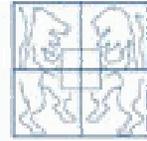




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***Why Am I? That is the question.  
Norm contestation, reinforcement and coexistence and  
the creation of CFSP***

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Norm contestation, reinforcement and coexistence and the creation of CFSP*

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*“This is a one-off opportunity for reform: to set Europe on a clear course for the future of Europe that as I have said before can be a superpower, if not a superstate.” Tony Blair (2002)*

The West European states have created a new security institution - the European Union's (EU) Common Foreign and Security Policy (CFSP)<sup>1</sup> - with the end of the Cold War despite the North Atlantic Treaty Organization's (NATO) existence and successful performance. They thereby decided to create an additional formal international institution to the one they are members of already – even though the membership, tasks and functions overlap significantly and despite the likelihood that the costs of creating a new institution are higher than adapting an already existing one (Wallander, 1999: 27 and 2000: 706). This is especially surprising since in the past the European effort to create an active defense and security institution, the West European Union (WEU), was unsuccessful (Cornish, 1996; Gordon, 1997; Schake/Bloch-Laine/Grant, 1999). Furthermore, when states invest in two very similar institutions where the membership overlap is not complete,<sup>2</sup> there is the possibility that the institutions will develop not in parallel – maybe even not complementary.

This empirical puzzle is not readily explained by the traditional IR theories as the latter have focused on single international institutions and their relation to their member-states in isolation instead of looking at the interaction of member-states and several international institutions. Apparently, material as well as institutionalist approaches are based on the assumption that there is a well-functioning division of labor and/or hierarchy of relevance between the organizations in question, which are formally set up by their members.<sup>3</sup> However, the tensions that have emerged between CFSP and NATO are telling another story.<sup>4</sup>

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<sup>1</sup> This paper focuses mainly on the security dimension of this institution - that is, the S dimension of CFSP that became formally institutionalized in the ESDP.

<sup>2</sup> Since the Treaty of the European Union (TEU - also known as Maastricht Treaty) in 1992, 11 EU members are members of these two organizations. Out of 12 member states at the time. With the enlargement in 1994, three more neutral countries next to the already neutral Ireland entered the EU. Prior to the latest enlargements 11 states were members of both EU [out of 15] and NATO [out of 19], today 19 states are member of the EU [25] and NATO [26].

<sup>3</sup> The Breton Woods institutions have been created all at once, preventing a functional overlap in the initial stage. However, these institutions evolved over time and there is not such a clear distinction anymore between say, the IMF and the World Bank. While the UN is responsible in maintaining peace and security worldwide, it can give

The question this paper addresses is the following: How do two institutions with very similar tasks and functions interact with each other? As both institutions were not created simultaneously the question translates to: Why was CFSP/ESDP established even though NATO already dealt with the issues that fall under CFSP/ESDP's mandate? Even though a European foreign and security institution had existed *de jure* since 1991 in the form of the EU's CFSP, *de facto* its security branch only came into existence in 1999. This suggests that one cannot stop at the point of formal establishment to answer the question. Instead, it is important for the question to also look at the form these institutions take. The question implies an examination of the transatlantic relationship, especially an inquiry into whether Europe is distancing itself from the US, if it will challenge the US's prestige and even power or if nothing fundamentally changed since the new institutional constellation.

I argue that institution-building in the context of institutional coexistence and interdependence, that is, the process of institutionalizing European security policy, is captured by the interaction pattern of two variables: the ideologies of domestic parties in power and/or "old" institutionalized international norms within European states. The interactive mode between prescriptions and proscriptions inherent in party ideologies and international norms or between international norms can either be characterized as reinforcing each other, coexisting or contesting each other. Based on these interaction patterns, international institutional procedures as well as the national interest in institutions changes and one can observe a different institutionalization of the norms of multilateralism, use of force and collective security. Therefore, these patterns account for a period of institutional inertia and institutional dynamic by both NATO and CFSP/ESDP, which mark different stages in institution-building and parallel existence. As a result the substantive norm of collective security and the procedural norm of multilateralism are differently operationalized which will have repercussions on the transatlantic security relationship in the future.

This paper challenges neoliberalism because CFSP was neither created with a clear mandate (read: purpose) nor was there a need to facilitate cooperation between those states who were already well organized in NATO. It challenges realism as CFSP has not been created based on relative power considerations according to which the European states wanted

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mandates to regional organizations to fulfill this task. However, regional organizations occasionally take up the task without a UN mandate; see NATO's Kosovo intervention.

<sup>4</sup> The fact that there is so much talk about competition despite the big membership overlap is interesting in itself.

to balance against a clearly defined threat or power nor are they out to maximize their power in relation to the world's hegemon, the US. It reveals limits of current constructivist approaches in showing that it is necessary to specify the relationship between social structures further.

To elaborate on different arguments, this paper first presents different theoretical outlooks to the puzzle at hand. The empirical part of the paper is divided into three parts to illuminate and observe up close the institutional developments. The stages are not predetermined by any theory but are the breaking points of institutional invention and inertia.

Although the paper deals with the development of the CFSP/ESDP and its relationship to NATO, it focuses on the United Kingdom (UK), Germany, France and, to a certain degree, the US as the primary actors in this process.

### Explanations

Realists see variables such as identity, norms and rules as well as institutions as not consequential to explaining state behavior. Instead, states are motivated to act upon power calculations. While traditional realist such as Waltz (1979) or Walt (1987) argue that alliances and institutions falter absent of the threat against which they were created, Schweller (2001) argues that the most powerful member of an international institution is the most decisive power in explaining how the institution develops. The military power of the US coupled with domestic incentives that give preference to US autonomy and selective engagement in global and especially European politics are signs of the US's status as the regional and global hegemon. "Leaders have few if any domestic incentives to abandon policies of autonomy and unilateralism in favor of multilateralism and self-restraint. The incentive structure of elites, even foreign policy ones, is primarily a function of domestic, not international, politics." (Schweller, 2001: 174) According to Schweller, unilateralist policies have short-term political pay-offs and are more important to decision-makers than potential long term costs, which are too far off to be of political consequence (and are uncertain in any case). For this power, multilateral institutions are not binding, instead the "United States consistently violated the spirit of multilateral cooperation within its own alliance system" (Schweller, 2001: 178) and used NATO for "an air of multilateral legitimacy" (Schweller, 2001: 179). NATO is used by the US to reinforce US primacy. Regarding this line of reasoning, the Bush and Clinton

administrations “strongly supported the continued existence of NATO as a way to prevent the formation of an independent European force that could potentially challenge U.S. global supremacy” (Schweller, 2001: 181). According to this understanding, the US should strongly discourage the creation of CFSP/ESDP or at least make sure that such an institution is not autonomous from NATO at any point. The Europeans, on the other hand, should have the intention to balance/challenge the US by creating an independent institution.<sup>5</sup> One indicator would be a steady investment in military capabilities to become less dependent on the US. One should expect a coordinated move among the Europeans based on shared power induced incentives.<sup>6</sup>

Neoliberal institutionalists see institutions as consequential to state behavior as they bound states to certain choices. Scholars that reason according to neoliberal institutionalism stress that the main motivations of states behind creating and sustaining institutions is their egoistic interest in efficiency maximization through the reduction of transaction costs whereby the instrumental utility of institutions is a facilitator of coordination and cooperation (Keohane, 1984: 80-83; Wallander, 2000: 708-711). An institution exists because of its material utility based on rational calculations made by the states to reduce or even eliminate the possibility of cheating through the provision of credible information and transparency. Information and transparency are general assets and their provision is a function of the institution. Over time, the institution guides and reinforces cooperation by reducing the transaction cost for each member. The main impact of an institution on its members is regulative as it enables and constrains certain behavioral patterns more than others. With regards to the above-mentioned puzzle, the sunk cost of NATO versus the costs of creating

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<sup>5</sup> Schweller’s analysis suggests that this development has to be understood as a reactive move from the side of the Europeans but he remains vague whether the EU is out to balance or to challenge the US (Schweller, 2001: 183). As this is not crucial to the test at hand, both behaviors are a valid empirical finding to support the theory.

<sup>6</sup> Wohlforth offers another realist explanation of the current international system and the US-EU relationship. According to him, geography and distribution of power are the main variables that explain the stability and durability of the current unipolar system. States are the most important actors in the international system, alliances and institutions are not effective enough in “producing and deploying power internationally” (Wohlforth, 1999: 29). However, if European states translate their “aggregate economic potential into the concrete capabilities necessary to be a pole: a defense industry and power projection capabilities” (Wohlforth, 1999: 30) the structure of international system will change. This is very unlikely as “regional balancing dynamics are likely to kick in against the local great power much more reliably than the global counterbalance works against the United States. [...] This is why many Americans support an EU ‘security identity.’ If all goes well, Europe will become a more useful and outward-looking partner while posing virtually no chance of becoming a geopolitical competitor.” (Wohlforth, 1999: 31) *If all goes well* remains underspecified though. Furthermore, his assessment of Germany as the regional pole is questionable as in regards to power projection capabilities, France and the UK are far better equipped than Germany.

