen the relationship with a third party state, such as a membership applicant, can be understood as being reflective of the position that the EU puts that third party within its 'gradated empire'.[xxxii] Considered in these terms, the act of the EU promulgating views about the structure of the relationship that it wishes to develop with third parties (for example, the issuing of common strategies under the CFSP or Commission Communication setting out new strategies towards countries or regions) take on a different significance.

On the other hand, the effectiveness of such policies and the nature of the power relations within the EU international society are not dependent on the EU and its member states alone. Rather, the self-identification of those states to which the policies are directed, and its overlap with the values and interests of the EU core are equally important to determine these states' position in the EU's 'empire', and the EU's possibilities to impose its system of governance on them.[xxxiii]

Analysed in these terms, considerations of whether the EU possesses a foreign policy in state-like terms (or not) become second order to considerations of the form of the relationship that the EU and the states surrounding it have created for themselves. The key observation here is that the relationship is one that is created in classic Duchênean terms as 'domesticating relations'.

This characterization of the relationship between the EU and its near neighbours will not be accepted by all. It is disagreements over the nature of the international environment within which the Union operates which have led to different assessments of its international significance, or not. All theorising on the international role of the EC/EU has been accompanied by an assessment of the international environment in which it is embedded. Unsurprisingly there is no agreement as to the nature of its international role. Therefore it is difficult to assess whether the Union is developing capabilities appropriate to the environment within which it operates. Furthermore a discussion of whether the EC/EU possesses, or is enhancing, a foreign policy is complicated by the existence of a wider empirical and theoretical debate about the nature of foreign policy.[xxxiv] Clearly, an assertion that the EU posseses structural power is not a sufficient basis upon which to assess the continuing validity of the civilian power Europe thesis. For this reason 'identity' and 'process' will be considered below.

Identity

The 'structural' arguments made by Maull and others – that civilian power has purchase because of the transformation of the structure of international relations with the end of the cold war – were articulated alongside what, with hindsight, can be seen as proto-social constructivist arguments as how best to capture the EU's international identity. A strand of this literature suggests that the politics of identity is declared the central problem for the EU to solve.[xxxv] On questions of the international identity a significant contribution, and a counterpoint to the focus on actorness, is the notion of 'presence' developed by Allen and Smith.[xxxvi] Presence is said to manifest itself in four forms: initiator, shaper, barrier, and filter. The first two forms are suggested as being tangible whereas the latter elements, which can be of equal significance as the tangible, are intangible. The notions of initiator and shaper are compatible with the structural power analysis outline above. As with the concept of civilian power, 'presence' implies that the EU already possesses a distinctive international role with a distinctive substance to its policy. The 'presence' thesis has been recently been re-stated by Allen and Smith.[xxxvii] For Allen and Smith both the capabilities-expectations gap and civilian power Europe represent attempts to delineate the boundaries of the EU's presence. The typology of instruments (outlined below), utilised through further empirical work, may assist in further understanding of how the EU, in tangible terms, makes its presence felt and thereby contribute to a clearer delineation of the EU's international presence.

The argument that a better understanding of the EU's international role can be reached by reflecting on its ideas and norms – i.e. focusing on the ideational impact – as a 'normative power' has recently been forcefully made by Manners.[xxxviii] Manners has done an excellent job in focusing upon the ideational power of the EU but this work needs to be complemented by more rigorous accounts of the capabilities of the EU.

Process and civilian power

Another factor that is crucial for assessing the development of the Union's role is process. There is a substantive body of literature on the international role of the EU that focuses upon an exposition of the content of specific policies conducted by the EU for projection externally from the Union and theoretical explanations or assumptions as to the manner in which that policy was formulated. This body of literature consists primarily of the individual case study, although these are supported by a limited amount of comparative case study work. The focus upon the process of decision-making that is central to this approach also represents an enduring division in accounts of the international role of the EU.

In attempting to map the external relations of the EC/EU, accounts invariably focus upon the legal foundations for a particular agreement or set of agreements.[xxxix]. Although commentators disagree as to whether the CFSP represents a meaningful 'foreign policy' its joint actions and common positions have been subject to case study scrutiny.[xl] Accounting for the role of the decision-making process has been central to analysis of EPC/CFSP.[xli] Other case studies seeking to account for a foreign policy 'event'

and EC/EU action, or inaction, have delved in the domestic sources of Member States foreign policy stances.[xlii]

A number of other case studies have also argued for a theoretical uniting of both EPC/CFSP and external relations into a single framework. This argument proceeds from the premise that the nature of foreign policy itself has undergone transformation as a consequence of changes in the nature and structure of the international system that have rendered distinctions between 'high' and 'low' politics less pertinent.[xliii] The contention of such approaches is that separate consideration of processes (pillars one, two and three), both empirically and conceptually, is at the cost of neglecting study of the factors that are common to both sets of policies and has lead to neglect of frameworks that may accommodate both sets of processes.[xliv]

The situation is further complicated by the fact that certain internal EC/EU policies (that are neither external relations or CFSP) have external implications. This is best illustrated by the analysis of the impact of the Single Market Programme.[xlv] The concept of *externalisation* conceived by Schmitter conveys a mutually supporting direct link between internal integration and external responses.[xlvi] Such an analysis has been extended to illustrate these processes extending beyond states to encompass non-state and sub-national actors.[xlvii] This have given rise to the notion that alongside the policy-making processes of external relations and CFSP the EC/EU's international activities represent an on-going *negotiated order* involving actors within and without the EU engaged in an institutionalised negotiation process which is itself embedded in the international arena.[xlviii] This notion of process captures the means through which the EU's structural power is exercised.

The consideration of process introduces the Member States as a key factor of influence in the exploration of civilian power Europe. Since the notion of civilian power Europe was first articulated the six state EC has expanded to a fifteen Member State EU. The consideration of the process through which EC/EU policy is formulated represents a crucial insight into the rationale for the Union both developing and utilising different instruments of implementation in the international system. This is a dimension of the development of a European foreign policy that the author has explored at length elsewhere.[xlix] However, it should be noted that with respect to the CESDP this is an area which has been chronically under-explored. The extent to which comparatively individual states are greater advocates of a civilian power Europe is a research project in search of researchers.

Hill characterised *cohesiveness* in decision-making (taking decisions and holding on to them) as one strand of capabilities available to the Union.[l] Recent work on decision-making suggests that decision-making processes demonstrate contradictory characteristics both greater 'Brusselisation'[li] but also a widening of the actors and influences[lii]. Cohesiveness may therefore be better measured through agreement measured by greater recourse to instruments than cohesion in decision-making processes.

