

THE UNIVERSITY OF HULL

**How National Diversity Shapes The Future Of A Genuine
Common European Security And Defence Policy**

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LIST OF ABBREVIATIONS

GENERAL ABBREVIATIONS	
AVF	All-Volunteer Force
CDP	Capability Development Plan
CEE	Central and Eastern Europe
CFSP	Common Foreign and Security Policy
CIVCOM	Committee for Civilian Aspects of Crisis Management
CMPC	Civil-Military Planning Cell
COREPER	Comité des Représentants Permanents
CPCC	Civilian Planning and Conduct Capability
CRT	Civilian Response Team
CSDP	Common Security and Defence Policy
EADS	European Aeronautic Defence and Space Company
EC	European Community
ECAP	European Capabilities Action Plan
EDA	European Defence Agency
EDC	European Defence Community
EP	European Parliament
EPC	European Political Cooperation
EPSO	European Personnel Selection Office
ESDI	European Security and Defence Identity
ESDP	European Security and Defence Policy
ERRF	European Rapid Reaction Force
ESS	European Security Strategy
EU	European Union
EUBAM	European Union Border Assistance Mission
EUBG	European Union Battle Group
EUFOR	European Union Military Mission
EUMC	European Union Military Committee
EUMM	European Union Monitoring Mission
EUMS	European Union Military Staff
EUPAT	European Union Police Advisory Team
EUPM	European Union Police Mission
EUSC	European Union Satellite Centre
EU-SSR	European Union Security Sector Reform Mission
EUTM	European Union Training Mission
FULLCOM	Full Command
GAERC	General Affairs and External Relations Council
GDP	Gross Domestic Product
GFAP	General Framework Agreement for Peace
HHG	Helsinki Headline Goal
HQ	Headquarters
HR-CFSP	High Representative for Common Foreign and Security Policy
MEP	Member of European Parliament
MP	Member of Parliament
MONUC	Mission de l'Organisation des Nations Unies en République Démocratique du Congo
NAM	Non-Aligned Movement
NATO	North Atlantic Treaty Organization

NBG	Nordic Battle Group
NRF	NATO's Response Force
OCCAR	Organisation Conjointe de Coopération en matière d'Armement
OHQ	Operational Headquarters
OpCdr	Operational Commander
OPCOM	Operational Command
OPCON	Operational Control
OSCE	Organization for Security and Co-operation in Europe
PfP	Partnership for Peace
PKO	Peace-Keeping Operation
PPS	Purchasing Power Standards
PSC	Political and Security Committee
PSO	Peace Support Operation
R&T	Research and Technology
ROE	Rules of Engagement
SHAPE	Supreme Headquarters Allied Powers Europe
SOFA	Status of Forces Agreement
SOMA	Status of Mission Agreement
SSR	Security Sector Reform
ToA	Transfer of Authority
UN	United Nations
UNSAS	United Nations Stand-by Arrangements System
URL	Uniform Resource Locator
WEU	Western European Union
WFP	World Food Programme
WMD	Weapons of Mass Destruction
COUNTRY ABBREVIATIONS	
AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
DRC	Democratic Republic of Congo
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
FYR	Former Yugoslav Republic
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	Netherlands

PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom
US(A)	United States (of America)
POLITICAL PARTY ABBREVIATIONS	
AKEL	Progressive Party of Working People (Greek: Anorthotikó Kómma Ergazómenou Laoú)
BZÖ	Alliance for the Future of Austria (German: Bündnis Zukunft Österreich)
CDU	Christian-Democratic Union of Germany (German: Christlich Demokratische Union)
DISY	Democratic Rally (Greek: Dimokratikós Sinayermós)
EDEK	Movement for Social Democracy (Greek: Ενιάια Δημοκρατική Ένωση Κέντρου)
FDP	Free Democratic Party (German: Freie Demokratische Partei)
FPÖ	Freedom Party of Austria (German: Freiheitliche Partei Österreichs)
KKE	Communist Party of Greece (Greek: Kommounistikó Kómma Elládas)
NP	Nationalist Party (Maltese: Partit Nazzjonalista)
ODS	Civic Democratic Party (Czech: Občanská Demokratická Strana)
ÖVP	Austrian People's Party (German: Österreichische Volkspartei)
PASOK	Panhellenic Socialist Movement (Greek: Panellinio Sosialistikó Kínima)
PL	Labour Party (Maltese: Partit Laburista)
PP	Popular Party (Spanish: Partido Popular)
PSOE	Spanish Socialist Workers' Party (Spanish: Partido Socialista Obrero Español)
RE	Estonian Reform Party (Estonian: Eesti Reformierakond)
SPD	Social Democratic Party Germany (German: Sozialdemokratische Partei Deutschlands)
UCD	Union of the Democratic Centre (Spanish: Unión de Centro Democrático)
RESEARCH INSTITUTIONS ABBREVIATIONS	
ABDI	Advisory Board for Defence Information
CER	Centre for European Reform
DCAF	Geneva Centre for the Democratic Control of Armed Forces
DIIS	Dansk Institut for Internationale Studier
ECFR	European Council on Foreign Relations
ERGOMAS	European Research Group on the Military and Society
EU-ISS	European Union Institute for Security Studies
FORNET	Foreign Policy Research Network
HSFK	Hessische Stiftung für Friedens- und Konfliktforschung
IEP	Institut für Europäische Politik
IFRI	Institut Français des Relations Internationales
IISS	International Institute for Strategic Studies
PAKS	Parlamentarische Kontrolle von Sicherheitspolitik (Research Project)
SOWI	Sozialwissenschaftliches Institut der Bundeswehr
TNS	Taylor Nelson Sofres PLC
UPI	Ulkopoliittinen Instituutti
ZEI	Zentrum für Europäische Integrationsforschung

I. INTRODUCTION

Research Questions and Research Focus

When the Czech president, Václav Klaus, signed the Treaty of Lisbon in November 2009, the last EU country was completing the ratification process of the charter which was designed to transform Europe into a more unified and influential global player. His signature ended a long period of national struggle for constitutional EU reform and sealed a painful effort of many years to bring about institutional innovations for the EU.

One of these innovations is the renaming of the European Security and Defence Policy (ESDP): since the 1st of December 2009 – the day the Treaty of Lisbon entered into force – the EU does not only have a *Common* Foreign and Security Policy (CFSP), it also has a *Common* Security and Defence Policy (CSDP):

***“The common security and defence policy
shall be an integral part of the common foreign and security policy. It shall provide the Union with an operational capacity drawing on civilian and military assets. The Union may use them on missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter. The performance of these tasks shall be undertaken using capabilities provided by the Member States.”***

***The common security and defence policy
shall include the progressive framing of a common Union defence policy. This will lead to a common defence, when the European Council, acting unanimously, so decides. It shall in that case recommend to the Member States the adoption of such a decision in accordance with their respective constitutional requirements”***

(Treaty on European Union
after amendments introduced by the Treaty of Lisbon:
Article 42, (1), (2))

Many experts argue that “[i]t is far from obvious that EU members share sufficient foreign policy interests, traditions, goals and outlooks to automatically generate substantive common policies” (Toje 2008a: 124/125) – that “[...] member states remain stubbornly differentiated in terms of their approaches to security. [...] [That] significant differences remain between their competing views as to what the ESDP should be” (Menon 2009: 237).

The crucial question therefore, is if the ‘upgrade’ from a ‘European’ to a ‘Common’ Security and Defence Policy in the Lisbon Treaty is of mere symbolical nature as some argue (see Dagand 2008: 4), or if European member states are really able to forge and establish a common policy of substance. Can EU member states ignore or even overcome national differences in security and defence orientation, security and defence interests and security and defence policy to agree on a *common* orientation and *common* interests and to develop a genuinely *common* policy? Is a genuinely *Common* Security and Defence Policy really feasible in the coming years, considering national diversity within the EU?

This work will address these questions by analysing how different EU member states actually are with regard to security and defence issues. In doing that, it will not only address the question *if* a genuine CSDP is feasible, but also *which type* of CSDP is most likely to develop in the future. Comparing differences automatically provides a clear picture of the maximum possible convergence and the smallest possible common denominators.



Box 1: Central Research Questions of this Work

RESEARCH QUESTION 1

How do EU member states differ with regard to central security and defence issues in general and regarding ESDP specifically?



RESEARCH QUESTION 2

How far can integration go in the field of ESDP, considering national diversity? How feasible is a genuine *Common* Security and Defence Policy (CSDP) consequently?



RESEARCH QUESTION 3

Which type of a future CSDP will most likely develop, considering national diversity?



MAIN RESEARCH QUESTION

How does national diversity shape the future of a genuine *Common* European Security and Defence Policy?

Countries differ in innumerable ways – they have different types of political systems, different political influence in the world, different economic power, different cultural heritage et cetera. It is not possible of course to analyse every dimension of national diversity which somehow could influence ESDP.

The analysis of this work will only focus on the direct ‘security policy orientation’ of EU member states and their ‘specific security interest’ (terms influenced by Sybille Lang (Lang 2007), elaborated later on). This work will analyse the forces behind those ‘orientations’ and ‘interests’ which can be considered as most influential, factors which determine the future of ESDP and the prospects of a genuinely *common* ESDP:

1. *Political Will*

Michel Barnier wrote in 2004 that “the member states of the Union, present and future, do not all share the same ambition with regard to European security and defence. The political will differs widely from state to state” [...] (Barnier 2004: 168). This is not surprising in a Union of 27 different nation states which have different political frameworks and constraints. However, this fact is absolutely crucial, because a common political will is an absolute necessity to developing a genuine CSDP: “Developing a common political vision of the EU as security actor and mobilizing the resources required to implement this vision are the most formidable political challenges facing the European Union today” (Pilegaard 2004: 26). There are many important factors being decisive for the future of ESDP, but analysts agree that political will is the most important one. Colin Cameron notes that “institutions cannot make up for the lack of a common political will” (Cameron 2008), and Nicole Gnesotto adds that “the finest capabilities in the world serve no purpose if there is no political will” (Gnesotto 2004: 30; see also General Kemmler in Stubhaug et al. 2008: 7). Political will is the basic prerequisite for any further development of ESDP – *common* political will is the basic force for any future CSDP. Political will decides *if* a CSDP will exist in the future – political will decides the *what, when, where* and *how* of any future CSDP.

2. *Security and Strategic Culture*

Political will of a country’s decision-makers and therefore ‘security policy orientation’ and ‘specific security interest’ of a country are significantly influenced by a country’s national political culture in general and its national security and strategic culture in particular.

Brian Burrridge describes the phenomenon of political culture as follows: “First, most [countries] have deep historical roots and the enduring principles that they embraced have been consolidated over hundreds of years. Secondly, this journey through history has seen them develop in different directions and at varying speeds. This development reflects the psyche and political culture of the nation concerned. What shapes the end-state are often deeply rooted national characteristics. Thirdly, these characteristics are not so deeply rooted that they inhibit change” (Burrridge 1998: 89).

The national security and strategic culture is an integral part of the overall political culture of a country and determines the way in which national entities think about security and defence. Jolyon Howorth describes it as a “cocktail” of different historic and military experiences and developments: “Long and often bloody histories, the accidents of geography, national mythologies, as well as overseas experiences have woven deeply rooted culturally narratives of national situation, security and rank. Many elements contribute to these narratives: internal cultural cohesion; interactions with neighbours; defeat and occupation; threat perception; past martial or imperial ambitions and traditions; impermeability and durability of national borders” (Howorth 2007: 178). Because every country has a unique history, every country has a unique security and strategic culture. Of course European countries to a certain degree share the same history, but *only* to a certain degree. Security and strategic cultures therefore may be similar, but it is very unlikely that they are the same – usually at least the reasons for same characteristics differ. It is therefore only a slight exaggeration to suggest that 27 EU member states have 27 distinct security and strategic cultures (see Howorth 2007: 179).

A basic argument now is, as formulated by Stine Heiselberg and supported by this work, that “‘if the ESDP is to be used as an active instrument ..., there has to be an underlying agreement among the participating countries about the nature of the world and about how to react in accordance with this perception of the world’. In this view, this ‘underlying agreement’ would become the strategic culture of the ESDP, and the central question is therefore whether the strategic cultures of the EU’s current and future member states are compatible” (Heiselberg 2003 in Pilegaard 2004 and Pilegaard himself 2004: 34). How different are the national security and strategic cultures of the EU member states? To what extent do those differences shape the political will of a country and therefore the prospects of a *common* political will within the EU? How do those national differences in security

culture shape the ‘security policy orientation’ and ‘specific security interest’ of EU member states? How dependent is the future of ESDP on the way national security cultures differ, as last consequence? As can be seen, specific national security and strategic cultures are the prerequisite for a specific degree of political will. As a *common* political will is the basic force for any future CSDP, the same goes for a *common* security and strategic culture within the EU.

3. *Military Legal System*

Every country has country-specific military laws that constitute a country-specific military legal system. Military law, specifically, is a tool for ensuring order and discipline within the armed forces. As such, military law provides for punishment of military personnel who act in violation of military statutes, for example. On the other hand, however, in general and more important, military law is the legal framework of all security and defence action that a state takes – it defines what is ‘possible’ and ‘impossible’ in the security and defence sphere of a country. A national military legal system regulates the development, structure and the use of armed forces. Why is that of relevance? There are two reasons. First, according to these considerations, national military law also defines the legal framework of a country’s involvement in ESDP action. It determines what is ‘possible’ and ‘impossible’ for a country with regard to ESDP development, structure and use. A country’s scope – priorities, limits and possibilities – of ESDP involvement is strongly influenced by its military legal system. Second, national military law has a very significant relationship with national security and strategic culture and therefore ESDP: “Law doesn’t just mop up, it defines. It doesn’t just correct, it makes possible. What it defines, the meaning frames it sets forth, is an important force in shaping human behaviour and giving it sense, lending it significance, point and direction. [We can view] law not so much as a device or mechanism to put things back on track, when they have run into trouble, but as itself a constructive element ‘within culture’, a style of thought [...]” (Clifford Geertz in Rosen 2006: 8). What Clifford Geertz means is that law is not only part of culture, it creates culture. By confirming principles, morals and ‘styles of thought’, law creates normative standards which become culture after a longer period of time. Applying this context to the specific case of security and defence, it means, that national military law is not only part of the national security and strategic culture, but is also actively involved in shaping it. It can be noted at this point, that experts agree that law and

culture are entwined and *mutually* influential, create and constitute each other: “Law [...] proves to be product and producer of culture at the same time” (Losch 2006: 71; see also Rosen 2006: 7; Esperanza Hernandez-Truyol 2003: 621). National military law is therefore product and producer of national security and strategic culture at the same time.

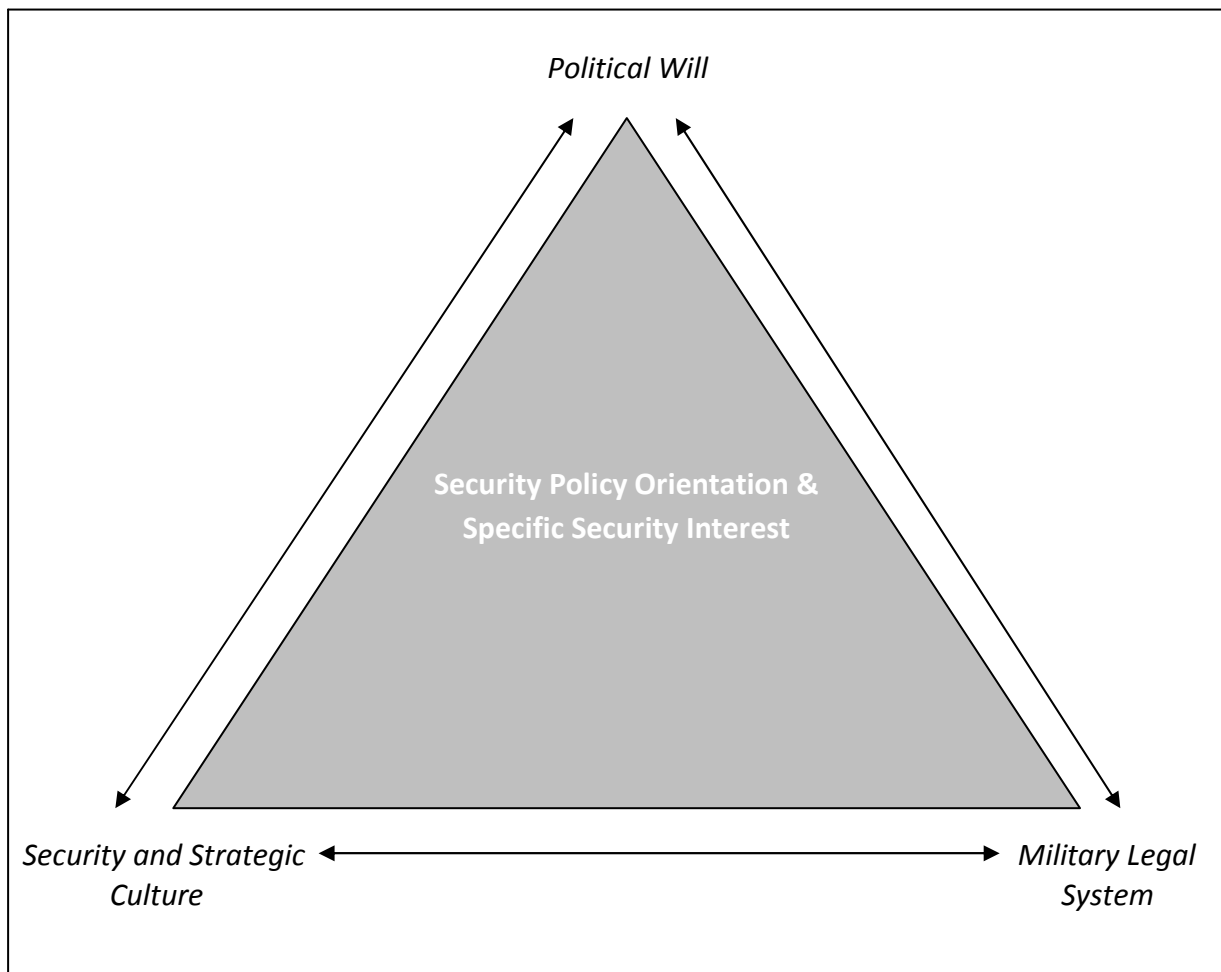
For the analysis of prospects of a genuinely *common* European Security and Defence Policy/CSDP a comparison of the military legal systems of EU member states plays an important role in two ways: first, it directly indicates the legal scope of EU member states with regard to ESDP involvement and shows legal limits to a country’s ‘political will’. Secondly – because law is inherent in culture – it indirectly indicates the probability of an emerging *common* EU security and strategic culture by highlighting the degree national military law differs within the EU. Military law and military legal systems of EU member states therefore say a lot about their ‘security policy orientation’.

A country’s political will, national security and strategic culture and military law are interdependent and mutually influence each other. The nature and degree of political will is dependent on the security and strategic culture of a country and on its military legal system. At the same time a specific political will can change the culture and/or the legal system. Security and strategic culture influences the political will and the military legal system of a country, but at the same time can also be influenced by both. Finally, national military law can set limits to the political will of some decision-makers and create a culture of decision-making for some others – while will and culture both can contribute to the change of the law in return. Whatever direction the influence takes, however, the most important fact is that all three forces shape the ‘security policy orientation’ and the ‘specific security interest’ of a country.

Being the main driving forces behind national security policy shaping ‘security policy orientation’ and ‘specific security interest’ of a country, ‘political will’, ‘security and strategic culture’ and the ‘military legal system’ all-together constitute a ‘triangle of security policy forces’ (see figure 1). It is these forces which are the analytical units of this work, because “in order to understand the potentials and limits of the ESDP, [...] it is necessary to understand the political forces at work in the current European landscape” (Pilegaard 2004: 28).



Figure 1: Triangle of Security Policy Forces



Research Strategy

The analysis of the three ‘security policy forces’ follows a deductive logic. This means that the analysis starts with an understanding of what ‘commonness’ is. In the beginning of each analytical chapter it will be outlined how ‘commonness’ in the specific context looks like: What characterizes *common* political will, a *common* European security and strategic culture and a *common* European military legal system? In a second step, different research strategies have been chosen which are regarded as most suitable to analyse how the current reality measures up to the respective concept of ‘commonness’:

Analysis of Political Will: The Opinion of National Decision-Makers on ESDP

How is ESDP seen in the different European nation states? What type of ESDP do the different EU member states prefer? In order to analyse the political will in EU member states and to explore possible differences, a survey has been conducted which has captured the

positions and preferences of key decision-makers within national parliaments both with regard to security and defence in general and in view of ESDP specifically. Members of parliaments ideally represent the political will of a country, by representing both a country's population and its whole political spectrum.

Analysis of Security and Strategic Culture:

The Role of Neutrality, Atlanticism & Conscription

Jolyon Howorth defined a number of dichotomies which shape and characterize national security and strategic cultures and which, he argued, “would need to be transcended if Europe as a whole was ever to move towards a common approach” (Howorth 2007: 179; also Howorth 2002). Three of these dichotomies are considered in this work as being most influential for the development of a genuinely *common* ESDP: differences between allies and neutrals/non-aligned countries, between ‘Atlanticists’ and ‘Europeanists’, and between those favouring conscript-based armed forces and those prioritizing professional/all-volunteer armed forces. All three dichotomies will be analysed, by identifying which country belongs in which camp, by examining how strong these orientations are and by discussing which impact these dividing lines have on ESDP.

Usually all national governments regularly publish official documents (security strategies, defence white papers, military doctrines etc.), which outline the strategic orientation of their security and defence policy. For this work, the most recent documents of this kind, which were accessible and available, have been compared in order to highlight strategic peculiarities and priorities of EU member states with regard to these three dichotomies. Do these documents provide any specific information about an EU country's ‘neutral’, ‘Atlanticist’ or ‘conscription’ orientation?

Analysis of Military Legal System: The Legal Scope of National Security and Defence Policy

The scope of national participation in ESDP is influenced by two particular legal constraints. First, constitutions and national military law set legal limits for undertaking specific operations, allowing and prohibiting specific action. Secondly, national law determines the way military deployment of national armed forces abroad is regulated. Furthermore, national military law defines the legal scope of European military integration with regard to command structures and disciplinary measures. In this work, these legal issues are considered as the main potential obstacles for the development of a genuinely *common*

ESDP and will be in the centre of the analysis. A comparative study of national legal foundations of EU member states will identify differences within the EU with regard to these issues and will discuss the impact of diversity on ESDP.

It is relevant at that point to note that ‘commonness’ is not a binary variable: it is not the case that there *is* either a common ESDP or there *is not*. Rather, the values of this variable could be placed on a spectrum from a minimalist to a maximalist interpretation. Regarding some issues EU member states *might* have a ‘common’ political will while they might *not* have towards others. The same goes for ‘commonness’ in the context of a European security and strategic culture and a European military legal system. It all comes down to the question to what extent EU member states are able and willing to integrate their security and defence policy and military into a European framework. Wolfgang Wagner has spoken of an ‘integration spectrum’ in this context: “In the military realm, integration refers to the deliberate creation of interdependent relations among the armed forces of the member states. Governments may agree on varying degrees of military integration: at the minimalist end of the spectrum, they may merely coordinate force levels and structures with a view to a joint headline goal. Such a low degree of integration does not impact on a state’s capacity to deploy its armed forces unilaterally. At the maximalist end, governments may come close to establishing a supranational army replacing national armed forces. In this case, a state is entirely bereft of any unilateral military capacity” (Wagner 2007: 3). In between these extreme points, governments may agree to varying degrees on more or less integration in different areas of CSDP and regarding specific issues.

As the analysis in this thesis will show, integration and therefore ‘commonness’ as it stands on the spectrum varies across ‘space’, across the three different dimensions which are assessed, and over time.

Research Structure

This work is structured into seven chapters. After this ‘introduction’ (*chapter one*) there will be two chapters which put this work into context (‘contextualization’), three analytical chapters and a conclusion chapter.

Chapter two outlines the conceptual and analytical context – it outlines the theoretical framework of this work's research questions and explains to which disciplines of political science the research methods belong, which are used to address the research questions. *Chapter three* shows how this research project is embedded in the academic context. Are the research questions unique and therefore relevant?

After the 'contextualization', the analysis finally begins with the 'analysis chapters' which will address the research questions. Due to dramaturgical reasons ('political will' can be regarded as the strongest force of the so-called 'triangle', military law as the weakest), this work will begin with the analysis of the military legal system of EU countries (*chapter four*), followed by the analysis of the security and strategic cultures (*chapter five*) and the analysis of political will (*chapter six*). The research methods used in the analytical chapters will be outlined in detail at the beginning of each chapter.

A 'conclusion chapter' (*chapter seven*) at the end of this work will finally synthesize the core findings of all analysis chapters and will summarize their essence – conclusions and final recommendations will be formulated.

II. CONCEPTUAL & ANALYTICAL CONTEXT

Conceptual Context

In 2007, Sibylle Lang defined determinants of shape and effect of European Security and Defence Policy – cornerstones of what she called ESDP “framework of action”. In Lang’s theoretical model (see figure 2) there are “three dimensions relevant for ESDP’s functional capacity: a strategic framework, institutional and procedural structures and capabilities and resources. [...] The formal ESDP framework of action is an integral part of the EU’s capacity to act in operative crisis management and defines it” (Lang 2007: 15). This means that any future success of ESDP is dependent on the way this framework is shaped. If the EU manages to agree on a common and coherent strategic framework, if the EU manages to establish efficient institutional and procedural structures and if the EU is able to develop the necessary military and civilian capabilities it needs for carrying out its ESDP operations – if all this can be achieved, it is very likely that ESDP will fulfil the expectations in the future which it has raised among European friends and partners and within the European Union itself.

According to Lang there is a set of three factors that influence the nature and condition of the ESDP framework of action, factors which build the basis for ESDP’s cornerstones being either well or poorly configured, factors which have decisive impact on ESDP’s development and progress – determinants of ESDP’s shape and ESDP’s success. These factors are (see figure 2):

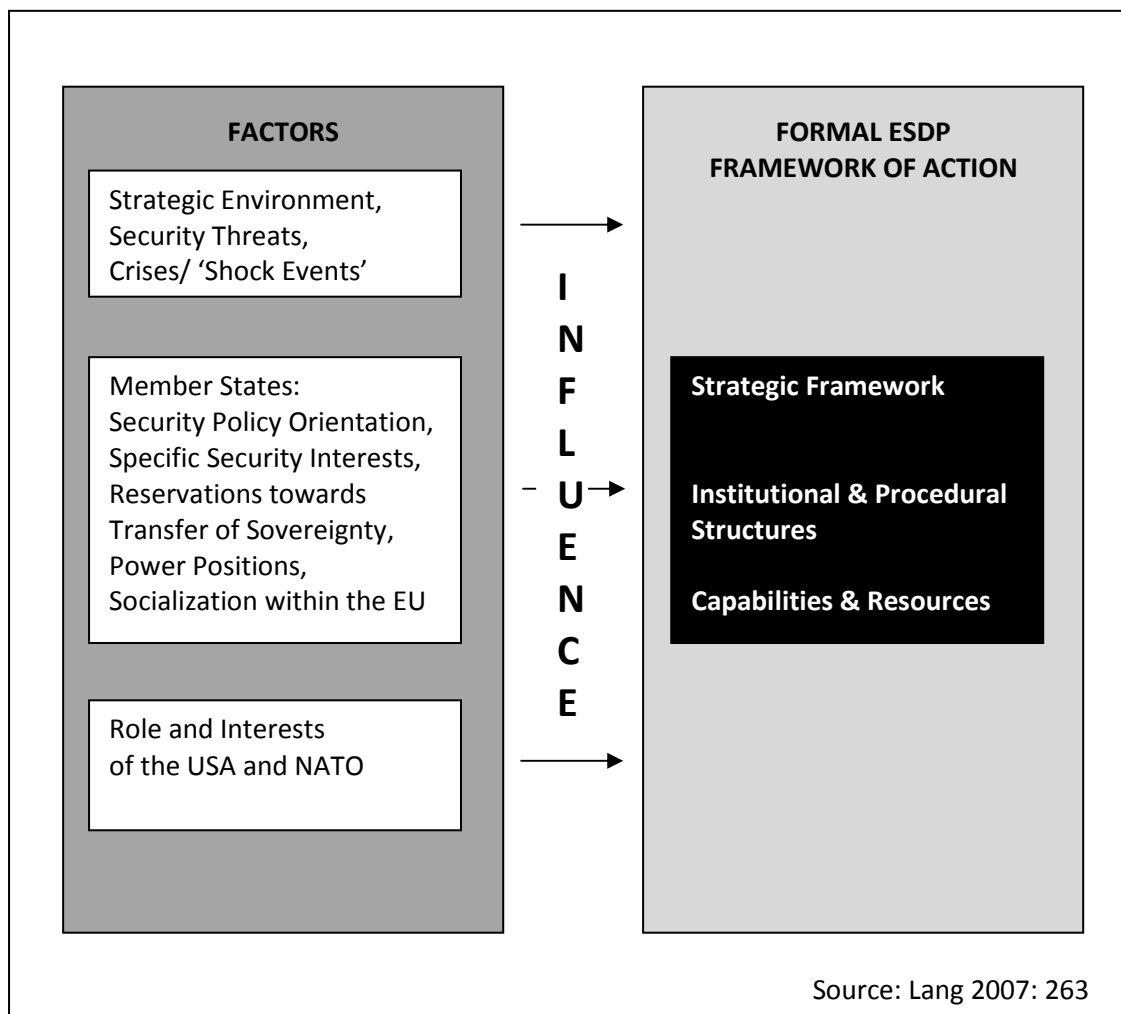
1. *Strategic Environment, Security Threats, Crises/‘Shock Events’*
2. *Member States: reservations towards Transfer of Sovereignty, Security Policy Orientation, Specific Security Interests, Power Positions, Socialization within the EU*
3. *Role & Interests of the USA and NATO*

The factors mentioned first can be summarized under the category ‘external factors’. They have proven very often that they definitely have a very large impact. In particular in the young history of ESDP they played an important role more than once in shaping its current face. Three main examples can illustrate this. First, ESDP would have possibly not been born without the Balkan wars in the late 1990s. As King notes, “the ESDP was itself fundamentally

a result of the failures of European defence capabilities in Bosnia and subsequently in Kosovo” (King 2005: 48). Analysts today agree that Saint-Malo only happened due to the tragedy of the Balkan crisis and the lack of military capabilities and cohesiveness among European states in addressing it (for examples see Van Eekelen 2006: 39/40 and EU-ISS 2004: 22).



Figure 2: Determinants of ESDP Development



Secondly, the 'shock event' of 9/11 dramatically changed the global security environment of the post-Cold War era which had far-reaching implications for the Western World. International terrorism replaced the Soviet Union and Communism as threat number one and the fight against it became a priority objective – "ESDP could not ignore this new strategic context" (Haine 2004a: 47; see also European Council Conclusions 09/2001). Armed

forces fighting against terrorists, of course, require a different development and strategy than armed forces fighting against communist mass armies. Thirdly, the Iraq crisis in 2003. When the Bush administration decided to launch the war in Iraq in order to topple Saddam Hussein, the EU was divided in two camps – a ‘war camp’ and a ‘peace camp’ – which could not agree on a common position. This crisis was a disastrous failure of coercive diplomacy, but today it can be considered as a prime example of how crises can have positive outcomes and shape political developments. As result of the Iraq crisis, “barely six months after the Iraqi war, which by European standards is a very short amount of time, the Union has agreed on a broad security strategy” (Haine 2004b: 40), the European Security Strategy.

The history of ESDP shows clearly how external factors have an impact on the development of European policies. In the area of security and defence these factors are changes in the security and strategic environment, changes of security threats and crisis taking place. There are a lot of studies which explain the impact of external factors on ESDP in retrospective (Sheperd 2006; Lindstrom & Schmitt 2004; Grant 2000, just to name three). However, it is difficult, almost impossible to foresee *future* crises and threats – why it is difficult to predict any future prospects of ESDP by analysing external factors. The author will not take part in fortune-telling with this work. The only wise thing is to draw lessons from previous ESDP experiences with regard to external factors, as Nicole Gnesotto did in 2003. Her conclusion points into a bright future: “When it comes to security, European crises usually have positive outcomes” (Gnesotto 2003: 9).

Also an ‘external factor’ influencing the ESDP framework of action is the role of the USA and the North Atlantic Treaty Organization (NATO). Given that this factor is of special relevance it deserves a separate category which can be labelled as ‘*transatlantic factor*’. Because the US has been the security provider for Europe since the end of World War II and is the ‘special’ partner of European countries, American positions towards ESDP can impact its shape and orientation to a large extent – different US administrations showed that they are able to exert crucial influence on internal political developments of the EU in this regard. During the Clinton Administration, although being generally supportive of ESDP (at that time still called European Security and Defence *Identity*), “US officials and analysts were concerned that the implementation of Europe’s plans for a common defence poses two potential problems: unnecessary duplication of NATO assets, and unwelcome discrimination of European states

that are not EU members” (Kupchan 2000: 19). A general concern existed that ESDP/ESDI could threaten NATO and damage the transatlantic relationship. These concerns – summarized by Madeleine Albright, US Secretary of State at that time, in terms of the nowadays famous ‘3 Ds’ (no decoupling, no duplication, no discrimination – see Albright 1998) – were addressed by the European Union, both in rhetoric and concrete measures. During the Bush administration American policy towards ESDP also created crucial moments for the development of European security and defence ambitions, both glorious and inglorious ones, taking place in the shadow of the Iraq crisis in 2003. In January 2003, Donald Rumsfeld played on the divisions within Europe on a possible Iraq invasion causing a deep rift in the European Union by his stereotyping of ‘old’ and ‘new’ Europe. Narcis Serra described this tactic as “pre-emptive division” with a “deliberate aim” (Serra 2004: 116) to enforce US interests. This had of course consequences: “The clear divergence within Europe did not bode well for ESDP and the differences spilled over into discussions on how to further develop ESDP” (Sheperd 2006: 77). Korski et al. have noticed in this regard that “though successive US administrations have supported European integration, American policy-makers cannot always resist the urge to ‘divide and rule’ the 27-member bloc” (Korski et al. 2008: 2). In contrast to that, only two months later, in March 2003, the Bush administration allowed an ESDP highlight to happen when EU and NATO finally reached agreement on ‘Berlin Plus’, the arrangements that enabled the EU to have access to NATO planning, assets and capabilities.

The role of the US and NATO and American policy towards ESDP are definitely an important factor which influences the direction of ESDP development. However, the same goes for the ‘transatlantic factor’ as for all the other ‘external factors’: it is very difficult to foresee positions, views and policies of future US administrations towards European security and defence and therefore hard to predict any effects on ESDP. For the new Obama administration, ESDP has not been an issue yet. There is widespread agreement however, that with the new man in office in Washington transatlantic relations in general will recover from the rather painful Bush years, because “there are several areas where Obama’s policies differ sharply from those of the Bush administration (Smith 2008: 2). If ESDP is such an area is not clear yet, but most Europeans seem to welcome the election of Barak Obama, because it “has seriously narrowed the policy differences between Europe and the US” (Korski et al. 2008: 1) and “has begun the process of a genuine transformation of the relation between

the US and Europe, which spreads well beyond the governing elites” (De Vasconcelos & Zaborowski 2009: 2). Findings of Ingo Peters from 2004 remind us in any case not to expect too much from the Obama administration: “Disputes over ESDP remain a basic feature of transatlantic relations, even though governments change on both sides of the Atlantic from Republican to Democrat administrations in the United States and from conservative to social-democratic (or various coalitions) governments in Europe” (Peters 2004: 396).

The third category of factors influencing the ESDP framework of action which Sibylle Lang mentions are EU ‘internal factors’ and are summarized in her model as ‘security policy orientations’ and ‘specific security interests’: “A broad spectrum of strategic cultures, security policy priorities, interests and abilities within the EU, different expectations of EU members towards the EU and different significance of the EU for national policy, respectively, disagreement on specific issues and agreement on not addressing specific other issues – this all not only shapes the institutional development and development of a strategic framework and capabilities, but also influences the intervention practice of ESDP (including possible missions not carried out) which therefore results in a product of interest convergences within the EU on the one hand, and national differences on the other” (Lang 2007: 270). It is suggested in this work to name these factors *‘factors of national diversity’*. The degree of national diversity and convergence of EU member states, respectively, is crucial for ESDP’s future for two main reasons. First, it can be argued that the ESDP framework of action is dependent on the degree of European convergence. This framework is as good or bad, as EU member states differ on security and defence matters. The more convergence, the better it is for the ESDP framework of action. Second, national differences determine the general face of ESDP and its specific orientation. It all depends on which national interests and priorities are stronger and which EU member states are cleverer or more powerful to enforce them.

It is these ‘internal factors’, these ‘security policy orientations’ and ‘specific security interests’ of Sibylle Lang’s model which will be analysed in this work. It is these ‘factors of national diversity’ which this work will explore in order to examine and discuss their impact on the future of European Security and Defence Policy and the prospects of a genuine CSDP.

Analytical Context

The analytical framework of this work is characterized by a unique approach. It is unique in so far as it unites two major political science disciplines, uses a broad methodological mix, includes all 27 EU member states and does not exclude the taboo subject 'European army'.

Interdisciplinary Approach: Between 'Comparative Politics' and 'Policy Analysis'

The analytical approach of this work is placed in the middle of two major sub-disciplines of political science: 'comparative politics' and 'policy analysis'. The best analytical elements of 'both worlds' are used in order to address the main research questions in the most appropriate way.

Central to the analytical approach will be the 'comparison'. It is therefore deeply rooted in the discipline of 'comparative politics': "[C]omparative politics uses, as its name says, comparisons" (Ragin in Kriesi 2007: 28); "comparative politics has often been defined as the study of politics using the method of comparison" (Clark et al. 2008: 4). According to Hans-Joachim Lauth et al., comparative politics has the following objectives:



Box 2: Objectives of Comparative Politics

- To identify equality and identity
- To recognize differences and commonalities
- To highlight the unknown and the specific
- To recognize functional equivalents
- To gather information about cases (especially of different countries)
- To structure empirical phenomena
- To develop classifications and typologies
- To compare single cases with standards in order to identify deficiencies
- To identify cases which have found solutions for specific problems
- To develop and analyse hypotheses and theories
- To forecast

Source: Lauth et al. 2009: 28

The units that will be compared in this work are the EU member states and their security policy orientation and their specific security interest with regard to ESDP, in particular the forces behind those (political will, national security and strategic cultures, national military law). Applying Lauth's general objectives of comparative politics to the specific focus of this work, we can determine the following objectives: to identify equality and identity of EU

member states with regard to their security policy orientation; to recognize differences and commonalities between EU states with regard to ESDP; to highlight unknown and specific interests of EU member states in view of ESDP; to recognize functional equivalents among EU member states regarding ESDP matters; to gather information about EU countries on security and defence issues (especially of different countries); to structure empirical phenomena with regard to security policy orientation in the EU; to develop classifications and typologies for EU member states' security policy orientations; to compare single EU member states with standards set by a group of other member states in order to identify deficiencies concerning ESDP; to identify EU member states which have found solutions for specific problems in dealing with ESDP/CSDP; to develop and analyse hypotheses and theories which address the main research questions (e.g. 'if EU member states do not develop a *common* political will, it will be difficult to realize a genuinely *common* European Security and Defence Policy'); to forecast the prospects of a genuinely *common* European Security and Defence Policy.

The analytical approach of this work touches core elements of a second sub-discipline of political science: 'policy analysis'. The classic definition of 'policy analysis' was formulated in 1976 by Thomas R. Dye and is still valid today: "Policy analysis is what governments do, why they do it, and what difference it makes" (Dye 1976; see also Schubert & Bandelow 2009: 4). 'Policy' in the context of this work means 'security policy' and 'governments' are 'EU member states' (used as 'actors' in broader terms – "the concrete understanding of actorhood results from the question, the objective and the analytical framework of an analysis" (Schubert & Bandelow 2009: 4)). Following this logic, analyses will be made what EU member states do with regard to ESDP, why they do it, and what difference it makes. In other words: if "the aim of policy analysis is to explain the development of public policy including its impact" (Schneider & Janning 2006: 32), the aim of this work is to explain the development of national security policy and its impact on the future of ESDP.

As Christopher A. Simon notes, "policy analysis is primarily concerned with the consideration of a number of different policy alternatives that are expected to produce different policy consequences or outputs, varying quality or quantity of policy output [...]" (Simon 2007: 77). As this work will show, EU member states have different policy alternatives with regard to their positioning towards ESDP. The choices that different EU governments make, lead to

important consequences and outputs which, on the other hand, become crucial input for ESDP. Do EU member states choose different, similar or common policies and which effect do these choices have on the future of a *common* European Security and Defence Policy? By analysing the security policy orientation of EU member states, this work draws upon methodology of 'policy analysis'.