CFSP/ESDP must be weighed against each other.<sup>7</sup> Relative costs and functional effectiveness of transactions, that is, the expected value of existing and potential institutions, is determined through the variable of asset specificity. Asset specificity is understood as the “degree to which an investment is ‘sunk’ in a particular relationship or for a particular purpose” (Wallander, 2000: 707). The more general the assets are, the more likely it is for the institution to adapt to a new environment. As cost calculation in regards to institutional functions dominate the analysis, Wallander predicts “when states will choose to maintain existing institutions as opposed to abandoning them entirely or creating new, more costly ones” (Wallander, 2000: 709). Hence, she pursues an “either-or” approach in regards to international institutional functional overlap.

NATO could adapt, and hence persist, as its assets were general enough to be compatible with the new security environment’s requirements. A neoliberal approach à la Wallander suggests that an additional new institution in the realm of European security has to be created with the intention of a functional division of labor with NATO. Such an approach must demonstrate the usefulness of both institutions; as institutions are efficiency-maximizing devices, their interplay has to work accordingly.

#### Domestic parties in power and institutionalized norms

Conventional constructivism, with its focus on social interactions and ideational factors, offers another lens through which to look at the issue at hand. “Constructivists insist on the primacy of intersubjective structures that give the material world meaning. These structures have different components that help in specifying the interests that motivate action: norms, identity, knowledge, and culture.” (Katzenstein/Keohane/Krasner, 1998: 679) Despite the work of authors such as Finnemore/Sikkink (1998), Risse/Ropp/Sikkink (1999), and Tannenwald (1999) that have shown how norms develop over time, and how they constitute and affect state behavior (e.g. domestic turmoil, domestic public opinion, world opinion are looked at as causal mechanisms), constructivists have to cope with critique from their own

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<sup>7</sup> “Yet if the marginal costs of maintaining an existing institution outweigh the considerable costs of creating an entirely new set of norms, rules and procedures, states will choose to sustain existing arrangements.” (Wallander, 2000: 706) McCalla makes a very similar claim. “NATO members can thus be expected to turn first to existing mechanisms and procedures when confronted with new problems rather than creating new non-NATO institutions. The presumption is that actors will be disinclined to abandon sunk costs (political and economic) of existing institutional arrangements, turning instead to a mechanism (NATO) that already works.” (McCalla, 1996: 464).

ranks. The approach should concentrate on its “own puzzles that concentrate on issues of identity in world politics and the theorization of domestic politics and culture in IR theory” (Hopf, 1998: 172; see also Checkel, 1998). That is, domestic variables have to be included more into the explanations. Multiple social structures and practices exist at any given time and possible interaction patterns of different social practices and structures remain underspecified with regards to behavior. After all, norms do not float freely (Risse, 2000) but need carriers to be of any consequence and project durable expectations of behavior.

One such carrier can be formalized international institutions. They are neither created nor do they exist in a social vacuum but instead are established on, next to and contesting to already existing domestic and international norms and institutions. That is, one can observe variation across members of an institution and across time. While work on the transatlantic security community recognizes domestic differences (Risse, 1996; Risse-Kappen, 1995), the shared normative context (democratic norms in Risse’s case) seems to always trump at the end. While norms can be constitutive of identity<sup>8</sup> and interest, one needs to pay attention to the structures in which norms are redeemed and under what circumstances shared frames of reference and shared conceptions of interest are produced. Some existing norms and institutions facilitate while others interfere with the creation of new institutions. What makes the difference? It is the character of the interplay of two variables: domestic party ideologies and norms institutionalized within European countries and institutions.

Domestic party ideologies are understood as the ideational foundation on behalf of which parties get elected and which informs their political will. The empirical referent in this case is the rhetoric of party officials in power, especially in regards to established or in-the-making international institutions.<sup>9</sup> This understanding of the variable “party ideology” is taken as a proxy for the articulation of actor’s identity that constitutes interest. Here, the main focus will be on political parties in the UK, France, Germany and the US. In some states, all major political parties have adopted a very similar stance to certain issues in international affairs. In other states, parties have very divergent views in regards to issues such as international integration either because they did not have the opportunity to socialize with

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<sup>8</sup> Identity here “implies the notion of unity” and bears at least three features “the continuity of a subject over and beyond variations in time and its adaptations to the environment; the delimitation of this subject with respect to others; the ability to recognize and to be recognized” (Melucci 1995: 45).

<sup>9</sup> I use speeches rather than programs as the proxy since the party program is too generic for the purpose of this paper.

these institutions (not in power) or because their ideological program is so firmly opposed to it. This variable presents domestic actors as carrier of social structures and makes this attribute of agency consequential in explaining institution building in the context of institutional coexistence.

Institutionalized international norms are formulated informally or formally between governmental actors. They are not simply a function of power or interest but a product of social interaction. Stable norms are understood as “collective expectations about proper behavior for a given identity” (Jepperson/Wendt/Katzenstein, 1996: 54). However, not every norm is stable but can be in the making, ignored or deconstructed. At this point, the identity to which it refers is not given either but in the process of being (re)formulated. However, norms at any point can, nevertheless, stigmatize some behavior as unacceptable. A norm, understood more generally, is a “shared expectation about behavior, a standard of right or wrong. Norms are prescriptions are proscriptions for behavior.” (Tannenwald, 1999: 436) International norms are formulated in a bilateral or multilateral context and their content can be procedural or substantive. The former refers to norms that organize the interaction between actors and the latter is about the content these actors formulate their proper behavior around.

The framework outlined here argues that international institutions, no matter how integrated they are, only have a partial causal weight in explaining, for example, the Europeanization of policy areas. As already mentioned, social structures either co-exist, reinforce or contest each other in the same social space/carrier.<sup>10</sup> The following holds for the relationship of domestic party ideologies and international norms as well as the relationship between two international institutions.

Social practices and structures reinforce each other if the identities for which they recommend appropriate behavior are intertwined and both domestic party in power and/or the international identities (in the making) share the same understanding of the substantive and procedural norms in question.<sup>11</sup> The norm of multilateralism<sup>12</sup> and of human rights can for example reinforce each other. They are both part of the identity of a civilized state/actor. If

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<sup>10</sup> I do not argue that these three patterns are either comprehensive or definitive but they are a first cut.

<sup>11</sup> A major indicator of an unproblematic filtering and mediation of (newly established) norms is when all major political actors adhere to the same understanding of the norms and/or practices and perceive these norms as congruent with their own. Then one can call a norm and/or institution robust.

<sup>12</sup> Multilateralism is understood as “an institutional form that coordinates relations among three or more states on the basis of generalized principles of conduct.” (Ruggie, 1993: 11). One such generalized principle can be unanimity.

actors are in a social space - e.g. one or two overlapping international institution - where consequential norms and ideologies are reinforcing each other, I expect institutional innovations to happen. The actors should be motivated enough to give their normative understandings enough venues of expression.

Social structures and practices contest each other when they recommend different behavior for intertwined or overlapping identities. It depends on how internalized these identities are and how robust these norms are to determine what, if anything, will be done to resolve this tension. If the norm is robust and the identity internalized,<sup>13</sup> the tension will lead to a process in which norms can either be reevaluated and reformulated or loose on universal impact. In a formalized institutional context this happens mostly in form of treaty amendments, international governmental conferences and the inclusion or exclusion of (new) policy areas. An example would be the norms of sovereignty and human rights. Which norm will win over the other cannot be determined a priori but is an empirical question. It is important to note that the more established norm may not necessarily win or be considered more internationally legitimate than a norm in the making. The time frame of this paper is rather short (14 years) so that contestation of norms and different worldviews is unlikely to be resolved (through processes of socialization for example). Therefore, I expect actors who are in such a situation to behave such that an institutional development will be inhibited significantly.

Coexistence of different social structures in the same social space is understood as the state where several proscriptions and prescriptions are independent of each other, that is, the behavior they consider appropriate do not conflict with each other. An example would be the nuclear taboo (Tannenwald, 1999) and humanitarian intervention (Finnemore, 1996). Here, I expect to observe institutional inertia.

This analysis allows for a non-linear approach to institution-building where norms and practices are not simply adopted by actors with increased frequency and intensity of contact. The process of hardening of practices into robust norms with a robust identity occurs in different stages. The contestation to or reinforcement/coexistence of already established

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<sup>13</sup> As long as it is possible for one domestic political actor to come to power without having adapted its party ideology to the international practices and norms, one cannot say that they are guiding and robust over time. Bilateral relationships and the prior membership with other (successful) institutions informed different domestic actors' preferences in regards to a European security policy differently. The member states' actions, reactions and understanding of identity do not automatically become more "European" over time.

norms and identities with new norms and practices characterize these stages and can explain how stable an institution is at a given moment.