The development of a 'reflex of consultation' has been the hallmark of the CFSP across time and has not be generated solely by the creation of institutional arrangements through treaty revisions.[liii] The developments in the field of the CESDP in 1999 and 2000 took place alongside the work of the 2000 IGC but defence did not feature significantly on the agenda of the Intergovernmental Conference which focused upon issues not resolved in the Treaty of Amsterdam (ToA) negotiations. The Treaty of Nice (ToN) changes made to the TEU to reflect developments in the defence field since the ToA negotiations. There were two main changes made by the ToN to the TEU CFSP provisions dealing with defence. The provisions of the TEU referring to the WEU as the provider of the operational capability of the common defence policy were removed (Article 17). This was an acknowledgement of the agreement at the Helsinki European Council that the Member States are to collectively develop the military security provisions of the CFSP within the EU rather than at arms length through the WEU. A second change was that Article 25 of the TEU was amended to change references to the *Political Committee* to the *Political and Security Committee* (known under its French acronym *COPS*). The amendment confirmed that COPS will be responsible for both the CFSP and CEDSP. The important new role of COPS as the centrepiece of the CESDP is recognized in the ToN amendments stating: "this Committee shall exercise, under the responsibility of the Council, political control and strategic direction of crisis management operations." The ToN also explicitly ruled out enhanced cooperation provisions of the Treaty as not applying to matters having military or defence implications. In a *Declaration on the European Security and Defence Policy*, attached to the Treaty it was made clear that the ratification of the Treaty was not a precondition for the CESDP to become the operational and, therefore, the decision of the Irish electorate to reject the Treaty of Nice in their referendum, has not retarded the development of the CFSP. Rather, the objective was set that this should happen as soon as possible and no later than the second half 2001 under the Belgium Presidency.

It is too early to assess whether the new political and military bodies created post-Helsinki such as the COPS; the Military Committee (populated by representatives of the Member States commanders in chief) and its Chair; and the Military Staff (the precursor of a European staff headquarters); and their relationship to the Secretary General/High Representative will generate the same reflex as the decision-making structure has only been tested in one exercise.

To summarise capturing the international role of the EU is, therefore, about questions of *structure* (or *structural power*), *identity* and *process*. If a full assessment is to be made on whether the EU continues to function as a civilian power each of the elements needs to be assessed together with a consideration of the instruments of implementation.

Identifying Instruments of implementation
A greater understanding of the capabilities of the Union is necessary if the international role of the EU is to be accurately comprehended and the 'health' of civilian power Europe is to be accurately assessed. The following section takes one element of Hill's capabilities – instruments – and offers for consideration a more developed typology of instruments. Furthermore, the characteristics of the

instruments that the EU has utilised since the CEG thesis was advanced demonstrates clearly that the EU has privileged civilian over other forms of power.

The 'system of implementation' identified as necessary for actor capability can be characterised as a set of instruments that are available to the European Union. These instruments are not formally identified by the Union as its 'system of implementation', but provide a typology by which we might establish a framework to consider the extent to which the EU is fulfilling its aspiration to assert its international identity. The *ability to agree* and *resources* identified by Hill as the other two elements of his capabilities have been explored by the author at length elsewhere.[liv] Therefore this section of the the paper only tackles one side of the capability-expectations gap and largely ignores the question of the expectations of third parties. It concerns itself with questions of supply rather than demand. This paper, therefore, seeks to identify a typology of instruments available at the disposal of the Union and through an exposition of these it seeks to briefly further explore civilian power Europe.

It is, of course, possible to tell the story of the development of the CFSP in terms of Treaty amendments and/or to detail the development of Common Strategies, Joint Actions, Common Positions across time. The author has attempted this analysis elsewhere.[lv] However, this renders little assistance in exploring the question as to whether the EU has developed instruments for the conduct of its foreign policy across time that offer support for the notion that the EU acts as a civilian power.

To implement its policies with states and groups of states the EU uses four sets of instruments: *informational*, *procedural*, *transference*, and *overt*.[lvi] Each of these elements is briefly illustrated by reference to examples drawn from the CFSP (and external relations as the hallmark of the last decade has been the drawing together of CFSP and external relations instruments of implementation) since the foundation of the EU in November 1993. In outlining the form in which the EU has implemented policy since the advance of the CEG thesis it can be asserted that the EC/EU has enhanced its capabilities and strengthened and systematised 'civilian' instruments to give effect to the EU foreign policy.

Informational

The use of an informational instrument represents the promulgation of overviews of the rationale of the Union's relationship with a state or a group of states. These informational forms of the identity can be either in *strategic informational* or in *specific informational* forms.

The TEU, when initiating the CFSP, created two new forms of strategic informational instruments at the disposal of EU foreign policy beyond those available under EPC: Joint Actions and Common Positions. Under the ToA Common Strategies have been created which are much more explicitly 'strategic'. The Common Strategies, Joint Actions and Common Positions make clear to third parties that the EU has adopted a specific position on a particular issue or on relations with a particular country. As illustrative Common Positions have been used to set out policy frameworks to cover entire

continents or regions: support for conflict prevention and resolution in Africa, the promotion of human rights, democratic principles, the rule of law and good governance in Africa, concerning the process and stability and good neighbourliness in South Eastern Europe and to contribute to the promotion of non-proliferation and confidence building in the South Asia region. This method of developing foreign policy through the creation of an *acquis politique* by Joint Actions and Common Positions has created a corpus of foreign policy commitments that the Union and its Member States have sought to use as a formula through which to cast collective foreign policy commitments among themselves.

Joint Actions and Common Positions have been largely reactive in nature. However, the 'house keeping' activity required in creating, maintaining, amending, and terminating Joint Actions and Common Positions, through legal acts passed by the Council, ensures that the Union is able to send a signal to third parties of a policy issue appearing on the Union's foreign policy agenda. These Common Positions and Joint Actions may, or may not, be supported by the use of additional instruments (as detailed below). The *Common Strategy of the European Union on Russia* illustrates how it is impossible for the EU to separate the EU's CFSP and external relations in the conduct of its foreign policy. The objectives of the *Common Strategy* are to be primarily met through the EU-Russia Partnership and Co-operation Agreement (PCA) and other pre-existing EU and Member State programmes. Common Strategies have come to represent the codification of existing EU policies and objectives towards a region or an issue area.

Additionally conclusions of European Council meetings and Commission Communications also represent other examples in which it is possible to discern Strategic Informational Instruments being deployed (especially since the creation of Common Strategies under the ToA). Examples include the Commission Communication on the proposal for a Euro-Mediterranean Partnership adopted in March 1995, the CFSP Common Position of 17 May 1999 for the Stability Pact for south eastern Europe and the complementary proposal by the European Commission for the creation of a new kind of contractual relationship, Stabilisation and Association Agreements, with countries as a component of the Stability Pact for South Eastern Europe.