According to William N. Dunn policy analysis methods include: monitoring, forecasting, evaluation, recommendation, and problem structuring (see box 3). At the monitoring stage 'policy' – in our case the security policy of EU member states – is described (how does the security policy orientation of EU member country A, B, C ... look like?). At the forecasting stage, expected outcomes of these 'policies' are predicted ('what are consequences of these security policy orientations?'). In phase three, the evaluation phase, the value or worth of these policies is evaluated with a view to a special objective ('what are the effects of these security policy orientations with regard to the future of a genuinely *common* European Security and Defence Policy?'). Phase four formulates recommendations for preferred policies ('In order to develop a genuinely *common* European Security and Defence Policy, EU member country A, B or C ... has to do X, Y, Z ...'). The final phase is a meta-phase and synthesizes the core findings of all other phases in order to highlight problems to be solved and to define potential solutions.



Box 3: Methods of Policy Analysis

- **Monitoring**
= producing of information about observed outcomes of policies.
- **Forecasting**
= producing of information about expected outcomes of policies.
- **Evaluation**
= producing of information about the value or worth of observed and expected outcomes.
- **Recommendation**
= producing of information about preferred policies.
- **Problem Structuring**
= producing of information about what problems to solve.

Source: Dunn 2004: 6/7

This work will use an interdisciplinary analytical approach, because “knowledge from multiple disciplines and professions is usually more effective in responding to real-world problems than is knowledge from single disciplines and professions” (Dunn 2004: 3). Security policies of EU member states are the ‘real world’. If a genuinely *common* ESDP has a chance to become ‘reality’ in the future still requires analysis.

As mentioned above, the most appropriate elements of both ‘comparative politics’ and ‘policy analysis’ will be used to ideally address the research questions of this work. The best concepts, methods and tools of both disciplines were selected and combined to create a unique analytical framework which is outlined in box four.



Box 4: Analytical Framework of this Work

I. Monitoring/Comparison

- To identify the security policy orientation/security interests of EU member states
- To recognize differences and commonalities of national EU positions towards ESDP
- To highlight the unknown and the specific security interests of EU member states
- To recognize equivalents of security policy orientations within the EU

→ How do security policy orientations of EU states look like and how do they differ?

II. Evaluation/Forecasting

- To structure empirical phenomena of national security policies within the EU
- To develop classifications & typologies of security policy orientations within the EU
- to compare single EU member states with standards set by a group of other member states in order to identify problems with regard to a future CSDP
- To predict the prospects of a future CSDP considering national diversity

→ How does national diversity regarding security policy orientation influence the future of a *common* European Security and Defence Policy/CSDP?

III. Recommendation

- To identify EU member states within the EU which can serve as model for a specific problem in the development of a future CSDP (key word: harmonization)
- To develop and analyse hypotheses and/or theories which explain the basis conditions of a *common* European Security and Defence Policy/CSDP
- To formulate recommendations for specific developments of ESDP towards CSDP

→ What are possible measures EU member states or the EU could take to improve the prospects of a genuine *common* ESDP/CSDP?

IV. Problem Structuring

- To synthesize the core findings of all analytical phases
- To summarize findings and formulate conclusions

→ How does national diversity shape the future of a genuine *common* European Security and Defence Policy/CSDP?

Each of the three ‘analysis chapters’ of this work will follow the analytical steps I, II and III outlined in box four – analysing the military law, the security and strategic culture and the political will of EU member states. Step IV, the synthesis, will subsume and conclude the essence of this work in a final ‘conclusion chapter’.

Methodological Mix: Between ‘Qualitative Research’ and ‘Quantitative Analysis’

In political research, as in other disciplines of social sciences, methodology distinguishes between ‘primary analysis’ and ‘secondary analysis’: “[P]rimary analysis is an interpretation of raw materials, whereas secondary analysis involves an examination of the interpretations of others (Harrison 2001: 125). Primary analyses examine primary data, secondary analyses secondary data: “[P]rimary data are original data that the researcher gathers from original sources. Examples of primary data include responses to a questionnaire, an interview, or some other type of measurement. Secondary data are data that have been collected by someone else for another purpose. Examples of secondary data include government statistical reports, articles in professional journals [...]” (McNabb 2004: 73), in general all kind of secondary literature. This work will use primary analysis as well as secondary analysis to address its research questions.

The essential tools of both primary and secondary analysis are categorized in two types of empirical research: ‘qualitative research’ and ‘quantitative research’. “Qualitative research is very attractive in that it involves collecting information in depth but from a relatively small number of cases” (Burnham et al. 2004: 31). Qualitative studies involve a variety of different tools: personal interviews, document analysis, and observation. In contrast to that, “quantitative political research refers to the use of measurement in the analysis of behaviour and attitudes” (Harrison 2001: 14) and “focuses upon the analysis of numerical data, and in doing so usually makes use of large sets of data to make generalizations and predictions” (Harrison 2001: 74). Survey research (also known as opinion polling) is the classic example of quantitative research and is “one of the most familiar political science research methods” (Buttolph & Reynolds 2005: 275).

The methodological approach of this work can be considered as a ‘methodological mix’ or ‘triangulation’ as some researchers name it: “One way to combine advantages of different methods is the so-called ‘triangulation’. Triangulation, first of all, means nothing more than the use and combination of different research methods in the analysis of the same

phenomenon. The use of different methods and theories [...] and the use of different resources shall provide as much knowledge about a social phenomenon as possible. Triangulation means the inclusion of different perspectives on an analysed object. These perspectives can consist of different qualitative or quantitative or qualitative and quantitative analytical methods for addressing the same research question [...] (Kritzing & Michalowitz 2008: 198). Such an approach was chosen, because a ‘methodological mix’ seems most appropriate and useful for addressing the complex research questions of this work and because “a mix of methods can lead to research results which draw a more comprehensive picture of the analysed object” (Kritzing & Michalowitz 2008: 191). Which concrete research methods will be used in this work will be described in detail in the beginning of each chapter, because each chapter uses a very specific set of methods.

Inclusiveness One: No Exclusiveness – All EU Member States Count

Usually researchers and comparativists in political science use single and multiple case studies in order to address specific research questions: “A single case study examines a particular political phenomenon in just one country or community and can generate ideas for theories or test theories developed from different cases [...]. Scholars use multiple case studies, to examine the same phenomenon in several cases and try to mimic laboratory conditions by carefully selecting cases that are similar in many ways but differ in the area being studied” (Drogus & Orvis 2009: 12/13).

Case studies are not an appropriate analytical tool for this work, however, because analysing the future prospects of a genuinely *common* European Security and Defence Policy, a real CSDP, needs to take all 27 EU member states into consideration. First, this work understands the term ‘common’ in a very narrow sense – if one EU country deviates from the main line of the community’s policy, this policy cannot be regarded as *genuinely* ‘common’. This logic means that the degree of ESDP being ‘common’ decreases in the same way as the number of EU countries deviating from the EU ‘mainstream line’ increases. 26 cases studies, for example, could find out that 26 EU member states agree on a specific ESDP issue – but this knowledge would not be valuable if the one single EU country left out of the analysis disagrees. All EU member states count. Second, by using single EU member states as case studies it is only possible to make generalizations – even this seems difficult in view of the diversity of such a large group of countries like the European Union.

For this work the unique approach was chosen to include all 27 EU member states into the analysis, because “a single case [even if it is used as a ‘representative case’], of course, can never be definitive proof of anything beyond that case itself” (Drogus & Orvis 2009: 12/13). This work, however, is not subject to the naive belief to be able to systematically examine every single EU country with the same depth on any single issue. This is not possible. There are more resources available for some countries than for some others – and sometimes information for country A is more useful than information for country B. Furthermore, this work is of course aware of the fact that countries like France, Germany and the United Kingdom are more relevant for the development of ESDP than Cyprus, Luxembourg and Malta, for example. The approach of this work nevertheless tries to be a comprehensive one, one of ‘inclusiveness’ – analysing all EU member states as extensive as possible and as intensive as necessary. In view of a genuine CSDP all EU member states count.

Inclusiveness Two: No Taboos – Taking the Concept of a ‘European Army’ Seriously

In 2004, Nicole Gnesotto recognized a “[...] persistent taboo on the very notion of a European army and the traditional chorus of denials each time this idea resurfaces in this or that public discussion. For very different reasons (preference for integration in the framework of NATO, neutrality or non-membership of military alliances, obsession of national sovereignty in diplomatic and military affairs), all the member countries agree that the aim of a ‘common army’ should be dismissed as lacking in political realism [...]” (Gnesotto 2004: 19). This taboo was reflected in an academic world predominantly maintaining silence about this issue. While this taboo seems to be still persistent among academic scholars and analysts today, there has been an increasing number of political leaders since 2004 calling for a European army – beyond party and country boundaries: “We need to get closer to a common army for Europe”, German chancellor Angela Merkel from the centrist German Christian Democrats told the mass-circulation *Bild* newspaper in an interview in 2007 (see Merkel 2007). One year before, Polish President Lech Kaczynski from the conservative right-wing party Law and Order said that his country wanted a new 100.000-strong European army, created to work with NATO in trouble spots in the world or to defend Europe (see Kaczynski 2006). Guy Verhofstadt, former prime minister of Belgium, who became leader of the Liberal group in the European Parliament after the elections in 2009, wrote in 2006 about his vision of a European army: “European foreign policy will only

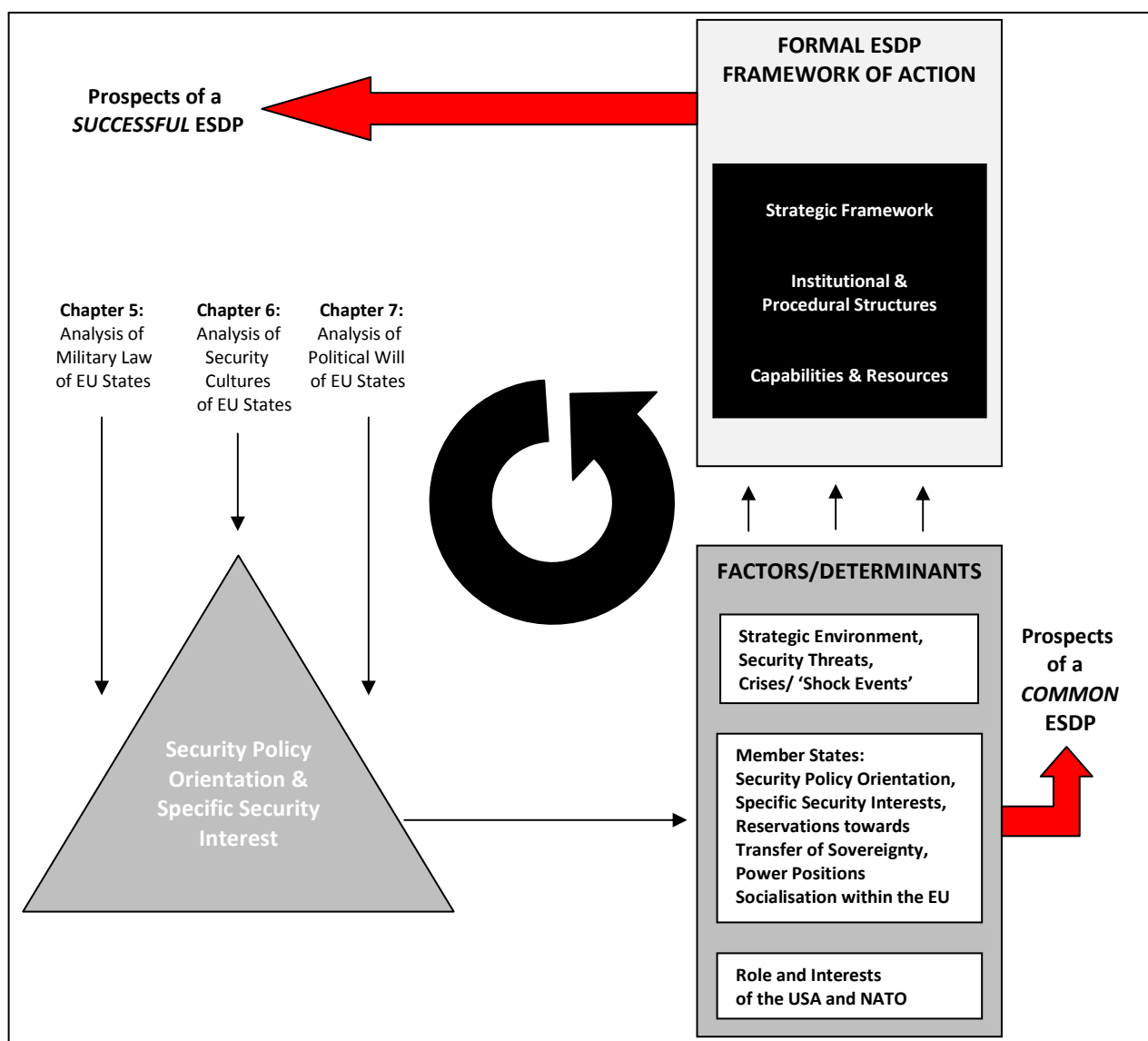
be credible if there is a real European defence, what means a European army. We need the courage to name these things. [...] Member states need to allocate a minimum percentage of their national GDP to defence purposes in order to guarantee the credibility of European defence. Of course national armed forces will continue to exist – as reserve for the creation of the European defence power and for other tasks. In general, however, only the European defence power can act outside of the European Union territories” (Verhofstadt 2006: 75/76). In 2008, even British voices were heard in support of a European army when the freshly appointed UK defence secretary, John Hutton, from the traditionally centre-left Labour party, publicly supported the idea: “I think we've got to be pragmatic about those things”, he told the *Sunday Times* newspaper (see Hutton 2008). Of course all these words can be dismissed as mere rhetoric or as “politically motivated chatter” as Jolyon Howorth describes it (Howorth 2007: 42). It might even be true that some interviews were used by journalists as misunderstandings to create ‘politically motivated’ news – media reports are not always reliable sources. However, the growing trend of political leaders publicly breaking the ‘taboo’ and broaching the issue of a European army cannot be ignored. More reliable sources like the party manifestos of the two main parties in Germany confirm this impression. Both CDU (Christian Democratic Union of Germany) and SPD (Socialdemocratic Party of Germany), who have shared power and provided the chancellor together since the birth of the Federal Republic, call for a European army as long-term goal in their party manifestos – although being in political competition: “We stand up for an integration of national units within the European security structures with a European army as the final goal”, the CDU states in its current party manifesto (Party Manifesto CDU 2007: 62). And the SPD, having developed a new manifesto in 2007 as well, agrees: “We aim for a common Foreign, Security and Defence Policy. For that purpose the armed forces of member states need to grow together. In the long-term we want a European army [...]” (Party Manifesto SPD 2007: 30). Party manifestos, at least in Germany, are not short-term-orientated election manifestos – they are a party’s platform for future policy. They should be taken seriously. This work wants to take the concept of a ‘European army’ seriously. It is not an aim to assess in detail the feasibility or even desirability of such a concept, but it cannot be left out of the analysis of future prospects of a genuinely *common* ESDP. A European army, ‘standing’ and ‘single’, as outlined by Guy Verhofstadt for example, is one option of a potential future CSDP – however desirable or feasible it appears to be at the moment. Not including it in the

analysis would mean adhering to the taboo described by Nicole Gnesotto. But academia and political science are not the right place for taboos: “A political science which is not willing to provoke, which avoids delicate questions [...], which shies away from hard-nosed analyses [...], which refrains from being outspoken and frank [...], fails in its profession” (Fraenkel 1973: 344).

In order to facilitate the understanding of the complex conceptual and analytical framework of this work, the following figure – figure 3 – will visualize the theoretical logic behind and the analytical context of this research project.



Figure 3: Conceptual and Analytical Framework of this Work



III. RESEARCH CONTEXT

The research approach of this work is relevant and stands out due to the following aspects:

Outlining National Diversity With Regard To ESDP

National diversity – which is the focal point of this work's analysis – has already been an issue in research on ESDP before. In many studies national diversity was identified as a problem for ESDP; a lot of experts have argued that “significant differences remain between [EU member states'] competing views as to what the ESDP should be” (Menon 2009: 237; see also Toje 2008a: 124/125, EPC 2007, Lindley-French 2004: 5, Zilmer-Johns & Pilegaard 2004: 183 or Græger et al. 2002: 24/25 for example) and have warned that “political divisions and lack of commitment to ESDP must be overcome” (Sheperd 2003: 61). Some studies have examined conditions under which foreign and security policy integration is likely (Gordon 1997) and analysed sources of diverging preferences for ESDP (Jonson 2006) by consulting and discussing theories. And others have tried to find ways of how to ‘square the circles of unity and diversity’ (Zehetner 2005, Missiroli 2000), ways to make national diversity *unproblematic* for European unity.

What all of these studies have *not* done, however, is to *outline* the actual differences between EU member states with regard to ESDP, to show *in detail* how the security and defence policy orientation of each member state differs in relation to the others, how it can be categorized, contextualized, and what implications the pure empirical diversity has – in our case for a genuine CSDP. There *are* studies which provide an overview of national diversity on *specific* aspects like Atlanticism/Europeanism (Mouritzen 2006, Schuster & Maier 2006, Asmus et al. 2004), military legal systems (Schmidt-Radefeldt 2005, Nolte 2003), parliamentary control of military deployment (Von Ondarza 2008, Dieterich et al. 2008, Giegerich & Nicoll 2008) or military recruitment systems (Werkner 2006, 2003). There are *no* studies, however, which provide a comparative overview of national diversity both for *all* relevant aspects of national security and defence orientation and of *all* EU states; there are no studies which provide the ‘full picture’ of national diversity to which existing literature is time and again referring. One task of this work is to fill this gap. Hans Mouritzen has found a nice description for this task: “Imagine that we have two jigsaws, one with dark and one with light pieces. The pieces are isomorphic, being formed like the states’ geography. The task is

to combine them into one European geopolitical jigsaw, in which dark and light pieces are mixed according to the states' expected alignments [dark: Europeanists, light: Atlanticists, for example]" (Mouritzen 2006: 149).

Providing the First Large-Scale Elite Survey on ESDP

After analysing the results of Special Eurobarometer 146 in 2002, Kernic et al. recommended that "*country studies of public opinion* on security and defence must be further elaborated in order to identify key 'points of tension' between the different EU member states [...] to shed more light on the differences and similarities [...]" (Kernic et al. 2002: 111). In the following years, comprehensive comparative country studies on ESDP have been rare, however, and relevant *primary* data on national positions towards ESDP have *not* been collected, with some minor exceptions (like a few questions on security and defence included in the bi-annual Standard Eurobarometer).

This work closes the research gap by contributing a large-scale survey which examines the preferences and attitudes of national European decision-makers towards ESDP. This survey constitutes the first quantitative European *elite* opinion analysis on ESDP. An *elite* survey on ESDP is of special value for several reasons: first, "[t]here is a rich tradition of analysing the role of elites in political processes and outcomes. Comparative political scientists have long pointed to the important role elites play [...]" (Pigenko et al. 2002: 88). Secondly, it provides the opinion of those who are really familiar with ESDP. Thirdly, it provides the opinion of those who are in the position to actually shape ESDP. Fourthly, it follows another recommendation of Kernic et al. that "public opinion research should be more closely linked to *policy planning* within the EU" (Kernic et al. 2002: 111).

Providing the 'Full Picture' of the Impact of Non-Alignment, Atlanticism & Conscription

There have been very useful comparative analyses of the security cultures of EU member states, but they have either been not very in-depth (e.g. Institut für Europäische Politik 2007) or they have just focused on individual countries/country groups (e.g. Giegerich 2006) or on single elements of security cultures like 'neutrality' (e.g. Ojanen 2003). This work tries to provide the 'full picture' by including *all* EU countries in the analysis, on the one hand, and by examining *all* elements of security cultures which can be considered as relevant for the ESDP development ('neutrality'; 'Atlanticism'; 'conscription'), on the other.

Providing the 'Full Picture' of the Impact of National Legal Systems on ESDP

Publications focusing on European military law systems and comparing them are very rare. The major publication in this regard is the edited volume of Georg Nolte from 2003, a study commissioned by the German Ministry of Defence which comprises national reports from 10 EU member states (Nolte 2003).

This research project is possibly one of only a few analyses which compares the national legal foundations of *all* EU member states with regard to ESDP – and possibly the only one which does that for the *specific range* of national military law relevant for participation in ESDP action (national legal limits for participation in joint military operations, national legal regulations for military deployment abroad, national legal limits of command transfer, national legal handling of disciplinary measures).

Discussing the Prospects of a European Army

There has been publications already discussing the prospects of a European army; such literature has either been politically motivated (Verhofstadt 2006), however, or its analysis has focused on all types of problems and challenges for the development of a European army (e.g. Höfer 2008, Reiter et al. 2002), but not on national diversity. This work might be the first of its kind thoroughly examining how feasible a European army is in view of national diversity.

All in all, this work might be a very special contribution to ESDP research by analysing national positions of EU member states towards ESDP in a very comprehensive way and by discussing future prospects of ESDP in a unique combination of analytical perspectives.

IV. ANALYSIS ONE: NATIONAL MILITARY LEGAL SYSTEMS AND ESDP

The Meaning of National Military Law for a *Common* ESDP

It has already been described in the introductory chapter of this work why national military law and national legal systems of EU member states are important for ESDP: national military law defines the legal framework of a country's involvement in ESDP action. It determines what is 'possible' and 'impossible' for a country with regard to ESDP development, structure and use. A country's scope – priorities, limits and possibilities – of ESDP involvement is strongly influenced by its military legal system.

This explains why national military law is important for a *common* ESDP – CSDP: the more national military legal systems converge, the more likely there will be a genuinely *common* ESDP. If EU member states don't have the same legal scope for participation in ESDP, it is very unlikely that they will take part in ESDP in the same way, to the same degree. If they do not have the same legal regulations for procedures in ESDP action it is difficult to speak of a genuinely *common* ESDP.

The ideal basis for a genuine CSDP would be if all EU member states would have the same national military law concerning ESDP, if national legal regulations which concern ESDP would not substantially differ from EU country to EU country. This is the reason why, for some years, many legal experts have supported the harmonization of the national military legal systems and have increasingly called for a "European military legal order" (Rensmann 2002: 112-113; see also Schmidt-Radefeldt 2005: 151; Siedschlag 2004a: 50; Prüfert 2003) in order to meet the requirements of further integration in the area of European security and defence. This idea has also found supporters among politicians who have discovered the relevance of the legal dimension of European security and defence already for some time. The Parliamentary Ombudsperson for the Armed Forces in Germany, for example, has been encouraging legal adjustment in the national military law systems with the ambition of creating a common European military legal system in each of his annual reports since 1995 (see Schmidt-Radefeldt 2005: 221; Nolte 2003: Foreword; Rensmann 2002: 111). And the German Ministry of Defence (Nolte 2003) and the National Assembly of France (Maillet 1999) both decided to commission a study comparing various European systems of military law (Nolte: 10 states; Maillet: 15 states) in order to highlight national differences and national specifications for future ways of intensified co-operation and integration.

This chapter picks up exactly these studies and will extend the research to all 27 EU member states, completing the picture: how feasible is such a European military legal order in the current situation? How much harmonization would be required? Do the EU member states differ a lot in their national military law? Do the differences matter regarding prospects of a genuinely *common* ESDP?

Four areas of national military law can be identified which play a crucial role for ESDP and the future prospects of CSDP:

- The first area is the general constitutional and legal framework which defines the role and the tasks of the armed forces. National rules – at the constitutional level, at the level of parliamentary statute or solely by way of governmental or executive acts – define the mission of the national armed forces either by positively determining permissible operations or by negatively outlining operations which are prohibited. The participation of a country in ESDP operations is of course highly dependent on such legal national scope and limits.
- The second area concerns the national rules which relate to the division of competences of the various state organs with respect to the military and the crucial question how deployment of armed forces for missions abroad is legally and practically regulated in EU member states. Heterogeneous decision-making procedures of EU countries regarding military deployment is potentially problematic if multinational EU operations require the deployment of multinational military units. Schmidt-Radefeldt notes that “from the perspective of ESDP a harmonization of EU decision-making structures could entail certain problems in constitutional and legal respects” (Schmidt-Radefeldt 2005: 151). This means that diverging national rules threaten a *common* European approach and a genuinely *common* ESDP.
- The third area of relevance has to do with the legal command structures of national armed forces. “The question of command and obedience is of central importance to every system of military law. Special attention must be paid to this issue in multinational structures” (Nolte & Krieger 2003a: 9). The central question is whether the national military law of a country permits the transfer of command power and allows the delegation of tasks to officers of a foreign country or not. If national rules differ too much in this regard, multinational operations like the ones conducted in

ESDP can become very complicated. According to Rensmann, this could lead to “irritations in the national duty business”, or even cause “impairment of the command and leadership capacity of multinational troops” (Rensmann 2002: 112), undermining a genuinely *common* ESDP.

- The final area of national military law which is particularly important for ESDP and the future prospects of CSDP is the area of disciplinary power. Who is in charge of disciplinary action if multinational troops break the law in multinational ESDP operations? Who is liable towards whom? Is the transfer of disciplinary power in JOINT military operations with EU partners in general allowed by national military law?

These four areas can be considered as the main pillars of a potential European military legal order – if national military law in these areas could be harmonized or be convergent at least, such a *common* military law system would theoretically be achievable.

The following pages will analyse to what extent national military law of the 27 EU member states differs in these areas, how feasible a European military legal order is and how national military law consequently shapes the development of a genuinely common European Security and Defence Policy.

The Method of Analysis: Document Analysis and Expert Interviews

The comparison of national military law and national military legal systems which follows on the coming pages is based on three analytical methods:

Document Analysis

In social research one classic research method is the document analysis which is “a method of analysing the contents of documents that uses qualitative procedures for assessing the significance of particular ideas or meanings in the document” (Jupp 2006: 297). Document analysis is used in this chapter in so far as national constitutions and other national documents of military law (governmental, parliamentary defence acts etc.) of EU member states are analysed and compared. What does the text of national military law documents say about the important areas highlighted above? What does the original law determine?

Expert Interviews

As the author of this work is rooted in political science and not in legal studies, the findings of the document analysis require confirmation by legal experts who are familiar with national military law in theory and in practice. The meaning of law in theory can change over a certain period of time by different interpretations, applications and customs. Law in practice is not always the same as law in theory. National law can sometimes only be understood in its national context. For this reason several experts on national military law were consulted in personal communications (Alexe 2009; Ferlez 2009; Orosz & Varga 2009; Pajnikihar 2009; Savola 2009; Lechner 2006; Žalimas 2006) and a short questionnaire was developed and sent to legal experts of EU member states who completed it (Godinho 2009; Jupatovs 2009; Korhola 2009; Makris 2009; Morrison 2009; Oancea 2009; Panayiotou 2009; Sydenham 2009; Andersson 2008; Birman 2008; Ferlez 2008; Hames 2008, Kodar 2008; Kovács & Orosz 2008; Kulisek 2008; Le Clercq 2008; Lund 2008; Meliniene 2008; Ministry of Defence Slovakia 2008; Ministry of Defence Spain 2008; Sajkowski 2008; Schittenhelm 2008; Tiede 2008; Vassilev 2008; Vikmane 2008). In most cases, these experts have been members of the law department of the Ministries of Defence in the moment of contact. Only in three cases the interviewees worked for other institutions. For Portugal, the expert opinion comes from the legal adviser of the national defence committee of the Portuguese parliament; the expert interviewed in Greece has been the legal director of the Hellenic national defence general staff; and the Cypriot expert has been member of the CFSP/ESDP department of the Ministry of Foreign Affairs. The questionnaire that was completed by the experts included six main questions (see box 5).



Box 5: Questionnaire on National Military Law

Question 1	Are there any provisions of national law prohibiting any kind of military operations of the armed forces?
Question 2	Are there any provisions of national law prohibiting any kind of JOINT military operations with other countries?
Question 3	Is the transfer of OPERATIONAL command in JOINT military operations with EU partners allowed by national law?
Question 4	Is the transfer of FULL command in JOINT military operations with EU partners allowed by national law?
Question 5	Is the transfer of disciplinary power in JOINT military operations with EU partners allowed by national law?
Question 6	Who is actually deciding on the deployment of the armed forces in your country according to national law?

Secondary Analysis of Existing Studies

Last but not least this chapter of course also uses secondary analysis – examining already existing studies which have produced useful findings in the areas relevant for this chapter. Two studies are of particular relevance in this regard: on the one hand the above mentioned study of the German Ministry of Defence (edited by Georg Nolte in 2003) which thoroughly compared the military law systems of 10 EU member states; and on the other hand the comprehensive work of Schmidt-Radefeldt about the legal dimension of international integration of armed forces from 2005.

Permissible Operations in National Military Law of EU Member States

Since ESDP has come into existence, one important question has always been what type of operations the EU will carry out within this new policy. This question is also very relevant in view of a potential CSDP. Is there a *common* approach? Do the EU member states agree on a certain type or range of ‘ESDP operations’? Before looking at possible political priorities of member states in this regard in later chapters, a useful preliminary analytical step in this chapter is to examine the legal scope that EU countries have for military operations.

On the 19th of June 1992 the Western European Union published the Petersberg Declaration which proclaimed that “military units of WEU member states, acting under the authority of WEU, could be employed for: *humanitarian and rescue tasks; peacekeeping tasks; tasks of combat forces in crisis management, including peacemaking*”. These tasks are today known as ‘Petersberg tasks’ and because they have been incorporated into the Treaty on European Union in 1999 (Article 17 (2), Treaty of Nice) they are nowadays referred to when the question arises which type of operations ESDP includes and covers. Martin Ortega perfectly describes how most experts might perceive these ‘Petersberg tasks’: “The three types of mission envisaged at Petersberg cover a complete range of possible measures, from the most modest to the most robust. However, the useful ‘constructive ambiguity’ used ... also retains some of the uncertainties inherited from the past” (Ortega 2001: 105). It is true that a definition of ESDP tasks and possible EU military operations could have been much more precise – terms like ‘peacekeeping’ and ‘peacemaking’ left space for “15 and later even 27 very different interpretations of these military tasks” (Biscop & Algieri 2008: 6).

This might have changed with the new Lisbon Treaty which has extended the scope and range of the Petersberg tasks (new Article 28):

“The tasks referred to in Article 27(1), in the course of which the Union may use civilian and military means, shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilization. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories”.

Experts understand this new article as a step forward to new clarity and more precision: “With the Lisbon Treaty we now have a common and a clear understanding of the Petersberg tasks. [...] The Lisbon Treaty makes it clear that it is about the most broad interpretation one can imagine, ranging from SSR, through the fight against terrorism, up to peace enforcement. The Treaty even provides for a Solidarity Clause and for Mutual Defence. In short, apart from collective defence, all kinds of military operations one can at present realistically invent in our global world can all be undertaken in a European context as an ESDP (or CSDP) operation. So, there is now full clarity as to the type of potential military missions” (Biscop & Algieri 2008: 6).

For the level of European Union law – according to the legal basis of the EU treaties – it can be argued that there are no legal limits for common EU military operations in the framework of ESDP. All types of operations are permissible – even the most robust missions – of course within the limitation that the armed forces may not be used in a way that violates the general rules of international law. However, the last instance is still *national* military law. Both the old versions of the EU Treaty and the new Lisbon Treaty confirm that. In the old versions a clause was added that stated that participation in specific operations will remain a sovereign decision of member states *in accordance with national constitutions* (see Ortega 2001: 106). And Article 27 (2) of the Lisbon Treaty states that every decision on common defence needs to be “in accordance with [...] respective constitutional requirements”.

So what are constitutional requirements of EU member states in this respect? Are there any? Do EU countries have the same, similar or different constitutional and legal requirements? The analysis of the following pages will shed light on all these questions.

First of all, a distinction must be highlighted. There is possibly a legal difference if a country carries out a military operation alone or if a country uses the armed forces in operations which are undertaken jointly with armed forces from other states or under a multinational banner. National military law in one country could permit unilateral military operations and limit the participation in joint EU missions while the reverse may be true in another country. For this reason these two issues are addressed separately. First, the question is addressed which military operations *in general* are permissible in EU member states according to national military law. An analysis of the same question for *joint* operations with other countries follows.

Are there any provisions of national law in EU member states prohibiting any kind of military operations of the armed forces abroad?

It is evident that the armed forces of all EU member states are bound by and adhere without exception to international law. Sources of such international law are the Charter of the United Nations or the Geneva Conventions, for example, to which national constitutions and national military law refer to. International law as a legal framework does not imply any difficulties for a *common* ESDP in that sense in so far as all EU countries commonly adhere to it. Furthermore, EU member states might not perceive international law as a legal *restriction* or an international *obligation*, rather as an international framework and guide of natural moral principles. It is very unlikely, for example, to see an ESDP operation in which EU member states will threaten or use force against the territorial integrity or political independence of any state (violating Article 2 (4) of the UN Charter) or in which the multinational armed forces of the EU intentionally exercise murder, mutilation, torture, cruel, humiliating and degrading treatment, the taking of hostages and unfair trial of civilians or members of a conflict party (breaching for example the minimum standards of common Article 3 of the Geneva Conventions).

Some national constitutions in the EU include specific articles which confirm and therefore strengthen specific rules of international law. In France, for example, the preamble of the Constitution of 1946 requires that the “French Republic shall not enter into war for reasons of conquest, and shall never use its armed forces against the freedom of any people”. And Article 26 of the German Constitution (‘Grundgesetz’) explicitly prohibits wars of aggression.

Apart from references to international law the majority of EU member states have no other substantial restrictions or limitations in national military law with regard to military operations. Constitutions and national legal acts of most EU member states list all legally possible types of military operations and not the prohibited ones. The not listed operations are automatically prohibited. In most countries in which this is the case there are no prohibited operations, however, because the listed legally possible operations are entirely corresponding with the EU Petersberg tasks. One useful example for all of these countries is Latvia where Article 1 (1) of the *Law on Participation of the National Armed Forces of Latvia in International Operations* defines the types of international operations in detail and in absolute conformity with the Petersberg tasks:

Latvian National Armed Forces may be involved in:

- 1) international peacekeeping operations, the purpose of which is to re-establish and maintain peace in conflict zones and in which the personnel engaged does not have the right to participate in hostilities, except in cases when it is necessary for the purposes of self-defence;*
- 2) international peacekeeping operations, the purpose of which is to re-establish and maintain peace in conflict zones and in which the personnel engaged have the right to participate in hostilities;*
- 3) international rescue operations. The purpose of which is to eliminate the consequences of natural disasters, evacuate civilians from dangerous locations or perform activities of similar nature;*
- 4) international humanitarian operations, the purpose of which is to render assistance to civilians who have suffered as a result of hostilities or other extreme circumstances;*
- 5) international military operations which aim is to exercise the inherent rights of the United Nations member states to collective self-defence which are fixed in Article 51 of the United Nations Charter.*

The only controversial cases in this respect are Germany and Spain, because their constitutions in no way mention ‘crisis management’, ‘peace-keeping’ or ‘peace-making’ as permissible missions of the armed forces *and* clearly state that the constitutional rules are binding as the last instance (meaning that armed forces can only be used according to what is explicitly provided for in the Constitution). In Germany, Article 87a (2) of the Constitution (‘Grundgesetz’) states: “Other than for defence purposes the armed forces may only be employed to the extent explicitly permitted in this Grundgesetz”. Experts argued that “since the Grundgesetz does not explicitly provide for external uses of the armed forces except for defence purposes [...] they could not be used for UN peacekeeping or peace enforcement operations (Nolte & Krieger 2003b: 348). In Spain, Article 8 (1) of the Constitution states that “the armed forces [...] have as their mission the guarantee of the sovereignty and independence of Spain, and the defence of its territorial integrity and constitutional order”. This article’s meaning is questionable in the same way as the German case, because it is absolutely unclear whether Spain may participate in peace or humanitarian operations outside its borders. The Constitution on the one hand says nothing about such ‘other operations’, and on the other hand underlines its own authority with regard to the definitions. Apparently “most legal commentators conceive of the missions listed in Article 8 in a strict and limiting fashion” (see Cotino Hueso 2003: 725).

In Italy, there are also “serious controversies [...] about what types of armed forces missions are constitutionally admissible” (Nolte & Krieger 2003c: 33) due to Article 52 (1) of the Constitution which states that the mission of the armed forces is first of all the defence of the “patria”, “a term which is traditionally understood to refer to the integrity of the national territory” (Luther 2003: 436). In contrast to the German and Spanish case, however, the Constitution does not at the same time determine itself as exclusive last legal instance. This might be the reason that “the majority opinion does not interpret the constitutional mission of the armed forces to defend the state [...] as implying *e contrario* a substantive limitation for other tasks” and that the Italian controversies “do not seem to have much practical importance, since it appears to be practically impossible to seize the Constitutional Court on such questions” (both quotes see Nolte & Krieger 2003c: 33).

All in all, there are no legal limitations for undertaking different types of military operations in 24 EU member states and only some to a very limited extent in 3 EU countries. It can be

argued that even in these three countries the legal limitations are rather theoretical and do not play a substantial role. The reasons for this assumption for the Italian case have been outlined already. And in Germany and Spain legal interpretations and political practice have dispelled legal controversies. In Germany, “it is [still] an open question [...] whether unilateral crisis management operations, e.g. on the basis of the invitation of a foreign country government, are permissible” (Nolte & Krieger 2003c: 40). However, “Article 24 (2) of the *Grundgesetz* authorizes the State to use the armed forces within ‘systems of mutual collective security’. The Court has interpreted this broadly in order to cover not only the UN but also NATO” (Nolte & Krieger 2003b: 351), which means that “all crisis management operations abroad which take place within a collective security arrangement are, in principle, permissible” (Nolte & Krieger 2003c: 40). If the EU is understood as such an arrangement (as it is by the German legislature which takes note of the informal agreements within the EU to perform the Petersberg tasks (see Nolte & Krieger 2003b: 351), all types of ESDP operations can be regarded as permissible according to national German law. The same goes for Spain today, because the preamble of the Spanish Constitution and a royal ordinance are interpreted as “leaving clear room for the constitutionality of peacekeeping and peace-making operations. [...] Today it seems to be widely agreed that the Spanish armed forces may at least participate in such crisis management missions which take place under the auspices and authority of the United Nations” (Nolte & Krieger 2003c: 41).

Are there any provisions of national law in EU member states prohibiting any kind of JOINT military operations of the armed forces abroad?

In context of ESDP, legality of military operations conducted by EU member states individually is not of relevance if a country has limitations in national law for participating in joint military operations with other countries. There are indeed countries which have such legal limitations.

The first to mention is Denmark which can participate in joint military operations conducted by a group of countries in general, but is not able to participate in ESDP. In a constitutionally required national referendum in 1992 the Danish people said ‘No’ to the Treaty of Maastricht. One reason for that was the scepticism among Danes towards the defence ambitions of the European Union and a fear of losing sovereignty in this field. The Danish government did not share this scepticism, but had to seek an opt-out from the defence and

military dimension of the Treaty of Maastricht in order to win the support of the people for the treaty. In 1993, the Danes voted again – this time ‘Yes’ due to the defence opt-out (and three other opt-outs). Since then, Denmark plays no part in cooperation on the development of ESDP – “the consequence of the Danish opt-out is that Denmark cannot contribute to military EU crisis management operations, either financially or in terms of military assets. Furthermore, Denmark does not participate in the elaboration and implementation of decisions and actions which have defence implications” (Lund 2008: Interview). Denmark can lift the exemption unilaterally, in which case it would become a full ESDP member. This, however, would require a new referendum on the issue.

Other countries, apart from Denmark, which are in a special situation when it comes to military operations conducted *jointly* with other nations, are countries which officially consider themselves as ‘neutral’ or ‘non-aligned’. There are five such countries in the European Union – Austria and Ireland, the Nordics Finland and Sweden, and Malta – and because ‘neutrality’ has potential impact on ESDP and the prospects of a genuinely *common* ESDP, they will be analysed in detail in chapter 6 of this work. From a legal perspective, ‘neutrality’ only plays a role in two EU member states, in Malta and Austria, because these are the only countries in which ‘neutrality’ has a legal basis.