If this process leads to the establishment of two institutions with similar tasks and members, this social interaction patterns can help constitute and regulate (give meaning) their members in different ways as it creates and/or reinforces a shared understanding of the community's purpose. Appropriateness can be understood differently in different institutional settings and the understanding of norms such as the use of force can be differently conceptualized and consequently differently prioritized (despite sharing of fundamental values like liberal democracy).

### Stage I: the creation of an institution and ambivalence among institutions

#### *Why a new institution?*

With the fall of the Berlin Wall, German unification and the disintegration of the Soviet Union in the beginning of the 1990s, the West European states found themselves in a new security context. While NATO had prevented the nationalization of defense in Europe after WWII (even for France to a certain degree), the formulation of security strategies lost their degree of predictability. As these structural changes occurred, the Gulf War showed the Europeans how under- and mis-equipped they were for the security challenges that they would have to face in the future. But the Gulf War also showed the Europeans that the George H. Bush administration favors multilateral legitimacy as it waited for the UN approval before it entered Kuwait. However, while this new context and these experiences alone may have triggered the desire to change the institutional structure in which the European states interacted, these variables cannot account for why they chose to deepen the EC by creating a new institution instead of focusing on strengthening the already existing WEU or building a European pillar inside NATO. The latter two institutions already had assets and an organizational infrastructure at their disposal. All institutions could provide for a more independent political role of the European states, if so desired.

The option of strengthening the WEU was taken up, especially by the UK, but none of the participating states could imagine such a move independent of NATO and/or the EU. "Of all the international organizations that exist today, the Western European Union (WEU) must be one of those whose length of existence is the most inversely proportional to the actual

functions that it has fulfilled.” (Gordon, 1997: 125) That is, during its 40-year existence the WEU had neither established an independent identity nor an independent functioning of NATO and was not perceived as the right vehicle to express the overcoming of the Cold War (Cornish, 1996; Gordon, 1997).

But NATO was very quick in starting to adapt to the new security environment. As early as in June 1990 at its London Summit, the change in the strategic environment triggered a process in which NATO’s purpose and practices were reevaluated and NATO’s “external identity” - its conception of its purpose in relation to other states and its substantive norms - reconsidered. This process did not regard the termination of NATO as a viable option (Ikenberry, 2001). A reevaluation of the threat and risk perception led to a process in which the NATO members reformulated the institution’s military identity towards a more political identity and broad understanding of security. The organization shifted its strategy from flexible response and forward defense towards a more diversified remit, “compromising a limited but militarily significant proportion, ground air and sea immediate and rapid reaction elements able to respond to a wide range of eventualities ...” (Strategic Concept 1991, par. 47) at its Rome summit in November 1991.<sup>14</sup> NATO and its members had started a process in which it developed a collective defense system (Article 5 missions) with the aim of undertaking (selected) operations in support of collective security (non-Article 5 missions) (Yost, 1998: 1-2). This reevaluation led to NATO adding new norms, i.e. collective security tasks as part of its proper behavior (to its mandate). Tony Blair captured the dynamic well when he said the “real transatlantic community [...and] shared values made NATO so willing to accept the challenge of adapting to a changing world.” (Blair, 2004) Based on this value community build on 40 years of learning from each other, the EC members knew of the US government’s continued interest and commitment to remaining involved in Europe (despite the Congress’s skepticism and the systemic changes) (Ikenberry, 2001: 215-56; Howorth, 2000: 16; Suh draft: 363) as well as of the US’s skepticism of a European security structure outside of NATO (Cornish, 1996: 755; Wallander, 2000: 707, 723; Art, 1996).

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<sup>14</sup> Since April 1993, SHAPE has a working ACE Reaction Forces Planning Staff ([www.nato.int](http://www.nato.int)). As part of the adaptation, the US decreased its military presence in Europe and most European governments started a restructuring of their military forces. The total of American troops in Western Europe has been reduced to about 109 000 (down from 341 000 in 1989) (Yost, 1998: 340). US nuclear weapons, once numbering in the thousands, have been reduced to a few gravity bombs. The American presence remains through SACEUR, SHAPE, an integrated force structure, a joint command, a joint infrastructure and training and maneuvers.

The EC NATO members, nonetheless, decided to create something outside of the framework in which they had pursued their military strategies for 40 years. Based on a Franco-German initiative, the EC members started negotiations on a political union in April 1990 (prior to the Gulf War I) (Cornish, 1996: 756). The final conclusions were signed in December 1991 in Maastricht – almost simultaneously with the NATO Rome Summit in 1991 (but not in coordination with it) - and created a single institutional framework for three different policy complexes: first, the EC, second, CFSP, and third, Justice and Home Affairs (JHA).

For the German Christian Democratic government, the main incentive behind this institution was to make the European integration irreversible. After all, it is the same party with which Adenauer had started Germany's policy of "westintegration."

Das wichtigste Ergebnis von Maastricht ist, dass der Weg zur Europaeischen Union nunmehr unumkehrbar ist. [...] dass ein Rueckfall in frueheres nationalstaatliches Denken nicht mehr moeglich ist. [...] gehen wir einen entschiedenen Schritt ueber die bisherige Europaeische Politische Zusammenarbeit hinaus. [...] Wir haben uns ferner auf die Herausbildung einer eigenstaendigen europaeischen Sicherheits-und Verteidigungsidentitaet verpflichtet. (Seiters, 1992: 39)<sup>15</sup>

The French government under President Mitterrand, whose party had become a forceful defender of the European idea, also stressed the creation of an independent security identity as part of the EU; whereas the British government did not get tired of repeating that CFSP will not be in competition with NATO (Gordon, 1997: 128). The British Tory party traditionally has a transatlantic orientation and is socialized to a great degree in the context of the special relationship with the US or, as Chuter calls it, the "Anglo-Saxon operating system" (Chuter, 1997: 115). This relationship had created an understanding in the UK, especially for the Tories, that "European security would only be discussed in the presence of the United States, and only in a forum where that nation had the dominant voice" (Chuter, 1997: 115). The Maastricht Treaty nonetheless reads "security issues are fully included in the CFSP, including the 'framing' of a common defense policy" (Smith, 1996: 38). Consequently, the

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<sup>15</sup> "The most important result of Maastricht is that the way to the EU is now irreversible. [...] a backlash into nation-state thinking is not possible anymore. [...] we go a significant step further than the European Political Coordination. [...] Furthermore, we assured each other to create an independent European Security and Defense Identity." [Translation by SCH]

British government was committing to more than it originally stated. However, the participating parties found a compromise in regards to the operational aspect of the new security institution. A declaration by the WEU members in an annex to the Maastricht Treaty states that their organization will function as “the defence component of the European Union and [...] the means to strengthen the European pillar of the Atlantic Alliance.” At the time, the German and French governments saw this as an opportunity through which Europe will be able to speak more visibly with one voice in the Alliance (Seiters, 1992: 39; see also Kohl, 1992: 77). Chancellor Kohl and his party saw this more as an opportunity to set a symbol as they believed that NATO will remain the main defense and security institution in Europe and the European effort is only there to strengthen the Alliance in the new environment. On the other hand, as British Prime Minister Major will say two years later in front of a Dutch audience “we do not believe that it is either necessary or desirable to undertake a massive constitutional upheaval in 1996. It is true that the Treaty of Maastricht was maligned and misunderstood in both our countries.” (Major, 1994) This quote shows both the skepticism towards European deepening of his party as well as the carelessness with which the British government was sitting at the negotiating table. That is, a calculation of consequences was minimal at Maastricht but instead all parties acted upon their domestically grounded understanding of European integration. They went as far as their ideologies and the already institutionalized norms in the EC such as compromise finding, multilateralism and consultation would lead them to act in their mutual space of appropriateness.