Specific Informational Instruments are designed to designate the intention to establish or to re-orientate policy in a specific area. Specific Informational Instruments include some common positions and declarations issued under the CFSP. Declarations are used by the Union as reactive instruments to respond to unfolding international events. The Union has relied heavily upon declarations under the CFSP – as was the hallmark of EPC. Silences - the non-use of a declaration - rather than the use of a declaration can be of equal interest. The paucity of declarations about the Mediterranean basin, despite the intensity of the violence in Algeria during the period, can be read as a lack of substantive agreement among the Member States on an appropriate response to events. All of the institutions of the Union use Specific Informational Instruments - for example *demarches* - which may be intended to be self-implementing or be intended accompany other instruments detailed below.

Procedural

The procedural dimension of the Community refers to the creation of a standing institutionalised relationship with a third party state or group of states. These may be established in regionalised form or constituted on a bilateral basis as with relations with the United States. This is the classic EU foreign policy instrument. The EC/EU has constructed a network of agreements with states and groups of states. The development and the deepening of the region-to-region dialogue of the then pre-Treaty on European Union Community has provided the basis for characterising 'a new European identity in the international system' in previous analyses.[lvii] These analyses have illustrated the increase in scope and coverage of the procedural instrument over time especially during the mid- and late-1980s.[lviii] The use of the procedural instrument demonstrates a clear desire on the part of the EU to seek to institutionalise and regularise international relations. In short, to 'domesticate' in Duchêne's terms.

The network of agreements are founded upon different articles of the Treaties, Declarations, exchanges of letters or, in the case of international and regional organisations, the granting of membership or observer status, and different mechanisms are established to manage relations between the EU and the third party. Alongside these agreements a political dialogue has also been established that takes place in different formats (through Association and Co-operation Councils, Ministerial meetings, meetings with the Troika, Presidency and the Commission) and at different frequencies. A particularly developed form of procedural instrument has been created for relations with the Accession countries. In addition to implementing the structured dialogue, defined in the Presidency Conclusions of the 1994 Essen meeting of the European Council, the Europe Agreements, signed by the Central and East European Countries (CEECs), contain an obligation to support the construction of an appropriate political dialogue with the Union.[lix] Subsequently the General Affairs Council approved an extension of the dialogue with the CEECs and provided for them to be able to associate with the EU in statements, *demarches*. Common positions, joint actions and by co-ordinating within international organisations.[lx] The Union has thereby used a procedural instrument as one strand in its strategy to progressively bind the aspirant member states into a closer relationship with the Union and, as such, illustrates the operation of structural power as outlined above.

Transference

The *transference* instrument denotes the financial and technical assistance relationships that the Community uses to pursue policy. The Budget of the EU represents one foundation of the *positive transference* instruments available to the Union. Developments in this area, with respect to the CFSP, have been considerable since 1999. Recent sources of positive transference are elements of the operational expenditure of the CFSP.[lxi]

The agreement on financing the operational expenditure of the CFSP in the ToA has altered the financing arrangements, and the effectiveness of the CFSP to a considerable degree. With the agreement to charge expenditure to the Community budget (except for operations where the Council decides unanimously otherwise or operations with military or defence obligations) there has been the

introduction of Community budgetary politics to the CFSP area. With financing occurring under the Community budget the question of what heading and/or procedure becomes important and required agreement with the European Parliament (EP). With the budget as an area in which the European Parliament exercises its greatest powers, and the operational budget of the CFSP falling under the heading of non-obligatory expenditure. This grants a limited 'power of the purse' to the EP which now has to approve, with the Council, the amount proposed by the Commission for CFSP operational expenditure in each annual Community budget. The Inter-Institutional Agreement 6 May 1999 (to guide budget discipline and the Community budget making between 2000-2006 between the European Parliament, the Council and the Commission codfed this agreement on expenditure and was attached to the ToA) also provides for mechanism to resolve disputes on the size of any proposed budget and any need for increased expenditure. The agreement clarifies the provision for the use of the conciliation procedure, agreement on the amount to be charged to the Community budget and, importantly for the EP, the distribution of the amount agreed between the articles of the CFSP budget chapter (observation and organisation of elections, prevention of conflicts, financial aid to the enlargement process, urgent actions, etc.). The amount allocated to urgent actions cannot exceed 20% of the overall amount of the CFSP budget chapter.

The annual report submitted to the European Parliament from the Council on the proposed expenditure has transformed the articulation of the EU's foreign policy choices in that the report necessitates a comprehensive and considered overview of the foreign policy priorities of the Union which these has not previously been apparent in the CFSP. [lxii]

The Rapid Reaction Mechanism (RRM) created in February 2001, to provide initial funding for civil management crises, represented another significant attempt to overcome cumbersome financial authorisation procedures. The RRM was used for the first time in January 2001 for humanitarian aid in the Presevo valley in southern Serbia. The development of EuropeAid Office for Cooperation in early 2001 to administer EU cooperation programmes represented an attempt to ensure that financing available through the agreements that the EU has made with third countries is utilised more effectively and efficiently. Additional positive transference resources are available through the financial and technical assistance financed through Member State contributions to the European Development Fund (for Cotonou states) and loans from the European Investment Bank.

The *negative transference* instrument of economic sanctions is also used by the Union. The use of economic sanctions was regularised under Article 301 (formerly 228a) of EC Treaty giving the CFSP the ability to use economic sanctions.[lxiii] Sanctions are invoked through Common Positions and have included embargoes on military exports (for example on the former Yugoslavia, Nigeria, Sudan, Myanmar, Afghanistan) and in several areas the implementation, alteration or removal of economic and financial sanctions (for example, the Federal Republic of Yugoslavia and the zones of Croatia and Bosnia controlled by Serbian political authorities, Haiti, Libya, Nigeria, Iraq, Sierra Leone, UNITA

controlled zones of Angola). The use of sanctions, which was a characteristic of the latter period of EPC, has now become a frequently utilised instrument to give effect to the CFSP in recent years.

Overt

The overt dimension refers to the physical presence of the Community and its representatives outside the Community. This can be either on a permanent basis, for example, the establishment of the external delegations of the Commission, or more transitory, for instance visits of the troika or the bi-cephalic troika or the dispatch of monitors, and special representatives for example, to the Middle East and the Great Lakes for example. The Union also has its own network of external delegations.