The relevant article of the Maltese Constitution states: “Malta is a neutral state actively pursuing peace, security and social progress among all nations by adhering to a policy of non-alignment and refusing to participate in any military alliance” (Constitution of Malta: Chapter I, 1 (1)). To what extent ‘refusing to participate in any military alliance’ means ‘refusing to participate in ESDP’ will be discussed later on, but this article definitely constitutes a legal limitation to *joint* military operations with other countries and to participation in ESDP. *Similar* to the Maltese case, “the Austrian approach to neutrality is more ‘legalistic’ than that of other European neutrals” (Neuhold 2003: 15) and has its origin in national law, in the Federal Constitutional Law of the 26th of October 1955 on the Neutrality of Austria: “[...] Austria will never in the future accede to any military alliances [...]” (Article I (2)). However, in *contrast* to the Maltese case, “the circle between legal neutrality obligations and international involvement has been squared by adapting Austrian law to new challenges. Legislative measures, including constitutional amendments have made neutrality compatible both with participation in UN sanctions and the various stages of the CFSP/ESDP, including the Petersberg tasks” (Neuhold 2003: 15; see also Gustenau 1999:

11): “Austria takes part in the Common Foreign and Security Policy of the European Union by reason of Title V of the Treaty on European Union, as amended by the Treaty of Amsterdam. This includes participation in tasks under Article 17 (2) of this Treaty” [...] (Article 23f (1) of the Federal Constitution).

In all other traditionally ‘neutral’ EU member states ‘neutrality’ has no legal basis and therefore does not imply any *legal* limitations to participation in military operations conducted *jointly* with other countries in general or within ESDP, specifically. For all of these countries the same applies what Keith McBean wrote about Ireland: “This policy is not set out in any international treaty, nor has it a specific domestic constitutional or legal basis. Rather, Irish neutrality reflects a policy choice adopted by successive Irish governments” (McBean 2003: 30).

With the exception of legal peculiarities in Denmark and Malta, there are no specific constitutional and legal provisions in EU member states which restrict the use of the armed forces if military operations are undertaken *jointly* with the armed forces of another state (confirmed by experts in interviews). To the contrary, “provisions which enable and encourage international cooperation would seem to facilitate such cooperation, as seems to be the case in Italy, for example” (Nolte & Krieger 2003c: 50). In Germany, participation in international crisis management even *requires* that it is undertaken *jointly* with other states.

Summary and Prospects: Permissible Operations

Summing up, it can be said that the majority of EU member states have no provisions in national law that prohibit specific types of military operations – neither individual ones nor ones conducted jointly with other states (see figure 4). The majority of EU member states could – from a legal point of view – carry out the whole range of Petersberg tasks, the tasks which EU countries agreed on as *common* ESDP tasks. There are only three countries which have legal provisions that could cause difficulties for the definition of and engagement in genuinely *common* ESDP operations:

- Denmark is no part of ESDP because of its opt-out from 1993. This implies no problem for ESDP in general, because the opt-out does “not hamper the progress of the rest of the Union in any way” (Pedersen 2006: 38); Denmark has no veto power in ESDP and cannot block any decisions that other EU member states take within this

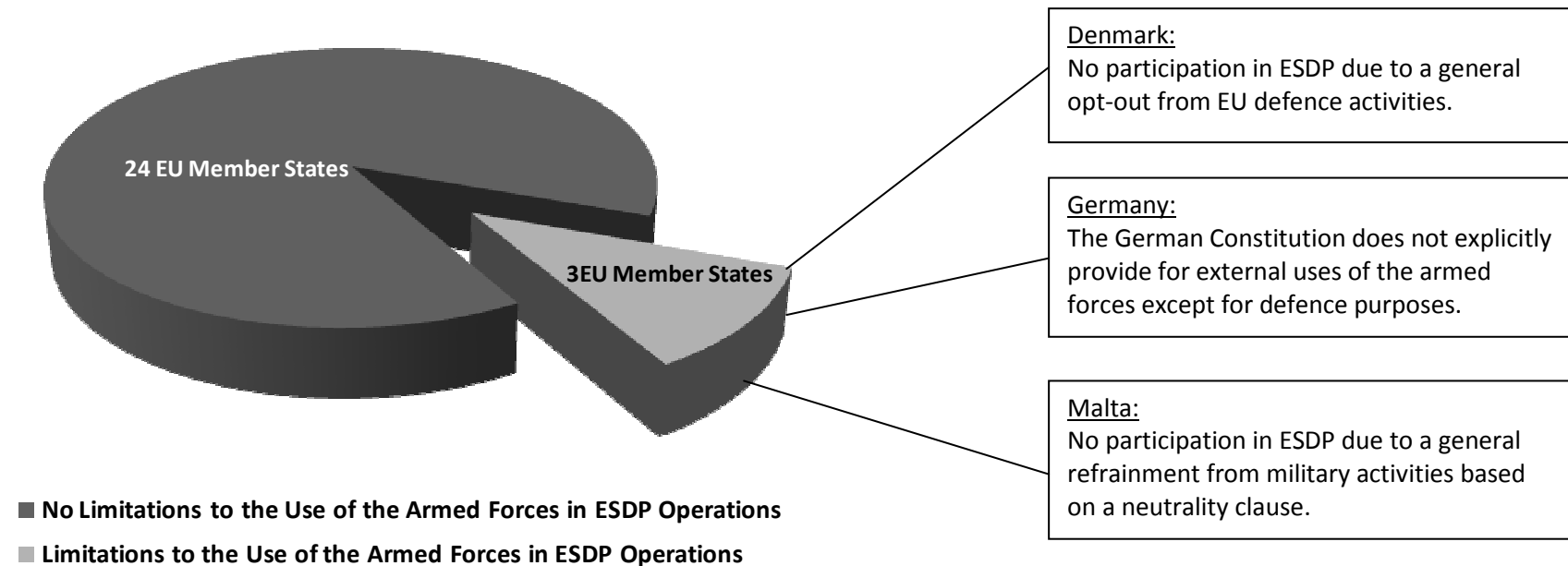
policy. If the position of Denmark remains ‘abstention’ and does not become ‘opposition’ regarding ESDP developments and ESDP engagement of other EU partners, there is no reason to suggest that the Danish case could pose a problem for a genuinely *common* ESDP. CSDP of course would be more genuine in its commonality if all EU member states would be part of it, if the EU would lift the exemption and Denmark would hold a new referendum on the opt-out (more on the Danish case in chapter VI). As this is very likely one day, the Danish opt-out will be ignored in the following legal analyses of this chapter.

- Although the armed forces play a very minor role in Malta, it could contribute to ESDP operations with civilian support, strategic and political advice or with humanitarian aid. By refraining from any involvement in ESDP due to its legally-based neutrality, Malta does not cause any problems for ESDP in general. But it is the same situation as for Denmark – a future CSDP would of course be much more genuine if Malta would also be part of it. In that case Malta would either need to adapt its national law (as Austria did) or it would need to abandon its status of neutrality.
- Although the legal situation would theoretically allow Germany the participation in all types of Petersberg missions, some experts speculate that “Germany would draw back as soon as the EU were confronted with applying force” and ask: “Is it possible to imagine Germany taking part in a peace mission in the Near East?” (both Stark 2006: 19). It is indeed doubtful, if Germany would take part in the most robust type of Petersberg missions – “at least in part still constrained by its past, and responsive to a public that is overwhelmingly critical when it comes to military action, German political elites focus on the lower spectrum of stabilization, peace building and post-conflict management” (Brummer 2006: 7). This is of course first and foremost a question of political will and political priorities (and will be discussed in detail later on). The vague and ambiguous legal basis for participation in military operations, however, could contribute to political reservation and could support a hesitant attitude of avoiding full military engagement due to fear of public political debates and constitutional complaints. Constitutional amendments like in the Austrian case could make sense.



Figure 4: Legal Limitations to the Use of National Armed Forces in ESDP Operations

Are there any provisions of national law in EU member states prohibiting any kind of military operations of the armed forces abroad?



All in all, it can be argued that national law does not prevent EU member states from carrying out the Petersberg tasks which they have agreed on. Virtually all types of military and crisis management operations are permissible, not only according to European law, but also to national law. “There are virtually no general or special prohibitions expressed by law, but rather rules of competence and formal requirements to satisfy in order to have such operations conducted by the armed forces” (Gerkrath 2003: 287). It is to these rules and formal requirements which the analysis will now turn.

Deployment of Armed Forces Abroad in National Military Law of EU Member States

Now that we know which types of operations are legally possible in the framework of ESDP and to what extent national divergence plays a role in this respect, the next step is to look at the legal regulations for initiation of such operations. Does the deployment of armed forces for common operations imply any difficulties or problems for the creation of a genuine CSDP?

An ambitious EU military legal system – as precondition for a genuinely *common* ESDP – would mean with regard to the deployment of armed forces that it would be decided by an “accepted political authority” (Siedschlag 2004b: 1) at a supranational level. This would guarantee that the deployment is in any case decided and managed *commonly*. Such a step is currently implausible, however, because the decision to deploy armed forces is a sovereign prerogative of nation-states. The use of military force and the deployment of armed forces are among the most difficult and most serious decisions that a state or a community of states must take (decisions on ‘life or death’) and touch the core of national sovereignty. EU member states will definitely not relinquish this sovereignty in the foreseeable future. “Complete integration of these decision-making competencies that would come along with the creation of a European army is not conceivable” (Schmidt-Radefeldt 2005: 264). Even the 1952 European Defence Community Treaty stopped short of including decision-making for deployment at the supranational level, even though it went far beyond the current integration level of ESDP. It is beyond doubt that to decide deploying armed forces abroad will remain a national decision for some time to come.

However, this does not necessarily constitute a problem for a future CSDP or even for the creation of a European army. If the legal regulations for military deployment are not different at a national level, deployment of armed forces should not be a problem in a genuine CSDP. In this case deployment for CSDP missions either takes place in the same way in all 27 EU member states or a *common* deployment procedure could be found for *common* missions, in form of a *common* 'EU Deployment Law', for example. The legal framework of action in Article 17 (1) of the EU Treaty would allow for the creation of such a law (see Warnken 2002; Siedschlag 2004a: 50; Schmidt-Radefeldt 2005: 151). A potential problem for a genuine CSDP of course arises if legal regulations of military deployment diverge and clash with each other at the national level. In that case harmonization is necessary, at least to a certain degree, not only to make ESDP *common*, but also to make common action *work*.

So how different are the national rules and procedures for the deployment of armed forces in various EU countries? Who is taking the decision to deploy in these countries? Is it the executive or the legislative, the head of state, the government, the parliament or even the minister of defence? How feasible are legal adjustments in the member countries and how feasible is harmonization of national deployment regulations? A comparison of national EU constitutions and national military law provides an answer to these questions.

Who is actually deciding on the deployment of the armed forces in EU member states according to national law?

When comparing national EU regulations for the deployment of armed forces, one must distinguish decisions about war or peace from decisions about a concrete mobilization of armed forces abroad. The deployment of armed forces can, but does not necessarily have to, be a part of the decision about war and peace. Parliaments have declared war in the past that executives were unwilling to wage; conversely military operations have been ordered and exercised without an official declaration of war. Since World War II declarations of war have been excluded from constitutional practice under international law. At the same time, armed operations (like humanitarian and peace-keeping missions) are not always a question of war or peace (see Schmidt-Radefeldt 2005: 141-142). The use of force is no longer limited to the specific concept of war (see Maillet 1999: 4). The concept of 'crisis management' has taken its place. For this reason, declarations of war are not covered in the comparative

analysis of national constitutions and military laws. Only the legal regulations for the actual deployment of armed forces are of interest in the following considerations.

The Role of the Executive

In analysing the different national military legal systems (for an overview of the power balance with regard to the deployment of armed forces in the EU-27 see table 1), the first finding is the striking fact that national regulations are similar in many respects: in each of the 27 EU countries the executive has a dominant role (see Siedschlag 2002: 231; Maillet 1999: 10). In 25 countries the government decides on the deployment of the national armed forces (having 'decisive power'). Only in France and Lithuania (Žalimas 2006) the governments (in the person of the prime minister) are quite weak and lack a decisive say in the deployment process (having only 'influential power'). Here, in contrast, the president as head of state takes the leading role and participates in decision-making. This is, however, not really surprising, because these countries have a semi-presidential political system in which the president is part of the government and usually has more executive power than the prime minister.

The Role of the Minister of Defence

The second finding of the analysis also shows homogeneity in EU military legal systems (see table 1): "The minister of defence generally [not only] possesses no particular constitutional status" (Nolte and Krieger 2003a: 3), s/he also has no specific power to actually deploy armed forces in any of the 27 EU member states. In six EU countries the minister can at least be attributed with weak power and little influence on the decision to deploy ('influential power'). The reasons for that are diverse.

In Germany and Poland the ministers of defence are the only ministers constitutionally accorded the status of Supreme Commander-in-Chief during peace-time among all 27 EU member countries. "The German Constitution assigns the power of command to the minister of defence" (Nolte and Krieger 2003b: 364) in peace-time, and in Poland "the president supervises the armed forces in peace-time through the minister of defence" (Kowalski 2003: 663). In Spain command powers are also delegated to the minister of defence (by the prime minister), but only according to several national defence acts rather than the Constitution.



**Table 1: Competencies in the EU-27 concerning Military Deployment or:
Who is actually deciding on the deployment of armed forces for ESDP
missions?**

	Head of State	Government	Ministry of Defence	Parliament
Austria (AT)	Constitutional Power	Decisive Power	<i>Influential Power</i>	Decisive Power
Belgium (BE)	Constitutional Power	Decisive Power	No Power	<i>Influential Power</i>
Bulgaria (BG)	Constitutional Power	Decisive Power	No Power	<i>Influential Power</i>
Cyprus (CY)	Decisive Power	Decisive Power	No Power	Decisive Power
Czech Republic (CZ)	Constitutional Power	Decisive Power	No Power	<i>Influential Power</i>
Denmark (DK)	Constitutional Power	Decisive Power	No Power	Decisive Power
Estonia (EE)	Constitutional Power	Decisive Power	No Power	Decisive Power
Finland (FI)	Decisive Power	Decisive Power	No Power	Decisive Power
France (FR)	Decisive Power	<i>Influential Power</i>	No Power	<i>Influential Power</i>
Germany (DE)	No Power	Decisive Power	<i>Influential Power</i>	Decisive Power
Greece (EL)	Constitutional Power	Decisive Power	No Power	<i>Influential Power</i>
Hungary (HU)	Constitutional Power	Decisive Power	No Power	<i>Influential Power</i>
Ireland (IE)	Constitutional Power	Decisive Power	No Power	Decisive Power
Italy (IT)	Constitutional Power	Decisive Power	No Power	Decisive Power
Latvia (LV)	Constitutional Power	Decisive Power	No Power	Decisive Power
Lithuania (LT)	Decisive Power	<i>Influential Power</i>	<i>Influential Power</i>	Decisive Power
Luxembourg (LU)	Constitutional Power	Decisive Power	No Power	Decisive Power
Malta (MT)	No Power	Decisive Power	No Ministry of Defence	Decisive Power
Netherlands (NL)	Constitutional Power	Decisive Power	No Power	Decisive Power
Poland (PL)	Decisive Power	Decisive Power	<i>Influential Power</i>	<i>Influential Power</i>
Portugal (PT)	Constitutional Power	Decisive Power	No Power	<i>Influential Power</i>
Romania (RO)	Decisive Power	Decisive Power	<i>Influential Power</i>	<i>Influential Power</i>
Slovakia (SK)	Constitutional Power	Decisive Power	No Power	Decisive Power
Slovenia (SI)	Constitutional Power	Decisive Power	No Power	<i>Influential Power</i>
Spain (ES)	Constitutional Power	Decisive Power	<i>Influential Power</i>	Decisive Power
Sweden (SE)	No Power	Decisive Power	No Power	Decisive Power
United Kingdom (UK)	Constitutional Power	Decisive Power	No Power	<i>Influential Power</i>

S/he is not the Supreme Commander-in-Chief as in Germany and Poland, but “this delegation [of command power] is expressed in an absolute form, giving rise to doubts among some as to who is in fact the person ultimately in charge” (Cotino Hueso 2003: 740). In Lithuania the minister of defence has at least ‘little’ influence on the decision to deploy, because s/he has “the right to initiate the deployment of forces submitting the corresponding proposal to the president” (Žalimas 2006) instead of the prime minister. The same applies to the minister of defence in Romania who can even approve participation in “individual missions or ceremonies abroad” alone (according to the ‘Law No. 42 on the Participation of Romanian Armed Forces in Missions Abroad’). The Austrian minister of defence is also not completely a ‘toothless tiger’ with regard to mobilization due to his right to approve deployments of less than 100 persons (Lechner 2006). In sum, the ministers of these six countries have a higher legal and consequently more relevant political position than their EU colleagues and can at least ‘influence’ deployment decisions. However, no minister of defence in any EU member state plays a significant role when it comes to the final decisions on the deployment of armed forces and to the serious mobilization of troops for crisis management operations. They have nothing to do with the final decision, which is taken elsewhere.

The role of the executive, consisting of the government and including the minister of defence, in national military law need not cause any problems for a *common* ESDP – national deployment regulations do not differ substantially in this respect and could be integrated easily or even developed towards a *common* EU Deployment Law in the future. There are no significant differences in the powers of defence ministers between EU member states: the government (in the person of the prime minister) is strong and decisive in questions of mobilization of armed forces in all EU countries; the minister of defence is powerless to take such decisions.

The Role of the Head of State

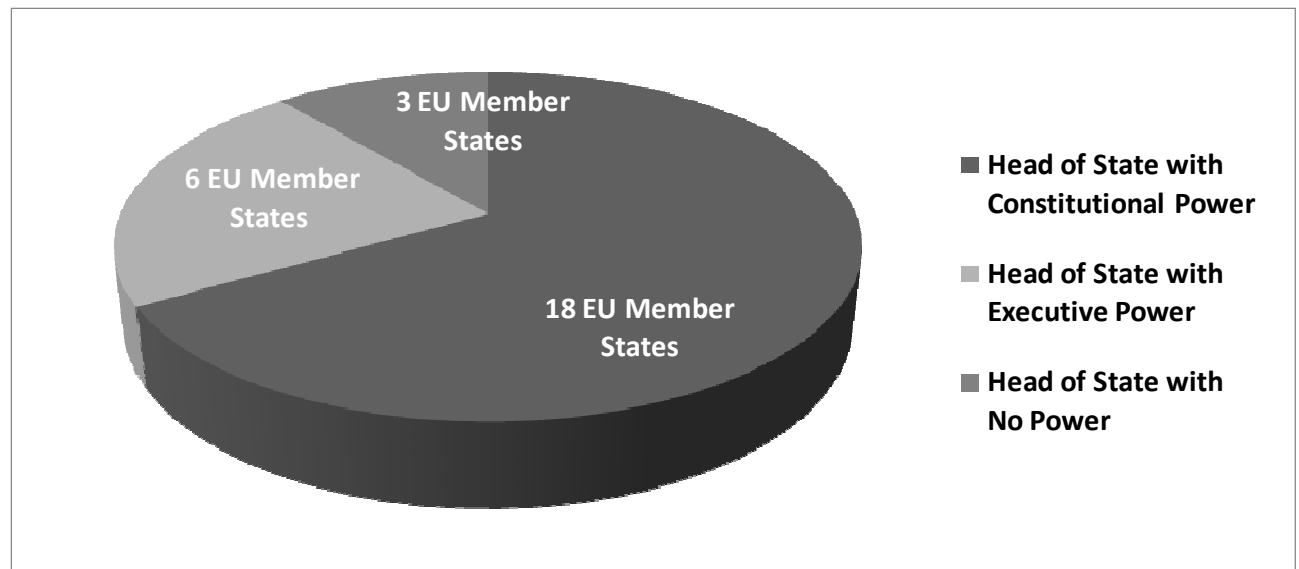
The role of the head of state, as part of the executive, appears more complicated. Head of state functions vary across the European Union (see table 1 and figure 5), which could cause difficulties for a genuine CSDP. One relevant issue is that legal theory and constitutional wording differ considerably from actual political practice (see Schmidt-Radefeldt 2005: 145).



Figure 5: The Power of the Heads of State in the EU-27 regarding Military Deployment

Does the Head of State have factual power to decide on the deployment of armed forces for ESDP operations abroad?

Austria (AT)	No	Italy (IT)	No
Belgium (BE)	No	Latvia (LV)	No
Bulgaria (BG)	No	Lithuania (LT)	Yes
Cyprus (CY)	Yes	Luxembourg (LU)	No
Czech Republic (CZ)	No	Malta (MT)	No
Denmark (DK)	No	Netherlands (NL)	No
Estonia (EE)	No	Poland (PL)	Yes
Finland (FI)	Yes	Portugal (PT)	No
France (FR)	Yes	Romania (RO)	Yes
Germany (DE)	No	Slovakia (SK)	No
Greece (EL)	No	Slovenia (SI)	No
Hungary (HU)	No	Spain (ES)	No
Ireland (IE)	No	Sweden (SE)	No
		United Kingdom (UK)	No



This applies to many countries. According to the constitution in 24 EU countries, the head of state – either president or monarch – is the Supreme Commander-in-Chief with commensurate responsibility. However, as the expert interviews confirmed, the head of state is vested with real power in military and security matters and has a real say in deployment decisions in only six of these countries. These states have presidential political systems (Cyprus) and semi-presidential political systems with traditionally strong presidents (as mentioned above in the case of France, Lithuania; also Finland and Poland) or, as in the case of Romania, with a president who is powerful because he is elected directly by the people. In the remaining 18 countries (AT, BE, BG, CZ, DK, EE, EL, ES, HU, IE, IT, LU, LV, NL, PT, SI, SK, UK)¹ the heads of state hold no or only ‘constitutional power’ rather than real executive power, which means that they are only powerful ‘on paper’ and have only formal functions. They can never decide on the deployment of armed forces. In political reality, they are powerless. In this respect, they share the fate of their colleagues in Germany, Malta and Sweden, who are also mere figureheads without any disposal of the armed forces. But the latter are without ‘constitutional power’ and, therefore, do not face a discrepancy between constitutional text and political practice. These discrepancies could become a problem in view of a genuinely *common* ESDP, if the heads of state draw upon their constitutional rights and insist on their constitutional roles as Supreme Commanders-in-Chief in any deployment of national or multinational armed forces for *common* ESDP purposes. This is, though, quite unrealistic, since they have not demanded their constitutional rights at the national level in recent years, and they have accepted their practical political roles in the new political reality.

A common EU Deployment Law would in any case require either legal adjustments and harmonization of *current* deployment regulations at *national* level or a completely *new* legal deployment rule for common operations at *European* level. The latter could, however, challenge the national responsibilities of national heads of state and could lead to tensions between national constitutional laws and the new legal regulations at EU level. It is reasonable to consider such possible tensions in advance and to take precautions against them. Clear legal and politically non-ambiguous regulations for a possible future EU Deployment Law may be of help; changes or adjustments to national constitutions would be ideal (even though very difficult to realize). Besides the discrepancies between constitutional

¹ In this work, the countries are represented by their official abbreviations.

theory and political practice, the different roles of heads of state among the EU member states are unlikely to cause any severe difficulties for a future CSDP. This is because the heads of state in the EU have, at most, mere representative power and are irrelevant to the deployment of armed forces, or they have much executive power and can be included in the government. The most severe difficulty that their roles can possibly cause lies within the latter group of countries, in which the heads of state exercise the same function: in Finland, Lithuania, Poland, Romania, and most notably in France, the head of state is a strong president with ‘decisive power’ to deploy armed forces. The political reality in these countries is a division of command between the president and the government (in the person of the prime minister), implying a shared responsibility to decide on military deployment, which could be a challenge for coherent decisions and a genuinely *common* ESDP (see Siedschlag 2004a: 62).



Table 2: EU Member States with Executive Division of Command with regard to Military Deployment

	President	Prime Minister
Finland	Decisive Power	Decisive Power
France	Decisive Power	<i>Influential Power</i>
Lithuania	Decisive Power	<i>Influential Power</i>
Poland	Decisive Power	Decisive Power
Romania	Decisive Power	Decisive Power

As shown above, the president takes the leading role in deployment decisions in two of these countries (FR, LT), but s/he still has to co-ordinate with the prime minister; in the other three countries (FI, PL, RO) the president and the prime minister even take deployment decisions as authorities ‘at eye-level’ with each other and with equally balanced ‘decisive power’ (see table 2). There is no doubt that this situation of ‘power balance’ can lead to difficulties if both sides fail to agree on a crucial decision like the mobilization of armed forces. The French experience of ‘cohabitation’ shows that such a scenario in which the president and the prime minister belong to opposed political parties and face opposed

political ideas, is not completely unrealistic. French President Jacques Chirac, for instance, called the five years of French ‘cohabitation’ from 1997 to 2002 (with Lionel Jospin as Prime Minister) a state of ‘paralysis’ (see Schofield 2002). Such a state can easily become a domestic political earthquake when it comes to the deployment of armed forces in the case of controversial political issues (like the Iraq war in 2003 for example). In order to make sure that every country in the EU can be integrated in future common EU deployment regulations, one must attend to such problems. Again, the solution of an EU Deployment Law must include unambiguous provisions for who is to take the final decision on deployment and how. The whole process of decision-making needs to be explicitly defined: both at the national level and the European level. The problem of ‘power balance’ and, in particular, ‘cohabitation’ is already a considerable problem at national level. Legal and constitutional specifications should be made, if further European integration of military deployment is the objective as precondition of a *common* ESDP. Legal integration of EU deployment regulations begins at the national level.

The Role of the Parliament

The biggest legal challenge for a *common* ESDP with regard to military deployment is without doubt the role of parliaments in EU member states. As indicated above, the executive is the dominant party in security and military matters compared to the legislature and always has a say on military deployment, whereas parliamentary power differs throughout Europe. Gourlay notes: “Within the EU, the relationships between national executives and their parliamentary counterparts are diverse. The range from relationships of relative equality where the legislature is a partner in government and the executive cannot function effectively without its co-operation (Germany), to a starkly unequal relationship where the executive effectively functions as an elected dictator, subject only to ex-post oversight (the United Kingdom). EU member states occupy different positions along this continuum and their ability to influence in decision-making in national security and defence policy varies accordingly” (Gourlay 2002: 6; see also Hänggi 2004: 11).

Legal procedures and parliamentary structures in one established democracy may be unthinkable in another. Consequently, the roles of parliaments, parliamentary oversight of armed operations, and, especially, parliamentary power to decide on military deployment are quite different – in presidential, parliamentary or mixed systems of government as well

as in countries with equivalent political systems. In recent years there have been several major studies which analysed the role of national parliaments in the military deployment process (Dieterich et al. 2008; Giegerich & Nicoll 2008; Von Ondarza 2008; Born & Hänggi 2005; Schmidt-Radefeldt 2005; Nolte 2003; Born et al. 2003; Maillet 1999). They all addressed one crucial question: does a country require parliamentary approval for military operations abroad *prior* to the actual deployment of the armed forces? It is remarkable: only for 14 EU countries the studies produced the same results – for 13 EU member states the results partly differ (see table 3). In 14 EU states the legal and political situation is clear – parliaments either approve the deployment of armed forces or not. In Belgium, France, Greece, Portugal and the United Kingdom parliaments have no say on military deployment (participating only in the exchange of information and in limited consultation). Austria, Cyprus, Denmark, Estonia, Germany, Ireland, Latvia, Lithuania and Sweden, on the other hand, require parliamentary authorization for the decision to deploy forces in an international military operation; the legislature has much power in these countries. So what are the reasons that the results differed in the 13 other cases? Is the legal and political situation so ambiguous in these countries?

The first reason is that the legal and political situation for military deployment has changed in some countries over the years in which the mentioned studies have taken place – new rules have replaced old rules. Thus, “Bulgaria, the Czech Republic, Hungary and Romania have recently abolished a priori approval for EU and NATO operations” (Giegerich & Nicoll 2008: 139; also Von Ondarza 2008: 23). While military operations in general – conducted alone, for example – still require parliamentary approval, deployment of armed forces for ESDP operations can be decided by the executive alone in these countries from now on. The reverse development has taken place in Spain: “Spain has introduced a compulsory parliamentary approval for deployment decisions in 2005²” (Von Ondarza 2008: 23).

² Under the previous Partido Popular (PP) Government of José María Aznar, the decision to involve Spanish troops in the US-led invasion of Iraq (2003) was taken by the Prime Minister, without the approval of the Spanish Parliament, which was simply ‘informed’ of the decision. When José Luis Zapatero (Socialist Workers Party of Spain – PSOE) came to power in 2004, he pledged to change Spanish law to make it necessary for the government to seek the approval of parliament before deciding to participate in military and peace keeping missions. On the 2nd of July 2004 the Spanish Government concluded an agreement on the participation of Spanish troops in missions abroad. The Prime Minister presented a motion to the Congress of Deputies on the 6th of July 2004 to approve the new provision. There was a lengthy debate and the motion was supported by all parties except the PP (see House of Commons 2005: 8).

**Table 3: Studies on the Role of Parliaments in the Military Deployment Process**

Does a country require parliamentary approval for military operations abroad prior to the actual deployment of the armed forces?

	Von Oндarza 2008	Dieterich et al. 2008	Giegerich & Nicoll 2008	Born & Hänggi 2005	Schmidt-Radefeldt 2005	Born et al. 2003	Nolte 2003	Maillet 1999
AT	Yes	Yes	Yes		Yes			Yes
BE	No	No	No	No	No	No	No	No
BG	No		No Yes					
CY	Yes	Yes	Yes					
CZ	No	No	No Yes	Yes		Yes		
DK		Yes	Yes	Yes	Yes	Yes	Yes	Yes
EE	Yes	Yes	Yes					
FI	No	Yes	No		No			Yes
FR	No	No	No	No	No	No	No	No
DE	Yes	Yes	Yes		Yes		Yes	Yes
EL	No	No	No			No		No
HU	No	No	No Yes	Yes				
IE	Yes	Yes	Yes					Yes
IT	Yes	Yes	No	Yes	No Yes	Yes	Yes	Yes
LV	Yes	Yes	Yes					
LT	Yes	Yes	Yes					
LU	No	Yes	No			No	No	Yes
MT		Yes	No					
NL	Yes	Yes	No	Yes	No Yes	Yes	No	Yes
PL	No	No	Yes	No	No	No	No	
PT	No	No	No	No		No		No
RO	No		No Yes					
SK	Yes	No	Yes					
SI	No	Yes	Yes					
ES	Yes	No	No	No	No	No	No	No
SE	Yes	Yes	Yes	Yes	Yes			Yes
UK	No	No	No	No	No	No	No	No

The second reason for the different results is that some studies considered only the power of national parliaments according to the legal basis and constitutional wording (Giegerich & Nicoll 2008) while others also took the actual political practice into account (Maillet 1999, for example). Cases in which legal basis and political practice differ are Italy and the Netherlands. The national parliaments of these countries are powerful in the process of

military deployment due to “customary practices” (see Born & Hänggi 2005: 4). In Italy, the Constitution does not explicitly mention that the government must obtain prior approval for deploying troops abroad. However, this has been standard political practice for some years, and it is now regarded as a matter of customary practice (see Siedschlag 2002: 229; also Luther 2003: 450-452). The same applies to the Netherlands. Formally, the Dutch government has the sole prerogative to decide, but parliamentary approval is sought for every Dutch military operation. In the face of customary practice, the government has even initiated a draft law to remedy the lack of binding regulations. This shall convert existing practice into codified law one day (see Maillet 1999: 55; Born & Hänggi 2005: 8). In theory, even in Germany there is a divergence of legal basis and political practice. According to the constitutional wording the government does not need to ask for parliamentary approval of military operations. However, the Constitutional Court of Germany turned customary practice into customary law in 1994 – “the *Bundesverfassungsgericht* invoked historical and systematic considerations in order to show that constitutional requirement of parliamentary approval was comprehensive and extended to every ‘armed operation’. [...] [It] reasoned these historical and systematic arguments were evidence that the *Grundgesetz* conceives the armed forces to be a ‘Parliament’s army’” (Nolte and Krieger 2003b: 358-359). “Established by a landmark ruling [...] the Bundestag since then holds a powerful position in decision-making with respect to the deployment of troops. Any involvement of German military forces abroad has to be authorized by parliament in advance” (Dieterich et al. 2008: 14). Common sense has become customary practice which has become customary law – in the same way as in Italy and the Netherlands. As seen in the case of the heads of state, divergences of constitutional theory and political practice can lead to tensions and difficulties. This can be ruled out in the case of the parliaments’ role, because the parliaments of Germany, Italy and the Netherlands face the exact opposite legal situation compared to the 18 European heads of state with ‘constitutional power’. While the latter are ‘practically’ powerless but have constitutional and legal rights upon which they could insist, the parliaments do play an important role in a field where the constitution provides no legal basis. Unlike the heads of state, the parliaments in these countries have no reason to be unhappy with their role. Tensions between constitutional theory and political practice are not likely to emerge here.

The third reason why the different studies have produced diverging results – as so often the case in relation to legal questions – are different interpretations of the national legal documents and texts. The legal situation in some countries as regards military deployment is, simply speaking, not clear and quite ambiguous leaving a lot of space for interpretation. In the following lines different argumentations will be briefly described and it will be explained which argumentation warrants the strongest support.

In the case of Finland most studies argue that the Finnish government is *not* obliged to get prior parliamentary approval for military operations. They refer to Article 129 of the Finnish Constitution and Chapter 1/Section 2 of the ‘Act on Peace Support Operations’ according to which the deployment of the armed forces takes place “by the president upon proposal by the government” (Constitution) and after a formal consultation of the parliamentary Foreign Affairs Committee (Act). In their interpretation the parliament as a whole has no say and the right of the parliamentary committee ‘to be consulted’ is indeed just formal and cannot be considered as ‘decisive power’ to approve the actual deployment. The studies of Maillet and Dieterich et al., in contrast, claim that this legal right of the parliamentary Finnish Foreign Affairs Committee is very much an obligatory ‘right of approval’: “Without the consent of parliament Finnish forces would not be sent abroad” (Dieterich et al. forthcoming). This latter position can be supported because personal communication with a legal adviser of the Finnish Ministry of Defence (Korhola 2009) and the counsel of the parliamentary Defence Committee of Finland, Heikki Savola, confirmed it: “The fact that in certain cases the parliament as a whole is not involved in the decision-making process does not mean that the Foreign Affairs Committee is merely a rubber stamp when it comes to approval of crisis management operations. First, the Foreign Affairs Committee, as all committees in the Finnish parliament, is in a way a ‘mini parliament’, i.e. all parties are represented according to their relative strength as parties. Second, if the Foreign Affairs Committee comes up with the decision that it is not in Finland’s interest to participate in a crisis management operation then it is a no go-decision to launch the operation” (Savola 2009).

The situation in Luxembourg is similar. All studies except Maillet and Dieterich, Hummel and Marschall conclude from a constitutional and legal basis that the parliament has legally *no* right to approve military operations *prior* to the actual deployment of armed forces. In the same way as in Finland, the decision to participate – according to *Loi du 27 juillet 1992* (Article 1-2) – is taken by the government, after having consulted the relevant parliamentary

committee (in the case of Luxembourg: the common Foreign Affairs, EU and Defence Committee). In addition, each peacekeeping mission requires the drafting of a 'Grand Ducal Regulation' with compulsory consultation of the Council of State³ and the Conference of Presidents of the Chamber of Deputies (parliament). While most studies obviously understand the role of the committee and the Grand Ducal Regulation again as a mere formal and only informative one ("parliament does not really participate in the decision to deploy the armed forces" (Dopagne in Nolte 2003: 526), Maillet and Dieterich, Hummel and Marschall see the parliament in a 'very strong' position through this legal regulation: "The adoption of a Grand Ducal Regulation is mandatory for each peace support operation abroad with no exception" (Dieterich et al. forthcoming). Again, this position can be supported in this work, on the one hand, because the Council of State which approves the Grand Ducal Regulation and consequently also a possible military operation clearly includes members of parliament, and on the other hand, because personal communication with a legal expert of the Luxembourgish Ministry of Foreign Affairs (Hames 2008) has confirmed the argumentation of Dieterich, Hummel and Marschall and Maillet again.

Studies on military deployment in Malta are rare because the armed forces play a minor role in this small country. Nevertheless, two of the considered studies have included Malta in their analysis – and interpret the role of the Maltese parliament differently. Giegerich and Nicoll note that parliamentary approval of foreign deployment would *not* be legally required because "the Constitution does not regulate any responsibilities and mechanisms with regard to the use of the armed forces abroad" (Giegerich & Nicoll 2008: 142). Dieterich, Hummel and Marschall, in contrast, understand this legal situation as follows: "Parliamentary powers manifest themselves in the provision of the Constitution of Malta that prevents the Maltese government to send troops abroad. The Constitution clearly states: "Malta is a neutral state actively pursuing peace [...] refusing to participate in any military alliance" (article 1 section 3 of the Constitution of Malta). According to the prevailing legal interpretation, this article definitely rules out any participation of Maltese troops in military operations abroad. Parliament could theoretically change this constitutional provision, but would require a two-thirds majority vote" (Dieterich et al. 2008: 14). Both interpretations might be legitimate, but as it might be more likely that Malta will have a

³ The Council of State (Conseil d'Etat) is a special body which consists of members elected by parliament and members appointed by the government and the Grand Duke.

strong parliament in military deployment matters after adjusting its neutrality clause (because parliament itself approves any kind of such a change), this work supports the Dieterich, Hummel and Marschall argumentation.

In the case of Poland the most studies again argue that parliamentary approval of military operations is legally *not* compulsory prior to deployment of armed forces – the only exception this time is the study of Giegerich and Nicoll. They argue that according to Article 117 of the Polish Constitution the use of Polish armed forces abroad requires an international agreement or a statute which both must be passed by parliament (Giegerich & Nicoll 2008: 142). The majority opinion also recognizes a strong parliamentary role, opposes the assumption, however, that a parliamentary ‘right of approval’ derives from Article 117: “A strong parliamentary co-decision in defence policy results from this rule, even though both parliamentary chambers have no right to directly take part in the decision-making on deployment” (Schmidt-Radefeldt 2005: 148). Only on the basis of Article 117 one is inclined to support the argumentation of Giegerich and Nicoll, but there have been legal developments that hold back: “Since February 1998 the Presidential authority has been legally extended to include the deployment of troops overseas. [...] [F]rom a procedural perspective the President now has the prerogative to decide, by means of a resolution, on the deployment of troop overseas following a request from the Prime Minister. The Prime Minister is also required to countersign the resolution. The government is then obliged to immediately inform Parliament” (Kelly 2005: 9). Only a ‘right to be informed’ remains for the parliament according to this resolution complementing the Polish Constitution. Michał Sajkowski, senior legal specialist of the Polish Ministry of National Defence, has confirmed this nowadays quite weak role of the Polish Parliament in the military deployment process in a personal communication: “According to Article 3 of the *Statute Concerning the Rules on the Deployment and Stationing of Polish Armed Forces Abroad of the 17th of December 1998 (ZUPSZ)*, in case of the deployment of the Polish Armed Forces, the President makes a final decision, based on the motion of: 1) the Council of Ministers – in situations of participation in an armed conflict, providing support to allied state or states armed forces and participation in peacekeeping missions; 2) the Prime Minister – in actions aimed at preventing terrorist acts or their consequences. The President then immediately informs the Speakers of the Sejm (the Lower Chamber of the Polish Parliament) and the Senate (the Upper Chamber of the Polish Parliament) about his decision. This is just an obligation to

inform and the Parliament in fact does not have any decisive power concerning the use of the Polish Armed Forces” (Sajkowski 2009).

In Slovakia, Article 86 of the Constitution explicitly gives the parliament the legal authority for approval or disapproval of military operations by stating that “the powers of the National Council of the Slovak Republic shall be particularly to: [...] k) give consent for despatching the military forces outside of the territory of the Slovak Republic” [...]. This rule, however, only applies “if it does not concern a case stated in Art. 119, letter p)” which determines that the government shall decide “on despatching the military forces outside of the territory of the Slovak Republic if it regards performance of obligations resulting from international treaties on joint defence against attack for a maximum period of 60 days”. Dieterich, Hummel and Marschall understand this exception as a “major exception to the requirement of prior parliamentary authorization of the involvement of military forces abroad” and categorize the Slovak parliament as parliament *without* the legal right for *prior* approval of military deployment. The other studies obviously perceive the exception as ‘minor’ only, because in the view of their authors the parliaments can be regarded as parliaments *with* ‘a priori’ approval power. Both interpretations can be right or wrong, depending on the perspective and the emphasis the interpreting person chooses. This work supports the latter interpretation for two reasons. First, from the perspective of this work only ESDP operations are of relevance. Having a look at all completed ESDP operations since 2003 (see boxes 6-9) shows that not a single mission – neither military nor civilian – has been shorter than 3 months. An ESDP mission lasting less than 60 days is very unlikely. Secondly, the ‘exception rule’ only refers to military action resulting from international treaties on common defence. As the EU (still) does not consider itself as a community of collective defence, the ‘exception rule’ might not be relevant for EU operations. This rule might rather apply for Article 5-cases of NATO or cases in which Slovakia needs to deploy armed forces for self-defence – fast and for a short period of time – not for crisis management operations á la ESDP.