To further elaborate on the motivations behind CFSP one has to look at what had been decided at Maastricht in more detail. The CFSP was not created in a social vacuum, though the (legal) institutional outfit under the umbrella of the EU is new. Member governments’ reluctance to communitarize this policy complex or even provide clear and precise language regarding CFSP’s scope in its legal text (Title V) shows that most governments saw no need other than a symbolic one to create this column.<sup>16</sup> The TEU negotiations involved no overt

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<sup>16</sup> The French government and its interpretation of the new security environment helped accelerate this development. The French government was worried about the new security environment in which Germany would be unified. This worry however did not translate into balancing behavior but, based on the well-institutionalized Franco-German relationship that dates back to the year 1963, the French government convinced the German government to work together with the European Commission in initiating a new European treaty which would allow for more integration and inclusion of economic, monetary and political fields (Howorth, 2000; Ikenberry, 2001: 226). France might appear as the most strategic country in the CFSP endeavor but it also is informed by “simple” prestige motivations that do not fall neatly into any theoretical approach.

bargaining, but instead searched for consensus. In the absence of a clear threat but the danger to anger the US and no further need of an institution that could facilitate the cooperation in the realm of security among European states, the negotiations did not produce an agreement on essential European interests. Material theories with their focus on self-interested actors who want to maximize their gains cannot explain this move. Instead, the participants preferred a general clause, which allowed the European Council to determine the scope of CFSP *ad hoc* (Articles D, J.3, and J.8) (Smith, 1998: 154). The Presidency directs CFSP (Article J.5 TEU), which left the member governments strong as they could hold up the transfer of greater responsibilities to the EU level. Furthermore, CFSP has strong intergovernmental traits without a compliance mechanism; this can be interpreted as cheating – one major concern in the neoliberal institutional logic - not being something to overcome in this institution-building process. The formal treaty allows for changes in the decision-making rules, that is, qualified majority voting (QMV) creates a possibility for joint actions. The Commission as well as the member governments have the right of initiative. Hence, the treaty provided the framework for procedural norms but little substance for policy.

So why did the EC members create CFSP? The goal was not to project power. And neither did all members agree to create an institution that will have as its priority an encouragement of cooperation in the already institutionalized field of security. Material utility was not the driving force. The changing security environment facilitated the proposal of some EC members that, despite or maybe just because of NATO's continued existence, the EC should take collective action to show the world and their domestic constituencies that Europe was adjusting to the new security environment with its own means. The prior cooperation and institutionalized norms inside NATO, EC, EPC<sup>17</sup> and WEU facilitated this move. That is, the prior institutionalization in and with especially NATO and the EC provided the EC members with a “luxury” asset: the possibility of experimentation. The different parties at the table shared a broad understanding of the “end of the Cold War” momentum and of the political need to establish a sign of political cooperation. But they had different conceptions of the

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<sup>17</sup> EPC was founded as an informal mechanism of co-ordination, independent from the EC in 1970. It was with the Single European Act that EPC was formally included in the treaty framework, and that the commitment of the member states to consult and co-operate in foreign policy became a legal obligation. “Like the SEA before it, the TEU’s provisions on the CFSP (Title V) are generally based on a set of existing practices established by informal custom. Its decision-making rules [...] deliberately set is apart from those of the EC.” (Smith, 1996: 37) EPC harmonized the member states’ interest and “becomes more sensitive to the rules and objectives of the EC itself” (Smith, 1996: 44).

form of this institution. Domestic reluctance in conjuncture with NATO's continued role as the guarantor of European stability - for which end the US would remain committed to European security - shaped the form of the institution. To avoid the contestation of international and bilateral norms in a time of rapid political change, the EC members decided for a symbolic institution under a very socialized umbrella, the EU. They trusted each other and were, therefore, more open to a trial and error period in which they would embed their security in multiple contexts without heavily investing in them. As social expectations are not likely to be very specific in the beginning of a new institution, rhetoric is enough to reconfirm to other members one's own intentions. This leaves space for ambiguities, which can cover potential norm contestations. This made CFSP very flexible and, in the beginning, inefficient and ineffective.

The political symbolism remained rather hollow in regards to a *de facto* institution, and no consequential institutional identity was established. That is, an institutional reality was brought to life based more on rhetoric than any action. However, the use of normative language that refers to the purpose of the new international institution entraps the speakers in their rhetoric (as opposed to Schimmelfennig, 2001: 72-73 where the use of norms is strategic). If the rhetoric has been formalized in a weak and vague international treaty, one can speak of an entrapment in which a vague legal foundation has the power to further encourage the development of an institution – but only in conjunction with congruent party ideologies. This entrapment does not necessarily hold for consecutive administrations, however. New governments are only partially bound to what has been said before.

#### *Ups and downs – who is responsible for European security?*

Political reality in the form of the wars in Bosnia and Rwanda showed the EU bureaucrats as well as those member governments in favor of a deeper CFSP that some governments were not ready for a common analysis and attempt to resolve conflicts together. Instead, what became obvious is that too many member governments were still on the defensive for different domestic/bilateral reasons (especially Denmark and the UK). The actors were preoccupied with what Smith calls “path dependency phobia” (Smith, 1996). Member governments were afraid that decisions regarding CFSP could persist over time, set legal precedents and limit future options (Krasner, 1989: 86-88). The actions taken were

modest and “those that were achieved had to be haphazardly improvised as many of the details on the CFSP were unclear or unspecified by the TEU” (Smith, 1996: 41).<sup>18</sup> However, this steered once more the discourse on a more autonomous European security identity – just in what institutional setting could yet not be determined.

As the years went on, scholars and politicians had to realize that NATO’s adaptation to the new political and security environment happened under constrained circumstances and according to NATO’s prior institutionalization and socialization process – the logic of appropriateness cannot be quickly reinvented. This adaptation process has not been occurring smoothly. NATO has been continuously facing the task of combining old routines with new ones, adapting assets and establishing a political discourse that gives it a reason of being in the eyes of its members and neighbors. While Wallander (2000) points out that the adaptability is based on the transferability of assets to new purposes, she fails to mention the political will behind such a move. No matter how transferable these assets are, the political will of the different member states is not a function of low or high cost only. “Cost and benefit are in the eyes of the beholder.” (Suh, draft: 408) Political will is based on party ideologies or in the US case rather on personal presidential platforms. In this regard, the Clinton administration had a much stronger understanding of multilateral foreign policy making<sup>19</sup> (which admittedly was not apparent in Clinton’s election campaign) than the George H. Bush administration and made a consideration of adaptability in such a format possible.<sup>20</sup>

With time, discussions and arguments about NATO’s “internal identity” – the relationship of its constituent parts to each other with special focus on procedural norms – came more to the forefront. The practices that have been triggered according to the normative understanding of multilateralism in NATO are based on an informally institutionalized asymmetrical interdependence. The US’s informal predominance remained (Yost, 1998; Hartz, 1955; Ikenberry, 2001) and was even strengthened after the inclusion of new US-

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<sup>18</sup> Between the ratification of the Maastricht and the Amsterdam Treaty, CFSP produced around 26 common positions, 30 joint actions and 200 declarations. Almost half of those were related to the Balkans and especially Mostar. See Commission Report on the Functioning of the Treaty on European Union (1996).

<sup>19</sup> “[T]he enlargement theme was in 1994 weaved into the national security strategy document [...], the democratizing mission became one of the two main pillars of Clinton foreign policy.” (Suh, draft: 373)

<sup>20</sup> And NATO is still in the process of reinventing itself based on liberal identity (that is, a democratizing force for Eastern European countries; Gheciu, 2001) as well as on its role as security provider in the Balkans (Suh draft) and Afghanistan.

friendly members into NATO in 1999.<sup>21</sup> In 1994, while the CFSP was as hollow as at its very beginning, European states started a discourse inside NATO with the US (Howorth, 2000: 22). Their main aim was not to make the cooperation between the two institutions more efficient nor was it motivated by a threat that forced them to unite all their powers. Instead it was trying out another institutional venue next to the EU – and in a time of general NATO restructuring. The European Security and Defense Identity (ESDI) was informally launched at the NATO Brussels summit in 1994 where the Petersberg Declaration<sup>22</sup> became part of NATO and eased some superficial transatlantic tensions. The NATO Berlin summit in 1996 then officially launched the European pillar inside NATO and created its mechanism or military expression known as Combined Joint Task Force (CJTF) (Howorth, 2000: 22-24). The EU and CFSP found hardly any mention in this context but the WEU was the mechanism through which the EU countries could use CJTF. The WEU was now formally anchored in both institutions. While this innovation signals a “transformation from defense to security management [... and] is a clear break with NATO’s military stance as an alliance” (Keohane/Wallander, 1998: B7), it remains hollow and almost unused to this day (Robertson, 2000: 29; see also McCalla 1996: 467).<sup>23</sup> Neoliberal institutionalist and constructivist analysis stops short by saying that CJTF shows that NATO was able to adapt without following up if, when and how this new asset is used (Wallander, 2000; Suh, draft<sup>24</sup>). NATO’s “internal” collective identity is so sticky as to inhibit an inside alternative like ESDI. Instead, “NATO’s ‘green light’ to ESDI unleashed a political process which eventually led to the St-Malo summit and on to Cologne, Helsinki and the CESDP.” (Howorth, 2000: 23). That is, the EU members of NATO were aware of this development. ESDI started a discussion about the role that CFSP, ESDI, WEU and NATO should play in regards to European security. Most EU

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<sup>21</sup> Despite the formal rule that all decisions are made by consensus in the North Atlantic Council - NATO’s main political decision-making body – the US has been able to influence the other members disproportionately with regards to its preferences and normative expectations. Arguably this made German unification and Germany’s continued membership in NATO a viable option (Ikenberry, 2001: 225). The everyday conduct of political work as well as the timing, style and tactics of operations are significantly influenced by the US (Yost, 1998), though the other members have an impact on the US and NATO actions more generally (Risse-Kappen, 1995). A focus on norms and US liberal ideological traditions (Hartz, 1955) helps to explain the form and character of this leadership.