The 'new' troika established under the Treaty of Amsterdam (Presidency of the Union, the High Representative and the member of the Commission responsible for external relations) represented a more efficient mechanism that the 'old' CFSP troika and 'bi-cephalic troika' (the troika plus the Commission). The Treaty of Amsterdam in creating the new High Representative for CFSP and reformulating the troika has created a more robust set of representational arrangements. The appointment of the High Representative in October 1999 created a new overt instrument for the CFSP which is, arguably, the most significant development within the CFSP since 1993. The manner in which this position has been defined, by the first post-holder Javier Solana, has shaped this instrument into a key dimension of the implementation of the CFSP. However, the small budget at Solana's disposal and his staff of twenty-six means that he is a 'stand-alone' actor requiring the assistance of the European Commission to execute policy. The Commission, in the form of Chris Pattern, also performs a similar overt role with being the most public face of international activity by the Commission boosted by the reorganisation of the European Commission's RELEX services.

Since 1996 the role of the EU Special Representative has become a regular feature in the CFSP toolkit (with Special Representatives having served or are serving for Yugoslavia, Middle East, Great Lakes, Kosovo, the Royaumont process, for the Stability Pact, Afghanistan, FYROM) and the role was codified in the Treaty of Amsterdam (TEU 18.5)

The Joint Actions of the CFSP have been the means through which there has been the creation of a number of new overt instruments used by the Union including the convoying of aid in Bosnia-Herzegovina and the sending of observers to the Russian and South African elections, the EU administration of Mostar and the European Union Monitoring Mission (EUMM).

The logical development of these disparate instruments was a feature of the Helsinki Conclusions, taken further at Feira and Göteborg, with the commitment to develop the civilian aspects of crisis management.[lxiv] The headline goal set for a non-military Rapid Reaction Facility (a proposal of the European Commission) focused as it is upon re-establishing the civilian structures necessary to ensure political, social and economic stability and to give a civilian capacity to the rapid reaction military force (by mobilising non-military personnel: police, customs officials, judges etc) and with its own

Headline Goals (to have up to 5,000 police officers available by 2003 and to be able to deploy 1,000 within 30 days) represents a remarkable civilian power instrument.[lxv] Operationally the EU's take-over of the International Police Task Force (IPTF) in Bosnia on 1 January 1, 2003 will be the first crisis management operation through this mechanism initiated under the CESDP.

The key test for Hill of actor capability for the EU was the ability to have recourse to military force. Under the typology advanced here this represents an overt instrument of implementation. The central significance of military power for challenging the civilian power thesis requires the brief consideration of the EU's advances in this area since 1993.

Civilian Power redux?

The creation of the CESDP has, unsurprisingly, led to the conclusion that this spells the end of civilian power Europe.[lxvi] A contra view is that a militarisation of the EU may facilitate the EU acting '…as a real civilian power in the world, that is to say as a force for the external promotion of democratic principles.'[lxvii] It is, perhaps, too early to assess the success of the CESDP and, therefore, use this as grounds upon which to dispel the idea of civilian power Europe. However, Maull's re-analysis of civilian power Germany after participation in the war in Kosovo in 1999 is of some utility here in illustrating that recourse to military means does not invalidate the notion of civilian power Europe *per se*.[lxviii]

A less sanguine view on possible EU military power and is that there is continuing relative military weakness of Europe vis-a-vis the United States but that should not be conflated with a lack of EU international power:

'European's already wield effective power over peace and war as great as that of the United States, but they do so quietly, through "civilian power". That does not lie in the deployment of battalions or bombers, but rather in the quiet promotion of democracy and development through trade, foreign aid and peacekeeping.'.[lxix]

The argument that the EU enjoys a competitive advance in international relations, as opposed to other actors, is more in conformity with Hill's position on a distinctive international role(s) for the EU. However, suggesting that the weakness of the EU's military capability validates the notion of civilian power Europe is an incomplete argument. As the structural power argument above illustrates very clearly, there are a number of elements that are neglected by a focus solely on instruments - and the conception of civilian power has never sorely been considered in terms of instruments. Therefore developing and strengthening the military instrument is not sufficient to validate or invalidate the notion of civilian power Europe. First, there has to be a focus upon the *environment* - the international structures, processes and actors within which the EC/EU is embedded and through which it operates. Second, the EU as *identity*. Third, understanding EC/EU policy is a matter of establishing the *process* through which that policy is decided and thereby requires the identification of sources of influence on

policy-making and the actors involved in that process. Additionally any account also has to accommodate an on-going integration process as the development of instruments for the implementation of the Union's foreign policy has come through treaty amendments both through the TEU and then the ToA

The CESDP: Taking Europe beyond a civilian power?

The Treaty on European Union, and the creation of the CFSP, was read as signalling the intent of the Member States of the Union to move beyond a civilian-power Europe and to develop a defence dimension to the Union's international identity.[lxx] As noted above, the development of the CESDP has been used to suggest that civilian power Europe is dead. However, it is also possible to read, or re-read, the development of the CESDP to illustrate how the policy area has been developed in a manner which is compatible with the notion of civilian power. The TEU, in establishing the CFSP, widened the extent of the Member States efforts at foreign policy harmonisation to 'include all questions related to the security of the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence', and designated the WEU to 'elaborate and implement decisions and actions of the Union which have defence implications' (then TEU, Articles J.4.1 & J.4.2.).

The story of the relationship between the EU and the WEU from 1991 onwards was one in which there were initially raised expectations, and re-raised expectations (with the endorsement in 1994 of the principle that NATO assets and capabilities could be made available for WEU operations, and in particular through the concept of Combined Joint Task Forces). There were the creation of set of institutions (such as the Director of Military Staff and the attendant the Planning Cell and the WEU Situation Centre; the WEU Military Committee; the enhancement of the WEU Satellite Centre at Torrejon) and the development of an inventory of Forces Answerable to WEU. The achievement of the EU-WEU relationship were, however, modest. The use of the WEU under (the then) article J.4.2 might be said to represent a departure from civilian forms of action but the occasions on which it was utilised (first in June 1996 to ask it to make preparations to undertake evacuation operations of nationals of Member States when their safety is threatened in third countries; then in May 1997 to prepare a military response to the crisis in the Great Lakes region in May 1997; in the latter part of 1998 three activities: monitor the situation in Kosovo, undertake action in the assistance for mine clearing and study the feasibility of international police operations to assist the government in Albania) were modest and 'civilian'. Even when the WEU operated alongside, although not under the control of the EU, in the former Yugoslavia in Mostar (providing a WEU police force) and in Albania in the provision of a Multinational Advisory Police Element (MAPE) the role could be characterised as civilian power Europe.

The Treaty of Amsterdam provisions dealing with defence could be read as strengthening of the idea that the EU's military security was only to be to put a tiger in the CFSP gas tank. The shift from a commitment to the eventual framing of a common defence policy to a 'progressive' framing 'should the European Council so decide' (TEU Article 17.1) and the 'fostering of closer institutional relations

with the WEU with a view to the possibility of the integration of the WEU into the Union' are now interesting historical footnotes post-St. Malo.