Both studies of Giegerich and Nicoll and Dieterich, Hummel and Marschall argue that the parliament in Slovenia has the legal right to approve military operations *a priori*, referring to Article 92 of the Slovene Constitution. This is only partly correct. Article 92 indeed states that “[t]he National Assembly decides on the use of the defence forces”, this, however, only applies for cases in a ‘state of war and state of emergency’. Two national legal experts of the Slovene Parliament and the Slovene Ministry of Defence have confirmed in personal

communication that the parliament – according to Article 84 (3) of the ‘Defence Act’ (last revision on 23. 9. 2004) – is without any legal control with regard to the deployment of armed forces in general crisis management operations (conducted without a formal declaration of war or emergency): “It is the Government that decides on cooperation of the Slovene Army relating to the execution of obligations adopted within international organizations. There are no provisions granting the Parliament or its bodies/committees a right of approval or even consultation with respect to decisions on deployment of the Slovene armed forces in international operations” (Pajnkihar 2009); “for PKO and PSO [peacekeeping operations and peace support operations] the government has all authority for decision and is not obliged to seek parliamentary approval. It is political practice that the government only informs the appropriate parliamentary body (Defence Committee) about the decisions regarding PKO and PSO” (Ferlez 2009). More recently, in April 2009, the Slovene government has adopted a decision to reframe the institutional process of adoption of decisions concerning cooperation in international operations and missions, in such a way as to regularly include the Slovene parliament. The government decided to inform the relevant parliamentary committees (namely the Committee on Foreign Affairs and the Committee on Defence) of its intentions to send members of the Slovene Army or civil experts in an international operation or mission. In sum, however, “the Slovene Parliament legally holds no rights in the respective matter, yet according to the political practice and even more so with the developing trends, the relevant parliamentary committees are informed and consulted in a non-binding mode” (Pajnkihar 2009). These explanations are the reason why in the case of Slovenia the results of the study of Von Ondarza deserve most to be supported.

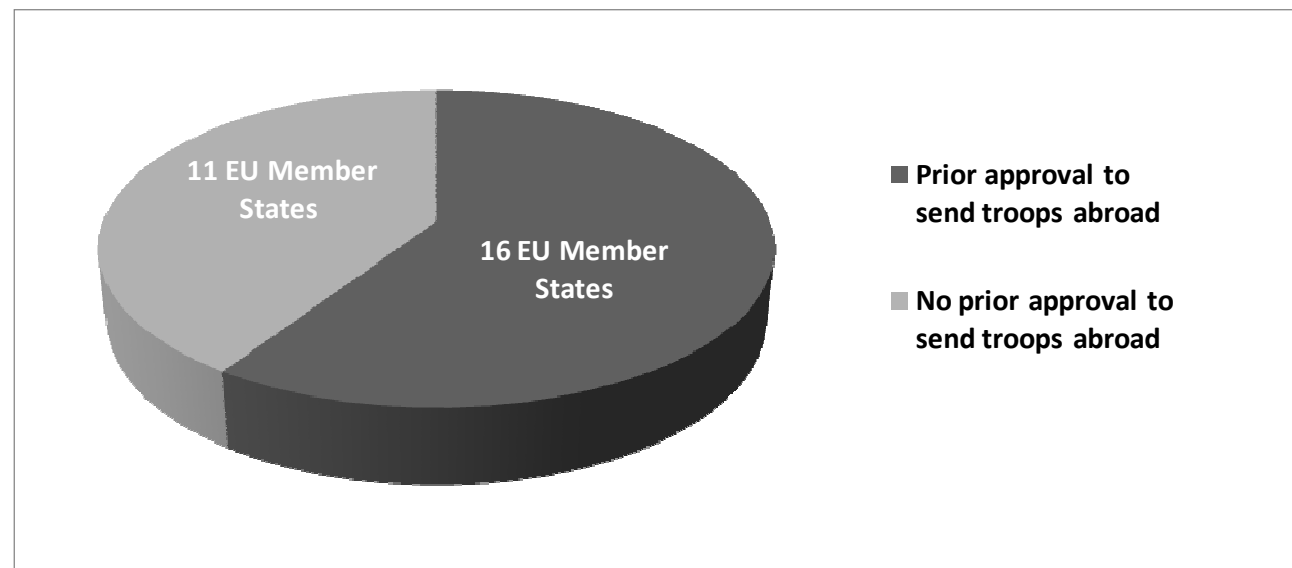
Summing up, the research of this project leads to the conclusion that out of 27 EU countries, 11 (BE, BG, CZ, EL, FR, HU, PL, PT, RO, SI, UK) do not allow for prior parliamentary approval of foreign deployment of armed forces for ESDP missions (see figure 6). This means that governments can send troops abroad for armed operations within the framework of ESDP without asking their parliaments; the legislature is constitutionally and legally weak. 16 EU countries (AT, CY, DE, DK, EE, ES, FI, IE, IT, LU, LT, LV, MT, NL, SE, SK) require parliamentary authorization for the decision to deploy forces in an ESDP military operation (see figure 6 again); the legislature is powerful in these countries with regard to military deployment.



Figure 6: Parliamentary Power in the EU-27 regarding Military Deployment

Do national parliaments have the power to approve ESDP military operations prior to the actual deployment of armed forces?

Austria (AT)	Yes	Italy (IT)	Yes
Belgium (BE)	No	Latvia (LV)	Yes
Bulgaria (BG)	No	Lithuania (LT)	Yes
Cyprus (CY)	Yes	Luxembourg (LU)	Yes
Czech Republic (CZ)	No	Malta (MT)	Yes
Denmark (DK)	Yes	Netherlands (NL)	Yes
Estonia (EE)	Yes	Poland (PL)	No
Finland (FI)	Yes	Portugal (PT)	No
France (FR)	No	Romania (RO)	No
Germany (DE)	Yes	Slovakia (SK)	Yes
Greece (EL)	No	Slovenia (SI)	No
Hungary (HU)	No	Spain (ES)	Yes
Ireland (IE)	Yes	Sweden (SE)	Yes
		United Kingdom (UK)	No



Generally speaking, these ‘powerful’ parliaments derive their power either from the national constitution or a specific legal act or statute; in three cases, however – discussed above – the parliaments derive their powerful status from political and customary practice which turned into customary law: Germany, Italy and the Netherlands.

It must be mentioned at this point that beyond legal powers regarding the actual decision on military deployment, the role played by a parliament is also contingent upon its power, its capacity, and its willingness to generally hold the government to account for its actions. Bruce George, member of the British House of Commons for many years and former President of the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE), referred in this context to a triad of ‘authority’ [meaning power], ‘ability’ [meaning resources] and ‘attitude’ [meaning political will] (see Hänggi 2004: 11; also Born & Hänggi 2005; Born & Urscheler 2002: 4-11). Thus, some parliaments have many oversight powers, some have few; some parliaments have many resources, some have few; some parliaments are very willing to exercise their functions, some are not. As a result, one is apt to believe that, among 27 parliaments in the EU, no two are alike. Parliaments derive their powers from many different sources, many different backgrounds and very diverse histories. Parliamentary cultures develop over decades in the EU member states and are deeply rooted in European societies. In this particular case, regarding the oversight of armed operations abroad, “every country of the EU understands the role of the parliament in a different way – due to its geo-political location, its history [post-authoritarian versus traditional democratic countries; Anglo-Saxon versus German versus Roman versus Slavic military law traditions (see Nolte and Krieger 2003c: 23-29)] and its role at the international stage” (Maillet 1999: 9-10). In short, there are innumerable dimensions to how national parliaments can vary and innumerable reasons why parliaments are powerful or not.

According to national military law, this study has brought to light that 16 national parliaments in the EU are powerful in the decision-making process on military deployment within the ESDP framework. The 11 parliaments which do not have the power to approve the mobilization of troops to ESDP missions should not be considered as completely powerless, however. They all have at least ‘influential power’ (see table 1) in so far as they are in the position to shape their governments’ decisions on deployment by plenary debates. Passionate plenary debates can provoke public debate, influence public opinion and exert pressure on governmental action.

So why is it relevant for a *common* ESDP whether national parliaments have or don't have the legal right to approve common operations prior to the deployment of armed forces? Which role contributes to the fact that circa two thirds of national parliaments have this right while around one third does not? The answer is that ambitions to harmonize national parliamentary competences and procedures with regard to military deployment are very difficult to realize:

1. If EU member states really strive for a European army to conduct CSDP missions in a proper multinational way one day in the future, the deployment of this army would suggest a legal procedure at the supranational level. According to Schmidt-Radefeldt, "the more European armed forces integrate into international units with supranational sovereign power, the more legal solutions at a supranational level are required" (Schmidt-Radefeldt 2005: 223). As a European army would mean the maximum extent of military integration at the European level, an EU Deployment Law would become necessary. Of course such a *common* law could also be envisaged for a CSDP with much less integrated armed forces – as in the current state, for example. The creation of such a *common* law would in any case raise the question which type of *common* procedure is most useful and favourable. Should a European army be sent abroad with prior parliamentary approval or not? Which deployment procedure of which country would be most suitable as role model? The fact that the procedures of EU member states are so different does not suggest that the possible creation of a common EU Deployment Law in the future will be an easy task or that such a law is very likely at all.
2. Even if there will be no common EU Deployment Law at the European level in the future, the different roles of national parliaments in the deployment process of multinational armed forces have the potential to cause problems for a genuinely *common* ESDP. On the one hand, the EU is under increasing pressure to address its already infamous 'democratic deficit', which is a serious problem in ESDP in particular. Any future CSDP needs to take care of that – either by involving the European Parliament in ESDP matters in any way or by strengthening the legal rights of national parliaments with regard to ESDP action. As many national parliaments still

lack these rights, a lot of legal reforms would be necessary. On the other hand, there is the question whether too much democratic control at the national level (both qualitatively and quantitatively) is useful in view of the requirements of ESDP operations which usually need to be decided on a short notice and in a fast and efficient way (what means ‘without long lasting parliamentary debates *a priori*’). Is the problem possibly not the ‘democratic deficit’ symbolized by national parliaments *not* having the legal right to approve ESDP, but, on the contrary, the fact that so many national parliaments *have* this right and slow down the decision-making and deployment process?

It might not be questionable that a genuine CSDP of the future requires either a common EU Deployment Law or deployment rules of common or at least similar standard for all national parliaments. The question is, however, which type of ‘deployment rule’ will function as ‘role model’ – in particular in view of the different roles national parliaments currently play in this regard. It comes all down to the question if the EU member states can agree on a common standard for military deployment that provides for a prior EU-wide parliamentary authorization of military operations on the one hand while simultaneously guaranteeing flexible, quick and efficient deployment on the other. Is it possible to square this circle?

Democratic Control of ESDP versus Operational Effectiveness of ESDP –

A-priori Parliamentary Authorization of ESDP Operations versus Quick Deployment?

The disparity between the growing power of EU institutions and the absence of democratic scrutiny of their activities is widely viewed as constituting a major challenge. The notion of the EU’s ‘democratic deficit’ has become very popular and is one of the most extensively debated issues in European academia (for examples see Harlow 2002; Hoskyns and Newman 2000; Schmitter 2000). Andrew Moravcsik wrote in 2002: “Hundreds, perhaps even thousands, of scholars, commentators, lawyers and politicians have analysed this problem. [...] Never before in history have such rich and varied intellectual resources been brought to bear on an international political process [...]” (Moravcsik 2002: 604). This coverage clarifies how crucial democracy and democratic accountability are for EU policy-making. Scarcely anybody (for examples see Magnette 2003; Abromeit 2002; Coultrap 1999) would doubt that the European Union needs to strengthen its democratic elements to be successful in the

long run. The votes against the EU Constitution by the citizens of France and the Netherlands in 2005 and the failure of the Lisbon Treaty in the Irish referendum 2008 show that policy-making is (at the least) very difficult without public participation. The issue of 'democratic deficit' relating to security affairs and in particular relating to parliamentary accountability for the use of force under international auspices has been a rather poorly mapped terrain in scholarly and public debate in the past. This has changed, however, in the last couple of years, and there is a rapidly growing body of literature in democratic governance of the security sector (especially ESDP) as well as its parliamentary dimension (for examples see Dieterich et al. 2008; Hänggi 2004; Born et al. 2002; Cottey et al. 2002; Van Eekelen 2002; 'ESDP Democracy').

The chorus of experts calling for a strengthening of democratic control and parliamentary accountability for the international use of force and armed operations is increasingly getting louder; and the tenor of this chorus is univocal: the EU security and military sector needs democratic legitimacy in the same way as other EU sectors (possibly even more) (see Dieterich et al. 2008; Born & Hänggi 2005; Schmidt-Radefeldt 2005; Hänggi 2004; Bono 2002; Born & Urscheler 2002; Gourlay 2002; Greene 2002; Ku 2002; Maillet 1999; 'ESDP Democracy'). Schmidt-Radefeldt underscores this with a valuable reference to the European Defence Community: "The states of Europe face the challenge of pressing ahead with the military integration of Europe in a transparent way, to design it to be democratically controllable, and to continually assure the support of the European people. The first military integrationist project of Europe after World War II – the European Defence Community – has not failed because of military ambitions, it failed because of insufficient parliamentary support" (Schmidt-Radefeldt 2005: 294). The message is unambiguous: if the second military integrationist project – ESDP – is to succeed, it needs strong democratic control and parliamentary support. If a European army wants to have a realistic chance one day in the future, it needs to be a 'parliament's army'. In this light, harmonization of national EU deployment regulations allows for only one parliamentary form: strong national parliaments that have the right to approve armed operations abroad prior to mobilization of armed forces. It is clear that parliamentarians shall not command the armed forces, but it must be equally clear that parliaments and governments have a shared responsibility concerning foreign and security policy, including participation of their countries' civilians, armed forces and police in operations abroad (see Born & Urscheler 2002: 9-10).

Democracy and foreign and security policy are regarded as ‘incompatible’ by a large community of decision-makers and scholars, however. Thus, a sharp contrast to the need of ESDP legitimacy forms the need of ESDP to be efficient. Experts warn that “the relationship between efficiency and legitimacy in democracies may be problematic. In times of crisis, sufficient time is not always available for a public and in-depth debate on the actions needed to avert the dangers. In times of emergencies in particular, a contradiction can arise between the need for quick decision-making and the citizens’ right to a transparent decision-making process, as well as parliamentary oversight” (Born 2003: 230-231). In the specific case of deployment of armed forces, “[f]or multinational frameworks such as NATO, the EU or coalitions, domestic processes [...] introduce an element of uncertainty into force generation and the sustainability of missions. Parliamentary participation stimulates political debate, requiring leaders to argue their case, particularly for missions that protect national security only indirectly. If legislators are not persuaded a deployment is in the national interest, they may refuse to grant their approval” (Giegerich & Nicoll 2008: 145). Parliamentary participation in this way has the potential to not only delay the participation of a country in an ESDP mission, but also to not make it happen at all. Considering this, it is very likely that political leaders in some EU capitals fear that strong national parliaments could threaten their country’s flexibility and the efficiency and operational effectiveness of ESDP operations. Furthermore, problems can arise for a genuinely *common* ESDP: first, the more EU countries participate in an ESDP operation the more *common* ESDP is. As the parliamentary right of approval or disapproval of ESDP operations rather reduces the likelihood of a country’s participation, it could be argued that it also reduces the likelihood of a genuine CSDP. Secondly, governments place a whole variety of limits on the use of their armed forces in multinational operations – called ‘caveats’ – among other things “to ensure that deployed forces do not participate in activities or aspects of a mission that could cause political problems [for themselves] back home” (Giegerich & Nicoll 2008: 146). Caveats are used regularly to *sell* the use of the armed forces to the public. One example is the geographical restriction on where German troops could be used in the ISAF mission in Afghanistan. The sensitive German public might have been pleased that these have only been involved in action in the *quiet* North of the country while the Americans and the British fought in the *dangerous* South (see Crossland 2007). The imposition of such caveats on the one hand “enables deployments to be made because they permit political leaders to muster

domestic support. As a result, more countries are able to participate in multinational operations” (Giegerich & Nicoll 2005: 147). On the other hand, however, they have the negative effect that participating countries in a multinational mission have *different* scopes for action and no *common* approach to a crisis or conflict. This undermines a *common* ESDP and “commanders’ operational flexibility and effectiveness” (Giegerich & Nicoll 2005: 147). A certain degree of tension definitely lies in the relationship between efficiency and legitimacy when it comes to military operations. The challenge for a *common* ESDP is to find *common* deployment rules and procedures that are democratically accountable and without operational harm at the same time.

Summary and Prospects: Deployment of Armed Forces

If a future ESDP can only be considered as genuinely *common* when there is a *common* EU Deployment Law or national deployment rules and procedures are standardized or harmonized, this is not easy to achieve because the 27 EU member states differ considerably in this respect. The question of who takes the final decision on the actual military deployment leads to different answers among EU states; the roles of the head of state, the government, the minister of defence and the national parliament vary in the decision-making process.

While the legal role of the executive is unproblematic for any harmonization endeavours of deployment procedures (all 27 EU governments have the right to decide on military deployment) and the role of the heads of state is only marginally controversial (division of executive command/‘cohabitation’), the main conflict potential on the way to common deployment standards lies in the role of the parliaments. In 16 EU member states the national parliaments have the right to approve the deployment of their countries’ armed forces prior to the relevant military operation, in 11 member states they do not. Should harmonization provide for democratic control in all 27 EU countries? Or should democratic control by national parliaments be removed in all EU member states in military matters, because democracy and defence/foreign policy are incompatible? Do recent developments and trends suggest an answer?

In general there is definitely a tendency within the EU to strengthen national parliaments and to increase parliamentary involvement in decision-making for military operations: “The trend in European countries goes towards a strengthening of parliamentary control of operations: the countries which do not possess a high level of control are outnumbered and already address this issue in serious considerations” (Maillet 1999: 28; also Schmidt-Radefeldt 2005: 107). 16 EU member states already have strong parliaments with the right to authorize the deployment of forces abroad. The fact that Germany, Italy and the Netherlands guarantee their parliaments the right of deployment approval, although there is no concrete legal obligation, confirms the trend. It can be argued that these countries would not hesitate to accept a legal upgrade of their parliaments’ status. Furthermore, with Spain one of the big EU countries has given its parliament the legal power to decide on military deployment recently. “National parliaments are not a *quantité négligeable* (anymore) in European constitutional states with regard to the decision on military deployment. As this decision involves high risk potential and is in growing need of justification in times of scarce resources, it corresponds to the political will of European states to include their parliaments in the political process, at least informally. [...] Meanwhile, parliamentary support often proved to be the decisive element of winning wars. In democratic states no major military conflict is possible without the support on the ‘home front’. This makes governments securing parliamentary approval at an early stage” (Schmidt-Radefeldt 2005: 145; 150)”. However, there are still 11 EU countries in which parliaments have no say on military deployment and it is remarkable that national parliaments in four of these (BG, CZ, HU, RO) were deprived of their power to decide on military deployment for ESDP operations just recently – due to flexibility and efficiency reasons⁴. Apparently there is also a tendency

⁴ In Hungary, the right of prior approval of the use of the Hungarian Defence Forces abroad was delegated from the parliament to the government by two Acts in 2003 and 2006. Legal experts argue that “the amendment was necessary, because the objectives of developing the armed forces till 2010 have been approved by the European Council in June 2004. On the basis of these objectives the member states shall be able to offer troops, which are able to start activities on the scene of the operation within 10 days from the EU decision. So the reason for this amendment was accelerating the procedure” (Orosz & Varga 2009).

In Romania, the a priori parliamentary approval for EU and NATO operations was abolished by an Act in 2004 and Romanian legal experts argue in the same way as their colleagues in Hungary: “The reason for this step was to meet in due time all the requirements for the NATO Response Force and the EU Battle Groups” (Alexe 2009). The arguments in Bulgaria and the Czech Republic might be similar.

which points into the other direction – away from strong parliaments in military affairs and parliamentary authorization of ESDP operations.

For seven countries the direction is not clear – whether they prefer the current status quo of their ‘weak’ parliaments for reasons of efficiency or whether they would accept an ‘upgrade’ for the sake of democratic legitimacy. It could be argued that Belgium, Greece and Portugal would not oppose an intensification of their parliaments’ powers and would accept legal adjustments of their national military law. These countries are either traditional democracies or have always tended towards supporting further European integration and an ‘ever closer union’. As all countries which recently abolished a priori approval for EU and NATO operations (BG, CZ, HU, RO) are ‘new’ members of the EU, ‘transition’ states which had to overcome an authoritarian regime and strongly aligned with the US and NATO, some might argue that Poland and Slovenia belong to the same group and would rather tend to keep the current status of their parliaments. It is argued at this point, however, that all of these countries do not play a decisive role – the question if ESDP will get a *common* EU Deployment Law or *common* standards for national deployment procedures is highly dependent on France and the United Kingdom, the two crucial European military players. If France and the UK decide to strengthen their ‘weak’ parliaments’ authority in the deployment process and support an EU-wide standardization, it is hard to see others not following an upgrade – and vice versa. Being at the heart of European defence and pivotal for any EU ambition in the field of security policy, France and the UK have a lot of influence.

The picture in France and the United Kingdom is blurred.

On the one hand, France and the UK traditionally have the fewest legal restraints on the executive with regard to the use of their armed forces. According to Born and Urscheler their parliaments can be categorized as mere ‘arena parliaments’, “lacking real power to hold the government accountable effectively [...]’ (Born & Urscheler 2002: 11), being only capable of organizing debates and raising questions. The main reason for ‘weak’ parliaments and ‘strong’ executives in these two countries might be that “[t]he strong role of the executive is probably influenced by the traditional role of both states as world powers with global military interests. Flexible internal structures as well as unwritten constitutional law seem to be perceived as preconditions for being able to perform this role” (Nolte and Krieger 2003c: 25). Indeed, “in an area where the element of surprise is often very decisive for the success

of an operation, it is difficult to consult the parliament a-priori. Many parliaments are consulted ex-post for this reason” (Maillet 1999: 5; see also Schmidt-Radefeldt 2005: 182).

On the other hand, however, there have been tendencies in both countries towards compulsory parliamentary approval for deployment decisions recently – “both in France and the United Kingdom a stronger involvement of parliament in such decisions is currently under discussion” (Von Ondarza 2008: 23). In the UK – which probably has the parliament with the most intense communication, regularly insisting on the general right to be informed (see Nolte and Krieger 2003c: 63) – many now believe, across the political spectrum, that parliamentary approval should become the norm before committing British troops in situations of war or armed conflict. In 2006 and 2007, the House of Lords Select Committee on the Constitution published two reports on parliament’s role and responsibility in waging war. One conclusion was that the royal prerogative by the government to deploy armed forces overseas is “outdated and should not be allowed to continue as the basis for legitimate war-making in our 21st century democracy” (House of Lords Select Committee on the Constitution Report 2006: 41; see also report 2007). The reports further called for the parliament’s ability to challenge the executive to be protected and strengthened. The government, so the recommendation, “should seek parliamentary approval if it is proposing the deployment of British forces outside the United Kingdom into an actual or potential armed conflict” (House of Lords Select Committee on the Constitution Report 2006: 43). Further, leading politicians in the country seem to be open to change: Prime Minister Gordon Brown has indicated that he would be in favour of strengthening the role of parliament in the decision to go to war (see BBC Online 2007). And David Cameron, leader of the Conservative Party, noted that “giving parliament a greater role in the exercise of these powers would be an important and tangible way of making government more accountable” (Hague 2007). The same trend is noticeable for the French neighbour: “In France, recently published parliamentary reports (Lamy-report [also Maillet 1999]) express the opinion that there is insufficient parliamentary control of French missions abroad’ (Nolte and Krieger 2003c: 63).

Will this trend go on and develop further? Will France and the United Kingdom actually strengthen their national parliaments and provide them with the right of approving military operations? Will these two – with such reforms – carry away all the other EU member states with ‘weak’ parliaments towards *common* European deployment procedures? It might be

sure in any case that the United Kingdom and France will never give their parliaments the right to decide on military deployment if military flexibility and efficiency are at stake. As traditional world and nuclear powers and permanent members of the UN Security Council – having deployed thousands of troops worldwide – both would definitely want assurance that a *common* EU Deployment Law or standardized *common* procedures at national level still guarantee quick and uncomplicated deployment in serious and urgent situations.

Military Command in National Military Law of EU Member States

Now that we know the legal situation of EU member states for the time *before* a decision on an ESDP operation is being taken (permissible operations), for the *decision* itself on the initiation of such a mission (procedures of deployment), it is of relevance to analyse the legal situation for the time *after* EU member states have decided to launch an ESDP operation. Are there any legal matters which could become an issue *during* and *in* ESDP operations? Could such issues become a problem for the ambitions of the EU to have a genuinely *common* ESDP?

One major issue is the question of military command. The EU has already created two types of structures to guarantee uncomplicated and efficient planning and conduct of ESDP operations – in one of those the military command is vested in a national headquarters of one of its member states, and in the other one in a supranational European civil-military planning cell. The first structure is based on the ‘EU Framework Nation Concept’. In this respect, the EU Guidelines for Command and Control state that “[i]n certain operations in which the most important criteria is the urgency, such as evacuations, a ‘framework nation’ [...] operation could be envisaged, enabling the EU to mount multinational operations at relatively short notice by using a national HQ [headquarters] enhanced from contributing nations” (Secretariat General of the Council 2002: 5). According to this concept, an operation would be conducted under the political control and the strategic direction of the EU (via the PSC), but a ‘framework nation’ would provide the main military command structures: “A Member State or a group of Member States that has volunteered to, and that the Council has agreed, should have specific responsibilities in an operation over which EU exercises political control. A Framework Nation provides the OpCdr [Operational Commander]/OHQ

[Operational Headquarters] and the core of the military chain of command, together with its Staff support, the CIS and logistic framework, and contributes with a significant amount of assets and capabilities to the operation” (Secretariat General of the Council 2002: 6). This concept is similar to the familiar operational concept of ‘lead nation’ with the difference that a ‘lead nation operation’ is “undertaken by one Member State, inviting others to take part, but on the Lead Nation's terms and under the authority of this Lead Nation. These kind of operations, executed by a coalition of willing countries, would not be conducted under the political control and strategic direction of the PSC” (Secretariat General of the Council 2002: 6) and therefore not considered as an ESDP mission. Operation Artemis which was undertaken in the Democratic Republic of Congo in 2003 is an example for an ESDP mission based on the EU Framework Nation concept: France acted as the ‘framework nation’ and provided the operational headquarters and the majority of personnel (including the operation commander and force commander) necessary for the planning, launch and management of the operation. “The EU currently has five identified national headquarters that could serve as OHQs for ESDP-operations; in France, Germany, UK, Italy and Greece” (Björkdahl and Strömviik 2008: 28).

The second command structure which is available for ESDP operations is the EU Operations Centre (EU Ops Centre), also called Civil-Military Planning Cell (CMPC). It was created by the EU in 2004 in order to have an autonomous operational headquarters to plan and run autonomous ESDP operations, in particular where a joint civil/military response is required and where no national headquarters is identified (see chapter three). So far, however, “[t]he EU Operations Centre is estimated to be capable of serving as OHQ only for smaller EU operations, up to approximately 2000 troops” (Björkdahl and Strömviik 2008: 28).

With both these types of command structures the EU is well prepared to guarantee *common* command structures for genuinely *common* ESDP operations in the future. But are the member states of the Union also prepared to fit in these multinational command structures? Are the national military legal systems compatible with these? Both command structures would necessarily require the subordination of one country's soldiers to the command of a superior of another country – at institutional level as well as ‘on the ground’. Not every country can function as ‘framework nation’ in an ESDP mission and the EU Ops Centre is a supranational organ. Does national military law of EU member states allow such subordination? Does national military law permit the ‘Transfer of Authority’ (ToA), the

“action of passing authority over forces from one commander to another, or from a national command to a supranational command” (Bowyer 2004: 241)?

Before answering these questions, it is important to understand that the term ‘military command’ includes different dimensions and that ‘authority’ can be ‘transferred’ in a hierarchical way. NATO rules distinguish three relevant terms in this respect which “are used in the national terminology [...] as a description of the differentiation between the transfer of full or only a more limited command power” (Nolte & Krieger 2003c: 121).

Operational Control and Operational Command

According to NATO definitions ‘operational control’ (OPCON) is “the authority delegated to a commander to direct forces assigned so that the commander may accomplish specific missions or tasks which are usually limited by function, time or location, to deploy units concerned, and to retain or assign tactical control of those units. It does not include authority to assign separate employment of components of the units concerned. Neither does it, of itself, include administrative or logistic control” (Fleck 2000: 169). If a unit is under OPCON, the senior commander may not remove elements from the unit for the higher objective of his own unit unless he has permission to do so. In contrast to that, if a unit is under ‘operational command’ (OPCOM), such a permission is not required. A more senior commander may decide to take allocated fire support assets from the unit, for instance, and use them for the higher objective of his own unit. OPCOM is defined as “the authority granted to a commander to assign missions or tasks to subordinate commanders, to deploy units, to reassign forces, and to retain or delegate operational control and/or tactical control. OPCOM does not of itself include responsibility for administration or logistics” (Fleck 2000: 169).

For multinational operations like the ones conducted in ESDP it is crucial that the transfer of both OPCON and OPCOM is legally possible in the participating states. Without the legal possibility to subordinate soldiers to the operational command of a superior of foreign armed forces, a country could not participate in a multinational operation – with the exception of being the ‘framework nation’ and providing the operational commander itself. Such a legal limitation by national military law would not only reduce the flexibility and

power of ESDP capacities, but would of course also substantially impair the ambitions of a genuinely *common* ESDP to have *all* EU member states ‘on board’.

Full Command

Full Command (FULLCOM) is “the military authority and responsibility of a superior officer to issue orders to subordinates. It covers every aspect of military operations and administration” (Fleck 2000: 170). In contrast to OPCOM and OPCON, which imply a lesser degree of authority, “[t]he ‘full command’ is the power of the highest order, of a true political nature, that can be given to the armed forces – i.e. the decision to use the armed forces in particular circumstances, the decision to engage troops or to cease their participation in an operation” (D’Argent 2003: 196). As FULLCOM is the power of the highest order, its transfer from one country to another is a very sensitive issue – it concerns the heart of a country’s sovereignty. For that reason “[i]t is generally accepted that [...] full command remains with the national authorities” (Nolte & Krieger 2003c: 121). That means that so far no NATO or EU commander has had full command over the forces that were assigned to him.

In general, the transfer of full command of EU member states to each other or to a supranational organ might not necessarily be required for ESDP operations to be successful and to be *common*. In the case of the current type of common EU armed forces common operations can be undertaken as long as operational command is transferable. However, for a potential future model of the type ‘European army’ the legal possibility of a country to fully subordinate its forces under foreign or supranational command could be beneficial – at least. Thus, an ambitious EU military legal system should possibly allow the transfer of full command in specific cases.

So how different is the national legal basis of EU member states with regard to military command? Does the different national military law allow the transfer of OPCON and OPCOM? Would it possibly be even allowed to transfer FULLCOM according to national law, contrary to the political practice? How do differences of national military legal systems shape the relevant question of ToA? These questions will be analysed on the following pages.

Is the transfer of OPERATIONAL command in JOINT military operations with EU partners allowed by national law?

With the exception of Malta (which has a legal obstacle due to its neutrality clause) the transfer of operational command (and therefore also operational control) is allowed in all EU member states. In some countries this stems from the simple fact that national law does not contain any prohibitive provisions: in Bulgaria, Cyprus, the Czech Republic, France, Greece, Luxembourg, and Spain “the modalities of such a transfer are worked out separately for each case in a technical arrangement” (Hames 2009) and the supreme commander-in-chief (whoever it is according to national law – the president in the case of France, for instance) may just decide – operation by operation – that the operational command of the armed forces may be transferred to a joint EU military commander or a commander of one of the EU partners. In some cases such a decision means adopting a simple law, in others it requires a special agreement.

In most countries there is a permanent legal basis for the transfer of operational command in multinational operations – explicitly allowing such a practice. In Belgium, Germany, Italy and the Netherlands the constitutions serve as such a basis. In the Belgian case “a Royal Decree of 9 January 1951 established the power of the Ministry of Defence to place some parts of the armed forces under foreign operational command” (Krieger & Nolte 2003c: 123). Article 24 (1) of the German Constitution allows the exercise of public authority to be transferred to an ‘interstate entity’ and Article 24 (2) permits Germany’s integration into a system of mutual collective security. Nolte & Krieger argue that “[t]aken together, these rules are said to prohibit a transfer of public authority to a single foreign state or to different foreign states” (Nolte & Krieger 2003b: 403) – a transfer to an ‘interstate entity’, however, is permissible as long as it has international legal personality according to Article 24 (1) (what the EU does according to the Lisbon Treaty). In Article 11 of the Italian Constitution, Italy “agrees to limitations of sovereignty where they are necessary to allow for a legal system of peace and justice between nations, provided the principle of reciprocity is guaranteed [...]”. And according to Article 92 of the Dutch Constitution “[l]egislative, executive and judicial powers may be conferred on international institutions by or pursuant to a treaty [...]”.

As opposed to more ‘constitutional’ measures, specific national defence acts are the legal basis for the possible transfer of operational command in the remaining 14 EU countries (AT, DK, EE, FI, HU, IE, LT, LV, PL, RO, SE, SI, SK, UK). In some countries the wording of such

defence acts are referring directly to the term ‘operational command’ - Article 11 (1) of the Law No. 42 from 2004 regarding the participation of Romanian armed forces in missions abroad states, for example: “Transfer of authority shall be made by the Ministry of National Defence and consists in the action through which Romania hands over, at task level, the operational control or command over its troops participating in a special mission, to the foreign commander or commandment in charge with the mission”.

Regardless of whether national military law of a country provides a specific legal provision for the transfer of operational command or not, regardless of the type of a legal provision, all EU member states have in common that they agree on specific ‘rules of engagement’ (ROE)⁵ and make status of forces agreements (SOFAs) and status of mission agreements (SOMAs)⁶ before an operation which take into consideration national peculiarities with regard to the transfer of authority.

Is the transfer of FULL command in JOINT military operations with EU partners allowed by national law?

The analysis of national constitutions and national defence acts and the personal communication with national legal experts both confirm that there is no legal basis in EU member states for the transfer of full command. Here are the main references which support this finding:

- In 25 EU member states there is an explicit reference to a (supreme) commander-in-chief in the constitution. The power of this commander is vested in the head of state in 24 countries (in the president in France, for example) and in the minister of defence in the German case. As discussed earlier on in this chapter, only in six of these cases the supreme commander-in-chief actually exercises this power. This does not change the fact, however, that national law in these countries assigns the supreme command over national armed forces to a fixed *national* authority. Any command power derives *finally* from the powers of this authority and cannot be

⁵ ‘Rules of engagement’ are “[d]irectives issued by a competent military authority that delineate the circumstances and limitations under which military forces will initiate and/or continue combat engagement with other forces encountered” (Keaton 2005: 173).

⁶ Status of forces agreements (SOFAs) and status of mission agreements (SOMAs) are bilateral or multilateral treaties that define the legal position of military forces and civilian personnel deployed by one or more states or by an international organization in the territory of another state with the latter’s consent” (Sari 2008: 65).

transferred to a supranational authority or an authority of a foreign country. The legal situation in the Netherlands serves as a good example for explaining this context: “The Constitution provides for the possibility of transferring legislative, administrative, and judicial powers to international organizations (Article 92). Such a transfer should have its basis in a treaty, and this treaty must be approved by a two thirds majority in both Houses of Parliament if such transfer diverges from constitutional provisions. In the case of transfer of military command to a foreign superior, the relevant constitutional provision which may be at stake is the provision which vests supreme authority over the armed forces in the government (Article 97 (2)). There is no treaty in force which, with a view to this, has been approved with the required two thirds majority. It may seem to be difficult to submit a Dutch soldier under the exclusive command of a foreign service-man without interfering with the constitutional provision on supreme authority in Article 97 (2) of the Constitution in any other manner” (Besselink 2003: 619). Thus, the transfer of operational command is possible in the Netherlands, but not the transfer of full command.

- The Swedish Constitution determines no clear ‘commander-in-chief’, but Chapter 10, Article 5 of the Instrument of Government clearly states that the transfer of decision-making rights and assets of the State to an international organization is only allowed “to a limited extent”. Other EU countries – which *have* constitutional commanders-in-chief – have formulated similar limitations to the transfer of authority in their national defence acts, as legal reinforcement of constitutional law. Examples are Austria, Belgium, Denmark and Estonia. In Austria, “[t]he Federal Government may determine *if and to what extent* the despatched individuals in their employment abroad [...] must obey instructions from representatives of an international organization or from foreign entities” (§4 (3) KSE-BVG). In the Belgian case the Royal Decree of the 9th of January 1951 established that the Ministry of Defence can only place “*some parts* of the armed forces under foreign operational command” (Nolte & Krieger 2003c: 123). According to Danish legal theory “a delegation must be *limited in purpose and scope*” (Jensen 2003: 262). And in Estonia, the commander-of-chief may only transfer “*a portion* of his or her authority” [...] (§ 4 (1) International Military Co-operation Act).

- Some countries additionally rule out the transfer of full command by explicitly stating in specific national defence acts that the only type of command which can be transferred is of operational character. In Finland, only “[o]perationally, the crisis management organization is subordinate to an implementing party” (Section 5 (3), Act in Military Crisis Management) like the EU or the UN. The internal regulation of the Latvian Ministry of Defence No. 87-NOT points out to “the right of the commander of the Latvian National Armed Forces (LNAF) to *keep* full command over his subordinates participating in joint military operation” (Jupatovs 2009). In Lithuania “military units of the Republic of Lithuania may be transferred to the *operational* command and control of [...] member states or institutions of NATO, European Union and Western European Union” (Article 14 (4), Law on the Organization of the National Defence System and Military Service). And as seen above, Romanian law hands over authority only “*at task level*”.
- In the case of Malta the transfer of full command over national armed forces is ruled out for the same reason as the transfer of operational command is: the neutrality clause.

Although in Spain “the final command authority always remains with the Spanish authorities” (Cotino Hueso 2003: 823) as well, it is one of only two EU countries for which a future transfer of full command is at least *conceivable* for legal experts. The reason for that is Article 93 of the Spanish Constitution which reads: “Authorization may be granted by an organic act for concluding treaties by which powers derived from the Constitution shall be transferred to an international organization or institution”. There are Spanish legal experts which interpret this clause as ‘door opener’ for the transfer of full command: “Spanish integration in the EU is done through a channel that presumes the eventual transferral of the power to exercise sovereign authority (Article 93 of the Constitution), and it is possible that a future transferral of command power could be of such a nature as to be irrevocable, but the author considers that possibility to be in the very distant future” (Cotino Hueso 2003: 823).

The other EU country in whose national law experts could see a small legal gap for a future transferability of full command is the United Kingdom. According to the Armed Forces Act 1966 the subordination of British soldiers to the command of a superior of foreign armed

forces is possible if regulations are made by the Defence Council⁷ to vest “command over any of Her Majesty’s forces, or any part or members thereof, in persons being members of forces of countries outside Her dominions, and as to the extent to which such command is to be exercised” (Rowe 2003: 865). This means that the transfer of *operational* command is definitely permissible according to British law – but can the same be claimed regarding *full* command on the basis of this clause? Peter Rowe argues that if the Defence Council would take such a decision “even disciplinary powers may follow” (Rowe 2003: 865). This could suggest that full command would indeed be transferable, because normally disciplinary powers remain under *national* authority *as part* of full command (see the following paragraph). If disciplinary power is transferable, so the argument, it comes along with the transfer of full command. As far as is known, the mentioned clause of the 1966 Act has never been invoked, however, and in the absence of such regulations, a position similar to the German *Anweisung auf Zusammenarbeit* applies (see Rowe 2003: 865 and next paragraph), neither transferring disciplinary power nor full command.

Is the transfer of disciplinary power in JOINT military operations with EU partners allowed by national law?

The question of disciplinary power is intertwined with the question of (operational and full) military command and therefore needs to be discussed separately. What are the relations between disciplinary power of EU countries on the one hand and operational and full command on the other hand? Are EU member states in the position to transfer the disciplinary power to a foreign or supranational authority? Do these questions have any effect on the development of a genuinely *common* ESDP?