<sup>22</sup> The same Petersberg tasks that are now part of the ESDP. The assets provided for it by the WEU are now part the EU.

<sup>23</sup> “ESDI is one of the issues where the level of transatlantic understanding is weakest.” (Robertson, 2000: 29)

<sup>24</sup> “NATO skillfully appropriated the European identity to strengthen its cohesion by underlining the democratic identity.” (Suh, draft: 378)

members defended the creation of CFSP by using normative language, stressing that “whatever the inner strengths and common purposes of the Atlantic Alliance, the political and social norms and values which underpin the European Union are distinct and quite different” (Howorth, 2000: 87). Here, rhetoric was nurtured by the EU’s definition of appropriate decision-making and a less hegemonic structure. As the functions could potentially be the same, CFSP had to distinguish itself from NATO through a normative and identity-based discourse without the incentive to challenge NATO on a practical level. That is, while CFSP’s identity was not yet established, it took a harsher stance against NATO knowing that it depends on NATO when it comes to action and operational planning and execution in the field. The institutional realities were not contesting each other as CFSP was not missing any operational foundations.

While NATO was trying to accommodate European demands inside its structures, the EU members met in another IGC to review the institutional set-up of the EU. Based on several bilateral initiatives by Germany and France as well as Finland and Sweden - national governments that, at the time, were pro-CFSP - CFSP was also on the schedule (Cornish, 1996). This conference elaborated on the institutional design and procedural norms for CFSP. That is, institutional engineering and not capabilities were on the forefront. After years of co-existence, the EU member states, while increasingly recognizing that the institutional design of CFSP needed revision, could not agree on substantive norms. The German government, for example, remained ambitious in regards to institutional engineering by determining issues of common interest, elaborating on QMV<sup>25</sup> and integrating the WEU into the EU (Kohl, 1996: 167) but favored a role of “double-embeddedness” by saying that the institutional bite should come from ESDI (Kohl 1996, 165). Only then could the European states “mit einer Stimme sprechen und unsere Kraeft buendeln.”<sup>26</sup> (Kohl, 1996: 166)

The major achievements of this treaty were to agree to establish the post of the High Representative of CFSP based on the 1996 Franco-German initiative, but the British and the French governments could not agree on who would occupy the position. Furthermore, it was decided that the Petersberg tasks will be adopted but that the WEU will remain outside the EU. At the same time the treaty explicitly recognized that NATO remained the cornerstone of

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<sup>25</sup> “Europa muss auf der internationalen Buehne effizienter, solidarischer und sichtbar werden. Deshalb sind wir Deutsche fuer Mehrheitsentscheidungen [...]” (Kinkel, 1996: 250)

<sup>26</sup> “to speak with one voice and to unite our forces.” [Translation SCH]

European collective defense. At a debate at the Bundestag after the Amsterdam Council Kohl said “niemand von uns konnte glauben, dass in Amsterdam alle Probleme haetten geloest werden koennen. Niemand kann in einer solchen historischen Situation seine Idealvorstellungen durchsetzen.”<sup>27</sup> (Kohl, 1996b: 631-632) Cornish eloquently says “Even the most professionally prepared and aesthetically pleasing blueprint failed to eliminate the competition, simply because the clients had not really decided (or been compelled to decide) exactly what they wanted to build.” (Cornish, 1996: 752) That is, the institutional trial and error period – based on the luxury of embeddedness - was not over yet and the fact that the architects and clients were the same people did not ameliorate the problem.

The Amsterdam treaty is another example where, without congruent party ideologies of the main EU members involved, the institution can exist but hardly operate on a substantive basis. CFSP remained an intergovernmental institution in a supranational context in which the EC effect was only binding to a degree through the involvement of the Commission and the value of socialization and trust building in the system with no compliance mechanism.<sup>28</sup> No serious reevaluation of the institution took place as several actors, and especially the British Tory party, were not willing to start the process of contesting norms. That is, the institutional design was still very dependent on the domestic norms and previously institutionalized relationships. Despite the claim that Europe is the most highly institutionalized region in the world, no institution, regardless of how many norms/practices and strategic incentives exist, develops automatically and in a strictly linear fashion. Rules, practices and trust do not automatically substitute for political will/preferences but must be further developed through the creation of substantive norms and institutional identity.

Neither reinforcement nor contestation of social structures took place but the contributing parties took care that a weak institution could coexist next to the transatlantic security community by remaining very ambiguous. This weakness was initially reinforced by the structural fact that CFSP would not be an institution with a clear singular leader or hegemon. No EU member state has enough capacity or the will to pursue such a position.

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<sup>27</sup> “nobody could have hoped that all our problems would have been solved in Amsterdam. Nobody can achieve his/her ideal expectations in such a historical period.” [Translation SCH]

<sup>28</sup> CFSP had still little to do with security and defense, despite of the mine-clearing directive, the Non-Proliferation Treaty renewal, the control of exports of dual use goods and the goal to prohibit blinding laser weapons (Smith 1998) as well as very modest joint EU/WEU action (one). CFSP was neither ready nor able to become more independent of NATO.

However, this already points to different operationalization of the norm of multilateralism. In case CFSP would become operational one day, the decision-making process would be more symmetrical than in NATO.

## Stage II: Kosovo or waiting for Britain? Strengthening an institution's mandate

### *Domestic change*

While the Amsterdam Treaty introduced mostly procedural innovations to CFSP and tried to make the institution more operational, in 1997, “CFSP can hardly be considered a robust mechanism: It lacks a clearly defined objective, measurement criteria to achieve it, a timetable for institutional change, sanctions for defectors, and a central bureaucracy with a firm mandate for its operations” (Smith, 1998: 150). And the question of who will handle security issues was in theory still not resolved.

Fall 1998 marked a turning point for the development of a consistent security component as an integral part of CFSP. British Prime Minister Tony Blair, by now in government for just over a year, launched a new European initiative which became obvious for the first time in the British Strategic Defense Review of July 1998 and a speech in Poertschach in October 1998.<sup>29</sup> This initiative was elaborated on at the Franco-British Summit in December 1998 in St Malo. Here, the EU “started off on the path towards becoming a military power” (Andreani/Bertram/Grant, 2001: 7). “UK and France had overlapping but different views about European capabilities. Over time however, both countries have shown their differences to be more differences of form rather than of substance.” (Hain, 2001) Both governments agreed that it was time to give CFSP more credibility. “We Europeans should not expect the United States to have to play a part in every disorder in our own back yard. [...] We [France and UK, SCH] decided that we should go beyond the Berlin arrangements agreed by NATO in 1996 to give Europe a genuine capacity to act.” (Blair, 1999b; see also Franco-British Summit, 1998). It was mainly a shift in British government's understanding of a European foreign and security policy that made the summit and subsequent developments possible. The British government now thought differently about WEU-EU merger. “Some of our Partners have argued for some time for the wholesale merger of the Western European Union into the European Union. The United Kingdom resisted this proposal at Amsterdam.

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<sup>29</sup> The British government thereby “worked particularly closely with France and Germany” (Robertson, 1999b).

While we do not rule it out today, we recognize that it continues to present difficulties. Not all EU Member States share the same strategic perspectives.” (Robertson, 1998) It is interesting to note that the British Defense Minister and NATO Secretary General to be Robertson spends most of his speech at NATO’s 50’s birthday celebration on the EU instead of talking about NATO’s future. The language the British government applies to describing the EU-NATO relationship also changed. Duplication of institutional assets and functions became a viable option. NATO only has *a* role in new security tasks and, hence, will not be the cornerstone for this policy area.<sup>30</sup>

Most observers locate the sources of this shift at the international level and interstate experiences (Howorth, 2000; Andreani/Bertam/Grant, 2001: 12; Gnesotto, 1998: 124-25; Whitney, 1999: 4). They argue that the EU’s inability to act in Bosnia and Albania, the unsuccessful diplomatic dealings with Kosovo in early 1998 and the US’s reluctance to intervene in the European “periphery” frustrated the UK. While these factors played a role in British behavior towards CFSP, the timing of the UK’s shift leaves room for another explanation. The Bosnian crisis started in 1992 and NATO’s military intervention in Kosovo, which served as an eye opener for Europeans in regards to the military capability gap between them and the US, only happened in spring 1999. That is, the material incentive structure had been the same for years in 1998. In May 1997, however, the British elected a new government to power – the (New) Labour party. Two weeks into the new administration, Prime Minister Blair signed the Amsterdam Treaty without having it negotiated much. Soon after, Blair started to search for a dialogue with his socialist/social-democratic counterparts in Germany and France, two pronounced proponents of an increased EU role in security matters (Blair, 1998; Blair/Schroeder, 1999). While Tory governments are traditionally very Atlanticist, Labour is more ambivalent in this respect. That is not to say that Labour does not take the “special relationship” seriously.<sup>31</sup> But New Labour resembles the German position in this respect. It is sympathetic to the CFSP/ESDP project as well as NATO/US.