A substantive development was the acceptance on the part of the post-neutral states (Finland, Sweden, Ireland, and Austria) on the inclusion of the humanitarian and peacekeeping elements of the Petersberg tasks of the WEU into the ToA (Article 17.2) with the entitlement of non-WEU Members to participate fully in the tasks (Article 17.3). This inclusion has been crucial in delineating the extent of the EU's military aspirations and locking the EU into a civilian power military posture.

The formal launch of the CESDP at the European Council held in Helsinki in December 1999 was not driven by the provisions of the ToA. Rather, more significant factors were the conflicts in South Eastern Europe and especially events in Kosovo in 1998-1999, a reassessment by the government of the United Kingdom (one of the significant military powers among the EU Member States) of its previously hostile attitude towards a deepening of policy in this area. The EU's objectives in the defence domain do, however, remain limited. The current intention to create a Rapid Reaction Force (RRF) to undertake crisis prevention and crisis management missions has been re-stated rather than expanded upon. These are understood as including peace-keeping tasks, humanitarian and rescue tasks and tasks for combat forces in crisis management (to include peacemaking).

The European Council meeting in Helsinki in December 1999 in formally launching the CESDP envisaged at Cologne and setting the "headline goal" for a military force that could be deployed rapidly that would be capable of carrying out the full range of Petersberg tasks delineated the extent of the EU's military aspirations.[lxxi] This force would be made up of 60,000 troops which would be ready for operations in 2003 and would be capable of staying in the field for at least one year. This will mean that the Member States would need to provide 200,000 military personnel because of the need to rotate troops on active service. This military force would consist of readily deployable military capabilities and the necessary collective capabilities in the fields of command and control, intelligence and strategic transport would need to be developed rapidly, to be achieved through voluntary coordinated national and multinational efforts. It was recognized that this determination to carry out Petersberg tasks would require the Member States to improve national and multinational military capabilities.

Helsinki also, in setting out that "modalities will be developed for full consultation, cooperation and transparency between the EU and NATO, taking into account the needs of all EU Member States", maintained the on-going position in the EU military security posture that competitive advantage rather than competition was to dictate the evolution of an EU military security identity. The *ad hoc* NATO-EU working groups structure established at the Santa Maria da Feira European Council in June 2000 was to facilitate the development of an EU-NATO interface and to develop a sustainable EU-NATO relationship.[lxxii]

Getting the relationship between the EU and NATO correct as a key and on-going concern for the US and was expressed in a succinct manner by the then US Secretary of State Madeline Albright in an article in the *Financial Times* on 7 December 1998. Albright's concerns about "decoupling" the transatlantic link, "duplicating" defence resources and "discrimination" against non-EU European NATO members (Turkey, Iceland, Norway) have resonated in trans-Atlantic discussions on the CESDP. Helsinki set out to address 'discrimination' by making clear there was the aspiration to create principles for cooperation with non-EU European NATO members and other European partners in EU-led military crisis management operations (but without prejudging to the Union's ability to take autonomous decisions). This was taken further at the Feira European Council in June 2000 with the commitment to create a "single institutional framework" with distinctive consultative arrangements for non-EU European NATO members (EU+6) and candidates for EU accession (EU+15). This did not adequately address Albright's 'discrimination' concern for Turkey whose government reacted by publicly stating that on the basis of these proposals it could not accept automatic EU access to NATO assets and capabilities and remains hostile to the CESDP. This dispute is still on-going with an agreement now cast with Turkey, but not yet accepted by Greece, and has stymied the EU's preparations to replace the NATO-led 'Amber Fox' military operation in FYROM. The Barcelona European Council in March 2002 declared the EU's readiness, in principle, to take over the present NATO-led military mission in Macedonia when the NATO mandate to protect peace-keeping observers there runs out in October.[lxxiii]

Although Helsinki created a route map for the EU to follow to realise its CESDP objectives. Helsinki also left the WEU as an organisation without a major role. The WEU Council meeting in Marseilles on 13 November 2000 the adopted a transition plan to transform itself into a residual organisation. The WEU continues to exist (essentially to oversee the Article V guarantee of the Modified Brussels Treaty).[lxxiv] Despite the fact that the WEU Member States long ago decided to leave Article V guarantees to NATO, and that such a guarantee has not been tested to date, it is unlikely that Article V will be ignored in future reform discussions. For a number of EU Member States (most importantly France) Article V is politically important and a commitment to collective defence is deemed too important to drop. Collective defence, therefore, remains but at arms length from the EU. The adoption of a collective defence commitment would call into question civilian power Europe.

From December 1999 onwards considerable work has gone into finding the mechanisms to realise the operational objectives set at Helsinki. The Feira European Council rubber-stamped agreements forged by EU Foreign and Defence Ministers in March to hold a Capabilities Commitment Conference that took place at the end of November 2000. A catalogue drawn up by the (then) Interim Military Body on the ground, air and naval components needed for the Helsinki Headline Goal contained four basic scenarios for Petersberg missions and the necessary land, air and maritime forces. Member States were asked to specify the unit, number and size, detail, and duration of forces that they could be counted on to supply. At the Capabilities Commitment the Member States officially announced their commitments

which were judged to be sufficient for the Headline Goal. The subsequent European Capabilitiy Action Plan launched in November 2001 is working to remedy the deficiencies identified in EU capabilities.

At the European Council meetings in Nice and Göteborg the decision was made to make the CESDP operational no later than the Laeken Council meeting in December 2001. The language of the European Council conclusions at Laeken trumpeting the initial operating capacity of the CESDP ('the EU is now able to conduct some crisis management operations') reinterates the commitment to Petersberg tasks and the promise 'to take progressively more demanding operations as the assets and capabilities at its disposal continue to develop'.

The CESDP: The death of civilian power Europe?

The CESDP is at the start of its life as a new policy domain for the EU. Further development in this policy area is to be expected in the future. The crucial question is whether the Member States will be able to realise the objectives that they have set for themselves. The obstacles to be faced should not be underestimated as questions of national sovereignty remain acute in the defence domain. The CESDP remains firmly intergovernmental and no move to a supranationalisation of the process will occur in the foreseeable future.