It has been indicated above that, according to current national law, disciplinary powers cannot be transferred from EU country to EU country or from EU countries to a supranational EU authority – “it is a general norm that the [national] unit shall be responsible to its own national legislation with respect to disciplinary and criminal infractions” (Cotino Hueso 2003: 793). Comparative analysis of national military law and national ministerial expertise have confirmed that. This legal basis has its origin in the national rules for the transfer of operational command. In all EU member states these rules

⁷ “The Defence Council was established in 1964 to exercise on behalf of the Crown its powers of command and administration over the armed forces” (Rowe 2003: 863)

are similar or comparable to the German ‘Instruction to Co-operate’ (*Anweisung zur Zusammenarbeit*) which determines that it is the commander of a national unit who receives orders from the commander of the international or multinational force, not the individual soldier (see Nolte & Krieger 2003c: 121-128). From this it follows that, on the one hand, the national commander has control over such orders (indicating that *full* command remains under national authority), and on the other hand, the commander of the international or multinational force has no disciplinary powers over the soldiers of a national unit, who remain subject to national military law: “Present practice for dealing with soldiers who commit a disciplinary offence while participating in multinational units or operations is to remove them from the multinational structure, send them back to their sending state, and allow them to be disciplined according to their own national military disciplinary law. In spite of very different catalogues of infractions and sanctions, few major problems with this method of operation have arisen” (Nolte & Krieger 2003a: 12). Thus, the present practice might not cause any problems for a genuinely *common* ESDP, because the current *common* rule works quite well with the current type of ESDP.

However, “if integration continues apace, a need for harmonization could indeed raise its head” (Nolte & Krieger 2003a: 12). The closer ESDP forces get to the concept of a European army, the more likely problems arise in the field of ‘disciplinary powers’. The more problems arise of this kind the more necessary a genuinely *common* solution at supranational EU level becomes. Contemporary legal experts have already begun highlighting problematic situations:

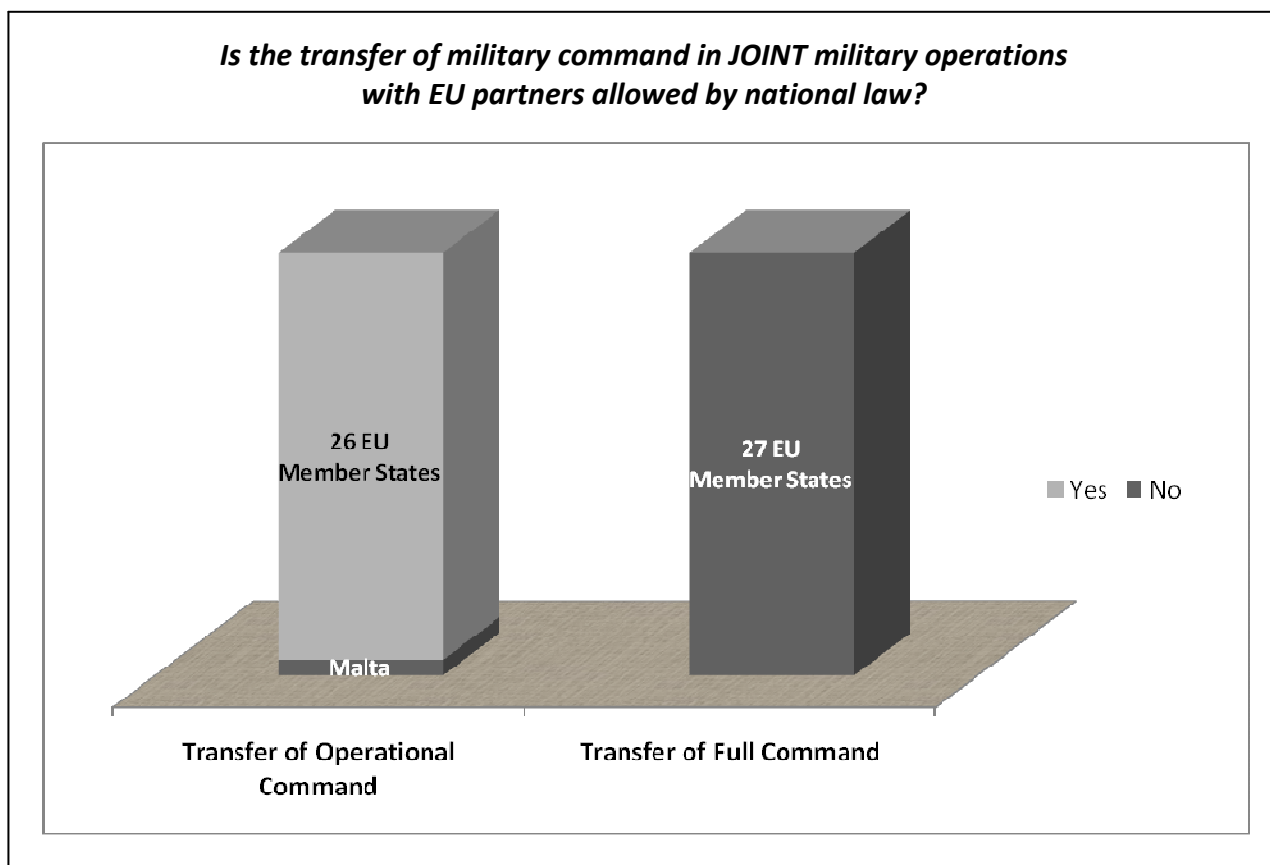
- Problems might arise if a soldier of country A were ordered to carry out an act that is lawful under the law of country B – which provides the commander – but unlawful under the law of the own country. Since the soldier’s responsibility is to comply with the law of the own country, it would seem that he would have no choice but to disobey the order (see Rowe 2003: 865).
- “According to reports, commanding officers in multinational operations often find it a handicap to have to take recourse to the national commander in order to keep proper discipline in the ranks. It should also be taken into consideration that the responsible disciplinary superior is not, in all military legal systems, always also the immediately responsible superior” (Nolte & Krieger 2003a: 12).

Summary and Prospects: The Transfer of Military Command

All EU member states except Malta are able to subordinate their soldiers to the *operational* command of a superior of another country or a supranational command authority (see figure 7). This allows the EU to undertake *common* ESDP missions according to the ‘framework nation concept’ or under the command of the EU Operations Centre. If Malta would get rid of its neutrality clause the legal situation would guarantee 100% *common* and coherent ESDP *operationality* with regard to command structures – as Malta is such a small country and no military player at all, such a step is not necessary, however.



Figure 7: The Transferability of Military Command in the EU-27



In contrast to *operational* command, in none of the 27 EU member states *full* command is transferable according to current national law. This means that decisions on the general use and deployment of national units within EU armed forces remain under national authority: “It is not realistic to expect nations to surrender the operational authority of their forces well before their deployment, i.e., before the governments concerned have taken a decision to

participate in a military operation and before the national parliaments have consented to such a decision” (Van Staden et al. 2000: 18). The same applies for decisions on disciplinary measures for soldiers who commit a disciplinary offence in ESDP missions. Disciplinary powers are always executed by national authorities. Although there are two countries (Spain and the UK) for which a transferral of full command and disciplinary powers is at least conceivable, there are no signs that the general legal situation in this respect will change any time soon. There are no such discussions in the European Union, neither at academic nor at political level, neither at member states’ level nor at EU level. Full command and disciplinary power over national armed forces might be too relevant for a nation’s identity and sovereignty to be discussed – any transfer in this regard would be a major issue.

For a future ESDP of the current type that wants to be genuinely *common*, it might not be a substantial problem if full command and disciplinary power remain in national hands. First, EU armed forces of the current type can already today undertake *common* ESDP missions, because national law of EU member states allows the transferability of *operational* command. Second, the present practice of keeping soldiers of multinational EU units liable to their national disciplinary law seems to work quite well. If one day the EU’s aspirations tend towards maximum integration of its military, however – creating a European army – further harmonization measures and legal changes at national level would become necessary, at least to a certain extent. For the specific creation of a European army the transfer of full command and disciplinary power to a supranational EU authority would become unavoidable.

V. ANALYSIS TWO: SECURITY AND STRATEGIC CULTURE AND ESDP

The Meaning of Security and Strategic Culture for a *Common* ESDP

“A *strategy* is a policy-making tool which, on the basis of the values and interests of the EU, outlines the long-term overall policy objectives to be achieved and the basic categories of instruments to be applied to that end. It serves as a reference framework for day-to-day policy-making in a rapidly evolving and increasingly complex international environment and it guides the definition of the means – i.e. the civilian and military capabilities – that need to be developed” (Biscop 2004b: 3).

The EU produced just such a strategy in 2003 when the member states of the Union agreed on a document which addressed a number of shortfalls: the *common* security environment was defined, *common* key threats and global security challenges were identified, *common* strategic objectives were formulated and *common* policy implications and strategic partnerships were underlined. The reaction to the European Security Strategy (ESS) has been predominantly positive. Many experts welcomed the document as “a real effort and indeed a real step forward” (Menotti 2003: 12) towards an EU strategic concept and a *common* strategic vision, as “an important first step along the road to an EU strategic culture” (Quille 2004: 430). However, on the other hand, “the ESS is not a perfect strategy. Its drafters could only build on consensus in areas where there was already some degree of consensus. On a number of issues it remains particularly vague because consensus was absent or not yet strong enough” (Biscop 2007: 11). Furthermore, a ‘piece of paper’ cannot simply change *overnight* the fact that “[...] the member states are a very diverse group when it comes to strategic culture” (Pilegaard 2004: 183), that “[c]ountries differ for reasons of history and character” (Riccardi in Gnesotto 2004: 228) and that “[i]n ESDP matters, different strategic traditions and orientation [...] make common security more difficult” (EU-ISS 2004: 25). Different national security and strategic cultures still have their influence on the security policy interests and orientations of EU member states – regardless of what has already been achieved by the ESS. It is still some way to go from a *common* strategy ‘on paper’ to a *common* strategy which is genuinely internalized and implemented. The EU itself confirmed that in its Report on the Implementation of the European Security Strategy from 2008

stating that “implementation of the ESS remains work in progress” (European Security Strategy 2008: 2).

Of course this has strong implications for the development of a genuinely *common* ESDP: “A fundamental task of the soon to be Common Security and Defence Policy (CSDP) will be to progressively harmonize national strategic concepts so that the CSDP becomes ‘common’ in fact, as well as in name” (Lindley-French 2004: 5). Different national security and strategic cultures need to be overcome or at least to converge – the closer the EU member states get to a *common* EU security and strategic culture, the more likely is a genuinely *common* ESDP in general.

So what is security and strategic culture, in general, and with regard to ESDP, specifically? According to the classic definition by Colin S. Gray, strategic culture, *generally*, “comprises the persisting (though not eternal) socially transmitted ideas, attitudes, traditions, habits of mind, and preferred methods of operation that are more or less specific to a particular geographically based security community that has had a necessarily unique historical experience” (Gray 1999: 51). More recently, Bastian Giegerich has argued that „strategic culture is best understood as an ideational milieu that limits choices of states in relation to the use of military force including the questions of when, under which circumstances, and in which context military force is to be used as a political tool. This ideational milieu is based on a historically unique experience of a society, which generated persistent preferences that are only open to gradual change through policy-making elites, particularly in times of perceived crisis” (Giegerich 2006: 40).

In several recent (as well as older) publications, Jolyon Howorth has identified and discussed the major characteristics of these ‘ideational milieus’ within the EU which are *specifically* relevant for the further development of ESDP – major characteristics of national security and strategic cultures which limit national choices, generate national preferences and shape national strategic concepts with regard to ESDP. In 2002 – before the ESS was published – he “defined a number of dichotomies which [he] argued would need to be transcended if Europe as a whole was ever to move towards a common approach: differences between allies and neutrals, between Atlanticists and Europeanists, between those favouring

professional power projection and those prioritizing conscript-based territorial defence, between emphases on military as opposed to civilian instruments, between large states and small states, between weapons systems providers and weapons systems consumers, between nuclear and non-nuclear states” (Howorth 2007: 179; Howorth 2002). Although a lot of progress has been made towards transcending *national* security and strategic cultures and developing a genuinely *common* EU one – not least due to the ESS – and “some of those dichotomies have begun to be resolved, [...] most have not” (Howorth 2007: 179) and are still dividing the member states into different camps of countries prioritizing different elements of ESDP in different ways and to a different extent.

So how likely is it that the EU can transcend *national* security cultures? How close are EU member states to a *common* EU security and defence culture? How different are national security and strategic cultures with regard to the major dividing lines? Which impact do possible differences have in view of a *common* ESDP?

This chapter will address these questions by analysing “the two main dividing lines within ESDP” (Cadier 2008: 6; see also Pilegaard 2004: 31-36) which essentially shape the national security and strategic cultures within the EU:

- *Neutrality versus Alignment in the European Union*

Neutrality in a classic definition means “non-participation in alliances in peacetime, aiming at neutrality in the event of war” (Hagelin 1990: 65-66). According to that, neutrality and ESDP are a contradiction in terms, because a neutral state cannot participate in a security and defence community like ESDP. How do the ‘officially’ neutral EU member states deal with this situation? Which role do they play in ESDP? Do they take part in ESDP? If yes, to what extent do they participate? Does the status of neutrality of some member states influence or even undermine the development of a genuinely *common* ESDP – on the one hand because they refrain from common activities and on the other hand because they only participate on special conditions? Are the neutral states a homogenous group within the EU or are they all following different ‘neutral’ policies and different strategies towards ESDP?

- *Atlanticism versus Europeanism in the European Union*

It is no secret that EU member states to a different extent believe in and favour close cooperation across the Atlantic or believe in and prefer a more independent role of the EU. Some member states seek a very strong tie to the United States and understand NATO as the central institution of the European security and defence architecture – these countries are called ‘Atlanticists’. For the ‘Europeanists’, the future of European security and defence lies more in ESDP/CSDP – and European integration might have a higher priority than the transatlantic relationship. This is important for the development of a *common* ESDP in so far as an Atlanticist CSDP is possibly different from a Europeanist CSDP: depending on the corresponding camp, countries have different politico-cultural stances to confront the US and different opinions on how to develop CSDP. What are these differences? Which countries belong in which camp? How do motivations of being in one camp or another vary among the EU countries? How strong are these motivations and, ultimately, how relevant are they?

As the question of military recruitment systems is regarded as the third most influential dividing line within ESDP in this work – significantly shaping the development of EU armed forces in one or another way – the third dichotomy which will be analysed is:

- *Conscription versus All-Volunteer Forces in the European Union*

The way in which EU ‘capabilities’ differ and the attitudes that underpin the configuration of these differences, undoubtedly impact upon the ambition of creating a genuinely *common* ESDP. However, a comprehensive comparison is not possible in this work, for the following reasons. First, the term ‘capabilities’ comprises numerous dimensions, both in technological terms and as regards military manpower. Holger Mey from EADS⁸ noted that a comparative study of the military capabilities of all 27 EU member states would be “a task of many years, enough work for *two* doctoral projects” (Mey 2008). Second, such research is very difficult because most technical data about national military equipment is not available to the public. Third, a detailed

⁸ EADS is the European Aeronautic Defence and Space Company which is a global leader in aerospace, defence and related services and equips many EU states with military technology and capabilities (www.eads.com).

comparison of technical equipment would require knowledge in engineering. For these reasons this chapter will focus on the ‘manpower dimension’ of EU capabilities only and specifically on *one* aspect which is an integral part of a country’s security and strategic culture: the question of recruitment. In some EU countries the recruitment of armed forces is based on conscription, in other EU states the troops are all-volunteer forces (AVFs). For the development of a *common* ESDP *diverging* recruitment systems are an issue *per se*. A standing European army that would draw its troops from national contingencies would require a *common* recruitment system, for example. But this is not the only reason why the type of recruitment system is of relevance for a future CSDP: *different* recruitment systems possibly result in *different* levels of ‘competence, training and effectiveness’ of EU forces – considered as essential characteristics of future forces (see Howorth 2009a: 45 for example). How different are the EU member states in this respect? Which country has which recruitment system? Which recruitment system can be considered to meet the requirements of future CSDP operations best? Have there been any tendencies recently towards a specific recruitment system within the EU?

The Method of Analysis: Document and Secondary Analysis and Personal Communication

The comparison of national security and strategic cultures in this chapter will be based on similar analytical methods as the comparison of the first analytical chapter on national military law – the emphasis is different, however:

Document Analysis

Document analysis is used in this chapter in so far as national strategic documents are analysed and compared (no documents are accessible in CY, LU, M). In every country there is a hierarchy of such documents. Usually the document of the highest status and relevance is called ‘national security strategy’ which outlines a country’s wider understanding and framework of security by defining national interests, national risks, sources of threat to the state, its institutions and citizens, as well as the basic guidelines, measures and mechanisms for ensuring national security (see also the definition of ‘strategy’ in the beginning of this chapter). In some countries this document at the pinnacle of the national hierarchy is called

‘national security concept’, ‘national defence strategy/concept’ or ‘white paper on security/defence’. The planning of military operations to achieve the political objectives is done at a lower document level, that of ‘military strategy’ or ‘military doctrine’. A doctrine is a “set of fundamental principles by which the military forces or elements thereof guide their actions in support of national objectives” (Keane 2005: 64), usually provides guidance for the conduct of military operations and is designed for commanders, those responsible for planning the development and employment of the national armed forces and the organizations carrying out education and training. A doctrine’s objective is to provide, in practice, a basis for implementing a mission. Table 4 gives an overview of all relevant most recent national strategic documents which were considered in this chapter and presents their hierarchy within the national context. What do these documents say about the relevant characteristics of a country’s security and strategic culture as highlighted above?

Secondary Analysis

There have been many studies on the national traditions, identities and cultures of EU members which have provided a very helpful basis for the analytical comparison of this chapter. Case studies which have explored the strategic culture of single EU states have been most illuminating in this regard and have therefore been consulted (with the results of EU-Watch 25/27 (see Institut für Europäische Politik 2007, 2006) being of particular relevance).

Expert Interviews

For the specific analysis of the dichotomy ‘conscription versus all-volunteer forces’ standardized expert interviews were conducted. In order to highlight the fate of conscription in EU countries which still have conscript-based armed forces, representatives and defence experts of the major parliamentary parties of these countries were asked by email to outline their official party position with regard to conscription. The following experts – who were either members of parliament, their assistants, parliamentary advisers or party officials in the moment of contact – took part in interviews: Anonymous One 2009, Jäger 2008, Pilz 2008 and Prähauser 2008 for Austria; Mitsopoulos 2009, Papadopoulos, N. 2009, Aristotelous 2008 and Omirou 2008 for Cyprus; Aaen 2010, Christensen 2010, Petersen 2010, Anonymous Two 2009, Bech 2009, Krarup 2009, Frahm 2008 and Møller 2008 for Denmark; Lotman 2010, Länts 2009, Raidma 2009, Simson 2009 and Velliste 2009 for

**Table 4: Overview of National Strategic Documents in the EU**

Country	Document	Year	Source	Hierarchy	Pages
AT	Austrian Security and Defence Doctrine	2001	www.bka.gv.at (doc ⁹)	Main Document	12
	White Book of Austrian Armed Forces	2008	www.bundesheer.at (doc)	Derives from Security and Defence Doctrine	130
BE	Note d'Orientation Politique (French only)	2008	www.mil.be (doc)	Main Document	66
BG	National Security Concept of the Republic of Bulgaria	1998	www.mod.bg (online)	Main Document	ca. 08
	Military Doctrine of the Republic of Bulgaria	2002	www.mod.bg (online)	Developed on the Basis of the Security Concept	ca. 14
	Military Strategy of the Republic of Bulgaria	2002	www.mod.bg (online)	Based on Security Concept and Military Doctrine	ca. 36
	White Paper on Defence of the Republic of Bulgaria	2002	www.mod.bg (doc)	Derives from Concept, Doctrine and Strategy	100
CZ	Security Strategy of the Czech Republic	2008	www.mzv.cz (online)	Main Document	ca. 14
	Military Strategy of the Czech Republic	2008	www.army.cz (doc)	Based on Security Strategy	09
	Doctrine of the Armed Forces of the Czech Republic	2004	www.army.cz (doc)	Derives from Security & Military Strategy	145
DE	White Paper on German Security Policy	2006	www.bmvg.de (doc)	Main Document	165
	Defence Guidelines	2003	www.bmvg.de (doc)	Additional Document	19
DK	Danish Defence Agreement 2005–2009	2004	www.fmn.dk (doc)	Main Document	22
	Danish Armed Forces – International Perspectives	2004	www.fmn.dk (doc)	Based on the Defence Agreement	46
EE	National Military Strategy of the Republic of Estonia	2005	www.mod.gov.ee (doc)	Main Document (Ministry of Defence)	14
	National Security Concept of the Republic of Estonia	2004	www.vm.ee (doc)	Main Document (Government)	20
	Defence Development Plan 2009-2018	2009	www.kmin.ee (doc)	Based on Military Strategy and Security Concept	11
EL	Hellenic Ministry of Defence White Paper (Greek only)	2004	Not available	Main Document	-----
	Greek White Paper for the Armed Forces	1997	www.mod.mil.gr (online)	Main Document	ca. 100
	Greek Defence Strategy	2009	www.mod.mil.gr (online)	Based on White Papers	ca. 03
ES	National Defence Directive	2008	www.mde.es (doc)	Main Document	13
	Líneas Generales de la Política de Defensa (Spanish only)	2008	www.mde.es (doc)	Main Document	52
	Strategic Defence Review	2003	www.mde.es (doc)	Main Document	308
FI	Government Report – Finnish Security and Defence Policy	2009	www.defmin.fi (doc)	Main Document	142
FR	French White Paper on Defence and National Security	2008	www.defense.gouv.fr (doc)	Main Document	332

⁹ The abbreviation 'doc' means that the document is available as word- or pdf-file whereas 'online' means that the document is only available as html-text.

HU	National Security Strategy of the Republic of Hungary	2004	www.mfa.gov.hu (doc)	Main Document	16
	National Military Strategy of the Republic of Hungary	2009	Not available	Based on Security Strategy	---
IE	White Paper on Defence	2000	www.military.ie (doc)	Main Document (long-term)	149
	White Paper on Defence – Review of Implementation	2007	www.military.ie (doc)	Progress Document	39
	Strategy Statement 2008 – 2010	2008	www.military.ie (doc)	Main Document (short-term)	42
IT	The Chief of the Italian Defence Staff Strategic Concept	2004	www.difesa.it (doc)	Main Document	96
LT	National Security Strategy of the Republic of Lithuania	2005	www.kam.lt (doc)	Main Document	23
	Military Defence Strategy of the Republic of Lithuania	2004	www.kam.lt (doc)	Derives from Security Strategy	12
	White Paper on Lithuanian Defence Policy	2006	www.kam.lt (doc)	Based on Security Strategy and Military Strategy	60
	Guidelines of the Minister of National Defence for 09-14	2008	www.kam.lt (doc)	Based on Security Strategy and Military Strategy	16
LV	National Security Concept of the Republic of Latvia	2008	www.mod.gov.lv (doc)	Main Document	18
	State Defence Concept of the Republic of Latvia	2008	www.mod.gov.lv (doc)	Main Document	09
NL	Netherlands Defence Doctrine	2005	www.defensie.nl (doc)	Main Document	125
PL	National Security Strategy of the Republic of Poland	2007	www.bbn.gov.pl (doc)	Main Document	36
	Vision of the Polish Armed Forces 2030	2008	www.mon.gov.pl (doc)	Based on the Security Strategy	34
PT	Conceito Estratégico de Defesa Nacional (Portuguese only)	2003	www.mdn.gov.pt (doc)	Main Document	09
RO	National Security Strategy of Romania	2007	www.mapn.ro (doc)	Main Document	58
	Carta Alba a Securitatii (Romanian only)	2004	www.mapn.ro (doc)	Main Document	123
	Military Strategy of Romania	2006	www.mapn.ro (online)	Based on Security Strategy and White Book	ca. 34
	Strategic Plan of the Romanian Ministry of Defence 2010-2013	2009	www.mapn.ro (doc)	Derives from the Military Strategy	86
SE	National Strategy for Swedish Participation in International Peace-Support and Security-Building Operations	2008	www.sweden.gov.se (doc)	Main Document	22
	Our Future Defence – Focus of Swedish Defence Policy 05-07	2004	www.sweden.gov.se (doc)	Main Document	40
SI	Resolution on the National Security Strategy of the RS	2001	www.sova.gov.si (doc)	Main Document	09
	Defence Strategy of the Republic of Slovenia	2001	Ministry of Defence (hardcopy)	Based on the Resolution	19
	Military Doctrine of the Republic of Slovenia	2006	www.mors.si (doc)	Derives from the Resolution & the Defence Strategy	96
SK	Security Strategy of the Slovak Republic	2005	www.mod.gov.sk (doc)	Main Document	17
	Defence Strategy of the Slovak Republic	2005	www.mod.gov.sk (doc)	Stems from the Security Strategy	13
	Doctrine of the Armed Forces of the Slovak Republic	2003	www.mod.gov.sk (doc)	Derives from Security & Military Strategy	52
UK	The National Security Strategy of the United Kingdom	2009	www.cabinetoffice.gov.uk (doc)	Main Document (Prime Minister)	116
	Defence White Paper of the United Kingdom	2003	www.mod.uk (doc)	Main Document (Ministry of Defence)	28

Estonia; Oinonen 2010, Haapiainen 2009, Hagström 2009, Hemming 2009, Kallio 2009, Östman 2009 and Saramo 2009 for Finland; Schäfer 2008 for Germany; Karampelas 2010, Haralampous 2009, Papadimitriou 2009 and Papadopoulos 2009 for Greece. In the case of a few parties, interviews were not necessary because official party documents outline the party's position on the conscription issue.

Personal communication with national party representatives was also very useful for understanding the role and relevance of neutrality in 'neutral' EU states. The following representatives of national parties (members of parliament, their assistants, parliamentary advisers, party officials etc.) explained their party's position towards their country's status of 'neutrality' by answering standardized questions by email: Anonymous One 2009, Jäger 2008, Pilz 2008 and Prähauser 2008 for Austria; Haapiainen 2009, Hagström 2009, Hemming 2009, Kallio 2009, Laakso 2009, Niinistö 2009 and Palm 2009 for Finland; Deenihan 2009, Ferris 2009, Gormley 2009, Higgins 2009, Kenneally 2009 for Ireland; Borg 2009 and Vella 2009 for Malta; Anonymous Three 2009, Broman 2009, Oguz 2009, Samuelsson 2009, Szyber 2009, Welander 2009 and Wetterstrand 2009 for Sweden.

Neutrality versus Alignment in the European Union

In 2000, Reinhard Wolf wrote that for ESDP "one problem is still the special status of the neutral EU members" (Wolf 2000: 32). On the following pages it will be analysed if this is still true for the EU member states which can be regarded as 'neutral'¹⁰ in 2010: Austria, Finland, Ireland, Malta and Sweden¹¹.

¹⁰ Austria, Finland and Sweden nowadays call themselves 'non-aligned' or 'alliance-free' instead of 'neutral'. For reasons of consistency, better understanding and avoiding confusion, however, the terms 'neutrality' and 'neutral' will be used in this work when it is referred to the neutral/post-neutral/non-aligned/non-allied/alliance-free EU states Austria, Ireland, Finland, Malta and Sweden (with the exception of the use of quotations and references). More detailed information in this respect follows later on in this chapter.

¹¹ Cyprus also gives the impression of being a traditional 'neutral' country. On the one hand, because Cyprus has been member of the Non-Aligned Movement (NAM) for quite a long time – an international organization founded in April 1955 which considers itself as a community of states not formally aligned with or against any major power bloc. On the other hand, because it is the only EU country along with Austria, Finland, Ireland, Malta and Sweden not being part of NATO in 2010. However, "Cyprus has no neutrality tradition" (Schwarzer & Von Ondarza 2007: 19): the Republic of Cyprus, upon joining the EU in May 2004, ceased to be a member of the NMA, and the reason why it has not become NATO member already has more to do with the conflict between the island's Turkish North and Greek South and the Republic's relationship to Turkey. Thus, the EU has stated in an accession report in 2002 that Cyprus has "shown a keen interest in the development of the

Two questions are of relevance in this respect:

1. Are 'neutral' EU member states generally able and willing to take part in ESDP operations?

Of course it would be a problem for a *common* ESDP if 'neutral' EU states were not at all part of it due to their 'neutrality' and could not be integrated into the common security and defence framework. As already argued earlier on in this work: a *common* policy is not genuinely *common* if some members of the community refrain from it. The situation for 'neutral' member states' participation in EU crisis management operations is particularly difficult because "[t]he problem [...] is that even the Petersberg tasks go beyond peacekeeping and involve even peace enforcement" (Ojanen 2000: 13). It might be difficult to include the 'Neutrals' in CSDP planning and action of high-level military operations without ignoring their 'neutral' status. 'Neutral' EU member states do not tend to be the ones within the EU which support the most robust solution when it comes to the discussion which Petersberg tasks should be carried out to address a conflict. It is possible that 'neutral' states refrain from a *common* operation or even oppose it when it is 'too robust'. Furthermore, 'neutral' objections to an EU crisis management mission could delay or even prevent consensus-finding within the EU, for example by demanding conditions for the participation in a mission. An obligatory UN mandate for ESDP operations is such an example: in 2002, Jolyon Howorth speculated that "the participation of the post-neutrals in any crisis management or peace support operation, would almost certainly require a UN or OSCE mandate" (Howorth 2002: 93) in order to ensure, in a sense, the consensus and support of the 'international community'. Has this been the case for the ESDP operations which have been launched so far since 2003? Is a UN mandate really a 'nonplus ultra' condition of 'Neutrals' for participation in ESDP operations? Would 'neutral' EU countries really oppose a CSDP mission not mandated by the UN Security Council?

2. Are 'neutral' EU member states able and willing to accept obligatory defence assistance?

When ESDP came into being, the question of collective defence was considered as a fundamental problem with regard to the EU's 'neutral' countries: "The essential restraint on the development of a *common* defence policy lies in the 'post-neutral' states, in as much as

European Security and Defence Policy (ESDP) as part of the CFSP" and that "Cyprus's legislative framework allows for its effective participation in the CFSP" (see Ojanen 2003: 65).

they have not up to now been willing to assume assistance obligations” (Gustenau 1999: 3) – “non-alignment means non-participation in military alliances, and thus non-participation in the collective defence commitments of NATO and WEU” (Ojanen 2000: 16). So far defence assistance obligations have not been part of the EU treaties, but in the course of ‘upgrading’ ESDP to CSDP the Lisbon Treaty introduces both a *solidarity clause* (which “obliges the member states to support each other in case of a terrorist attack or a disaster” (Mölling 2008: 2; see Treaty of Lisbon 2007: Article 188r)) and a *mutual assistance article* (which “reads like a *mutual defence clause*” (Quille 2008: 7)): “If a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter” (Treaty of Lisbon 2007: Article 28a (7)). How will these innovations co-exist with the ‘neutral’ status of some EU member states? Will the ‘neutral position’ of some EU countries undermine the Lisbon Treaty ambitions of a genuinely *common* defence?

In order to answer these two questions and to highlight the role which ‘neutrality’ plays for the future prospects of a genuinely *common* ESDP, the following aspects of ‘neutral’ EU member states are of informative relevance:

- The type of ‘neutrality’ in traditional ‘neutral’ EU member states
- Party and public support of ‘neutrality’ in traditional ‘neutral’ EU member states
- EU Neutrals’ military budgets in comparison with EU partners
- EU Neutrals’ contribution to the EU Headline Goal and the Battle Groups
- EU Neutrals’ participation in EU military and civilian operations
- EU Neutrals’ position towards an obligatory UN mandate for ESDP operations
- EU Neutrals’ position towards the solidarity clause and the mutual defence clause

The Type of ‘Neutrality’ in traditional ‘neutral’ EU Member States

Chapter 5 showed that, from a legal point of view, all ‘neutral’ EU members except Malta are able to participate in ESDP. Malta is an exception in so far as ‘neutrality’ is legally based, which obliges the country to maintain a policy of non-alignment and prohibits participation in any military alliance. In all other traditionally ‘neutral’ EU member states there are no *legal* limitations to participation in ESDP operations. If there is no *legal* foundation for

‘neutrality’ in the majority of traditional ‘neutral’ EU countries, what is the origin and basis of ‘neutrality’ in these states? Is ‘neutrality’ still relevant at all?

Austria’s ‘neutrality’ also falls into the category ‘de jure’ (see Eliasson 2004: 41), because it was “enshrined in the ‘State Treaty’ of 1955, which re-established the Austrian state” (Rees 2006: 174). Due to constitutional amendments, however, “*classic* neutrality has been substantially restricted” (Gustenau 1999: 9) and has been made compatible with ESDP (see chapter 5). Thus, Austrian ‘neutrality’ doesn’t impose any legal limits to the country’s participation in ESDP nowadays. Nevertheless, ‘neutrality’ is still very relevant in Austria – “many Austrians have come to perceive neutrality as a superior value, as an end in itself, even as part of their national identity” (Neuhold 2003: 14). Austrian ‘neutrality’ might have lost its *legal* character to a large extent up to the present day, but it has become quite *ideological* over the years.

“Ireland’s policy of ‘military neutrality’ is only a policy, it is not a constitutional requirement for the state [as is the case in Malta and has been the case in Austria]. Thus, any Irish government could in theory change that policy [...]” (Keohane 2001: 16). The origin of Irish ‘neutrality’ lies in the achievement of independence in the period from 1922 to 1939 when “non-participation in military alliances was seen as an important expression of sovereignty” (McBean 2003: 31) – “the [neutral] policy has been deeply ingrained in the public’s consciousness [of Ireland] due to its parallel development with Irish independence and has thus become a part of the sovereignty debate” (O’Boyle 2007: 151). Neutrality and sovereignty seem to be inseparable in Ireland. Nevertheless, experts would not classify the Irish type of ‘neutrality’ as *ideological*: “In a state born of armed rebellion, it would be utterly fatuous to present neutrality as a deeply ingrained ideological doctrine” (O’Boyle 2007: 172). Thus, “[s]uccessive Irish governments have made it clear that Ireland is not ideologically neutral. Neither was Ireland politically or ideologically neutral between Western democracy and Soviet Communism during the Cold War” (McBean 2003: 33) - “[i]ndependent flexibility and pragmatism characterized Irish neutrality after the war” (Johnson 2001: 67), pursued “[b]ecause of past experiences under British rule [...] as a method of maintaining sovereignty” (Johnson 2001: 70). The ideal description of Irish ‘neutrality’ therefore is “a utilitarian rather than an ideological policy” (Butler in O’Boyle 2007: 155).

In the same way as ‘neutrality’ in Ireland is traditionally closely linked with sovereignty and independence from Britain, the origin of Finnish ‘neutrality’ lies in the independence from

Russia which was achieved in 1917: “Finnish people [...] came to equate neutrality solely with maintaining independence: as a tool to defend the nation-state. Finnish-style neutrality was thus characterized by *realpolitik*, pragmatism and flexibility, without moral or ideological connotations” (Eliasson 2004: 8). These characteristics have grown firm after Finnish independence and throughout the (hot, cold and post-) war period, because “geographically, Finland has been exposed to the Russian/Soviet interests, located as it is in the shatter belt between East and West” (Väyrynen 2003: 28). Thus, today “Finnish foreign policy tradition is [...] pragmatic and realist-based, rooted in historical quests for survival” (Eliasson 2004: 4).

In Sweden, ‘neutrality’ is “far more than a *realpolitical* solution” (Eliasson 2004: 12). Of all EU Neutrals, ‘neutrality’ in Sweden most clearly derives from *ideology* and is most deeply rooted in political and national *identity*: “Swedish neutrality has been, at least in part, promoted for its moral intents and purposes” (Bergman 2004: 7). It has become the “ideological core of Swedish identity”, [...] “part of the essence of ‘Swedishness’” (Eliasson 2004: 13). This ideological “choice that has become a lasting policy” (Ojanen 2000: 4) was made a long time ago: “From 1521 to 1814, Sweden fought in forty-eight wars, mostly in an effort to regain territory. Since then, Sweden has remained neutral, a record only matched by Switzerland” (Regnier 2004: 65).

Swedish ‘neutrality’ can be considered as the most rigid type of ‘neutrality’ within the EU (see figure 8) – on the one hand because of its strong *ideological* basis and on the other hand, in particular, *despite* the sole basis of ideology: although ‘neutrality’ in Sweden “was not enshrined in any legal or formal context, [...] remains simply as a principle of foreign policy that can be changed as necessary, [...] was a policy established by unilateral declaration, [...] was neither guaranteed by other states nor constitutionally prescribed” (Hauser 2006: 155), it has survived for almost two hundred years up to now.



Figure 8: Types of Neutrality within the EU

	Sweden	Malta	Austria	Ireland	Finland	
Rigid	Ideological Neutrality	Legalistic Neutrality	Legalistic/ Pragmatic Neutrality	Pragmatic Neutrality	Pragmatic Neutrality	Flexible

Legalistic types of ‘neutrality’, which have law as their basis, also tend to be rigid because law becomes part of national culture and identity over a certain period of time. The cases of Malta and Austria show that it is very difficult for a national government to free a country from the concept of ‘neutrality’ once it has been enshrined in constitutional law: Malta still maintains *total* ‘neutrality’ and Austria only *adapted* its neutrality clause to the new security environment because an abolishment would have been unpopular among the Austrian population. The least rigid and most flexible type of ‘neutrality’ is the utilitarian and *pragmatic* type which is adaptable in every possible way – including its abolishment – as long as it remains useful and beneficial for a country. Finland is the best example of this type. Even though Irish ‘neutrality’ can also be categorized as pragmatic, it might be less flexible than the Finnish one, because it might have become more ideological rooted in national identity. Neal G. Jesse, for example, explains Irish ‘neutrality’ from the perspective of normative *liberalism* which he understands as partly idealistic (see Jesse 2006: 14). Instead of pragmatism he identifies liberalism as source of Irish ‘neutrality’.

In general, it can be argued that the type of a country’s ‘neutrality’ has an impact on a country’s scope for action in ESDP: the more flexible the type of ‘neutrality’, the more adaptable it is to ESDP (by governmental measures). Following this logic, the Finnish type of ‘neutrality’ is most adaptable to ESDP while the Swedish one is least adaptable (see figure 8).

It is necessary at this point to note that Austria, Finland and Sweden all adapted their different types of ‘neutrality’ to the requirements of the EU in the course of becoming members in 1995. In order to underline “that they would actively and constructively participate in common policies” (Ojanen 2002: 156), they all renamed their ‘policy of neutrality’ – neutrality policy was transformed into a more limited concept of ‘military non-alignment’: “[I]n 1992 the Swedish position was narrowed down to a policy of military non-alignment in peacetime in order to preserve the *possibility* of remaining neutral in the event of war” (Tepe 2007: 192); in Finland the same happened with the government “distancing itself from its Cold War policy of neutrality in favour of military non-alignment” (Bergman 2004: 10); and finally in 2001 “the Austrian Parliament adopted a new resolution on security and defence doctrine which made no mention of permanent neutrality, referring instead to Austria as a non-allied state” (Rees 2006: 175/176). The main reason for this change was symbolic – the three countries could signal that, as EU member, they were willing and ready

to be politically aligned while remaining militarily non-aligned. Furthermore, internally, “[t]he change from neutrality to non-alignment was understood to give greater freedom of action, while, however, preserving the inner core of neutrality” (Ojanen 2000: 5).

Party and Public Support of ‘Neutrality’ in Traditional ‘Neutral’ EU Member States

The analysis of the different types of neutrality within the EU showed that governments of ‘EU Neutrals’ have different scopes for adapting their national ‘neutral’ policies to ESDP. An analysis of party positions and public opinion will now illustrate the level of political and public support of using or even extending these scopes.

The parliamentary parties of Austria predominantly support the traditional principle of neutrality across the whole political spectrum: “Austrian Social Democracy is committed to the permanent neutrality which is determined in constitutional law” (Prähauser 2008); “the Greens want to retain neutrality as Austria’s contribution to peace and security in Europe” (Pilz 2008); the Liberal Democratic Party’s position is that “the role which Austria has successfully played since 1955 shall not only be retained, but extended” (Party Manifesto FPÖ 2005: 11); the BZÖ recognizes that neutrality has partly become obsolete due to EU membership, but emphasizes that it is a “symbol of identity of the Republic of Austria and its people” (Anonymous One 2009). The party that seems open most to adaptation of neutrality is the Austrian People’s Party, which supports a new approach of “solidarity *within* the European Union, neutrality *outside* the European Union” (Jäger 2008).