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<sup>30</sup> EU “bodies need to be the right size and shape to support sensible defence decision making. But they must *not unnecessarily* [SCH] duplicate the resources and functions that are available from NATO.” (Robertson, 1999 also British-Italian Summit Declaration, 1999 and Franco-British Summit, 1998) and “NATO will remain the sole organization for the collective defence of its members. And it will also, as set out in the updated strategic concept published in Washington, *have a role* [SCH] in crisis management operations.” (Robertson, 1999)

<sup>31</sup> The special relationship exists despite different parties in government; the UK’s relations to ESDP, on the other hand, are still more sensitive to its ruling parties’ ideological grounding.

The Franco-British summit provided the sign for all EU members that the time had come to discuss the issue of CFSP anew and this time with different incentives. In this view, the experience inside NATO in the spring of 1999 was an accelerator for ESDP, but it was not its cause. NATO's late involvement in Kosovo was based on its incomplete adaptation to the new security environment and the lack of institutionalized common understanding of a new definition of threats and risks. EU members registered a divergence of threat perceptions as the US was very reluctant to answer the European's call for help (Howorth, 2000: 23). The lessons learned fostered a common understanding among the Europeans that transatlantic security might be divisible after all and furthermore strengthened the perception that "the Union must have the capacity for autonomous action, backed by credible military forces, the means to decide to use them, and the readiness to do so, in order to respond to international crisis without prejudice to actions by NATO."<sup>32</sup> Institutional collisions became more visible and at times dominated the political discourse.

The Cologne Council of June 1999 transformed various bilateral initiatives (e.g. Saint Malo) into one EU process and decided on the future institutional framework. The Council meetings in Helsinki,<sup>33</sup> Feira, Nice and Laeken further elaborated on the issue (especially in regards to capabilities) and gave it more substance (Howorth, 2000; Andreani/Bertram/Grant, 2001: 22-24). Necessary institutional arrangements in the form of permanent political and military committees, the winding down of the WEU and the transfer of most of its functions and assets to the EU (and not to NATO), the headline goal, and Javier Solana<sup>34</sup> as High Representative for the CFSP were agreed upon. Military expertise was internalized especially through the merger of WEU and EU. Along with military goals for crisis management, a range of civilian instruments such as police and service for post-conflict reconstruction were institutionalized. Concrete military and political commitments followed the institutional groundwork at the capability conference in November 2000.

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<sup>32</sup> <http://ue.eu.int/pesc/military/en/homeen.htm>.

<sup>33</sup> Despite the fact that Wallander (2000) writes in 1999/2000, she does not mention the EU's Headline Goal once. The willingness to endure high costs as well as the challenge to NATO's asset specificity, complicate her functional argument in which states are efficiency-maximizing entities.

<sup>34</sup> Solana is one of many officials who would leave NATO for the EU. Actually, lots of junior officer were moving from NATO to the EU very recently which encouraged NATO to offer them a pay rise as an effort to keep them in the organization. However, one should not underestimate the broad array of topics the EU has to offer compared to NATO.

### *Contestation of international institutions*

When the EU finally took it up to create a European security identity which was likely to overlap with NATO, the US government's misgivings over European integration had become more pronounced. The French president Chirac even went so far as to say "the multipolar world France is seeking will provide balance and harmony. But it will not be feasible unless Europe is organised and able to play its role on the international stage." (Chirac, 2000) And for the EU to become credible, it "means acquiring the military capabilities to be able to decide and act without relying on choices made elsewhere" (Chirac, 2000). The American government "demanded that the EU should be obliged, even for an autonomous mission, to turn to NATO's SHAPE [...]. The Europeans resisted and ultimately persuaded the Americans to accept a provision whereby the EU could, if it wished, resort to SHAPE's expertise [...]." (Andreani/Bertram/Grant, 2001: 27) This shows that the EU members were able to reassure the US government of not having the intention to weaken NATO but at the same time they were not willing to shape their institution in accordance with NATO and the US. It also shows that while the CFSP responded more to NATO in the beginning it was now NATO that started responding to the CFSP. The US government, unenthusiastic to begin with as it saw its understanding of multilateralism in the realm of security contested, became more and more reluctant to give more than rhetorical support to an autonomous European military capability (Howorth, 2003: 16-17).<sup>35</sup> This became most evident with Madeleine Albright's 3D speech (no decoupling, no discrimination, no duplication).

NATO and the US still have one major asset: capabilities. The major sensitive spot of CFSP is the creation and pooling of capabilities together as to make the rapid reaction force credible. To address the shortfalls in national capabilities commitments, the EU launched the European Capabilities Action Plan (ECAP). With the help of this mechanism the EU defense ministers declared in May 2003 that the EU "now has operational capability across the full range of Petersberg tasks [...but this capability is still] limited and constrained" (quoted after Schmitt, 2004). Military reforms leading to the convergence on the types of armed forces (Schake/Bloch-Laine/Grant, 1999) and the concrete contributions pledged by defense

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<sup>35</sup> "Dangers to NATO and the transatlantic link are far more likely to come from European weakness than European strength." (Albright/Cook, 2000)

ministers show a growing level of common understanding in regards to the tasks, the purpose and the substance CFSP and ESDP should deal with – despite the US’s hesitations. Once these goals were agreed on, the work moved largely from the political stage to the bureaucratic one. Here, substantive and procedural norms of ESDP are established and reinforced through routinized practices. Everyday interactions establish communication channels in which mutual expectations become apparent. While NATO has narrowed for a long time the strategic horizons of European governments and weakened the European’s sense of responsibility, ESDP creates more autonomous capacities for the definition of European security problems and solutions. The Europeans insist more and more “on seeing the world from their own perspective and setting priorities instead of following Washington’s” (Whitney, 1999: 4). This, together with the Europeans’ insistence on a more holistic approach (military and civilian) to crisis management, accounts for the different interpretations of collective security. That is, collective security is differently conceptualized and operationalized in different institutional contexts; normative interpretation depends on the carrier.<sup>36</sup>

During the time of intensified institution-building inside the EU, the EU did not seek the contact with NATO but was not opposed to it either. The US and Canada though, as the main non-EU NATO members were very interested in what was going on inside the EU. The EU ambassadors were invited several times to NATO HQ but NATO failed to welcome the EU representatives with a commonly agreed position as the Turkish government has been vetoing the EU’s “assured access” to NATO planning assets as well as to permanent arrangements between the two organizations ever since the Washington Summit in 1999 (Andreani/Bertram/Grant, 2001: 29). The French government reinforced the tense atmosphere through a pronounced reluctance to talk about anything of substance.<sup>37</sup> Hence, while norms

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<sup>36</sup> Different ways of addressing threats: regarding terrorism the EU advocated good governance instead of regime change (Haine, 2004)

<sup>37</sup> If one looks at the different press releases and communiqués that have been published at the (joint) meetings over the years certain expressions reappear: “will be mutually reinforcing” (NATO M-NAC-1(2000)52, par. 30), “avoid unnecessary duplication [...] in the confidence that a stronger Europe means a stronger Alliance” (NATO M-NAC-D(99)156, par. 17), “where the Alliance as a whole is not engaged” (NATO M-NAC-1(2000)52, par. 25). But NATO stressed ESDI instead of ESDP until 2000, while ESDP was already in full development. While at the outset, these statements suggest that both organizations are “perfectly” compatible, one has to keep in mind that these statements have been made in a period of almost ten years with no major rapprochement of either side and remain very vague to this day. Both organizations have done surprisingly little to coordinate their respective policies in many critical areas.

and institutional structures were slowly emerging in the field of European security that had the potential to contest each other, this process was still restrained since both institutions had little contact of substance. Only after December 2002, when the Turkish government lifted its veto, was there the possibility to move beyond irregular and ad hoc meetings (NATO Press Release (2002) 142). However, the careful formulation of the press release that is based on a NAC decision of December 13, 2002, signals that the ESDP already evolved beyond a mere hollow institution.<sup>38</sup>

To categorize the NATO-EU relationship as simply collisional is one-sided, however, and overlooks the constitutive effects of institutional norms and values. NATO and the EU share broad common norms and values such as liberal democracy, rule of law and transparency (Gheciu, 2001: 101), which allow for a functional overlap and inefficiencies.<sup>39</sup> No EU member wishes for the complete dissolution of NATO. However, to leave it there would assume that the ESDP is a subset of NATO. This is not the case. NATO and ESDP share some of the same tasks and the same broad values and norms but they have different institutional identities and dynamics, which shape the understanding and the interpretation of these norms – and construct different choice situations. EU members are not afraid to play the wrong game; they want to help shape the rules of the game. The EU is in the process of defining its own specific framework for external action. While ESDP hardly appears efficient in material terms (the EU faces considerable challenges in terms of overcoming budgetary, military and structural divergences to create a crisis response for autonomous operations), its efficiency is socially and politically constructed through the interaction of the institution and its members.<sup>40</sup> This points to a lack of efficiency or power considerations inside ESDP but a

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<sup>38</sup> “Welcome the European Security and Defence Policy (ESDP), whose purpose is to add to the range of instruments already at the European Union’s disposal for crisis management and conflict prevention in support of the Common Foreign and Security Policy, the capacity to conduct EU-led crisis management operations, including military operations where NATO as a whole is not engaged.” (NATO Press Release (2002) 142)

<sup>39</sup> The European Union Monitoring Mission in Macedonia is one example. This mission only became possible after the long awaited Berlin plus agreement in December 2002, which had been blocked for over two years by Turkey. This agreement between NATO and the EU allows the EU access to NATO assets and capabilities, especially the headquarters, SHAPE.