The EU needs to achieve success in four aspects if it is to realise is aspirations for the CESDP and to have this force fully operational by the 2003 deadline: developing the military capabilities; ensuring that EU decision-making mechanisms facilitate the use of the force; developing the relationship between the EU and NATO to facilitate the use of force by the EU; and creating structures that attract the participation of non-EU NATO European Member States. This is a considerable agenda. Furthermore, focusing on institutional arrangements sidesteps the question as to what the CESDP might actually become in the future. To date the CESDP has been developed in terms that are intended to make it intertwined with NATO and not to undermine the Atlantic Alliance. Therefore, of crucial significance for the future development of the CESDP is the relationship that is developed with the Bush Administration post-September 11 and whether the CESDP conflicts, or can be accommodated with a new emergent U.S. national security policy.

Conclusion

This paper concludes that civilian power Europe still has empirical and theoretical purchase when the EU is considered in the context of the contemporary international relations of Europe. It demonstrates the need to develop a clear conception of the international capabilities of the EU if appropriate forms of understanding of the international role of the EU are to be developed.

A key strand of the varieties of civilian power that have been articulated is the structural context of international relations constraining, or facilitating, this role. A key question to be posed is whether 9:11

will result in a transformation that will change the terrain upon which the EU operates? This is a question which is of both empirical and theoretical interest if the concept is to retain purchase.

The focus upon a typology of instruments used by the EU to assert its identity on the international scene outlined above is both cursory and sketchy. However, it is intended for consideration as means through which to consider, in a more systematic manner, the contemporary international role of the EU. However, as suggested above, focusing solely upon the instruments through which the EU conducts its international relations provides a limited insight into the full international role and significance of the EU. The environment within which these instruments are deployed, and the EU's position in that environment, and the process of formulating policy is of crucial significance and needs to be considered alongside instruments.

As suggested in the paper the strongest instrument in the EU's arsenal for international influence is enlargement. The various strands of the accession process straddle the categories of instruments detailed above as the enlargement process has its informational, procedural, transference, and overt dimensions. The typology of instruments outlined above illustrates a means through which the EU's relationship with third party states or groups of states might be compared and the EU's capabilities assessed – accession partners being at the 'stronger' end of any continuum of relationships. Enlargement, therefore, is an *über* instrument.

The focus of this paper has been to give analytical primacy to the EC/EU and not to its Member States. The intention is not to posit a theory to explain or predict the formulation of the international identity of the European Union. Rather the intention is to refine and to make explicit the assumptions that can inform later empirical work.

This paper has argued that a clear conception of the capabilities of the EU are needed if appropriate forms of understanding of the international role of the EU are to be developed. In particular it has been argued that a greater understanding of the instruments of implementation through which the EU gives effect to policies are necessary. The typology of instruments that has been offered represents a development of ideas advanced by Christopher Hill through the expectations capabilities thesis. Furthermore the characteristics of the instruments that the EU has utilised since the CEG thesis was advanced demonstrates that the EU has privileged civilian over other forms of power. The manner in which the CESDP has evolved to date does not conflict with the notion that the EU has departed from civilian power Europe. Indeed, the Petersberg orientation of the policy area is in conformity with civilian power norms.

The recourse to civilian forms of power by the EU has remained despite the changed environment of international relations in Europe with the demise of the cold war overlay and the conflicts in the former Yugoslavia. The re-Europeanisation of security in Europe has been accompanied by the EU advancing the project of a military security identity since the Treaty on European Union through the CESDP.

Civilian forms of power have been retained, and strengthened, in Europe and remain the hallmark of the European international identity beyond the continent. EU military power is developing, as suggested by Hanns Maull in defining the characteristics of a civilian power, as a 'residual instrument serving essentially to safeguard other means of international interaction.'[lxxv]

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W. Carlsnaes & S. Smith (eds.), *European Foreign Policy: The EC and Changing Perspectives* (London, Sage, 1994).
[ii] For the superpower view see:
J. Galtung, *The European Community: A Superpower in the Making* (London, George Allen & Unwin, 1973).
For the civilian power view see:
F. Duchêne, 'Europe's role in World Peace' in:
R. Mayne (ed.), *Europe Tomorrow Sixteen European's Look Ahead* (Fontana, London, 1972).
F. Duchêne, 'The European Community and the Uncertainties of Interdependence' in:
M. Kohnstamm & W. Hager, *A Nation Writ Large? Foreign-Policy Problems before the European Community* (London, Macmillan, 1973).pp.19-20.
[iii] See for example:
P. Tsakaloyannis, 'The EC: from civilian power to military integration' in:
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F. Laursen, 'The EC in the World Context: Civilian power or superpower?' *Futures* (September 1991) pp.747-759.
J. Lodge, 'From civilian power to speaking with a common voice: the transition to a CFSP' in:
J. Lodge (ed.), *The European Community and the Challenge of the Future* 2nd Ed. (Pinter, London, 1993).
[iv] F. Duchêne, 'Europe's role in World Peace' in:
R. Mayne (ed.), *Europe Tomorrow Sixteen European's Look Ahead* (Fontana, London, 1972).
[v] F. Duchêne, 'The European Community and the Uncertainties of Interdependence' in:
M. Kohnstamm & W. Hager, *A Nation Writ Large? Foreign-Policy Problems before the European Community* (London, Macmillan, 1973).pp.19-20.
[vi] S. Stavridis, '"Militarising" the EU: the Concept of Civilian Power Europe revisited' *The International Spectator* XXXVI, 4 (October-December 2001). p.44.
[vii] H. Bull, 'Civilian Power Europe: A Contradiction in Terms?' *Journal of Common Market Studies* 21, 1 (September 1982). P.151.
[viii] Bull, *op.cit.*, p.163.
[ix] R. Prodi, '2000-2005 Shaping the New Europe'. Speech to the European Parliament, Strasbourg, 15 February 2000, Speech/00/41.
[x] J. Galtung, *The European Community: A Superpower in the Making* (London, George Allen & Unwin, 1973).
[xi] C. Hill, 'The Capability-Expectations Gap, or Conceptualising Europe's International Role' *Journal of Common Market Studies* 31, 3 (September 1993). pp.305-328.
C. Hill, 'Closing the capabilities-expectations gap?' in: J. Peterson and H. Sjursen (eds.) *A Common Foreign Policy for Europe? Competing visions of the CFSP* (Routledge, London, 1998).
[xii] At the time of Hill writing his original article the Treaty on European Union was not yet ratified.
[xiii] Hill, *op.cit* (1993)., p.306
[xiv] M. Smith, 'The European Union, foreign economic policy and the changing world arena' *Journal of European Public Policy* 1:2 Autumn 1994. pp.282-302. p.300.
[xv] For case study examination see:
'Bridging the Capability-Expectations Gap: A Case Study of the CFSP Joint Action on South Africa' *Journal of Common Market Studies* 33, 4 (December 1995). Pp. 555-572. Another application of the CEG thesis to the same case by the same author is to be found as 'The Joint Action on South Africa: a Successful Experiment?' in: M. Holland (ed.) *Common Foreign and Security Policy: The Record and Reforms* (Pinter, London, 1997).
The volume inspired by Hill's thesis is:
J. Peterson and H. Sjursen (eds.) *A Common Foreign Policy for Europe? Competing visions of the CFSP* (Routledge, London, 1998).
[xvi] Hill, *op.cit.*, p.306.
[xvii] C. Hill, 'Closing the capabilities-expectations gap?' in: Peterson and Sjursen, *op.cit.*
[xviii] Hill, *op.cit.*, (1993). p.322.
[xix] Hill, *op.cit.*, (1993). pp.310-312.
[xx] Hill *op.cit.*, (1993) pp.312-315.
[xxi] Peterson and Sjursen, *op.cit*, p.23 & pp.29-30.
[xxii] B. White, *Understanding Europe's Foreign Policy* (Houndsmills, Palgrave, 2001).