The majority opinion of political parties is mirrored in the degree of public support for neutrality, which, although it has permanently decreased in recent years, still represents the predominant opinion in Austria (see Meyer 2005: 25-27). It is remarkable however, that the public obviously supports neutrality and participation in ESDP at the same time. Surveys from 2002 to 2004 show clear majorities in favour of both neutrality and the creation of a European army, for example: “The majority of Austrians is in favour of participation in a common European army – but simultaneously want the continuance of neutrality. [...] 69 per cent don’t want Austria to give up neutrality in the course of the development of such an army” (Meyer 2005: 26).

In Ireland, public support for neutrality is also traditionally strong: “Neutrality is of special salience for Irish public opinion and there is a stable support for a retention of neutrality” (Alecu de Flers 2008: 17) – “Irish people have consistently demonstrated a belief through

their voting behaviour in successive referendums that further EU integration in the area of foreign, security and defence policy is not compatible with the active concept of neutrality and its associated foreign policy agenda – the Lisbon Treaty referendum results proved to be no exception in this regard, as neutrality emerged as the most divisive issue in terms of its importance in the main battleground between the Yes and No sides and it was the second most important reason why people voted ‘no’ (Devine 2009: 22).

The majority of political parties in Ireland share this sentiment of feeling attached to neutrality with the Irish population: for Fianna Fáil, the party which won the parliamentary elections in 2007, “military neutrality means more than just not belonging to a military alliance. It means that we will at all times decide for ourselves how and where our troops are deployed and how much we spend on defence” (Kenneally 2009); the Irish Labour Party’s position is similarly “in favour of positive neutrality” (Higgins 2009), just as “Sinn Féin supports the retention of Irish neutrality and non-alignment” (Ferris 2009) and “the Green Party since its inception has been in favour of neutrality and has not changed since” (Gormley 2009). Only (the traditionally strong party) “Fine Gael has called for a full and frank debate on Irish neutrality. The context of Irish foreign and Defence Policy has changed with the end of the cold war, the reforms on the European Union, the threats posed by international terrorism and the use by the UN of regional bodies such as the EU and NATO for peace support missions. We believe that Ireland’s security and defence policies need to evolve to take into account all of this and have encouraged a debate to what future national policy should be” (Deenihan 2009).

In 2009, the Finnish Advisory Board for Defence Information conducted a survey which highlights the degree of public support for neutrality in Finland: “61 per cent (58% in 2008) of citizens think that Finland should remain militarily non-aligned. [...] A little less than one third, 31 per cent (31% in 2008), of citizens favours military alignment” (ABDI 2009: 6). These figures express clear support for neutrality. An additional question of this survey puts this picture into perspective, however: being asked what would be the best option for Finland of five possible scenarios, “38 per cent thinks that Finland should remain militarily non-aligned. A little less than one fifth, 16 per cent, favours NATO membership with no other NATO countries’ troops or NATO bases in Finland during peacetime, and 4 per cent with other NATO countries’ troops or NATO bases in Finland during peacetime. 17 per cent support developing the EU into a defence alliance. One fifth, 20 per cent, favours a defence alliance

with Sweden and the other Nordic countries” (ABDI 2009: 7). In total, these numbers amount to 38 per cent supporters of military non-alignment and 57 per cent supporters of some kind of alignment. These contradictory survey results underline the pragmatic character of ‘Finnish neutrality’ and indicate that the main debate in Finland does not revolve around Finnish neutrality/non-alignment anymore, but already around Finnish NATO membership.

A comment by Jaako Laakso, member of parliament for the Finnish Left Party in 2009, shows that the public debate corresponds with the debate among the political elite: “A definition which is commonly used by the Finnish political elite is that Finland after the membership in the EU is not anymore neutral or non-aligned or practicing the policy of neutrality or non-alignment. Also the political elite is not anymore using the definition that Finland is militarily non-aligned. They say that Finland is *not a member of NATO*” (Laakso 2009). Opinions on the question if Finland should join NATO diverge between the political parties in the same way as they diverge among the public. Both the Finnish Left Party and the Green League, for example, are clearly “not supporting Finnish membership in NATO” (Laakso 2009) and are “in favour of maintaining Finnish military non-alignment” (Niinistö 2009). One of the parties in power in 2010 – the National Coalition Party – in contrast, openly expresses the view that “neutrality is not an important value” for its members and that “there is a very strong support [...] that Finland should join NATO” (both Hemming 2009) among them. All other Finnish parties are positioned between these two poles of ‘contra NATO’ and ‘pro NATO’ and demonstrate a very pragmatic attitude: for the Centre Party “Nato membership is possible if the state leadership and the public supports it” (Haapiainen 2009); for the Social Democrats “major changes of the security policy, like allying the nation with a military alliance, can only be done through the broad political process. These kinds of solutions require the support of the majority of the citizens. At this moment these kinds of solutions are not required in Finland's security policy” (Kallio 2009); “Finland's Christian Democrats do not have a set position on Finland's status of ‘neutrality/non-alignment’. [...] reliable research is needed on the likely advantages and disadvantages of NATO membership. In any case, the party considers that possible NATO membership must be supported by a majority of the people as determined in a referendum” (Palm 2009); and finally the “Swedish People’s Party position regarding neutrality is [...] to retain the non-aligned status”, but also “to keep the possibility open for a future NATO membership” (both Hagström 2009).

All in all, both public and party opinion towards neutrality in Finland reaffirms the country's 'type' of neutrality as being predominantly pragmatic: the public seems to be unsure what serves the national interest more – military non-alignment or membership in a military alliance and the political elite seems to be incapable of clearly pointing in a direction, most political parties just seem to follow public opinion instead of shaping it.

As regards public opinion in Sweden, “[t]he policy of military non-alignment enjoys a strong majority support [...], duly confirmed in a number of opinion polls. [...] [T]he great majority of people in Sweden see no compelling reason to abandon this policy” (Bjurner 2003: 45). In parliament the situation is slightly different – although the majority of political parties also want “to retain the status of military non-alignment for Sweden” (Oguz 2009 for the Social Democratic Party; the same opinion expressed by Broman 2009 for the Centre Party, by Szyber 2009 for the Christian Democrats, by Welander 2009 for the Left Party and by Wetterstrand 2009 for the Green Party), two main political forces of the country which have been part of the coalition in power from 2006 onwards declare openly that they are “not in favour of Swedish neutrality” (Samuelsson 2009 for the Moderate Party; also Anonymous Three 2009 for the Liberal Party) and even support NATO membership, either discreetly (“We seek greater involvement in existing military and security partnerships and continue to be open-minded to alliances” (Samuelsson 2009)) or frankly (“The Liberal party [...] openly works for and proposes a membership in NATO” (Anonymous Three 2009)). The support for neutrality/non-alignment is still strong in Sweden, but the opposition has become louder recently, at least among the political elite.

Public opinion polls which show the degree of public support for neutrality are not known for and in Malta (confirmed by Borg 2009). Academic publications (Pace 2008a; Cini 2001) as well as newspaper reports (Spiteri 2009; Xuereb 2008), however, indicate that “there is no agreement on the relevance of neutrality” (Cini 2001: 8) on the country's islands. The positions of the two main political forces of the country – the Nationalist Party (NP) and the Malta Labour Party (PL) (which enjoy roughly equal levels of support) – underline this impression: “The NP and the PL obviously differ in their interpretation of the neutrality clause in the Maltese constitution” (Pace 2008a: 388). While “the Partit Laburista (of Malta), strongly believes in the concept of neutrality, and is committed to see that it is respected” (Vella 2009), the Nationalist Party is “prepared to enter discussions to see whether the neutrality clause can be amended in order to reflect modern times” (Borg 2009). Two

political developments of recent years illustrate the position of the two parties. First, Malta's accession to the European Union. While the NP has consistently sought closer relations with the EU and supported EU membership, the PL kept its distance and held the position that Malta is better served by staying outside the community (see Cini 2001: 3-5; 16). Still after Malta's accession, the PL had reservations on too much European integration, warning "that the Constitution/Lisbon Treaty should not jeopardize Malta's neutrality or the 'entrenched' [...] clauses in the Maltese Constitution [...]" (Pace 2008b: 3). Secondly, Malta's membership in NATO's Partnership for Peace (PfP)¹². In 2008, the NP government decided to rejoin the PfP programme again, after membership was withdrawn by the Labour government in 1996 – "the main reason cited by the Government in justifying the reactivation of PfP membership, is the difficulties which Malta faced in ESDP as a result of its exclusion from the Berlin Plus arrangement, as long as it was not a member of the PfP or NATO" (Pace 2008b: 8). The PL is opposed to PfP membership, believing that "it compromises Malta's neutrality as enshrined in the Constitution" (Xuereb 2008).

The most recent development has been that the PL "sees nothing wrong in engaging in a debate which would enunciate what neutrality should mean for Malta today [...]" (Vella 2009) and that indeed "a debate was unleashed on the definition of neutrality in the Maltese Constitution" (Pace 2008b: 7). It is very unlikely that the neutrality clause will be substantially amended or even abolished in this context (both require a parliamentary majority of two thirds) – even simple amendments of the clause's wording would come as a surprise. However, any amendment of the constitutional neutrality clause, any move of Malta opening up to more extensive participation in ESDP, is more likely under a NP government than it is under a Labour government.

EU Neutrals' Military Budgets in Comparison with EU Partners

An analysis of the EU Neutrals' military expenditure (as percentage of GDP) from 1999 to 2007 (see table 5) supports the supposition that the principle of neutrality has an influence on defence spending.

¹² The Partnership for Peace (PfP) is a programme of practical bilateral cooperation between individual partner countries and NATO. It allows partner countries to build up an individual relationship with NATO, choosing their own priorities for cooperation (see www.nato.int).

**Table 5: Military Expenditure of EU Neutrals as Percentage of GDP, 1999-2007**

Country	1999	2000	2001	2002	2003	2004	2005	2006	2007	Ø
Greece	4.3	4.3	4.1	3.9	3.1	3.2	3.4	3.4	3.3	3.7
Bulgaria	2.8	2.8	3.0	2.9	2.8	2.6	2.6	2.4	2.6	2.7
Cyprus	3.0	3.0	3.4	2.3	2.2	2.1	2.2	2.1	1.9	2.5
France	2.7	2.5	2.5	2.5	2.6	2.6	2.5	2.4	2.3	2.5
UK	2.4	2.4	2.4	2.5	2.5	2.5	2.4	2.4	2.4	2.4
Romania	2.7	2.5	2.5	2.3	2.1	2.0	2.0	1.8	1.6	2.2
Portugal	2.0	2.0	2.0	2.0	2.0	2.1	2.2	2.1	2.0	2.0
Czech Republic	2.0	2.0	1.9	2.0	2.1	1.9	2.0	1.7	1.4	1.9
Italy	2.0	2.0	2.0	2.0	2.0	2.0	1.9	1.8	1.8	1.9
Poland	1.9	1.8	1.9	1.9	1.9	1.9	1.9	1.9	2.0	1.9
Estonia	1.3	1.4	1.5	1.7	1.7	1.7	1.9	1.9	2.2	1.7
Slovakia	1.6	1.7	1.9	1.8	1.9	1.7	1.7	1.6	1.5	1.7
Sweden	2.0	2.0	1.8	1.8	1.7	1.5	1.5	1.4	1.4	1.7
Ø EU-23 ¹³	1.8	1.8	1.8	1.8	1.7	1.7	1.7	1.6	1.6	1.6
Lithuania	1.1	1.7	1.8	1.7	1.9	1.8	1.6	1.6	1.6	1.6
Denmark	1.6	1.5	1.6	1.5	1.5	1.5	1.3	1.4	1.3	1.5
Hungary	1.7	1.7	1.8	1.6	1.7	1.5	1.4	1.2	1.3	1.5
Netherlands	1.7	1.6	1.5	1.5	1.6	1.5	1.5	1.5	1.5	1.5
Germany	1.5	1.5	1.5	1.5	1.4	1.4	1.4	1.3	1.3	1.4
Latvia	0.8	0.9	1.0	1.6	1.7	1.7	1.7	1.8	1.8	1.4
Slovenia	1.3	1.2	1.4	1.5	1.5	1.5	1.5	1.6	1.5	1.4
Finland	1.3	1.3	1.2	1.2	1.4	1.4	1.4	1.4	1.2	1.3
Belgium	1.4	1.4	1.3	1.2	1.3	1.2	1.1	1.1	1.1	1.2
Spain	1.2	1.2	1.2	1.2	1.1	1.1	1.0	1.2	1.2	1.2
Austria	1.0	1.0	0.9	0.9	0.9	0.9	0.9	0.8	0.9	0.9
Luxembourg	0.7	0.6	0.8	0.8	0.8	0.8	0.8	0.8	0.7	0.8
Malta	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
Ireland	0.8	0.7	0.7	0.7	0.6	0.6	0.6	0.5	0.5	0.6

Source: Stockholm International Peace Research Institute 2009: 241-242

For Ireland, Malta and Austria defence spending has absolutely no priority in the overall yearly budget – of all EU member states they spend least on their military (together with Luxembourg). Finland also spends less on defence than the EU average. Only Sweden earmarks slightly more money for its yearly military budget than the EU average does.

¹³ Ø EU-23: The 'neutral' EU states are in general not comparable to the four big military players within the EU: the UK, France, Germany and Italy. This is the reason why these countries are excluded in this and some of the following tables. The average figure of the other 23 EU member states as a separate group is more significant.

The general low degree of defence spending of EU Neutrals could become a problem for a *common* ESDP if the EU decides to introduce ‘convergence criteria’ in order to enhance its military capabilities: a proposal to set criteria for improved and strengthened European defence capabilities and effective performance was mentioned as a policy goal for the first time in 1999” (see Missiroli 2000: 32; Bailes 1999); “possible convergence criteria were canvassed, desirable minimal targets for current national defence expenditure (2-2.5 per cent of GDP) or for new investments (0.7 per cent) [...] (Missiroli 2003: 11). Since the early years of ESDP discussions of this idea had become less frequent, but with the ratification of the Lisbon Treaty and the concept of ‘permanent structured cooperation’ it could become an issue again: “The need to move forward with the military dimension of ESDP has been articulated around the proposal of Permanent Structured Cooperation, to be established among a few able and willing EU member states, along the same lines as what has been achieved with the eurozone states in the monetary field. This can increase efficiency without compromising European legitimacy if, and only if, as with Monetary Union, participation is open to all member states on the basis of well-defined and well-publicized ‘convergence criteria’ set forth by the Council” (De Vasconcelos 2009: 161). It might be very difficult for governments of neutral EU states to support the introduction of such convergence criteria if they require spending considerably more on defence. For most of the EU Neutrals, a benchmark of 2.0 per cent of GDP, for example, would mean doubling or even trebling the military budget – a public *in support of* neutrality would hardly accept such plans, *for the sake of* neutrality. Convergence criteria of this type and the concept of permanent structured cooperation implying such convergence criteria will hardly find the support of EU Neutrals.

However, this is not a specific ‘neutral’ issue: there are other non-neutral EU member states which have a low military budget and whose public and political leadership won’t automatically support an increase just because the EU defines a suitable *common* standard. Germany, for example, one of the main political forces and economic players of the EU spends less on defence (as percentage of GDP) than the EU average does, less than Sweden and only slightly more than Finland – and this won’t change overnight because of the country’s traumatic past: “The majority of Germans don’t want their nation to become a global third Musketeer [along with the UK and France]. Public opinion supports international

humanitarian operations and conflict prevention, but opposes military involvement in battles like those fought in Iraq” (Paleckis 2007: 214).

The low military budgets of EU Neutrals are nevertheless a potential problem. A comparative look at the spending figures of EU Neutrals and other non-neutral EU member states which are roughly in the same economic situation clearly shows that the EU Neutrals could or should spend more on defence. Malta and Portugal, for example, had the same GDP per capita in PPS¹⁴ in 2008 (75.5), but Portugal spends almost three times more on defence as percentage of GDP than Malta does. Ireland had a higher GDP per capita in PPS in 2008 (136.6) than the Netherlands (135.0), but the Dutch military budget was more than twice as big as percentage of GDP. The same applies for Austria (123.1) in comparison with Denmark (118.7). The Finnish GDP per capita in PPS in 2008 (115.1) was approximately twice as high as the Latvian (55.8) and Hungarian (62.8) one, but nevertheless as percentage of GDP their military budgets were bigger. Only Sweden stands out as a neutral EU country having a military budget that seems somewhat appropriate in view of the country’s economic power (121.0) and with regard to comparable EU partners (e.g. Denmark or Netherlands).

It is no secret that any kind of future ESDP requires member states “to spend enough on defence (measured by percentage of GDP)” (Witney 2008: 3). Opinions among experts might differ what ‘enough’ really means – some say “at least 1 per cent of GDP” (Witney 2008: 3) while “NATO wants its member states to set aside 2 per cent” (Keohane & Valasek 2008: 42) – but there is widespread agreement that “most European states are simply not spending enough on defence” (Menon 2009: 234) (let alone spending ‘wise enough’). If the low level of defence spending is an expression of neutrality for some EU member states (as it seems), their status of neutrality is a potential problem for a future *common* ESDP. Three options are conceivable: first, EU member states (including EU Neutrals) voluntarily spend more on defence. Second, convergence criteria will be introduced at EU level obliging member states

¹⁴ Gross domestic product (GDP) is a measure for the economic activity. It is defined as the value of all goods and services produced less the value of any goods or services used in their creation. The volume index of GDP per capita in Purchasing Power Standards (PPS) is expressed in relation to the European Union (EU-27) average set to equal 100. If the index of a country is higher than 100, this country's level of GDP per head is higher than the EU average and vice versa. Basic figures are expressed in PPS, i.e. a common currency that eliminates the differences in price levels between countries allowing meaningful volume comparisons of GDP between countries. The index, calculated from PPS figures and expressed with respect to EU27 = 100, is intended for cross-country comparisons. Source: Eurostat - <http://epp.eurostat.ec.europa.eu>; data used: 2008.

to spend a minimum percentage of GDP on defence. Third, an 'avantgarde group', voluntarily pioneering EU defence integration, will be established by certain EU member states which would be open for every EU country to join provided they were willing to spend a minimum percentage of GDP on defence. All three options are problematic to a certain extent. For governments of neutral EU states it would be most difficult to voluntarily increase their military budgets if their public and political opposition see the principle of neutrality threatened by such a step. The same fact makes it very unlikely that any government of a neutral EU state will be able to support the introduction of obligatory financial convergence criteria at EU level. The establishment of an 'avantgarde group' cannot be prevented by the EU Neutrals, but such a group could undermine the EU ambitions to create a genuinely *common* ESDP – at least in the short and medium term – because many EU member states would fail to qualify and be forced to bow out for the time being. The Swedish position towards the concept of permanent structured cooperation demonstrates the difficulties: "Officially Swedes argue that establishing a core group [...] shows internal splits, leading to a system of 'class A and B members' [...]. Unofficially, diplomats admit that retaining uniform pace is a preferred strategy to inhibit further development towards a common defence à la NATO" (Eliasson 2004: 11).

EU Neutrals' Contribution to the EU Headline Goal and the EU Battle Groups

The relatively low military budgets in the first nine years of ESDP create the impression that the principle of neutrality in fact has an impact on the will and ability of EU Neutrals to participate in ESDP. An analysis of EU Neutrals' actual contribution to both ESDP capabilities and ESDP operations in the first nine years of ESDP shall either confirm or dispel this impression.

It is difficult to find official and credible sources that give an overview of the individual contributions of EU member states to *common* ESDP capabilities since 1999. Comprehensive data which are accessible by the public are neither provided by the EU Council website nor by any other EU online source. Partly the strategic documents of the EU member states and partly diverse case studies include the relevant information, however.

In the development of *common* EU military capabilities there have been two milestones: the Helsinki Headline Goal 2003 and the Headline Goal 2010 (see chapter three). The Helsinki Headline Goal has been the military target in 1999 to put at the Union's disposal by 2003

50.000 to 60.000 troops to be able to deploy in full within 60 days, with their deployment sustainable for at least a year. The core of the Helsinki Headline Goal 2010 has been the ambition to establish so-called 'EU battle groups', each being a formation of (at least) 1 500 troops, deployable in less than 10 days for a period of up to 120 days and on standby on a six-month rotation basis. The EU has declared both headline goals as accomplished (see Secretariat General of the Council 2009: 2, 5).

Did the EU Neutrals contribute capabilities towards the two headline goals?

The rigid types of neutrality of some, public and political backing of neutrality in most and the relatively low level of defence spending of all neutral EU states support the assumption that they did not. The actual numbers prove the opposite: "All of the neutral states [except Malta] have committed military as well as civilian forces to the EU's headline goals [...]" (Rees 2006: 178) (see table 6).



Table 6: EU Neutrals' Contribution to EU Military Manpower

Country	Helsinki Headline Goal (total: min. 60.000 troops)	EU Battle Group (total of each: min. 1500 troops)
Austria	1.500 – 2.000 troops	200 troops
Finland	2.000 troops	180 – 200 troops (Nordic BG) 120 – 160 troops (German-Dutch-Finnish BG)
Ireland	850 troops	80-100 troops (on standby) max. 850 troops (deployable)
Malta	None	None
Sweden	1.900 troops	2.300 troops

Austria "pledged around 2.000 troops to the EU's 1999 Headline Goal, [...] lowered to 1.500 in 2003" (Giegerich & Nicoll 2008: 66) and "will participate with 200 soldiers to one battle group by 2011, which will also consist of soldiers from Germany (950) and the Czech Republic (350)" (Hauser 2007: 53). "Under the United Nations Stand-by Arrangements System (UNSAS) Ireland provides for up to 850 Defence Forces personnel to serve overseas at any one time. The same figure is pledged for EU-led Peace Support missions in the 'Palette of Forces' offer to the Helsinki Headline Goal (HHG)" (Irish White Paper on Defence Review 2007: 20). Furthermore, Ireland successfully participated in the Nordic battle group

(together with Sweden, Finland, Estonia and Norway) for a six-month period from the 1st of January 2008; “[t]he total number of Irish personnel involved was just under 100” (Irish Strategic Statement 2008: 15). Finland „provided up to 2.000 troops for the planned rapid reaction forces” (Gassen 2007: 7) and “will participate in the standby period of two battle groups in the first half of 2011” (Finnish Government Report 2009: 97); the total Finnish contribution is thought to be 180-220 troops to the Nordic battle group and 120-160 troops to the German-Dutch-Finnish battle group (see Kerttunen et al. 2005: 80-81). Finally, Swedish commitments towards the Helsinki Headline Goal amounted to about 1900 troops (see Ojanen 2002: 172) and “[i]n 2004, Sweden announced that it would not only take part in, but also lead one of the EU battle groups (EUBG). Sweden contributes the lion share (2.300 out of 2.800 troops) to the Nordic battle group (NBG) [...]” (Lee-Ohlsson 2008: 4). Malta is the only member of the ‘neutral’ club within the EU that has not contributed capabilities towards the two headline goals so far and is only willing to do so under certain circumstances: “Malta aims to provide an infantry platoon and a national-headquarters element for EU missions with an UN or OSCE mandate, but does not participate in EU battlegroups” (Giegerich & Nicoll 2008: 70).

The contributions to the two EU headline goals clearly show that the majority of neutral EU member states have been both able and willing to take part in ESDP in its first nine years. Only Malta is held back by the principle of neutrality.

EU Neutrals’ Participation in EU Military and Civilian Operations

Although the scope of EU Neutrals for participation in ESDP is limited by the type of their neutrality, the influence of public and political opinion and a relatively low level of defence spending, all of them except Malta have contributed military capabilities to the *common* ESDP military capacity. Does this mean that EU Neutrals have also taken part in ESDP operations up to now? If this is the case, to what extent did they?

A close look at the total numbers of troops deployed to all kind of operations reveals that military deployment has not at all been a taboo for ‘neutral’ EU countries in recent years (see table 7): all EU Neutrals except Malta have deployed troops between 1999 and 2007; Austria and Finland have deployed even more than the EU-23 average in total numbers. It is remarkable that all EU Neutrals except Malta have deployed more troops than non-neutral

EU countries of approximately the same size: Austria (population of 8.36 million¹⁵) has deployed a lot more troops than Bulgaria (7.60m), Finland (5.33m) and Ireland (4.45m) more than Slovakia (5.41m), and Sweden (9.26m) more than Hungary (10.03m). Malta (0.41m) has deployed no single soldier from 1999 to 2007 and therefore less than Luxembourg (0.49m); Cyprus (0.79m) had also no deployments, however.



Table 7: Troops Deployed by EU Countries between 1999 and 2007

Country	1999	2000	2001	2002	2003	2004	2005	2006	2007	Total
UK	15346	7616	8675	6193	17646	11528	14406	16496	14865	112771
France	9004	10208	9484	9937	10993	10450	9694	11735	11470	92975
Italy	6161	8176	7141	7645	9514	7849	8136	6465	7699	68786
Germany	7153	7683	7015	8357	6807	7191	7122	8961	6999	67288
Poland	2189	2040	1787	1803	3841	3864	2093	4224	3537	25378
Spain	1600	2500	2502	2853	4153	2265	2432	3392	2755	24452
Netherlands	1723	2816	2557	3003	2780	2253	2224	2372	1859	21587
Greece	800	680	1950	1980	1980	2077	1574	1978	1154	14173
Denmark	1480	1325	1249	1172	1511	883	1075	1316	1364	11375
Belgium	1650	1450	1460	1465	675	759	773	1103	1264	10599
Portugal	635	1436	1567	1396	1438	1294	709	788	674	9937
Romania	200	200	60	867	1535	1514	2080	1518	1444	9418
Austria	869	1141	975	927	924	913	1202	1216	1105	9272
Finland	503	1915	1458	975	889	1055	732	754	866	9147
Ø EU-23	8106									
Sweden	516	1316	798	839	746	1003	903	799	960	7880
Hungary	460	787	792	642	1021	1031	1205	686	996	7620
Czech Republic	567	720	666	758	1193	536	714	885	1074	7113
Ireland	677	860	757	425	425	608	696	633	821	5902
Slovakia	35	133	606	637	850	767	567	631	526	4752
Bulgaria	36	36	38	41	541	541	546	646	712	3137
Lithuania	41	71	32	125	174	223	214	222	235	1337
Slovenia	15	29	87	84	82	178	243	310	192	1220
Latvia	40	50	107	112	165	103	161	165	119	1022
Estonia	46	46	46	2	2	153	63	219	199	776
Luxembourg	23	23	23	23	60	58	55	39	35	339
Cyprus	0	0	0	0	0	0	0	0	0	0
Malta	0	0	0	0	0	0	0	0	0	0

Source: International Institute for Strategic Studies – see Giegerich & Nicoll 2008: 157-170.

¹⁵ Statistical data of the 1st of January 2009 provided by Eurostat – <http://epp.eurostat.ec.europa.eu>.

The numbers of civilian personnel and observers deployed from 1999 to 2007 by EU Neutrals are even more impressive (see table 8): *all* EU Neutrals (again, except Malta) have deployed more observers than the EU-23 average and have outranked their non-neutral ‘counterparts’ by far. Sweden is ranked 4th (Hungary 10th), Finland and Ireland 5th and 6th (Slovakia 20th), and Austria 14th (Bulgaria 18th). Malta this time joined Luxembourg, Cyprus and even Latvia at the bottom of the table.



Table 8: Observers Deployed by EU Countries between 1999 and 2007

Country	1999	2000	2001	2002	2003	2004	2005	2006	2007	Total
France	44	53	44	44	32	33	39	31	27	347
Romania	5	15	30	38	34	44	57	60	59	342
Denmark	32	33	38	39	32	37	33	50	45	339
Sweden	30	38	44	34	33	31	38	35	36	319
Finland	24	23	30	24	28	28	30	25	29	241
Ireland	23	25	22	26	18	25	26	27	26	218
UK	23	28	27	33	23	25	15	13	18	205
Italy	16	27	30	29	23	19	23	17	18	202
Poland	16	18	25	20	15	23	20	22	18	177
Hungary	15	19	24	23	18	18	19	19	14	169
Germany	1	10	11	11	3	12	20	47	46	161
Czech Republic	7	14	18	17	26	26	15	14	15	152
Netherlands	10	11	12	12	12	12	22	28	12	131
Austria	18	20	14	11	9	9	15	14	13	123
Ø EU-23	112									
Belgium	9	11	11	10	8	9	12	15	15	100
Greece	11	10	11	9	9	8	16	14	11	99
Portugal	5	6	5	5	0	0	6	7	6	40
Bulgaria	3	0	4	2	2	5	8	8	7	39
Spain	0	0	3	3	5	5	7	8	7	38
Slovakia	2	4	4	4	2	2	2	2	4	26
Slovenia	0	2	2	2	3	2	2	2	2	17
Estonia	1	1	1	1	1	0	2	2	2	11
Lithuania	0	0	0	0	0	0	0	0	1	1
Latvia	0	0	0	0	0	0	0	0	0	0
Cyprus	0	0	0	0	0	0	0	0	0	0
Luxembourg	0	0	0	0	0	0	0	0	0	0
Malta	0	0	0	0	0	0	0	0	0	0

Source: International Institute for Strategic Studies – see Giegerich & Nicoll 2008: 157-170

The deployments of troops and observers clearly indicate that EU Neutrals pursue a very ‘active’ policy of neutrality. Their status of neutrality does not mean that they are internationally isolated or that they refuse to assume international responsibility. On the contrary, within the universal, all-encompassing framework of the United Nations, EU Neutrals have found their ideal field for responsible action and international solidarity in crisis management without being forced to betray the principle of neutrality. This has been manifested in EU Neutrals’ participation in numerous UN peacekeeping missions: “The Nordic states have a longstanding tradition of participation in UN-led peacekeeping activities and conflict prevention through political dialogue, mediation in conflict and support for the developing world, dating back to the early 1960s” (Bergman 2004: 1); “Ireland is rightly proud of the fact that it has contributed military personnel and units to UN peace support missions around the world since 1958” (Keohane 2001: 5); “Austria has also been a major contributor to UN peacekeeping operations” (Neuhold 2003: 15). Does this mean that all deployments of recent years – both of the military and civilian type – have only taken place within the UN framework? Do the numbers of the above tables say nothing about the EU Neutrals’ willingness to take part in ESDP after all? A close look at EU Neutrals’ role in ESDP military missions which have been launched since 2003 (EUNAVOR Atalanta excluded) and in ongoing civilian ESDP missions throws light upon these questions.

Table 9 clearly shows something perhaps unexpected: neutral EU member states did not only participate in *UN* crisis management missions, but, with the exception of Malta, also in *every* EU military mission which has been conducted since 2003. What might be a real surprise, however, is the fact that ‘neutral’ EU states did not only *participate* in EU military missions, but also contributed *large numbers of troops* in comparison with many other ‘non-neutral’ EU countries.

All EU Neutrals (of course Malta excluded again) deployed more troops to ESDP military missions (in total numbers) than the EU-23 average did and *all* contributed more troops than their comparable EU counterparts did: Ireland and Finland contributed 500 and 256 troops, respectively (while Slovakia deployed 41); Sweden totalled 472 troops in action for the EU (Hungary 145); and Austria dispatched 272 troops to EU military missions (Bulgaria 140). Again, Malta had zero deployments, but the contribution of Luxembourg and Cyprus has not been significantly larger with only one deployed soldier each. For countries that describe

themselves as ‘neutral’ the contributions of Austria, Finland, Ireland and Sweden to ESDP military operations have been considerably large – in particular in comparison with non-neutral EU states. Although Malta has not contributed a single man or woman to any ESDP military mission, the comparison with non-neutral Luxembourg and Cyprus leads to the assumption that this has more to do with size than neutral/non-neutral status.



Table 9: EU Member States’ Contributions to Military ESDP Operations

Country	Concordia	Artemis	Althea	EUFOR RD Congo	EUFOR Tchad/RCA	Total
France	149	1785	439	1002	2095	5470
Germany	16	7	1242	780	0	2045
Italy	27	1	1119	72	55	1274
UK	3	111	691	0	0	805
Poland	17	0	227	130	400	774
Spain	17	1	469	131	90	708
Netherlands	2	1	438	0	65	504
Ireland	0	5	55	0	440	500
Sweden	14	81	80	62	235	472
Portugal	6	2	234	56	15	313
Belgium	26	82	60	86	50	304
Austria	11	3	203	0	55	272
Finland	9	0	182	0	65	256
Romania	3	0	110	0	120	233
Ø EU-23						223
Greece	21	7	179	0	15	222
Hungary	1	1	143	0	0	145
Bulgaria	1	0	139	0	0	140
Slovenia	0	0	124	0	15	139
Czech Republic	2	0	90	0	0	92
Slovakia	1	0	40	0	0	41
Latvia	2	0	3	0	0	5
Estonia	1	0	3	0	0	4
Lithuania	1	0	1	0	0	2
Luxembourg	0	0	1	0	0	1
Cyprus	0	1	0	0	0	1
Denmark	0	0	0	0	0	0
Malta	0	0	0	0	0	0

Source: Grevi et al. 2009: 414

The EU Neutrals have also played a role in recent *civilian* ESDP operations. In 2008, *all* neutral EU member states were involved in one mission or another, even Malta (see table 10). It is somewhat surprising that they contributed proportionately less personnel than they deployed to ESDP military missions or to general observation missions from 1999 to 2007;



Table 10: EU Member States' Contributions to Ongoing Civilian ESDP Operations

Country	Seconded personnel/ Total per Member State	Contracted personnel/ Total per Member State	Total
Italy	242	40	282
France	247	28	275
Germany	236	23	259
Romania	214	16	233
Poland	141	17	158
Sweden	131	12	143
UK	66	59	125
Finland	99	25	124
Denmark	80	7	87
Bulgaria	57	25	82
Hungary	60	8	68
Spain	45	19	64
Netherlands	57	5	62
Ø EU-23			61
Belgium	45	10	55
Greece	42	9	51
Czech Republic	43	3	46
Portugal	34	12	46
Austria	37	5	42
Ireland	19	15	34
Slovenia	18	3	21
Lithuania	15	4	19
Latvia	14	4	18
Slovakia	15	2	17
Estonia	10	6	16
Luxembourg	4	0	4
Malta	3	1	4
Cyprus	2	0	2

Source: Grevi et al. 2009: 415

Sweden and Finland still record numbers way above EU-23 average, however, and in the same way as Ireland and Malta they again outrank their non-neutral EU counterparts of

similar size (Sweden 6th vs. Hungary 11th; Finland 8th and Ireland 19th vs. Slovakia 23rd; Malta 26th vs. Cyprus 27th). Only Austria (18th) has deployed relatively few civilian experts to EU missions in comparison to a comparable country like Bulgaria (10th) – which is still more than the adequate Irish contribution for example.

All in all, EU Neutrals have proved more than once in recent years that they are not only able to contribute to the *development* of ESDP capabilities, but that they are also willing to participate in *using* them. Austria, Ireland, Finland and Sweden have not only contributed to ESDP capabilities and operations since ESDP has come into being, they also have contributed far more than many non-neutral EU member states have. Only Malta stands out as classic ‘neutral’ state with not a single man or woman deployed to any military crisis management mission (whether conducted by the EU or led by the UN). It can be considered as a big step, however, that Malta recently contributed 4 civilian experts after all.

EU Neutrals’ Position towards an Obligatory UN Mandate for ESDP Operations

As the United Nations is “[t]raditionally viewed as the only organization authorized to approve any type of military operation” (Eliasson 2004: 20) by neutral EU states, their participation in military ESDP missions has been highly dependent on a mandate by the UN Security Council: “Both, for Finland and Sweden, such a mandate is [...] very important, both as something that underlines the role of the UN and international law and ensures, in a sense, the consensus and support of the ‘international community’, represented by the UN (Ojanen 2000: 12-13); in the same way, “Ireland has consistently held to the view that the use of military force against another state, other than in self-defence, should be authorized by the United Nations Security Council” (McBean 2003: 32); Malta does not even provide a ‘non-military’ national-headquarters element for EU missions if a UN mandate is missing (see above); and Austria has made its position clear in 1999 by blocking its airspace for NATO airplanes during the Kosovo war – due to the operation’s lack of a UN mandate (see Meyer 2005: 15).

So far “[a]ll ESDP military operations, except Concordia, have taken place under a UN mandate” (Grevi et al. 2009: 408) or on the basis of an invitation by the respective host states (Concordia) (see table 11) and EU Neutrals had no difficulties to participate.

**Table 11: UN Mandates for CSDP Military Operations**

ESDP Mission	UN Security Council Resolution	Date
Concordia	No. 1371	26 September 2001
Artemis	No. 1484	30 May 2003
EUFOR Althea	No. 1575	22 November 2004
EUFOR RD Congo	No. 1671	25 April 2006
EUFOR Tchad/DRC	No. 1778	25 September 2007
EUNAVOR Atalanta	No. 1814	15 May 2008
	No. 1816	2 June 2008
	No. 1838	7 October 2008
	No. 1846	2 December 2008
EUTM Somalia	No. 1872	26 May 2009

In the same way as Europeans unexpectedly fought a NATO-led war in Kosovo *without* UN mandate, a military ESDP mission *without* UN authorization cannot be excluded for the future, however, because “[p]art of the idea of the EU developing really autonomous capacities as an international actor is that it should be able to act without being bound to wait for the agreement of the UN – in particular since this could effectively block any action in the event of a veto by a permanent member of the Security Council” (Ojanen 2000: 12). It is still true in 2009 as it was true in 1999 that “whether in future a resolution within the framework of the EU will suffice cannot be assessed, even though this is a key question” (Gustenau 1999: 10). It is a key question in so far as the neutral EU member states’ insistence on a mandatory UN mandate for every military ESDP mission could undermine a genuinely *common* ESDP: if EU member states disagree on the appropriate way of legitimizing ESDP missions and some – specifically the EU Neutrals – refuse to participate due to these different views, then CSDP in any meaningful way is at risk. The ratification of the new Lisbon Treaty might have already been a foretaste of future struggles between neutral and non-neutral EU member states: “The primacy of the UN and its peacekeeping is eliminated under Article 28A (1), as EU missions do not require a UN mandate. The neutrals’ proposals for EU missions to require a UN mandate were rejected” (Devine 2009: 19).

EU Neutrals’ Position towards the Solidarity Clause and the Mutual Defence Clause

As neutral EU member states share a number of common concerns about how ESDP develops, they sometimes act together to ensure their common interests. This could be

observed in the Constitutional Convention and the negotiations for the Constitutional Treaty, when “as a group they have been supportive of many of the ESDP proposals, sometimes joining together to support or oppose proposals made by the other member states” (Rees 2006: 188). The *solidarity clause* (mutual solidarity “if a Member State is the object of a terrorist attack or the victim of a natural or man-made disaster” (Treaty of Lisbon 2007: Title VII, Article 188R)) has always been supported by the EU Neutrals. Strategic documents have time and again provided proof of this: the Finnish government, for example, has clearly stated that “Finland acts in accordance with the solidarity clause” (Finnish Government Report 2009: 72); Finland’s western neighbour has underlined that “[i]f another member state were to be the victim of a terror attack or natural disaster, Sweden must be able to help by sending humanitarian assistance, making civilian rescue efforts and if necessary deploying military resources” (Our Future Defence 2004: 8); and Austria has already made clear in 2001 that its foreign and security policy should be shaped in accordance with the principle of “active participation in the ESDP in the spirit of solidarity” (Austrian Security and Defence Doctrine 2001: 9). Although there have been no official Irish and Maltese strategic documents recently referring to the solidarity clause, there is little doubt that it also attracts support from these two neutral countries. The reason for the wide acceptance can be explained: “Since neutrality applies only to armed interstate conflicts, neutral states may provide assistance against non-state terrorist networks without violating the obligations resulting from their status” (Neuhold 2005: 15).