<sup>40</sup> Something that cannot be left aside and which regards both organizations to a varying degree is the need for higher defense spending and closer interoperability. “[W]ithout military capabilities, without the political will of having military capabilities we may have committees, organisations for decision-making, whatever we want, and we will not have the reality to do things. And therefore the first thing we can do, [...] is to really make an effort to construct military capabilities within the European Union. [...] However, what type of capabilities and how to do it is the problem inside the EU and in NATO. [...] We have to put together things that belong to countries which are in nature very different, from the military point of view very different, we may have the same

convergence of domestic political ideologies that underpin the political will of the EU members.

### Stage III: Bilateral relationships, hardening of practices and the formation of a Core

#### *Domestic change again*

Before the events of September 11, 2001, one could observe an increasing distance between the US and Europe not only over foreign and security policy issues but also over the norms and rules informing the transatlantic community. With George W. Bush's move to the White House in early 2001, the ambivalent US attitude towards a more autonomous European rapid reaction force capability became more suspicious and critical. On the one hand, the new US administration did not see such a development in the interest of a strong liberal security community, but on the other hand it did not want to get involved in another Kosovo anymore either (Spiegel, 2003a, 2003b; Hoffmann, 2004: 14). The newly elected Bush administration made clear that the transatlantic relationship and engagements in "nation-building" have no priority for it (Howorth 2003, 25). Was there room for a division of labor? Not really, as to this point the EU still relied heavily on NATO assets and capabilities -- or better US's assets and capabilities that had been earmarked for NATO and, hence, needed US consent to be operational in the field. The new coalition of neoconservative and conservative factions within the Republican party, however, made such a guarantee less likely (Prestowitz, 2003: 277). The lens through which most European states perceived US military and political power had to be readjusted. "It is true that ESDP can capitalize on the greater awareness that international security overlaps with domestic security." (Hain, 2001) While the German government had tried to balance between NATO and the EU during the previous years, just before 9/11 the German chancellor Schroeder mentioned

But of course the transatlantic relationship of 2001 is no longer the transatlantic relationship of 1949. The European side in particular is no longer composed of individual states, but has become a Union that is growing ever closer. Our cooperation must adopt to this new circumstance. We have to learn to treat differences of opinion and divergent interest responsible, should they arise. (Schroeder, 2001)

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capabilities in trade proportional to our GDP, but not militarily, their traditions, their capabilities etc." (Solana, 2002) With the construction of a common defense market (the latest example is the Airbus 400M), major EU members have invested in such a project. ESPD gives them the opportunity to coordinate more among themselves.

With Bush in power and with a change in American foreign policy making, it became acceptable to talk about “differences of opinion and divergent interest” whereas before one was always careful to stress that all European efforts will “strengthening the European pillar of the Alliance” (Schroeder, 2004; Blair, 2004).

Before the potential tensions could break out into open dispute, the events of September 11, 2001 changed the constitutive understanding of security, most fundamentally for the US. Initially after the attack, all transatlantic actors shared a broad common understanding of terrorism as a global threat and problem. However, soon into the war in Afghanistan it became clear that most Europeans and the Americans had a different understanding of how exactly the threat should be handled. Are military means enough or should a more holistic approach, which includes diplomatic/civilian tools be employed complementary to military action (Kissinger, 2003)? The governments on both sides of the Atlantic did not agree on this issue. This becomes very apparent in Europe’s reaction to the US’s new National Security Strategy (NSS) published in September 2002. The NSS formalized a unilateral foreign and security policy that the Bush administration started out with in the beginning of its term. Multilateral action is only envisioned à la carte. Here, NATO’s yearlong effort to build up a political identity is inhibited by the new US administration that makes NATO a more technical institution again. To argue that the new strategy is the result of value maximizing or purely power derived calculation misses the point that previous administrations did not commit to such a strategy despite the military capability gap or the inefficiencies inherent in NATO.

[I]t is true that for us Europeans multilateralism is our life. [...] to say that the mission determined the coalition is to do away with NATO and to do away with the transatlantic relationship or the transatlantic link I think is a tremendous mistake. [...] For the time being I think that the coalition exists, therefore the coalition determines the mission and it may be that the whole coalition is not implicated in every mission, but in any case we have to believe that the coalition exists and that the coalition is a transatlantic link in security [...], and if we don’t take that seriously we have to change the rules of the game. (Solana, 2002)

What can explain the new strategy is the interesting coalition of ideologies in the administration in power. Neoconservative and conservative policy-makers have introduced a

new way of thinking to American foreign and security policy (Prestowitz, 2003: 277). It points to a party in power whose ideological understanding of conducting foreign policy is contesting the procedural norm of multilateralism of the Alliance.

But it also contests substantive norms as the NSS prioritizes military means and introduces a new strategy for dealing with a threat: pre-emptive war. The new strategy shows that the Bush administration does not share the same understanding of collective defense and security as well as the use of force as the Alliance. Pre-emptive strikes are not considered appropriate with most European political parties. The differences between most EU members' interpretation of the new strategic situation after September 11, 2001 and that of the US have grown over time. Based on its new doctrine, and by sidelining NATO and the UN and violating the consultation and consensus norm inside NATO (Risse-Kappen, 1995),<sup>41</sup> the US intervened militarily in Iraq – together with the UK and a more or less symbolic “coalition of the willing”. This military intervention aggravated the rift on the transatlantic dimension and recreated tensions between the British government and most of its European counterparts.

The CFSP/ESDP was not able to produce a common strategy. The British and to a lesser extent Spanish and Italian governments were on the US side despite their constituencies' vehement disagreement with this policy. The UK's siding with the US has to be understood as part of the “special relationship” these two countries have had since the end of WWII, which exists independently of NATO. This special relationship, while challenged several times, has never really been reevaluated in times of crisis since Churchill called it into being (Williams, 2003). It calls for a behavior that is not easily put in line with the expected EU behavior. The current British government, while it is supporting a European security initiative, only partly identifies with such an institution so far. While its party ideology does not conflict with the European project of creating a European security identity, its deeply embedded “special relationship” calls it to duty from time to time. That is, although the special relationship is a robust norm throughout British foreign policy making, its consequential weight is mostly situational – and after the Iraq war it is likely to be reevaluated. The Iraq war was such a situation in which the UK's responsibilities with ESDP

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<sup>41</sup> The issue of Iraq was not brought up once in front of the NAC (interview with a former NATO official). During Kosovo every NATO member contributed to the mission, even if it was just a symbolic contribution as was the case with Iceland who send nurses. While Kosovo established an outlet for NATO's political identity, Iraq is arguably the outlet to make NATO more technical again.

and with the US contesting each other and as the “special relationship” is still more constitutive for British foreign and security policy in times of crises that involve the US, the British government decided to go along with it.

### *Contestation and divergence*

However, if one compares these two pairs of tensions (US-‘EU minus UK’ and intra-EU), one comes to the conclusion that they have different qualities. The ‘EU minus UK’-US tensions develop in the context of NATO’s increased marginalization. It is not a priority anymore to retain the general health of the relationship. The German president Herzog warned in 1997 that “Unilateralismus sollte es in einer Lerngemeinschaft ueberhaupt nicht geben.”<sup>42</sup> (Herzog, 1997: 779) However, the Bush administration chose to favor unilateral moves. That does not mean that it is negating the transatlantic community but it is also not its priority in security matters anymore. Herzog went on in saying that values develop and change (Herzog, 1997: 779). The new Bush administration triggered such a process. It remains to be seen if the transatlantic community undertakes the effort to learn from this or if the procedural and substantive norms are evolving in contesting directions in which case the members have to make a decision which to abide by. That would result in losing opportunities for cooperation.