[xxiii] I.J. Manners, R.G. Whitman, 'Towards Identifying the International Identity of the European Union: A Framework of Analysis of the EU's Network of Relationships' *Journal of European Integration*, 21, 2, (1998). pp.231-249.

R.G. Whitman, From Civilian Power to Superpower? The International Identity of the EU (London, Macmillan, 1998). Chapter 5 & 6.

[xxiv] Without engaging in a direct debate on epistemology and ontology the focus Hill has characterised the European Union as a unit of analysis and seeking to further comprehend the nature, or potential nature, of EU actorness by focusing upon capabilities. In metatheoretical terms the approach is agency-objectivistic based upon Jorgensen's meta-theoretical matrix of ontology and epistemology approaches to theorising the international role of the EU. See K. E. Jorgensen, 'EC External Relations as a Theoretical Challenge'; Theories, Concepts, Trends' in: F.R. Pfetsch, *International Relations and Pan-Europe: Theoretical Approaches and Empirical Findings* (Hamburg, Lit, 1992).

Jorgensen has also assigned theories as to whether they are agency-interpretive, agency-objectivistic, structural-interpretive or structural-objectivistic, perspectives.

The most developed abstract approach agency-objectivistic model of actor capability has been offered by Gunnar Sjöstedt who is cited by Hill (alongside the work of Taylor). Sjöstedt adopted a distinctive tack upon the question of how to give consideration as to whether the EC is an international actor. Instead of attempting to align the then EC with an existing international actor categories, Sjöstedt constructed a criteria of actor capability as a means of assessing whether or not the EC can be assessed as possessing actor capability. The properties that are identified as necessary for actor capability are seven-fold: a community of interests; a decision-making system; a system for crisis management; a system for the management of independence; a system of implementation; external communication channels and external representation; and, community resources and mobilisation system. One possible objection to the use of this framework is that it posits the pre-requisites for actor capability without addressing the significant sources of influence that assist in giving an account of why the actor conforms to particular behaviour. In short it ignores the environment within which the actor operates and through which it seeks to implement its policies.

Gunnar Sjöstedt, *The External Role of the European Community* (Farnborough, Saxon House, 1977).

P. Taylor, 'The European Communities as an Actor in International Society' *Journal of European Integration* VI, 1 (Fall 1982). Pp.7-41.

[xxv] J.S. Nye Jr, 'Soft Power', *Foreign Policy* 80, (Fall 1990).

[xxvi] H.W. Maull, 'Germany and Japan: The New Civilian Powers' *Foreign Affairs* 69, 5. pp.91-106.

[xxvii] T. Diez and R. Whitman, 'Analysing European Integration: Reflecting on the English School' – Scenarios for an Encounter' *Journal of Common Market Studies* 40, 1 (March 2002). Pp.43-67.

The distinction between the concepts of international system and international society is central to the English School account of international relations. Bull, for instance, defines them as follows:

'A *system of states* (or international system) is formed when two or more states have sufficient contact between them, and have sufficient impact on one another's decisions, to cause them to behave - or at least in some measure - as parts of a whole.' (H. Bull, The Anarchical Society, 1977, p.10-11)

'A *society of states* (or international society) exists when a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions.' (Bull, *op.cit*, p.13)

[xxviii] H. Bull and A. Watson (eds.) (1984) *The Expansion of International Society* (Oxford: Clarendon).

[xxix] R. Whitman, 'The Common Foreign and Security Policy: Past Practice and Future Prospects' *Current Economics and Politics of Europe* 8, 1, (1998). pp. 35-57.

[xxx] For a different take on these ideas see:

Friis, Lykke, and Murphy, Anna (1999) 'The European Union and Central and Eastern Europe: Governance and Boundaries', *Journal of Common Market Studies* 37, 3, pp. 429-454.

Smith, Michael (1996) 'The European Union and a Changing Europe: Establishing the Boundaries of Order' , *Journal of Common Market Studies* 43, 1, pp.5-28.

[xxxi] Christiansen, Thomas, Fabio Petito and Ben Tonra (2000) 'Fuzzy Politics Around Fuzzy Borders: The European Union's 'Near Abroad'', *Cooperation and Conflict* 35, 4, pp. 389-415.

[xxxii] Manners, Ian J & Whitman, Richard G. (1998) 'Towards Identifying the International Identity of the European Union: A Framework of Analysis of the EU's Network of Relationships' *Journal of European Integration*, 21, 2, pp.231-249.

[xxxiii] Diez, Thomas (2000) 'The Imposition of Governance, and the Transformation of Foreign Policy through EU Enlargement', paper presented at the workshop 'Governance by Enlargement', Darmstadt, Germany, 23-25 June.

[xxxiv] See: W. Carlsnaes & S. Smith (eds.), *European Foreign Policy: The EC and Changing Perspectives* (London, Sage, 1994).

[xxxv] B. Laffan, 'The Politics of Identity and Political Order in Europe' *Journal of Common Market Studies* 34, 1 (March 1996). pp.81-102.

[xxxvi] D. Allen & M. Smith, 'Western Europe's presence in the contemporary international arena' *Review of International Affairs* (1990), 16, pp.19-37.

[xxxvii] D. Allen & M. Smith, 'The European Union's Security Presence: Barrier, Facilitator, or Manager' in: C. Rhodes, (ed.) *The European Union in the World Community* (Lynne Rienner, London, 1998).

[xxxviii] I. Manners, 'Normative Power Europe: A Contradiction in Terms' *Journal of Common Market Studies* 40, 2 (June 2002). pp.235-258.

[xxxix] I. Macleod, I.D. Hendry, and Stephen Hyett, *The External Relations of the European Communities: A Manual of Law and Practice* (Oxford, Clarendon Press, 1996).