In contrast to the introduction of the solidarity clause, “Sweden, Finland, Austria and Ireland [and certainly Malta as well] have expressed concern with the possible adoption of an obligatory ‘mutual defence arrangement’ [...]. For them it would be impossible to endorse such a collective defence guarantee without jeopardizing their credibility as non-aligned states” (Bergman 2004: 20). For them, embedding a collective defence clause into the EU treaties would mean turning the EU into a military alliance. During the intergovernmental consultations of the Constitutional Treaty, the Irish Foreign Minister at that time, Brian Cowen, put forward this concern on behalf of the neutral EU group: “We fully respect those partners who are committed to automatic mutual defence arrangements. Equally, we would hope that partners respect the different security policy traditions of Ireland, Finland, Sweden and Austria which makes it impossible for us to accept the Presidency proposal as currently drafted” (Cowen 2003). In plain language this declaration made clear that any mutual

defence arrangement would be unacceptable for neutral EU states if it would imply a mutual defence *automaticity* and if it would undermine the sovereign right of national governments to make such decisions in accordance with their respective security policy or constitutional requirements – on a case-by-case basis. The non-neutral EU member states and supporters of a mutual defence clause got the message and “[c]onsequently, in comparison to the Convention draft the version of the mutual defence clause in the Constitutional Treaty and the Lisbon Reform Treaty has been clearly mitigated [...]” (Alec de Flers 2008: 14); now, “the Treaty takes care not to tread on tender toes. The non-allied Member States’ particular status is given due consideration [...]” (Angelet & Vrillas 2008: 30): first, the new clause is called ‘mutual *assistance* clause’. And secondly, a special phrase was added which stipulates that the new clause “shall not prejudice the specific character of the security and defence policy of certain Member States” (Treaty of Lisbon 2007: Article 28 A.7). The neutral EU countries can live with both the solidarity clause *and* the mutual assistance clause today – *both* innovations of the Lisbon Treaty form no obstacle for EU Neutrals to carry on participating in ESDP/CSDP. The Foreign Minister of Malta, Tonio Borg, has confirmed exactly this in personal communication: “These clauses do not turn the EU into a military alliance and therefore are compatible with our Constitution” (Borg 2009).

However, does the ‘neutral’ flexibility and limitation of the mutual assistance clause possibly pose a problem for a genuinely *common* ESDP in the future, vice versa? What happens if an EU member state actually falls victim to an armed attack in the future, contrary to expectations? The obvious question of how the neutral EU countries would react to that can be regarded as a “major issue in the near future” for CSDP and one of “the biggest challenges to the neutral/non-aligned countries” (both Windmar 2005: 59). The concern is that CSDP cannot be genuinely *common* if there is no *common* reaction by the EU via CSDP to a military attack. Different national contributions to assist and defend an attacked partner state – some countries helping, some not – would undermine attempts to make genuinely *common* policy. Furthermore, such a situation would risk a deep rift between EU member states, giving reason for some to accuse the neutral countries of lacking solidarity or being ‘free-riders’ (see Ojanen 2000: 1/2, 18).

In any case there is enough reason for an optimistic outlook: it is hard to believe that a government of a neutral EU state would *not* defend an EU partner country in case of an attack, that it would *not* at least politically support an EU defensive action” (see Keohane

2001: 17). This is even harder to believe considering the fact that the EU Neutrals have already contributed to ESDP voluntarily in much less urgent circumstances (capabilities, missions). The Swedish government underlined that assumption when it declared that “Sweden couldn’t be indifferent in case of an EU member being attacked” (Tepe 2007: 192). Some analysts are even optimistic that some neutral EU member states could accept collective defence obligations soon: “[S]ome might be more interested than others to take part in a collective defence. The impression is that Austria is likely to join, Finland would probably join, and Sweden would maybe join, while it is likely that Ireland would opt out. This is, of course, speculative and also depends on when the issue is put on the negotiating table” (Windmar 2005: 59; see also Ojanen 2003: 64/65).

The Case of Denmark

“[F]eatures that one would typically attribute to non-aligned countries are equally shared by [...] Denmark” (Græger et al. 2002: 229). These features concern Denmark’s role in EU security and defence policy and its non-participation in ESDP: the rejection of the Treaty of Maastricht by the Danish people in a referendum in 1992 forced the Danish government to find a special arrangement for the areas where the Danish voters had problems with the new treaty. Opt-outs from four selected policy areas were obtained, one concerning EU defence policy in general and the military part of ESDP especially:

“The heads of state and heads of government take note [that] ... Denmark cannot participate in the preparation and the implementation of decisions and actions within the Union which affect the defence area but Denmark will not hinder that closer cooperation between the member states in this field takes place” (see Olsen & Pilegaard 2005: 347)

This Danish ‘defence opt-out’ is still valid today and has the same – or even more – consequences for Danish participation in ESDP than the status of neutrality has for Austria, Finland, Ireland, Malta and Sweden: “The consequence of the Danish opt-out is that Denmark cannot contribute to military EU crisis management operations either financially or in terms of military assets. Further, Denmark cannot take part in the elaboration and implementation of any decisions or actions of the Union which have defence implications” (Danish Armed Forces – International Perspectives 2004: 21). In detail, this means that

Denmark does not contribute to ESDP military capabilities and military missions, is exempted from any mutual defence obligations, is not a part of EU defence institutions like the European Defence Agency and must renounce its right to exercise the Council Presidency in fora where defence issues are primarily under discussion. Of course the Danish refrainment from all military aspects of ESDP is a *major* obstacle for a genuinely *common* ESDP.

Although Denmark has retained the defence opt-out for over fifteen years already, there are several reasons to believe that this will change soon and that Denmark will fully participate in CSDP in the near future:

1. Motive for the Opt-Out: “It is of course correct to say that the defence opt-out is an important element of Danish policy, but it is at least equally important to bear in mind that the opt-out is not a true expression of Danish thinking, intentions and ambitions today and that it may not have been even in the first place. In 1992 it was included in the opt-out package in order to permit the leadership of the Socialist People’s Party to advocate a ‘Yes’ in the 1993 referendum. It cannot be known which, if any, of the four opt-outs were really important to the voters. Some analysts suggested at the time that, for many who voted ‘No’ in the 1992 referendum, any excuse to get a second vote and say ‘Yes’ would have been acceptable” (Pedersen 2006: 39).

2. Position of Political Parties: There is a general consensus among a majority of the political parties today that it is time to get rid of the defence opt-out. The government – the Liberals (Venstre) and the Conservatives – wants to get rid of the defence opt-out: in his first speech to the national parliament as new prime minister in 2009, Lars Løkke Rasmussen said that “the Danish exceptions [from the treaty] are and continue to be harmful to Denmark's interests. The government will therefore continue to work for the abolition of the exemptions” (Hetland 2009). The opposition – traditionally reluctant on the issue – is also gradually moving in favour of getting rid of the defence out-opt: a Danish newspaper reported, also in 2009, that “[l]eaders from the Social Democrats, the Socialist People’s Party and the Social Liberals reached a consensus that the country’s EU exceptions in the areas of common defence and justice should be eliminated” (Copenhagen Post 2009).

3. *Public Opinion*: the Danish newspaper *Børsen* conducts a survey every month regarding the Danish EU opt-outs. Recent results of this survey (see table 12 for the months September 2009 to January 2010) have shown widespread support among the Danish people for the abolishment of the defence opt-out (see table 12).



Table 12: Public Opinion in Denmark regarding the Defence Opt-Out

Abolishment of Defence Opt-Out?	Sept. 2009	Oct. 2009	Nov. 2009	Dec. 2009	Jan. 2010
Yes	63%	66%	66%	62%	67%
No	24%	21%	22%	22%	20%
Not sure	13%	13%	12%	16%	13%

Source: Børsen Online – <http://borsen.dk>

4. *Academic Debate*: Most analysts agree that “Denmark is at growing disadvantage” (Græger et al. 2002: 219) politically due to the defence opt-out, that it “clearly prevents Danish military means from being matched to Danish policy ends” (Pedersen 2006: 46), that it “makes the Danish foreign, security and defence policies appear incoherent and consequently unreliable” (Olsen & Pilegaard 2005: 341).

5. *Danish Role as ‘Security Player’*: Denmark today is known for being one of the most active European states in the area of security and defence policy: “Since the end of the Cold War, successive Danish governments have fully endorsed the central foreign policy objective that Denmark should play a proactive role in international politics. [...] Danish politicians have been willing to deploy soldiers not only in traditional peacekeeping but also in more offensive operations” (Olsen & Pilegaard 2005: 339/340). Thus, Denmark has not only deployed more troops (see table 7) and more observers (see table 8) to international missions from 1999 to 2007 than *all* neutral EU member states, it even contributed more personnel to civilian ESDP missions than Austria, Ireland and Malta *combined* (see table 10). In view of these facts it might be most likely that Denmark will also fully participate in *military* ESDP operations as soon as the defence opt-out has fallen. One of the main strategic documents of Denmark clearly support this assumption by expressing the Danish preparedness and willingness to accept the future role as *full* member of ESDP: “[I]n the case of the Danish opt-out with regard to the EU defence policy possibly being removed in the

future, Denmark will be able to participate in the EU efforts within peacemaking, peacekeeping, conflict prevention, humanitarian operations and the strengthening of international security in accordance with the principles of the UN Charter. The political parties agree that the structure and capacity of the Danish Defence [...] should be organized in a way that will ensure that Denmark, in the event of a possible removal of the opt-out, will be immediately able to contribute to future European defence initiatives, including combating terrorism, preventing the spread of weapons of mass destruction and peace support operations with force contributions from both the EU and NATO” (Danish Defence Agreement 2004: 2).

Summary and Prospects: Neutrality in the EU and the Danish Defence Opt-Out

The analysis has made clear that the status of neutrality of some EU member states is no problem for the ‘S’ of a genuinely *common* ESDP, but implies difficulties for the ‘D’.

As regards the ‘S’, neutrality does not prevent the relevant EU member states – with the exception of Malta – to fully participate in ESDP structures and operations: Austria, Finland, Ireland as well as Sweden have all contributed capabilities to the EU headline goals and to the EU battle groups, they have all contributed personnel to civilian ESDP missions and they have supported military ESDP operations by deploying troops. Their contributions in this respect do not pale in comparison to the ones of their non-neutral EU partners – they have contributed more capabilities, more civilian personnel and more troops to *common* ESDP initiatives than many of their non-neutral counterparts – “they have tried to do their best to show that they are not only fully committed to the CFSP [and ESDP], but also active and constructive, bringing the development forward with their own initiatives [Petersberg tasks for example], and certainly not hindering it” (Ojanen 2000: 2). Malta is the only neutral EU country that plays no significant role in ESDP. As the same applies to Luxembourg and Cyprus – two countries without neutrality tradition, but with approximately the same size of Malta – the factor ‘size’ might be of more influence than ‘neutrality’.

One potential problem for a genuinely *common* ESDP could be the fact that EU Neutrals seem reluctant to support military operations which are not legitimized by a UN mandate. An ESDP military operation without such a mandate could lead to the non-participation of neutral EU states or even to the controversial situation that they oppose and obstruct the

mission: “A typical example of this was the NATO air strikes against the Federal Republic of Yugoslavia in spring 1999, when Austria refused to grant use of its airspace for reasons of neutrality (Gustenau 1999: 10)”. The introduction of an ‘EU mandate’ by a newly created ‘EU Security Council’ (see Everts & Missiroli 2004; Menon 2002) could be a reasonable solution. The new CSDP according to the Lisbon Treaty includes a solidarity clause and a mutual assistance clause. Both innovations were introduced in order to turn the plain ‘D’ of ESDP into a genuinely *common* ‘D’ in CSDP. As “the solidarity ‘reflex’ remains voluntary” (Missiroli 2008: 15) and no EU country is obliged to assist a partner country in case of an attack, “the relevance [of these clauses] is particularly of symbolic nature” (Mölling 2008: 2) and poses no legal or political problem for the neutral EU member states, which understand the EU rather as a political alliance based upon reciprocal solidarity than a military alliance with binding defence guarantees (see Gassen 2007: 8; Bergman 2004: 17). This situation of course satisfies the interests of the neutral EU member states that do not want their status of neutrality to be jeopardized. A truly *common* ESDP, however, is undermined by a mere symbolic mutual assistance clause. Gustenau correctly remarked in 1999 that “[i]f European solidarity is to have a true meaning, it must ultimately include collective defence” (Gustenau 1999: 14) and therefore the EU Neutrals’ acceptance of defence obligations. It is questionable anyway why neutral EU states are committed to the EU and the ESDP, willing to use force for crisis management operations, and even politically support an EU or NATO defensive action, but are not able or prepared to commit to defending the EU (see Keohane 2001: 18). In case of an EU-*external* attack on one of the EU member states, the question is: what are they neutral to? If the neutral EU countries really understand the EU as a political alliance with *common* values, why are they reluctant to commit to defend their partners in case of an external attack? It is argued at this point that a genuinely *common* ESDP in the future requires such a commitment, requires a *real* and *credible* mutual assistance/defence clause – and that the neutral EU states “will sooner or later have to decide how far they are prepared to go in endorsing the move towards a fully integrated defence policy and possibly European defence structure” (Bergman 2004: 19). If they will accept mutual defence obligations one day, a genuinely *common* ESDP will be possible – if not, if EU Neutrals insist on watering down the clause, CSDP remains symbolic, lip service to an ideal.

There are two conceivable ways in which neutral EU member states could accept mutual defence obligations within the EU in the future. The first would mean saying goodbye to

neutrality. Some analysts argue that already today “none of the traditionally neutral states is *de facto* neutral anymore. Though the participation of the mentioned countries in collective response to global threats does not mean mutual military assistance on principle, changes to the security environment determined that they are included into the system of collective security” (Molis 2006: 92). Maybe the time has come for the EU Neutrals to accept the realities of a new security environment, to accept that neutrality has become obsolete in a world without adversarial blocs, in a collective defence system of *United Nations*, or at least within a Union of 27 partner states. However, although it seems logical that neutrality is out of date and not appropriate within the EU today, it is not easy for governments of neutral EU states to get rid of it. On the one hand, “any abandonment of the neutrality policy in the foreseeable future seems unlikely, given the fact that it is deeply ingrained in the public’s psyche and remains synonymous with sovereignty” (O’Boyle 2007: 178) in some EU states. On the other hand, neutrality is still anchored in national law in some others. Furthermore, neutrality enjoys sound support both by political parties and by the public in most countries discussed. Finland might be the most likely country to give up neutrality/non-alignment in the near future: the Finnish type of neutrality is the most pragmatic and most flexible one, public support for neutrality is not overwhelming and the political parties are already discussing NATO membership in a very open way. For the other neutral countries a prediction is very difficult, because different factors draw different pictures – it all comes down to the emphasis and weighting. As regards the type of neutrality, it might be easier for the Irish and Austrian governments to abandon the neutral ‘tradition’ of their countries than it would be for the Maltese or Swedish governments to do the same. Public support for neutrality is the strongest in Sweden and Ireland, with the latter particularly being “an example for the strong influence of national sensitivities and public opinion” (Alec de Flers 2008: 16) – it might be by far easier to abandon neutrality *against* the public in Austria than it is in Ireland. With respect to the political party landscape, *Swedish* neutrality has the worst standing at the moment, with two parties of the current government being not in favour of it. In Austria and Ireland, in contrast, only one opposition party each is against neutrality, and the two main parties of Malta are only open for its adaptation.

Adaptation of neutrality, in general, is the second way for EU Neutrals to be able to accept a *genuine* mutual defence clause within the EU – and it might definitely be the easier one of the two. Some countries have already re-defined their neutrality by calling themselves ‘non-

aligned' or 'alliance-free', but a new label is of no good without a new concept. One reasonable new concept could be the proposal of the Austrian People's Party (ÖVP): "[S]olidarity within the European Union, neutrality outside the European Union" (see above). Such a new concept would serve two purposes. First, the EU Neutrals could accept a *genuine* mutual defence clause and the EU could become a *genuine* system of common defence and collective security. Secondly, the neutral EU states would not need to give up their status of neutrality completely (a fact which would give governments a chance to sell the new concept to their publics). Such a new concept would be modern, credible and in particular appropriate in view of the new political and strategic realities: today the neutral members of the EU are indeed not neutral anymore within the EU – they are aligned with the European Union and all of its member states. The time has come to say so specifically and definitely. The Danish 'defence opt-out' from all military aspects of ESDP represents a major problem for the EU's ambition to have a genuinely *common* ESDP, because without Denmark's participation, ESDP military structures and operations are missing an important player. There are several reasons to believe, however, that the opt-out will be given up in a referendum soon: nowadays neither the public nor the political elite or the academic experts regard the opt-out as beneficial for Denmark anymore – the majority of Danes want to get rid of it.

Atlanticism versus Europeanism in the European Union

On the 7th of December 1998, a newspaper article of Madeleine Albright, US Secretary of State at that time, was the first US reaction to Saint-Malo and the European ambitions to develop a common European security and defence policy: "She began on a positive note [...], but immediately coupled this enthusiasm with three caveats, subsequently known as the '3 Ds': there should be no *decoupling*, no *duplication* and no *discrimination*. On decoupling, Albright insisted that European decision-making should not be 'unhooked from broader Alliance decision-making'. [...] Albright's second concern was that ESDP should not *duplicate* resources and assets which already existed in the Alliance. US fears, immediately after Saint-Malo, focused on the EU's potential to *rival* the USA in military hardware. [...] Albright's third caveat concerned fears of ESDP *discrimination* against European members of NATO outside the EU" (Howorth 2007: 138/139). These concerns/caveats have characterized the formal US position towards ESDP during both the Clinton and the George W. Bush administration and

the formula ‘*no decoupling, no duplication, no discrimination*’ has formed and defined the dividing line between ‘Atlanticists’ and ‘Europeanists’ ever since: Atlanticists – the ones which seek a very strong tie to the United States and understand NATO as the prime community for security and defence in Europe – are *against* any decoupling, duplication and discrimination. The Europeanists also seek a strong tie to the United States, but the ties to their EU partners are of higher priority and greater relevance. As a consequence, they grant ESDP *at least* the same status as NATO and they accept decoupling, duplication and discrimination to a certain degree, if ESDP and the European community benefits from it. In short: Atlanticists prioritize *transatlantic solidarity*, Europeanists *European integration*.

This dividing line has created a situation in which two camps support two different concepts of ESDP – an unfavourable situation for the development of a genuinely *common* ESDP.

When ESDP came into being in 1999, the main controversial issues which have distinguished the Atlanticist concept of ESDP from the Europeanist one, were (see table 13):

Autonomous ESDP Capabilities

Directly after ESDP had been initiated in Saint-Malo the main US concern was that the EU could duplicate US assets (or national assets earmarked for NATO) and that a rivalry could arise between the EU/ESDP and the US/NATO: “ESDP was acceptable *only so long* as it did not constitute a challenge to the United States or a threat to NATO and so long as it actually brought to the table military capacity and resources which could be useful to the Alliance. That approach was [...] broadly shared in London and several other [*Atlanticist*] EU capitals” (Howorth 2007: 142). A comment by Tony Blair from 2000, British prime minister at that time, serves as a good example: “If someone claims that we have a capability independent from NATO, that would be absolutely false. For Great Britain, there is neither a proposal, a desire or a decision to have a separate military capability” (Cogan 2001: 127).

Autonomous ESDP Headquarters

The question of an autonomous EU military headquarters has been “[o]ne of the most important and controversial dimensions of the European shift from ESDI¹⁶ to a more autonomous ESDP” (Howorth & Keeler 2003: 17). While in the Atlanticist view “[t]he

¹⁶ Before ESDP was initiated the European pillar within NATO was called ‘European Security and Defence Identity (ESDI).

duplication that could be most harmful to the alliance's cohesion [...] would be establishing a separate EU defence planning process and command structure" (Yost 2000: 114), Europeanists like Jacques Chirac saw the creation of an autonomous headquarters as a logical development of European integration: "European defence would naturally be coordinated with the [Atlantic] Alliance, but as regards its preparation and execution, it must be independent with respect to the NATO command" (Chirac in 2000, see Cogan 2001: 127). This controversy culminated in 2003 when France, Germany, Belgium and Luxembourg met at the so-called 'chocolate summit' to discuss the creation of a standing operational planning cell at a Belgian army base in Tervuren, a suburb of Brussels – "[t]his provoked outrage in Washington and London and, for a moment, seemed destined to derail the entire ESDP project" (see IISS in Howorth 2007: 111/112).

Autonomous ESDP Action

The question of autonomous military capabilities and the question of an autonomous headquarters amount to the question of autonomous action. In this respect, "[v]arious [Atlanticist] calls, especially in the US Congress for a 'right of first refusal' for NATO in all crisis management in Europe and an implied political subordination of the EU to NATO, did not sit well with many European governments" (Moens 2002: 79), *Europeanist* governments. Especially France keenly wanted to avoid that and "preferred that the choice of whether an operation is conducted with NATO or autonomously be made independently" (Cogan 2001: 118).

The Inclusion of Non-EU NATO Countries

There was considerable Atlanticist pressure that non-EU NATO members such as Turkey are not discriminated by and excluded from ESDP (see Moens 2002: 77) and that "the move towards a greater European pillar in the Alliance should ensure that no allies are marginalized" [...] (Myers 1992: 27). As Europeanists understand ESDP as one piece of the big EU integration puzzle, this issue was quite controversial in the beginning years of ESDP.

The Question of Collective Defence

NATO's "primary function" (Howorth 2003: 236) – collective defence – was unchallenged when ESDP came into being. The question if ESDP could serve the same purpose (by

incorporation of the WEU Article V into the EU treaty) has therefore been left to the political wayside in the first years (see Keohane 2001: 16). However, during the Convention on the Future of Europe (discussing a draft for a Constitutional Treaty) the Europeanists brought forward the idea of a mutual defence clause. Officials from Atlanticist countries like Britain of course “were quick to voice their opposition” (Menon 2006: 56).



Table 13: Traditional Atlanticist and Europeanist Concepts of ESDP

Atlanticist ESDP	Europeanist ESDP
ESDP capabilities = European NATO capabilities	Autonomous ESDP capabilities
ESDP headquarters within NATO structures	Autonomous ESDP headquarters
NATO's 'right of first refusal'	Autonomous EU decisions for ESDP action
ESDP open to all non-EU NATO members	ESDP as part of EU integration
ESDP not including a collective defence element	ESDP including a mutual defence clause

The Atlanticist and the Europeanist Camp

Having shown how Atlanticism and Europeanism influence the shape of ESDP, it is relevant to analyse the relative strength of the influence of each camp: which countries belong to the Atlanticist camp, which ones to the Europeanist camp?

Some analysts have chosen the Euro-Atlantic conflict over the Iraq war operation in early 2003 in order to study and “explain the pattern Atlantic [Atlanticist] (vs. Continental [Europeanist]) predispositions among European countries” (Mouritzen 2006: 137; also Schuster & Maier 2006). In his study, Hans Mouritzen makes clear why precisely this conflict is so well suited for illuminating the European pattern of Atlanticist predispositions: “Firstly, there was an obvious Atlantic dimension to the conflict. The stimulus facing European states was the US objective of toppling the Saddam regime, as part of the general war on terror, with or without explicit approval from the UN Security Council. [...] Secondly, it provides the analyst with the opportunity for synchronic comparison: several actors simultaneously facing one and the same stimulus or challenge. Thirdly, it was a controversial issue, a dilemma, meaning a choice where both an Atlanticist and a ‘continental’ [Europeanist] option were supported by good reasons (albeit varying from state to-state), but where the options, nonetheless, mutually excluded each other. [...] Fourthly, it was a dramatic situation, putting the dilemma at its peak. The non-routine character of the Iraq situation forced states to go

beyond their normal vague rhetoric. [...] A choice had to be made. Finally, the conflict was a competition for the 'souls' of the Central and East European states. Their positioning in the Atlanticist/Continentalist [Europeanist] divide would now for the first time come to a serious test" (Mouritzen 2006: 138/139).

According to Mouritzen, Atlanticism expressed itself during the conflict by support of the Iraq war while Europeanism was characterized by a critical stance towards the military intervention and war opposition. Mouritzen used a set of criteria for measuring the degree of such support/non-support of which two are of particular relevance. First, the signing of public support statements¹⁷ for the US which were made "without any prior consultation within the EU, thus seriously undermining the credibility of its 'common foreign and security policy'" (Mouritzen 2006: 139/140). Secondly, the role of European countries in relation to the war in Iraq: did a country participate in the operation, contribute material to it or support it diplomatically? Or was a country a critic without any contribution to or support of the operation? According to the criteria of Mouritzen (see table 14), 14 EU member states (BG, CZ, DK, EE, ES, HU, IT, LT, LV, PL, PT, RO, SK, UK) can clearly be categorized as Iraq war supporters (and therefore as Atlanticist states) while eight countries (AT, BE, DE, EL, FI, FR, LU, SE) clearly classify as Iraq war opponents (and consequently as Europeanists). The positions of two countries (CY, MT) have been too vague during the conflict for any classification and the positions of three states too contradictory (IE, NL, SI).

Jürgen Schuster and Herbert Maier, in *their* study on the European Iraq conflict¹⁸, also used a range of different criteria "to establish whether a country supported the United States or not" (Schuster & Maier 2006: 224): direct military participation; unhesitating and open passive military help; troop commitment in the aftermath of the war; top official's speeches and interviews; a country's behaviour in international organizations like the UN; the White House's list of coalition partners. Their analysis of 20 EU member states produced the

¹⁷ Two such statements were published – one signed by eight countries – the meanwhile (in)famous 'Letter of Eight' (Aznar et al. 2003) – and a second one signed by ten countries (Statement of the Vilnius Group Countries 2003).

¹⁸ Hans Mouritzen called the EU internal conflict between member states about the 'correct' policy towards the Iraq war in 2003 ('yes' or 'no' to participation) as "European Iraq conflict" in one of his analyses (Mouritzen 2006). This term will be used hereafter.

following results: 15 EU member states (BG, CZ, DK, EE, ES, HU, IT, LT, LV, NL, PL, PT, RO, SK, UK) have been supportive of the US-led Iraq war and five (BE, DE, EL, FR, SI) have formed opposition (see Schuster & Maier 2006: 238).



Table 14:
Positioning of EU Member States in the European Iraq Conflict 2003

	Signed open letter supporting the US	Role in relation to the war in Iraq
AT	No	Critic
BE	No	Critic
BG	Vilnius Group Statement	Material Supporter
CY	No	<i>No Role</i>
CZ	Letter of Eight	Material Supporter
DE	No	Critic
DK	Letter of Eight	Participant
EE	Vilnius Group Statement	Diplomatic Supporter
EL	No	Critic
ES	Letter of Eight	Material Supporter
FI	No	Critic
FR	No	Critic
HU	Letter of Eight	Material Supporter
IE	No	Material Supporter
IT	Letter of Eight	Diplomatic Supporter
LT	Vilnius Group Statement	Material Supporter
LU	No	Critic
LV	Vilnius Group Statement	Material Supporter
MT	No	<i>No Role</i>
NL	No	Material Supporter
PL	Letter of Eight	Participant
PT	Letter of Eight	Material Supporter
RO	Vilnius Group Statement	Material Supporter
SE	No	Critic
SI	Vilnius Group Statement	Critic
SK	Vilnius Group Statement	Material Supporter
UK	Letter of Eight	Participant

Source: Mouritzen 2006: 141/142

Apart from the analysis of the European conflict over the US-led Iraq war, there is another way to measure the degree of Atlanticism among EU member states: public opinion research. Ronald Asmus, Philip P. Everts and Pierangelo Isernia, for example, have developed “a methodological tool by which to measure which publics in Europe leaned more toward close transatlantic cooperation and which preferred a greater degree of independence” (Asmus et al. 2004; see also Isernia & Everts 2006). This tool is based on aggregated responses of people from European countries and the US to a set of questions asked in the annual ‘Transatlantic Trends’ survey (see footnote 5, page 61) about:

- The ‘warmth’ of feelings toward the US and the EU respectively
- The desirability of American global leadership
- NATO’s essentiality
- The question of whether or not the US and the EU share common values
- The importance of having allies when acting militarily

On the following pages this methodological tool was used to measure the degree of Atlanticism of the nine EU countries of the survey (DE, ES, FR, IT, NL, PL, PT, SK, UK) plus the US – in the years 2004-2009 (Asmus et al. 2004 and Isernia & Everts 2006 only applied it to the data of 2004). The question on ‘the importance of having allies’ was replaced with a question on ‘the US-EU partnership in security affairs’, because the former was part of the Transatlantic Trends survey only in 2004 while the latter was included in 2004, 2005, 2006, 2008 and 2009.

Tables 15-19 on the following pages present the results of the surveys.

**Table 15: The 'Warmth' of Feelings towards the US**

I'd like you to rate your feelings toward some countries, institutions and people, with 100 meaning a very warm, favourable feeling, 0 meaning a very cold, unfavourable feeling, and 50 meaning not particularly warm or cold.

You can use any number from 0 to 100. If you have no opinion or have never heard of that country or institution, please say so.

	Warm							Cold						
	09	08	07	06	05	04	04-09	09	08	07	06	05	04	04-09
BG	49	51	52	52			51	51	49	48	48			49
DE	61	51	50	53	52	55	54	39	49	50	47	48	45	46
ES	56	43	39	37	41	42	43	44	57	61	63	59	58	57
FR	56	47	51	46	50	51	50	44	53	49	54	50	49	50
IT	65	58	56	55	57	61	59	35	42	44	45	43	39	41
NL	59	52	51	53	54	55	54	41	48	49	47	46	45	46
PL	54	55	57	59	56	56	56	46	45	43	41	44	44	44
PT	56	45	47	45	51	50	49	44	55	53	55	49	50	51
RO	63	66	67	73			67	27	24	23	17			33
SK	51	50	49	51	55	50	51	49	50	51	49	45	50	49
UK	59	56	55	54	57	62	57	41	44	45	46	43	38	43
USA	84	82	83	85	86	89	85	16	18	17	15	14	11	15

**Table 16: Desirability of American Global Leadership**

How desirable is it that the United States exert strong leadership in world affairs?

	Desirable							Undesirable						
	09	08	07	06	05	04	04-09	09	08	07	06	05	04	04-09
BG	30	25	22	21			25	47	58	57	56			54
DE	65	39	38	43	39	37	44	33	58	59	54	60	60	54
ES	42	18	18	19	23	28	25	56	78	79	78	72	76	73
FR	52	28	28	30	28	24	32	43	68	64	65	69	73	64
IT	55	41	37	35	37	41	41	43	59	62	62	62	56	57
NL	67	52	52	51	56	59	56	27	44	44	44	42	40	40
PL	42	34	41	39	42	49	41	38	46	43	44	44	47	44
PT	55	33	34	37	43	32	39	34	54	52	52	45	49	48
RO	54	48	46	47			49	30	36	30	35			33
SK	32	19	16	19	33	21	23	55	64	69	70	58	68	64
UK	64	48	50	48	54	44	51	31	46	43	45	39	37	40
USA	87	80	85	83	84		84	09	16	12	14	13		13

**Table 17: NATO's Essentiality**

Some people say that NATO is still essential to our country's security.

Others say it is no longer essential. Which of these views is closer to your own?

	Still Essential							No Longer Essential						
	09	08	07	06	05	04	04-09	09	08	07	06	05	04	04-09
BG	50	54	58	58			55	27	25	19	22			23
DE	63	62	55	56	61	70	61	34	36	41	41	36	27	36
ES	61	60	49	49	48	55	54	36	35	45	45	40	34	39
FR	56	62	55	59	58	57	58	38	34	36	36	34	34	35
IT	60	55	55	52	52	60	56	35	41	39	41	43	31	38
NL	77	70	66	66	68	71	70	20	26	27	29	27	24	26
PL	50	51	46	48	47	52	49	36	32	39	37	36	32	35
PT	67	60	59	56	65	67	62	25	30	28	31	25	18	26
RO	60	57	62	63			61	19	19	16	16			18
SK	52	47	44	45	53	47	48	28	27	30	36	27	37	31
UK	72	68	64	62	65	70	67	24	25	26	30	24	22	25
USA	62	59	60	61	60	62	61	29	32	29	29	26	28	29

**Table 18: Common US-EU Values**

Some people say that the United States and the EU have enough common values to be able to cooperate on international problems. Others say that the US and the EU have such different values that cooperating on international problems is impossible. Which view is closer to your own?

	Common Values				Different Values			
	09	08	04	∅	09	08	04	∅
BG	61	57		59	18	24		21
DE	76	54	62	64	21	43	34	33
ES	74	59	54	62	24	36	38	33
FR	72	60	58	63	26	38	39	34
IT	75	63	74	71	23	35	23	27
NL	78	59	63	67	17	37	34	29
PL	61	56	59	59	22	28	27	26
PT	69	57	50	59	24	36	32	31
RO	69	72		71	14	12		13
SK	57	59	52	56	27	25	29	27
UK	65	52	54	57	29	41	41	37
USA	71	67	71	70	20	23	21	21

**Table 19: US-EU Partnership in Security Affairs**

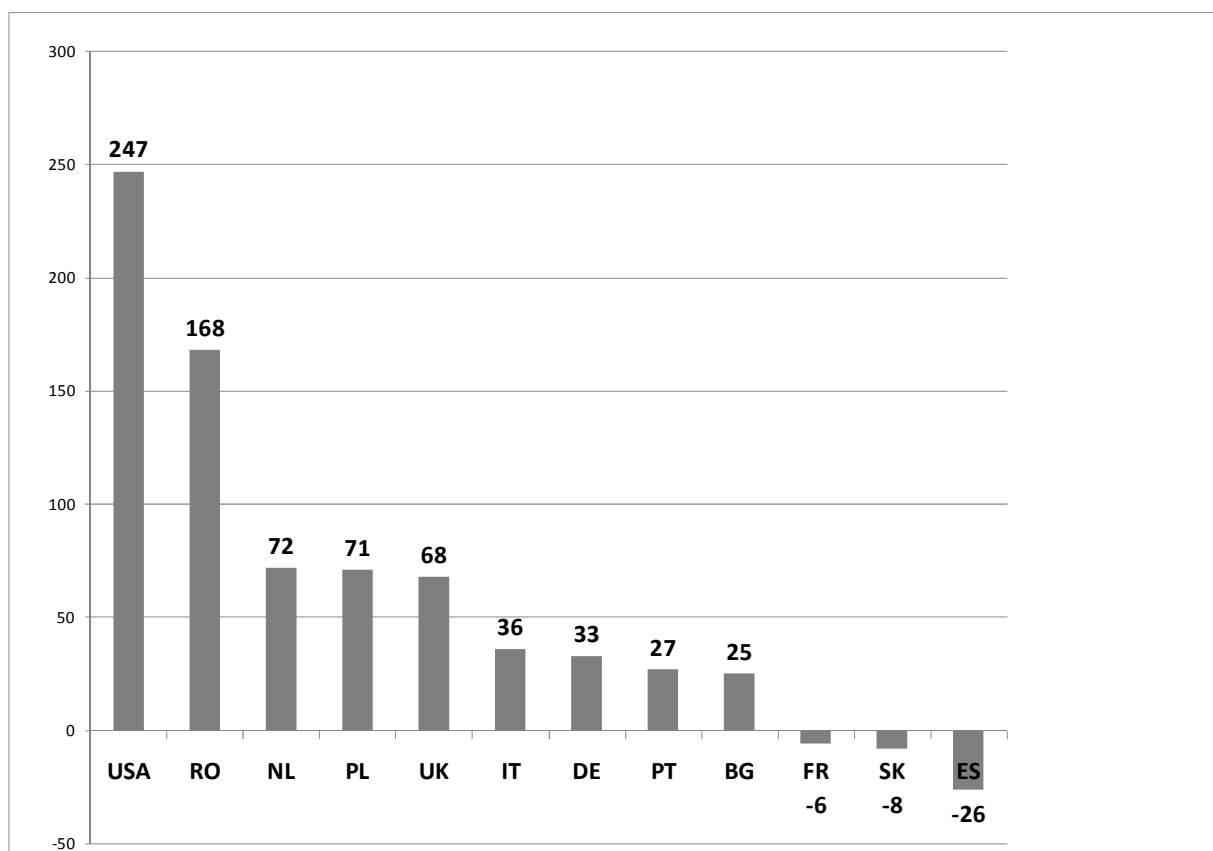
Do you think that the partnership in security and diplomatic affairs between the United States and the European Union should become closer, should remain about the same, or should the European Union take a more independent approach from the United States?

	Become Closer						More Independent					
	09	08	06	05	04	∅	09	08	06	05	04	∅
BG	27	37	24			29	33	35	42			37
DE	41	25	23	27	31	29	34	53	56	57	51	50
ES	53	37	34	42	38	41	38	52	57	49	48	49
FR	36	34	30	21	32	31	49	56	57	69	55	57
IT	51	37	35	29	30	36	37	52	57	65	59	54
NL	23	26	17	23	32	24	49	58	65	64	56	58
PL	46	45	41	49	44	45	20	25	33	34	38	30
PT	30	22	19	25	24	24	37	56	58	49	48	50
RO	54	52	51			52	17	12	23			17
SK	34	25	17	35	25	27	30	41	51	36	54	42
UK	33	26	19	27	35	28	36	51	57	49	44	47
USA	48	47	45	53	60	51	27	29	30	26	20	26

Each of the depicted five survey tables provides a figure for each country which indicates the degree of Atlanticism: the difference between Atlanticist orientation (warm; desirable; still essential; common values; become closer) and Europeanist orientation (cold; undesirable; no longer essential; different values; more independent). The average aggregation of the five figures of each country amounts to what Asmus et al. call 'Index of Atlanticism' (Asmus et al 2004: 6). The US has the highest score as it naturally is the most Atlanticist country of the tested ones. As figure 9 illustrates, the scores of the countries of the European Union differ considerably: while Romania is the only country which comes close to the score of the US (being 'extremely' Atlanticist), Dutch, Polish and British people can be considered as 'strong Atlanticists' and people in Italy, Germany, Portugal and Bulgaria as 'moderately' orientated towards Atlanticism. Only public opinion in France, Slovakia and Spain represents Europeanism.



Figure 9: Public Opinion Index of Atlanticism



The studies by Mouritzen 2006 and Schuster & Maier 2006 and the analytical model of Asmus et al. 2004 have identified clear Atlanticist or Europeanist predispositions for a couple of EU member states, because either all of them produced the same results or two of them confirmed each other (see table 20): 13 EU countries (BG, CZ, DK, EE, HU, IT, LT, LV, NL, PL, PT, RO, UK) have a clear Atlanticist orientation, accordingly, while three have a clear Europeanist orientation (BE, EL, FR). For the remaining 11 EU states the results have either been contradictory (DE, ES, SK), not significant enough (AT, FI, IE, LU, SE, SI) or a relevant analysis has just not taken place (CY, MT).

Explanations why some countries tend to Atlanticism and some to Europeanism make different patterns visible which will help to categorize the remaining 11 EU states and to illuminate how deeply the predispositions are rooted in the political and strategic culture.

Hans Mouritzen used a theory called 'past and present geopolitics' (Mouritzen 2006: 145-156) to explain the predispositions as displayed in the European Iraq conflict, because of "the influence of geography on states' political character, their history, institutions and especially relations with other states" (Hay 2003: 295). According to this theory, there are four geopolitical incentives which steer a country's political and strategic predisposition, which then determine whether a country takes an Atlanticist or a Europeanist decision:

1. Present-Negative Incentives

In order to prevent 'worst case scenarios' of the future – not necessarily a military attack, but political marginalization or domination – countries tend to balance proximate powers. Mouritzen calls this phenomenon 'shadow of the future': "By balancing, the risks of becoming militarily or politically exposed or politically marginalized are expected to be reduced" (Mouritzen 2006: 146). Power balancing definitely plays a role for the Atlanticist and Europeanist orientation of EU member states: France has a strong Europeanist orientation, for example, because with its 'multipolar world vision' (see Mouritzen 2006: 150) it feels obliged to counterbalance any unipolar policy of the American hegemon by means of European integration ("Europe is the continuation of France by other means" (Cogan 2001: 143; see also Brenner 2003: 187)). In contrast to that, "[t]he UK has traditionally functioned as Europe's 'offshore balancer', balancing any continental power

hegemony (Napoleon, *Gross Deutschland*, or the Soviet Union)” (Mouritzen 2006: 151) and understands its participation in ESDP as a *pre-emptive* counterbalance to Europeanism, “a way of making sure that the renewed strategic cooperation within the EU would not go so far as to make it an emancipated rival to NATO” (Hoffmann 2003: 1031). The wish to have a counterbalance to the EU great powers France and Germany is also one reason why almost all Eastern European EU member states have an Atlanticist orientation: “Because of their worries about dissolving in the EU like a lump of sugar in a cup of coffee, they have felt the need to balance themselves against the Old Europeans by relying on US support. According to Sedivy and Zaborowski, for New Europeans ‘the situation in which the hegemon is a far away country and a non-imperialistic liberal democracy like the US is far more preferable than a Franco-German alternative’” (Coşkun 2007: 83; see Sedivy and Zaborowski 2004: 209; also Asmus & Vondra 2005: 204). This preference might have been confirmed by French President Chirac during the European Iraq conflict when, displeased with the prospective and would-be Eastern European member states’ support of the US, “[i]n an outburst that mixed disdain with menace, he accused them of being ‘ill-bred’ and as having missed a fine opportunity to have ‘kept quiet’” (Brenner 2003: 204).