The CFSP-NATO membership overlap is becoming less and less consequential in determining a collective foreign and security policy and instead the dyad develops into EU-US tensions. The intra-European tensions, on the other hand, are being argued out in a new institutional setting, which has slowly developed mechanisms through which tensions can be overcome more quickly and easily. This becomes very clear when one compares the very reserved relationship between the American and French/German heads of state in 2002 and 2003 and the British attitude towards the other EU members. The British government did not put a hold on dialogue with the EU once it decided to support the US in its war in Iraq, but tried to justify its decision. “For all the talk of international politics as the site of naked struggle, the pursuit of the self-interest, and the amoral exercise of power, states spend an inordinate amount of time justifying their behavior. Even when decisions plainly reflect the self interest of a state, they are presented within a language appropriate to the normative expectations of international and domestic publics.” (Lynch, 1999: 38) Blair could not meet

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<sup>42</sup> “There should be no unilateralism in a community of leaning.” [Translation SCH]

the expectations of all three audiences (US, domestic and “old” European) at the same time but soon after the war was officially over, the UK continued investing in and initiating ESDP projects.

Europe’s role in the world is too weak. We have made a start on building a common voice for Europe. [...] For Britain, there is a simple choice to be made. Are we full partners in Europe, at the centre of its decision-making, influencing and shaping its direction; or are we at the back of the file, following warily a path beaten by others? [...] For 50 years, we have chosen to follow, first in joining; then in each new departure Europe has made. [...] First, we must end the nonsense of “this far and no further”. There are areas in which Europe should and will integrate more: [...] in having a more effective defence and security policy. Britain should not be at the back of the file on such issues but at the front. [...] The essence of unity, in my view, is to regard Europe as it grows in power, as a partner with the United States; not either its servant or its rival. [I]t requires the United States to take into account of Europe as well as Europe to take account of the United States. [...] I am ambitious for European defence. I do not want to limit Europe's security ambitions to low level peacekeeping. [...] Again we need more Europe, not less. (Blair, 2002)

To the American audience/Congress Blair said: “And what America must do is show that this is a partnership built on persuasion, not command.” (Blair, 2003) CFSP recovered relatively quickly from the crisis caused by the divergent opinions on the war in Iraq. In September 2003, the British government asked for a summit meeting with France and Germany and agreed to establish a strategic and operational military planning structure inside ESDP and outside NATO (Spiegel, 2003a). The operationalization of CFSP’s understanding of collective security and the use of force was taken up again. This happened against the US administration’s wishes, as it basically establishes a headquarters (though the three heads of state agreed to not call it this with respect to the US) that can work independently of SHAPE. In November, the EU foreign ministers met in Naples for an informal session where these plans were further elaborated on. This brought sharp criticism from the US, especially the Pentagon (Spiegel, 2003b). After month-long discussions, the EU finally presented in December 2003 its Common Security Strategy paper. In it, the EU governments stress their understanding of the creation and maintenance of security as a comprehensive/holistic approach (Fischer, 2004; Schroeder, 2004). Already in 2000, Chirac pointed out that the

“comprehensive approach [...] is a considerable asset for the European Union” (Chirac, 2000), that is, the EU can act from political decision-making over economic and humanitarian measures to military deployment. When talking about the Common Strategy, German Foreign Minister Fischer said that “Europe is growing closer together. I am absolutely certain about that” (Fischer, 2004). He continues by saying that Europe and US should “work together strategically as partners” (Fischer, 2004). A shared base of values is less and less mentioned when referring to the transatlantic relationship and instead the term “strategic partnership” starts dominating the discourse.<sup>43</sup>

France, Germany, and the UK met in London in January 2004 to boost the trilateral relationship. The three governments “are developing a coordinated approach to a variety of international issues” (Blitz/Adams/Graham, 2004: 3). Furthermore, all three states pronounced their interest in more frequent trilateral meetings. These are indications that a security core is developing inside the EU to establish a more coordinated and coherent mechanism that is becoming increasingly robust and well-equipped in material terms. The Iraqi crisis has produced a common awareness and understanding among EU governments of the need for a common strategic thinking and the further development of a capacity for common strategic reasoning. Hence, ESDP has increasingly developed the capacity to absorb internal division and instead build a coherent institutional identity with its own procedural and substantive norms.

The EU - and especially ESDP – has made “at least three major breakthroughs” (Haine, 2004) since the war in Iraq: a common Action Plan to fight against the proliferation of WMD, the framing of a common strategic concept and the military involvement outside of Europe in a peacekeeping intervention in Congo. With the capability goal almost entirely met and new willingness in Europe to intervene militarily, the practical division of the Americans/NATO fighting and the Europeans cleaning up afterwards which existed mostly due to the capability gap might not be as clear in the future. Throughout the last decade, the US and NATO mostly intervened militarily in places after the Europeans asked the organization to do so. From now on, the EU will be increasingly capable of circumventing

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<sup>43</sup> Despite Straw’s more careful formulation, he also did not mention the value community in his speech. “But ESDP is emphatically not NATO’s replacement. However effective Europe becomes as a regional or global actor, we cannot expect to make a real difference without regular, close and systematic co-operation with the US in NATO, and higher and more focused defense spending. This is essential if we in Europe are serious about wanting to play a leading role in international affairs.” (Straw, 2002)

NATO and organizing such military operations on its own. This development is based on divergences of priorities that are not simply of geographical or geopolitical nature but go into the discussion of what constitutes a threat and how it should be handled. The EU does not prefer a holistic approach because it is weak, but because it thinks that such an approach is superior to purely military means. And it conceptualized its norms accordingly. This approach is nurtured by the lack of power politics tradition in post-World War II Europe.<sup>44</sup> While we can observe outcomes that at some times fit a neoliberal or a power-based explanation, the process of ESDP's institution-building as a whole cannot be captured by either.

### Conclusion

'But why', a skeptical observer might ask, 'was the initiative taken in the European Union in the first place?' [... S]ecurity in the 21<sup>st</sup> century is multidimensional. It demands a multi-dimensional response both in the range of institutions we call on to provide our security, and within each of those institutions. The European Union is a significant actor on the world stage and it can only make sense to capitalize on the additional political will and momentum that the European Union can generate. (Hoon, 2000)

It will happen in starts and stops, but I am convinced that it is necessary and inevitable. (Chirac, 2000)

States do not become members of international institutions every day since the creation and maintenance of institutions is expensive. However, the last one-and-a-half-decades witnessed institutional innovations in the field of security in Europe. As the preceding discussion showed, the NATO-EU relationship is very complex and needs to be understood to explain CFSP's institution-building process as well as transatlantic security policies. The overlap in membership and functions implies uncertainty about the division of tasks and assets as well as the compatibility in identity. Their "justification of existence" as well as their relationship to each other cannot be captured well with neoliberal institutionalist or power-based approaches. The main motivation behind the CFSP is neither purely strategic, functional, altruistic nor pursuant of adaptational pressures. That is, neither the fear that the US would withdraw from Europe, necessitating a European security institution, nor a general

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<sup>44</sup> Since WWII Europe has been a junior partner in security affairs and not a protagonist.

dislike of US supremacy motivated this political decision. Nor was there a major threat or risk recognized by all member states as such and against which they wanted to organize. The absence of net economic and security benefits make the political phenomenon at hand an “exception.”

As British Defense Minister Hoon said political will and momentum are the reasons why the European states were willing to create two institutions next to each other. In this paper, political will is understood as party ideologies in regards to foreign and security policy and the momentum is understood as internationally institutionalized norms. The interaction patterns of these two variables account for CFSP’s existence – which includes its relationship to NATO, its form and its nonlinear development. It is, after all, not a coincidence that in the prior analysis the institutional stages coincide with domestic changes. The institution-building process is not straightforward and still partly depends on the political will of member governments. So far the institutional performance has varied in robustness and coherence because of patterns of norm contestation, reinforcement and coexistence. In the beginning of CFSP’s existence, the institution was less than a cooperation facilitator but then changed over time. A distinct European security identity is emerging. It was neither a perception of crisis nor structural changes that caused the formation of this identity, that is, the dialogue surrounding that identity evolved with little strategic framing.

What that means for the NATO-CFSP relationship is that as long as CFSP remained more a political symbol than a political and military reality, it could coexist with NATO without major tensions. This process implies that in very sensitive issue areas, norms of procedure are more easily agreed upon and implemented than crucial substantive norms. With increasing elaboration of substantive norms, the definition of ESDP’s and NATO’s/US security milieus are diverging more and more. With the accomplishment of the EU Headline Goal and the current US administration different understandings of the use of force, collective defense and security as well as multilateralism one can note a fine recalibration of the transatlantic relationship. The institutions do not necessarily carry and interpret norms the same way. Multilateralism can carry many different faces. These differences have important repercussions for their definition and handling of threats and risks. Domestic party beliefs as well as international substantive and procedural norms have a decisive influence on policy outcomes.



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