[xl] See for example:

M. Holland (ed.) *Common Foreign and Security Policy: The Record and Reforms* (London, Pinter, 1997).

M. Holland, *European Union Common Foreign and Security Policy: From EPC to CFSP Joint Action and South Africa* (London, Macmillan, 1995).

[xli] C. Hill (ed.), *The Actors in Europe's Foreign Policy* (London, Routledge, 1996).

[xlii] S. Stavridis & C. Hill (eds.), *Domestic Sources of Foreign Policy: Western European Reactions to the Falklands Conflict* (Oxford, Berg, 1996).

[xliii] See for example:

H. Smith, *European Union Foreign Policy and Central America* (Macmillan, London, 1995). Chapter Two.

For Michael Smith the real foreign policy action is taking place in pillar one. See:

M. Smith, 'Does the flag follow trade? 'Politicisation' and the emergence of a European foreign policy' in Peterson and Sjursen, *op.cit*

[xliv] For an attempt to overcome this neglect see:

R. H. Ginsberg, *Foreign Policy Actions of the European Community: The Politics of Scale* (Lynne Rienner, Boulder, Colorado, 1989).

Also the author's own work: Whitman, *op.cit*.

[xlv] J. Redmond, (ed.), *The External Relations of the European Community: The International Response to 1992* (London, Macmillan, 1992).

[xlvi] P. Schmitter, 'Three Neo-Functional Hypotheses about International Integration' *International Organization* 23, pp.161-166.

[xlvii] See the multilayered analysis adopted by the following:

B. Hocking and M. Smith, *Beyond Foreign Economic Policy: The United States, the Single European Market and the Changing World Economy* (London, Pinter, 1997).

[xlviii] M. Smith, 'The EU as an international actor' in:

J. Richardson, *European Union: Power and Policy-making* (London, Routledge 1996).

[xlix] I. Manners and R G.. Whitman (eds.), *The Foreign Policies of European Union Member States* (London, Manchester University Press, 2000).

[l] Peterson and Sjursen, *op.cit*, p.28.

[li] D. Allen, ''Who speaks for Europe?' The search for an effective and coherent external policy' in: Peterson and Sjursen, *op.cit*,

[lii] Smith in Peterson and Sjursen, *op.cit*,

[liii] Manners & Whitman, *op.cit,* Chapter 13.

[liv] R.G. Whitman, *From Civilian Power to Superpower? The International Identity of the EU* (London, Macmillan, 1998). Chapter 5 & 6.

[lv] R.G. Whitman, 'Creating a Foreign Policy for Europe? Implementing the Common Foreign and Security Policy from Massstricht to Amsterdam' *Australian Journal of International Affairs* 52, 2 (1998). pp.165-183.

[lvi] These forms of the international identity have been drawn, with modification, from:

M. Clarke, 'The Foreign Policy System: A Framework for Analysis' in:

M. Clarke & B. White (eds.), *Understanding Foreign Policy: The Foreign Policy Systems Approach* (Aldershot, Edward Elgar, 1989).

[lvii] E. Regelsberger, 'The dialogue of the EC/Twelve with other regional groups: a new European identity in the international system?' Chapter 1 in:

G. Edwards & E. Regelsberger (eds.), *Europe's Global Links: The European Community and Inter-Regional Cooperation* (London, Pinter, 1990).

E. Regelsberger, 'The Dialogue of the EC/Twelve with Other Groups of States' *The International Spectator* XXIII, 4 (October-December 1988).

[lviii] Regelsberger, *op.cit*., Table 1.1 p.6.

[lix] As indicative of this see the Europe Agreement signed by the Czech Republic, and the provisions contained in: Title I 'Political Dialogue: Proposal for a Council and Commission Decision concerning the conclusion of a Europe Agreement between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part', COM (93) 386 final, Brussels, 28 July 1993.

[lx] 'Guidelines for the Implementation of the 7 March General Affairs Council Conclusions on Enhanced Political Dialogue with the Associated Central and Eastern European Countries', Doc. 10344/94.

[lxi] For a discussion of the complexities of funding the administrative and operational expenditure of the CFSP see:

J. Monar, 'The Finances of the Union's Intergovernmental Pillars: Tortuous Experiments with the Community Budget' *Journal of Common Market Studies* 35, 1 (March 1997). pp.57-78.

[lxii] As illustrative of the detail of this undertaking see

Council of the European Union, Brussels, 18 April 2002, 7330/02 pesc 100 fin 108 pe 28 and the European Parliament documents C4-0216/98 and C4-0213/99

[lxiii] The enactment or termination requires a Regulation to be passed that takes effect, without the need for measures at the level of the Member States, either once the Regulation is published in the 'L' (Legislation) series of t*he Official Journal of the European Communities* or on the date contained in the Regulation.

[lxiv] Presidency Conclusions, Santa Maria da Feira European Council, 19 and 20 June 2000. SN 200/1/00. EN
Presidency Conclusions, Göteborg European Council, 15 and 16 June 2001. SN 200/1/01 REV 1. EN
[lxv] Presidency Conclusions, Helsinki European Council, 10 and 11 December 1999.   SN 0300/1/99. EN
[lxvi] K.E. Smith, 'The End of Civilian Power EU: A Welcome Demise or Cause for Concern?' *International Spectator* XXXV, 2 (April-June 2002). pp.11-28.
[lxvii] S. Stavridis, '"Militarising" the EU: the Concept of Civilian Power Europe revisited' *The International Spectator* XXXVI, 4 (October-December 2001). pp.43-50.
[lxviii] H. Maull, 'Germany and the Use of Force: Still a 'Civilian Power?' *Survival* 42, 2 (Summer 2000). pp.56-80.
[lxix] Andrew Moravcsik, 'The Quiet Superpower' *Newsweek* June 17, 2002. p.27.
[lxx] J. Lodge, 'From Civilian Power to speaking with a common voice: the transition to a CFSP' in: J. Lodge (eds.), *The European Community and the Challenge of the Future* Second Edition (London, Pinter, 1993).
[lxxi] Presidency Conclusions, Helsinki European Council, 10 and 11 December 1999.   SN 0300/1/99. EN
[lxxii] Presidency Conclusions, Santa Maria da Feira European Council, 19 and 20 June 2000. SN 200/1/00. EN
[lxxiii] Presidency Conclusions, Barcelona European Council, 15 and 16 March 2002.
SN 100/1/02/ REV 1. EN
[lxxiv] This is with a much reduced Secretariat, the WEU Assembly and the WEAG. The WEU Institute for Security Studies and the Satellite Centre in Torrejon have been integrated into the EU.
[lxxv] H.W. Maull, 'Germany and Japan: The New Civilian Powers' *Foreign Affairs* 69, 5. p.92.