2. Present-Positive Incentives

“With the availability of significant opportunities for reward, ‘bandwagoning for profit’ may occur. [...] [T]o share in the spoils of an expected military victory, [...] to gain more influence, welfare and simply be part of ‘good company’” (Mouritzen 2006: 146/147). In the case of the Iraq war the profits for the *Atlanticist* US supporters have been obvious: for Poland, for example, “[t]here were [...] some expectations of material benefits from [its] military involvement in Iraq. These included securing privileged access for Polish companies in the reconstruction of Iraq and rearmament of the new Iraqi army. It was also widely expected that America would recognize Poland’s status as its close ally and change its immigration rules towards Polish citizens by removing the visa requirement” (Zaborowski 2004: 13). In a similar way countries like Portugal benefited from their war support, because “[c]ountries in the possession of base facilities that suit the needs of the only superpower are rewarded financially and otherwise for making the facilities available” (Mouritzen 2006: 154). For the UK, one *positive* incentive for its Atlanticist orientation is the preservation of its special relationship to the United States and the opportunity to exert influence: “Britain pledges its

loyalty to the United States in return for influence over the direction of the hegemonic power's foreign policy" (Dunne 2004: 898). For France, *influence* is definitely a factor as well for its political and strategic orientation, but in a *Europeanist* direction. Again, the Iraq crisis has been a good example: "Its international status has been enhanced markedly by its dogged, often eloquent and — in the UNSC — successful resistance to the American juggernaut" (Brenner 2003: 204). For the Central and Eastern European countries, NATO membership has been a 'profit' they have always been willing to bandwagon for: as "[m]ost of these countries have tended to see in the relationship with the USA (via NATO) their surest passage to a secure future" (Howorth 2007: 136), they "have been trying to prove that they have been reliable partners to the US for nearly a century" (Molis 2006: 88).

3. Past-Negative Incentives

Along with *present* incentives for Atlanticism or Europeanism there are also incentives stemming from the *past*: "Past geopolitics refers to crucial historic experiences, sedimented as 'lessons' in the state's political culture, both in broader layers and in the elite" (Mouritzen 2006: 147). Lessons which are *negative*, Mouritzen calls 'ghosts of the past' – and Poland exemplifies a country which is haunted by those: "Poland's distinctive strategic culture centred around the syndrome of being victimized by neighbours and betrayed by allies had, for almost two centuries, provided all the main strategic questions and delivered most of the major answers. [...] This manifested itself in a distinctive perception of world politics which gave rise to Polish Atlanticism; a strong attachment to the US political and military presence in Europe, which often resembled a tutor-pupil relationship" (Osica 2004: 319/320). Poland is not a special case or single example, however, "[t]he fact that Germany and Russia/the Soviet Union have been the two major aggressors on the European continent during the last one and a half centuries has since long sedimented in the cultures of a number of victim states. Likewise, the fact that the US and the UK were the main contributors to the halting of German aggression and to the later containment of the Soviet Union had sedimented in their Cold War counter-elites and broader cultures. The counter-elites having become elites, their decision-makers were therefore disposed towards Atlanticism" (Mouritzen 2006: 153).

4. Past-Positive Incentives

The *positive* incentive of the past means that, “a ‘successful’ foreign policy tradition sedimented in the political culture is continued” (Mouritzen 2006: 152). Classic examples of countries influenced by such an incentive are the neutral/non-aligned EU states Austria, Finland, Ireland, Malta and Sweden: they were all neutral during the Cold War and this tradition is more or less still perceived as a success (see subchapter above). This is the reason why many analysts might agree that “they are not ‘natural adherents’ of either Europeanist or Atlanticist schools” (Möttölä 2001: 393) and that “they do not take clear stands on the issue of transatlantic *versus* European defence” (Ojanen 2002: 187).

Jürgen Schuster and Herbert Maier also tried to find structural explanations for Atlanticism/Europeanism in their study – in the same way as Hans Mouritzen. They confirm that ‘power politics’ (‘power balancing’; ‘shadow of the future’; ‘ghosts of the past’) has a strong influence on a country’s orientation – limited to the former communist eastern part of the EU (Donald Rumsfeld’s ‘New Europe’) however: “[I]n Eastern Europe systemic forces of power relations (neorealist approach) are suitable for explaining state behaviour, but not in Western Europe. [...] [T]he argument is that Eastern European states live in a worse, or perceive a worse, security environment, which makes power political considerations prevalent and pushes domestic motives aside. A possible decline in the relationship with the United States seems much graver for those states under the assumption of a declining marginal utility of security. Without dwelling on details, it can be argued that a worse objective security situation can be established through the higher political instability in neighbouring regions and through the potentially dominating influence of Russia, from which those states just ‘escaped’” (Schuster & Maier 2006: 223; 235).

The second theory is – and this is new compared to Mouritzen – that “ideological orientations of governments (liberal-constructivist approach) were the decisive factor in determining whether a state supported the United States [during the Iraq crisis] in Western Europe, but not in Eastern Europe” (Schuster & Maier 2006: 223) and that parties of the right were more supportive toward the United States than those on the left. One reason why leftist parties, and therefore governments dominated by leftist parties, are less likely to be Atlanticist might be the fact that “anti-American sentiment seems to be stronger within the European left than the (moderate) right” (Schuster & Maier: 230).

Knowing Mouritzen's theory of 'past and present geopolitics' and the theoretical explanations of Schuster and Maier now, what do they say about the strategic orientation of the 11 EU states which could not be clearly classified as Atlanticists or Europeanists? Which incentives possibly explain which predisposition?

Neutral EU Member States

Mouritzen argues that "in the absence of more powerful incentives [than the past-positive one] [...], these countries should be found in the Continentalist [Europeanist] camp" (Mouritzen 2006: 154). This assumption can be supported because of two reasons. First, "while the post-neutrals retain a clear distance from NATO – at least to some extent as a result of the policies of the Bush administration – they have begun to play a real part in ESDP, in large part because the overall profile of the EU's security and defence policy corresponds to the security culture with which they are imbued" (Howorth 2007: 152). Secondly, neutral countries traditionally give high priority to the UN. With all their investments in the UN and its related norm system, supporting an organization dominated by a unilateralist superpower would be far from logical (see Mouritzen 2006: 154).

Germany

The mystery that different analytical models (Mouritzen 2006; Schuster & Maier 2006; Asmus et al. 2004) have produced contradictory results for Germany can be explained by the fact that Germany has revealed "the most interesting and possibly the most clear-cut shift in the balance of institutional preference as between ESDP and NATO" (Howorth 2007: 152). Traditionally, German armed forces have been deeply integrated into NATO military structures. The transatlantic relationship has contained a strong ideational dimension of belonging to a western community of shared values and – despite the end of the Cold War – the perseverance of NATO has been a fundamental interest in German foreign policy. With the EU turning more and more into a political union (with an increasingly important security and defence dimension), however, a tension between a European and transatlantic orientation has arisen, noticeable within political parties (Europeanist Socialdemocrats versus Atlanticist Christian Democrats) and ministerial rivalries – Germany has learned to see itself as playing an essentially mediating role between European and transatlantic visions of Europe (see Aggestam 2000: 78). Eventually, it can be argued that Germany seems to have

turned to the EU as new preferred security framework since it is more in harmony with German values: “Progressively, Germany came to switch its security identity and to construct its ontological security through ESDP which offered choices that were increasingly absent in NATO: crisis management rather than the pursuit of US global strategy, multilateral decision-making rather than pressure from Washington, a range of policy instruments rather than exclusivity to the military and perhaps above all genuine political influence as opposed to marginalization” (Howorth 2007: 153).

Spain

Studies of the degree of Atlanticism in Spain produce contradictory results in the same way as in the case of Germany. The reason for this phenomenon in Spain is the huge strategic divergence between the main political parties – Atlanticist Conservatives and Europeanist Socialists – which has manifested itself in two specific moments: “The first disagreement between the main parties came over Spain’s NATO membership in the 1980s. [...] For the party in government in those years (Unión de Centro Democrático, UCD), accession to NATO meant the modernization of the armed forces, whereas for the Socialist Party, joining NATO was tantamount to supporting American foreign policy. Although Spain remained in NATO after the referendum of 1986, this cleavage did not disappear until the end of the Cold War. [...] The second moment of disagreement took place during the crisis over Iraq in 2003” (Barbé & Mestres 2007: 50) – while Conservative Prime Minister Aznar supported the US-led invasion with Spanish troops as a close friend of George W. Bush, the Socialist Party heavily opposed the war; “the first foreign-policy decision of the new socialist government led by José Luis Rodríguez Zapatero was the withdrawal of the 1.300 Spanish troops from Iraq. The Atlanticist policy of the previous centre-right government (PP) was replaced by a more Europeanist foreign policy view and a pull-out from the US-led coalition” (Barbé & Mestres 2004: 5). There are two reasons why in general it seems more appropriate to place Spain in the *Europeanist* camp: the first reason is the “instinctively anti-American public” (Howorth 2007: 154) which has not only expressed itself in opposition to NATO (“In 1996, the choice, on the part of the new Prime Minister, Jose Maria Aznar, to take Spain fully into NATO remained unpopular” (Howorth 2007: 154)) and the Iraq war (“91 percent of the Spanish population opposed the Iraq military intervention” (Barbé & Mestres 2007: 56)), but has also been impressively underlined by applying the analytical model of Asmus et al. 2004 (see

figure 9). The second reason is the fact that *today* “Spain is a firm supporter of the development of a common European security and defence policy (Barbé & Mestres 2007: 53); “[t]he new military doctrine makes a firm commitment to the ESDP and European integration: ‘our security is inextricably linked to that of the continent’” (Institut für Europäische Politik 2007: 167/168). For Jolyon Howorth, this might have to do with the fact that “Spain has also seen the EU and ESDP as being more likely than NATO to promote its own security policy priority – a Mediterranean security pact” (Howorth 2007: 154).

Cyprus

The role of Cyprus in the inter-institutional competition between ESDP and NATO is completely impaired by the island’s division into a southern Greek and a northern Turkish part. Since 2004 the southern and only official¹⁹ part – the Republic of Cyprus – is member of the EU. It has a clear Europeanist orientation, because it sides with Europeanist ‘motherland’ Greece and seeks a *counterbalance* to its powerful neighbour – Atlanticist Turkey: “The pro-European position of Cyprus is mostly determined by its tense relationship with a US ally Turkey. Being afraid of the invasion of EU forces into the Turkish part of Cyprus, Turkey blocked the Berlin Plus agreement in 2001. This incident shows that Cyprus cannot be sure about the support from the US in its sensitive relationship with Turkey. However, the EU format gives for Cyprus more than one instrument to influence and pressure Turkey, especially bearing in mind its goal to become a member of the EU” (Molis 2006: 94).

Luxembourg

As a small state and non-great power and especially due to its location between France and Germany, one would expect Luxembourg to counterbalance its great neighbours to avoid political marginalization. The Grand Duchy, however, is a member of the ‘chocolate four’, the group which pressed ahead with the idea of an autonomous ESDP headquarters in Tervuren. Its Europeanist orientation can be explained by “its society or elite being penetrated by the nearby great neighbour” (Mouritzen 2006: 152) and by “growing concerns about the direction of US/NATO policy, particularly in light of Iraq [and] favourable evolution of EU policy and particularly of ESDP” (Howorth 2007: 154).

¹⁹ Northern Cyprus has received diplomatic recognition only from Turkey, while the rest of the international community recognizes the *de jure* sovereignty of the Republic of Cyprus over the whole island.

Slovakia

In 2002, Vladimír Bilčík concluded that “[d]espite the varying degrees of domestic elite and public consensus, NATO membership has been the top security policy priority in Slovakia” (Bilčík 2002: 32). After the accession of Slovakia to both NATO and the EU, the core of this statement still seems to be true: while public and political elite opinion in Slovakia obviously differs for any reason regarding the relationship to the US and the question of ESDP/NATO policy, “from the perspective of security, [Slovakia] advocates Atlanticism” (Ondrejcsák 2006a: 188). There are two reasons why this argument can be supported. First, in the same way as other Central and Eastern European countries Slovakia seeks a counterbalance to the big European states: “Slovakia as well as other Central European countries looks upon the U.S. as a guarantor of security, whereas, Washington is often brought into play as counterbalance in light of powerful European countries. [...] The so-called integration nucleus, which is made up of the large EU countries, exerts natural pressure on other EU countries, while advancing its own interests. Therefore, it should be counterbalanced by the Slovak Republic’s promotion, of close relations with the U.S.” (Ecker 2006: 124). Secondly, “[t]he position of Slovakia [...] is exceptional in that it was not invited together with the Czech Republic, Poland and Hungary to join NATO. It is natural that after such a surprise membership in the Alliance became an especially important strategic goal of the state” (Molis 2006: 18). Strategic documents of Slovakia and official statements by its leaders confirm the country’s Atlanticist orientation: “The newly adopted Defence Strategy of the Slovak Republic defines the Slovakia’s principal orientation as ‘Euro-Atlantic’. Stripped of political correctness, this definition corresponds to Atlanticism” (Nicolini 2006: 131); the Security Strategy states that Slovakia supports ESDP operational capacities “in order to ensure their complementarity with the capabilities of NATO and with our interests in NATO” (Security Strategy of the Slovak Republic 2005: 14); and [o]n the eve of the country’s EU accession, Slovak Prime Minister Mikuláš Dzurinda, in a single public speech, identified [...] a “penultimate relationship” with the United States stating that ‘we shall never go against the transatlantic alliance. The Alliance shall never be weakened, just the opposite’” (Institut für Europäische Politik 2007: 829).

Slovenia

In the Iraq crisis Slovenia was in the dilemma of not knowing whether to side with the US or France and Germany. It “got ‘cold feet’ (publicly) after signing the statement of support for the US” (Mouritzen 2006: 140) and finally decided not to lend its political or even military support to the United States (see Schuster & Maier 2006: 231/232). This dilemma is symbolical for Slovenia’s role between ESDP and NATO which is vague. However, there are analysts which argue that “[f]rom the Slovenian perspective, the interaction between the EU and NATO and the preservation of the Euro-Atlantic connection are the key issues related to the development of ESDP” (Hostnik 2002: 43) and that “the attitude of Slovenia towards ESDP reminds of the positions of the other CEE countries” (Molis 2006: 90) which are orientated towards Atlanticism. This argument can be supported, because the foreign minister, the government and the parliament of Slovenia have apparently often expressed that “ESDP should evolve in such a direction as not to cause duplication of workload with NATO [...] [and that] Slovenia is not actively working towards shaping the future *contours* of the CFSP/ESDP” (Kajnc 2004: 3, 5).

Table 20 gives an overview of the Atlanticist and Europeanist camp according to Mouritzen 2006, Schuster and Maier 2006, the analytical model of Asmus et al. 2004 and according to the following own conclusion: 15 EU member states (BG, CZ, DK, EE, HU, IT, LT, LV, NL, PL, PT, RO, SI, SK, UK) tend to have an Atlanticist orientation while 12 EU member states (AT, BE, CY, DE, EL, ES, FI, FR, IE, LU, MT, SE) have a predisposition to Europeanism.

The Relevance of Atlanticism and Europeanism for a Genuinely Common ESDP Today

Over ten years after ESDP has been initiated, the transatlantic atmosphere has changed.

First, the US policy towards ESDP has changed: “During George W. Bush’s second term, the US officially came to support and encourage ESDP. That encouragement has increased under President Obama” (Howorth 2009b: 3; see also Larrabee 2009: 52-54). While in the early Bush years the US perceived ESDP as a competitor to NATO in the tradition of Albright’s ‘three Ds’, as a potential rival to its own military predominance, already in the second term of the Bush administration there has been a paradigmatic shift towards seeing ESDP as beneficial tool for transatlantic burden-sharing: “The most significant indicator that a paradigmatic shift in American policy towards Europe is taking place is the willingness to

**Table 20: The Atlanticist and Europeanist Camp²⁰***To which camp do the different EU member states belong?*

	Mouritzen 2006	Schuster & Maier 2006	Analytical Model according to Asmus et al. 2004	Klein 2010
AT	EU			EU
BE	EU	EU		EU
BG	ATL	ATL	ATL	ATL
CY				EU
CZ	ATL	ATL		ATL
DE	EU	EU	ATL	EU
DK	ATL	ATL		ATL
EE	ATL	ATL		ATL
EL	EU	EU		EU
ES	ATL	ATL	EU	EU
FI	EU			EU
FR	EU	EU	EU	EU
HU	ATL	ATL		ATL
IE				EU
IT	ATL	ATL	ATL	ATL
LT	ATL	ATL		ATL
LU	EU			EU
LV	ATL	ATL		ATL
MT				EU
NL		ATL	ATL	ATL
PL	ATL	ATL	ATL	ATL
PT	ATL	ATL	ATL	ATL
RO	ATL	ATL	ATL	ATL
SE	EU			EU
SI		EU		ATL
SK	ATL	ATL	EU	ATL
UK	ATL	ATL	ATL	ATL

rethink the ‘three Ds’. There is a new sense in America that the EU’s efforts should be nurtured rather than contained. It seems assurance that a stronger EU defence policy will complement rather than compete with NATO has gone some way towards persuading the US decision-makers. There are signs that Washington not only understands the ‘Europeanist’

²⁰ ATL: Atlanticist; EU: Europeanist.

logic concerning European defence, it also subscribes to it" (Toje 2008b: 13/14); today, "many voices in the USA worry less about the EU/ESDP becoming a peer competitor, but more about it not delivering the capability that it has promised" (Simon 2008: 172). This paradigmatic shift has two main origins: first, "after the St. Malo declaration and the incorporation of the Petersberg tasks, it very quickly became evident that the ESDP still lacked essential institutional structures and operational capabilities and would need to work closely with NATO" (Hughes 2007: 14). Very quickly the fear of a rivalling ESDP proved to be unfounded. Secondly, "[t]his shift was prompted by the changed strategic realities of the post-Cold War world, especially since 9/11 – the greater need for allies in order to address new security challenges [...] and NATO's own limitations in meeting some of the new challenges" (Larrabee 2009: 54). It can be expected that these developments – a growing recognition that a stronger, more cohesive European partner (via its ESDP) is in the US interest – will continue, because they correspond with "a position that has been embraced even more strongly by the Obama administration" (Larrabee 2009: 54).

Secondly, the transatlantic relationship has brightened in general: after the Bush administration "brought transatlantic relations to their lowest ebb since the Second World War (Anderson et al. 2008 in Howorth 2008: 15) and caused an "unprecedented collapse of America's prestige in Europe" (De Vasconcelos & Zaborowski 2009: 1), "the election of Barack Obama has seriously narrowed the policy differences between Europe and the US" (Korski et al. 2008: 1) and has been like a salvation for many European leaders and people. The results of the Transatlantic Trends 2008 and 2009 illustrate this impressively: in 2009, 83% of Europeans (11 EU states were participating in the survey) approved of the way President Obama is handling international policies (only 8% disapproval) while George W. Bush achieved only 20% approval in 2008 (75% disapproval). This positive development implies that "[m]ost analysts feel that, with a new administration in Washington, the ESDP-NATO relationship should be easier to manage" (Howorth 2009b: 1).

Thirdly, the Atlanticist and the Europeanist camp have converged. On the one hand, Atlanticists have come closer to Europeanism: "[A]ll of these countries learned to balance their traditional institutional preference for NATO with an increasing commitment to and belief in ESDP, not as an alternative but as a complement to the Alliance. The United Kingdom and the Netherlands, both of whom prioritize pragmatism over ideology and results over intentions, have taken ESDP increasingly seriously as the need for its services

has grown, alongside recognition that it can offer relief to the US military. [...] It could be said, indeed, that countries like the UK and the Netherlands embarked on ESDP with a view to saving NATO, but have progressively come to believe in the project in its own right. [...] Like the UK, Portugal and the Netherlands, Poland has shifted from an exclusively pro-NATO stance to one in which positive benefits are seen to derive from both NATO and ESDP. Similar trends have been detected in other Central and Eastern European countries [...] (Howorth 2007: 148/149). The leading Europeanist EU countries during the European Iraq conflict, on the other hand – France and Germany – have sought rapprochement with the United States and the Atlanticist camp: “France had long championed the EU over NATO for defence co-operation but President Nicolas Sarkozy has changed that. He has ordered his diplomats to stop obstructing NATO’s work and offered to return France to NATO’s military structures” (Valasek 2008: 1). And “[a]fter the parliamentary elections in 2005 and with the CDU taking the lead in the German foreign policy, there has been a marked shift towards betterment of relations with Washington and a return to Germany-US relations prior to the Iraq conflict” (Ecker 2006: 124) - “the German Chancellor attempts to regain a balance between Atlanticism and Europeanism” (Ondrejcsák 2006b: 169).

What do all these developments mean for the *traditional* contentious ESDP issues between the Atlanticist and the Europeanist camp (table 13)? Do these issues still divide the two camps and consequently obstruct the development of a genuinely *common* ESDP? What is the state of play ten years after ESDP came into being?

Autonomous ESDP Capabilities

Today, the reality is closer to the Europeanist camp’s preference of ‘autonomous ESDP capabilities’ than to the Atlanticist camp’s ‘European NATO capabilities’: instead of headline goals for its NATO contributions the EU formulated autonomous EU headline goals leading to a European Reaction Force of a strength of 60.000 troops, the EU created autonomous EU battle groups (despite existing NATO response forces – even the UK contributed own units) and the EU established a European Defence Agency (EDA) (instead of something like a Transatlantic Defence Agency). Although the United States and the Atlanticists within the EU were highly sceptical of and reluctant to such developments and preferred enhanced European military capabilities to be used in a NATO framework rather than by an

autonomous EU, they inevitably found out that ESDP evolved in the latter direction (see Biscop 2006: 6). In the meantime the US apparently has accepted that the ESDP is not only a military project, but also an essential element of EU integration – and for the EU Atlanticists, ESDP seems to be more a chance than a risk now.

However, *duplication* is still an issue. Not duplication *per se*, but “duplication in an area where funding is already scarce for many EU states, is a primary US concern regarding the further development of ESDP” (Hughes 2007: 14). This has been expressed during a recent special hearing in Brussels by the lady who already formulated the ‘three D’-concerns back in 1998: former US Secretary of State Madeleine Albright. Leading a group of experts being in charge of the development of NATO’s new strategic concept, she briefed the members of the European parliament: “In this era of ‘scarce resources’, when national coffers are near empty and military budgets have been slashed, avoiding duplication between NATO and the EU is of particular importance, Ms Albright argued” (Pop 2010). Atlanticist Europe, personified through British speaker for security and defence in the European parliament – Geoffrey van Orden – echoes this concern: “There is only one set of military forces in each nation for the full range of military tasks. With minor exceptions (e.g. AWACS), NATO owns no military forces, nor does the EU. If troops are made available for an EU operation then clearly they are not available for NATO or other tasks. EU talk of a 60.000 strong rapid reaction force or indeed its less ambitious ‘battle group’ concept is smoke and mirrors in that these draw on precisely the same forces that a country might also make available for NATO, UN or national military tasks. The requirement for transformation in the structure, deployability, equipment, and interoperability of armed forces is the same whether it is driven by national priorities, by NATO, or imitated by the EU” (Van Orden 2006: 27). As British Conservative, Mr van Orden might not only be an outspoken Atlanticist, but also very eurosceptic. However, there is truth in his words: each country has only a single set of forces (see Biscop 2006: 15) which can either be earmarked for NATO, ESDP or both. Option one can be ruled out, because the EU decided to also have capabilities independent from NATO. And option two disqualifies, because no EU country (even the Europeanist ones) would want to risk the disintegration of NATO. Only option three remains which implies three scenarios. First, the single set of forces of a country is divided between NATO and ESDP, both having a share which is not sufficient for both due to financial constraints. Secondly, the single set of forces of a country is divided between NATO and ESDP, both having a share which is

adequate to address the challenges that both are facing, because Europeans have increased their military budgets and essentially beefed up their capabilities. Thirdly, NATO and the EU have agreed on arrangements for the common use of the same single sets of forces (but not à la US-dominated Berlin Plus, rather within a new balanced NATO with two equally strong pillars (US and EU)). Analysts agree that the current situation resembles scenario one: “There is [...] a general consensus that the Europeans face a considerable number of capabilities shortfalls that reflect a three-way stretch: the armed forces must not only meet national calculations of interest, but also the external demands stemming from membership in NATO as well as the EU’s commitment to an autonomous military capacity” (Sperling 2004: 457). *Duplication* definitely plays a role in this context. A study of the Germany Ministry of Defence concluded that “ESDP initiatives would duplicate more than 80% of existing NATO capabilities, a startling figure given the lack of resources European countries are currently willing to make available to NATO” (Hughes 2007: 14). The fact that “NATO’s Response Force and the EU Battle Groups look remarkably similar on paper as quickly deployable crisis management forces” (Hughes 2007: 14) illustrates that very well: “Currently, the rotation schemes for the NRF and the EU ‘battlegroups’ are coordinated so as not to conflict. The question remains however whether the forces on stand-by in the framework of the NRF can during those six months not be called upon for operations in any other framework [...] [or whether] in a two-pillar constellation the NRF could just as well be made answerable to the EU [...] and merged with the ‘battlegroup’ scheme” (Biscop 2006: 18).

Autonomous ESDP capabilities have become a reality ten years after ESDP’s emergence, but their development and usage in the transatlantic context still raise questions which have the potential to cause tensions between the Atlanticist and European camp for the future of a genuinely *common* ESDP.

Autonomous ESDP Headquarters

The proposal of the ‘chocolate four’ to have an autonomous ESDP headquarters in Tervuren started a controversial debate between Europeanists and Atlanticists and after a long and tortuous negotiation process, “a compromise was brokered, providing the EU with three options: NATO assets under ‘Berlin Plus’, for which purpose an EU cell has been set up in SHAPE; one of the national HQs made available by the UK, France, Germany, Italy and Greece; or if no national HQ is identified, the Civilian-Military Cell that has been added to the

EU Military Staff (EUMS)” (Biscop 2006: 14). There are analysts which argue that this outcome is “closer to British preferences for an EU military capability closely tied to NATO structures than it is to the more 'autonomous' vision of ESDP propounded by the [Europeanist] four [...]” (Menon 2006: 58). It is true that what was to be created was not a standing headquarters – as had been planned for Tervuren – but, rather, a capacity to generate an operations centre for a particular task. However, it can also be argued that the compromise was just a crucial first step forward towards an autonomous ESDP headquarters – a door opener for EU autonomy: “Instead of the United States and its key European allies having one forum for joint discussion and decision-making in relation to crises, different permutations of more or less the same actors now assemble at separate locations – except the US is present at one but not the other” (Van Orden 2006: 26-27).

The majority of analysts might agree that “this compromise does not present a lasting solution [...] [that] [i]nvariably, the ‘HQ debate’ will resurface” (Biscop 2006: 14; 15). This assumption can be supported – in the same way as the prediction that “[i]n the longer term [...] the EU may have to build full planning capabilities” (Schake 2002: 26). There are three reasons for this support: first, “as ESDP missions grow in size and significance, the need for an EU Operational Planning Headquarters will become irresistible” (Howorth 2009a: 47). Secondly, “the acquisition of an autonomous planning capability may be the only way to bridge capabilities shortfalls barring the emergence of the EU as a unitary actor” (Sperling 2004: 474). And thirdly, “[a] fully-fledged EU operational HQ would offer all Member States, including those incapable of setting up a national structure, the chance to participate, stimulating the harmonization of doctrine, a sense of joint ownership, and the emergence of a European *esprit de corps*, while avoiding additional unnecessary intra-EU duplication. This solution does constitute duplication with NATO, in particular with SHAPE, but not an unnecessary one, in view of the need to safeguard EU autonomy” (Biscop 2006: 15). According to Jolyon Howorth, “[m]ost EU Member States have already recognized this requirement, as have the United States themselves” (Howorth 2009a: 47).

Autonomous ESDP Action

The popular view on the US and Atlanticist side, and the corresponding concern on the Europeanist side, that NATO enjoys a ‘right of first refusal’ – which means that, strictly interpreted, the EU can only act when NATO formally decides not to – can be considered as

outdated and unfounded since the EU launched its first *autonomous* military operation in 2003 with Operation Artemis: “The Congo operation was conducted without recourse to NATO assets and without consultation with NATO” (Larrabee 2009: 56); Artemis operationalized a new concept for military ESDP: autonomous action outside the NATO framework (see Helly 2009: 183). Of course “the lack of consultation annoyed some US and NATO officials [...] (Larrabee 2009: 56) at that time which were “surprised when EU governments dispatched soldiers to the DRC without discussing their plans at NATO first” (Keohane 2009: 130). Today, however – after further ESDP operations were launched autonomously – ESDP autonomy in the area of crisis management might have become a reality accepted by the US (and consequently by the Atlanticists). One of the recent ESDP operations, the first naval operation EU NAVOR Atalanta – launched in 2008 to fight piracy in the Gulf of Aden – underlines this: alongside Atalanta, NATO has launched another independent anti-piracy operation of its own – the NATO Allied Protector Mission, which was succeeded in August 2009 by Operation Ocean Shield (with contributions by Portugal, Canada, the Netherlands, Spain and the United States). Today, the question is not anymore whether autonomous ESDP action is desirable or possible, but rather how cooperation between an autonomous ESDP and NATO can be improved and be made most effective, how in certain crisis scenarios like in the Gulf of Aden “a conglomeration of different mandates without any strategy of cooperation planned, [...] a ‘beauty contest’ of wrangling over powers and competencies” (Weber 2009: 75) can be avoided.

The Inclusion of Non-EU NATO Countries

The current mechanism for participation of non-EU members of NATO in ESDP operations is still based on institutional arrangements agreed at the European Councils in Helsinki 1999 and Feira 2000, which were also confirmed by NATO foreign ministers in May 2000 in Florence: “European NATO members ‘will participate, if they so wish’, when NATO assets are used and ‘will be invited upon decision by the EU’ even when the operation does not draw on NATO assets” (Moens 2002: 78). This is something like a compromise solution in the ‘discrimination debate’ (‘no *discrimination* against non-EU NATO countries in ESDP’): on the one hand, non-EU NATO countries are *not*²¹discriminated, because they are *automatically*

²¹ “[A]lmost across the board, ESDP deployments – civil and military – cooperate closely with third states. Often third states deploy staff as an integral part of the mission or operation” (Asseburg & Kempin 2009: 157).

able to participate in missions which draw on NATO assets and usually *on invitation* in each autonomous EU mission: “In both cases the States concerned will take part in the daily running of the operation on an equal footing with the EU Member States [...]” (Biscop 2006: 11). On the other hand, however, “the institutional designs constructed by the EU at Helsinki and Feira implied an organizational structure that clearly downgraded their status as compared with their former status as Associated Members of the WEU. [...] Therefore it would be fair to argue that the decision taken by the European Council in Cologne in 1999 to scrap the WEU by the end of 2000 marginalized the non-EU European allies, and especially Norway and Turkey” (Knutsen 2002: 11) and that current ESDP indeed *does*²² exclude non-EU NATO countries to a certain degree in so far as “political control and strategic direction will remain with the Council and the PSC” (Biscop 2006: 11).

It is very likely that the current mechanism will not change in the foreseeable future, because it is very unlikely that the EU will share ‘political and strategic control’ with ‘third countries’: as long as the EU understands itself as political union (even Atlanticist countries do), it will expect non-EU NATO members “respecting the Union’s decision-making autonomy” (European Council Conclusions 12/1999: Annex II). This situation does not really pose problems for the EU ambitions to have a genuinely *common* ESDP, however – on the one hand, because ESDP simply is first and foremost an *EU* policy and does not directly concern ‘third countries’, and on the other hand, because the current mechanism was agreed by NATO foreign ministers (including the US and Atlanticist countries) and might not be an issue anymore between EU Atlanticists and Europeanists.

While discrimination of ‘third countries’ to a certain degree is therefore not a problem for a genuinely *common* ESDP, discrimination *by* ‘third countries’ is. This has to do with the fact that Cyprus cannot take part in ESDP operations which are conducted under the EU-NATO ‘Berlin Plus’ system, because Turkey blocks the Cypriot membership in NATO’s Partnership

“Among the states that contribute regularly, not only NATO partners such as Turkey, Norway and Canada are particularly prepared to engage in operations. Depending on the concerned geographical region, a number of regional and neighbouring states also participate in operations” (Pirozzi & Sandawi 2009: 13).

²² “Associate Membership of the WEU awarded European NATO members – and especially Norway and Turkey – privileged access to and generous participation rights in WEU activities” (Knutsen 2002: 11). In ESDP, in contrast, “third states are not part of the bargaining process leading to the decision on the deployment of a mission and its mandate. So they usually have no influence on the drafting of the mandate and the plan of operation” (Asseburg & Kempin 2009: 157).

for Peace (PfP) programme: “Ankara’s official explanation is that it cannot agree to pass NATO intelligence to the EU (a fundamental precondition for the Berlin Plus agreement) for fear that that intelligence would be acquired by non-PfP EU members [...]. That ‘explanation’ is entirely specious. Turkey has had a hugely complex attitude towards ESDP from the very outset. Unhappy to swap strong US leadership over European security (via NATO) for weak EU involvement (via ESDP), and reluctant to abandon its active decision-shaping role in WEU for a virtually non-existent role in ESDP, Ankara has also had to contend with its highly complex EU accession negotiations, [...] plus all of the repercussions arising from the stand-off with both Athens and Nicosia over Cyprus” (Howorth 2009b: 4). This is not only a fundamental problem regarding Cyprus’ full participation in ESDP, it also prevents closer ESDP-NATO cooperation in general (see (Larrabee 2009: 57): “For example, that dispute means that NATO soldiers and EU police operating in Afghanistan or Kosovo cannot sign formal agreements covering practical measures such as sharing information and security guarantees” (Keohane 2009: 135).

The Question of Collective Defence

The introduction of an EU mutual defence clause with the Lisbon Treaty “was not only not supported by the neutral and non-aligned Member States [...], but it also met with considerable opposition from Atlanticists, especially among the new Member States” (Alec de Flers 2008: 14). As “[NATO’s] core reference remains article 5 and its core function collective defence” (Howorth 2009b: 3), it has been impossible for the Europeanist camp to insist on an equivalent in the EU treaties without being under suspicion of trying to undermine NATO. This is the reason why the Lisbon Treaty today only includes a mutual *assistance* clause which “was watered down with new wording which clarified that the EU would not become a military alliance, and that NATO remained the foundation for collective defence in Europe and the forum for its implementation” (Keohane 2009: 131; see also Alec de Flers 2008: 14; Angelet & Vrillas 2008: 30): “Commitments and cooperation in this area shall be consistent with commitments under the North Atlantic Treaty Organization, which, for those States which are members of it, remains the foundation of their collective defence and the forum for its implementation” (Treaty of Lisbon 2007: Article 28 A.7).

Although the introduction of an EU mutual *assistance* clause is a first step towards collective defence within the EU, the Atlanticist camp could resist a genuine EU mutual *defence* clause.

Summary and Prospects: Atlanticism and Europeanism in the EU

As part of their security culture, Atlanticism and Europeanism shape the security policy orientation of EU member states and thus their political preferences for ESDP. Although some analysts regard it as “inappropriate to try to put these countries into ‘camps’” (Pilegaard 2004: 29), as it is likely that countries will act individually adopting positions with respect to a problem on a *case-by-case* basis – probably *combining* realist or rational choice national interests, historical-institutional specificities and the cultural values and norms appropriate to its historical and social traditions – different analytical models (see Mouritzen 2006; Schuster & Maier 2006; Asmus et al. 2004) nevertheless allow us to identify certain *predispositions* to Atlanticism or Europeanism among EU member states. Knowledge of these predispositions means knowing how a country will possibly act/react if there is an Atlanticist-Europeanist dispute about ESDP; it provides an understanding of the balance of power within the EU. According to the aforementioned analytical models and own studies, the EU is split into two halves: while 15 EU member states (BG, CZ, DK, EE, HU, IT, LT, LV, NL, PL, PT, RO, SI, SK, UK) tend to have an Atlanticist orientation, 12 EU member states (AT, BE, CY, DE, EL, ES, FI, FR, IE, LU, MT, SE) have a predisposition to Europeanism.

Still in 2006, Sven Biscop described the “swing between Atlanticism and Europeanism” as a “fundamental obstacle to a fully cohesive and resolute CFSP/ESDP” (Biscop 2006: 9). Although it is *still* true that the Atlanticism/Europeanism-dichotomy within the EU has the potential to constrain the development of a genuinely *common* ESDP, one can also argue as did Jess Pilegaard has predicted already in 2004: “The traditional labels of ‘Europeanist’ and ‘Atlanticist’ are becoming ever less applicable in Europe. [...] this distinction is becoming increasingly irrelevant” (Pilegaard 2004: 33; 31). This stems from three trends. First, EU-US relations have generally improved in recent years, given the departures of the main political actors of the transatlantic ice age from their respective positions – Gerhard Schröder (in 2005), Tony Blair and Jacques Chirac (both in 2007) and finally George W. Bush (in 2008). Secondly, “[t]he United States has [...] begun to recognize that the threat to NATO posed by ESDP is nowhere near as strong as many US critics tended to think” (Larrabee 2009: 52) and has therefore increasingly accepted ESDP autonomy. This had begun in the second term of the Bush administration and as “President Obama has continued with a constructive attitude towards ESDP [since his 2008 election]” (Keohane 2009: 134) a continuation of this trend is likely. Thirdly, the Europeanist and Atlanticist concepts of ESDP have increasingly converged:

“The current debate is not between positions at the ends of a continuum, but rather in the middle ground, between Europeanists who accept the necessity of working with the United States and Atlanticists who accept the necessity of working through the European Union” (Pilegaard 2004: 33).

These trends have led to a situation in which the traditional ESDP issues and dividing lines between Atlanticists and Europeanists – autonomous ESDP capabilities, headquarters and action, the role of non-EU NATO members and the question of collective defence – have not disappeared, but have become more nuanced and less controversial and divisive:

- *Autonomous ESDP capabilities* have become reality. The question which will possibly lead to new tensions between Atlanticists and Europeanists is how they will be developed and used in a *transatlantic* context in the future.
- *An autonomous ESDP headquarters* has not been established yet, but the compromise of an EU Operations Centre (EU OpsCentre) within the EU military staff can be considered as a first step towards such a future solution: “The Americans were right in pointing out that, with the decision to develop common European planning capabilities outside of NATO, a seed had been planted” (Pilegaard 2004: 64). It can therefore be expected that in the long term, “inevitably, the ‘HQ debate’ will resurface” (Biscop 2006: 15). There are four reasons to believe that a *genuinely* autonomous ESDP headquarters will become reality in the future. First, “[t]hose in favour of an EU operational HQ have tended to view this [compromise] arrangement as temporary. France has made no secret of its interest in autonomous EU operational planning [...]” (Toje 2008b: 22) and might continue to advocate it together with its Europeanist partners. Secondly, “the American opposition to this appears to have softened” (Toje 2008b: 22) – this will influence and possibly change the perception of EU Atlanticists as well. Thirdly, “France’s return to the military wing of NATO [...] should reduce the sense of suspicion and mistrust on both sides and make the establishment of an EU planning capacity less contentious and easier to manage” (Larrabee 2009: 55). And fourthly, analysts and experts increasingly regard an autonomous ESDP headquarters as useful. While reservations and scepticism dominated in the early years of ESDP, now – after the EU has conducted many

operations – there are more and more academic voices which say that “the United States should accept that Europe needs to have some autonomous operational planning capacity outside of NATO. [...] [W]hen the United States does not want NATO to be involved in managing a crisis, the Europeans need the capacity to act on their own” (Larrabee 2009: 59/60; see also Simón 2010; Biscop 2006: 13-15).

- *Autonomous ESDP action* has become a fact. Over 20 ESDP missions have been launched since 2003 and in most cases no NATO structures or assets were used. Of course, principally, before an ESDP operation is launched there is consultation with NATO partners. However, this consultation can neither be considered as a request for authorization nor is there any automatic mechanism for NATO ‘to decide first’. Experts have called the ‘institutionalization’ of the consultation and decision-making processes for the ESDP-NATO partnership – fixed inter-institutional arrangements – in order to improve the cooperation and avoid transatlantic tensions in the future (see Biscop 2006: 10/11; Knutsen 2002: 12).

- *The inclusion of non-EU NATO countries* in ESDP is not a controversial issue anymore between Atlanticists and Europeanists in so far as a compromise was found: while ‘third countries’ automatically take part in ESDP missions for which NATO assets are used and are usually invited by the EU Council to take part in autonomous missions, the EU alone has strategic and political control. It seems that all parties – the EU countries, the US, the non-EU NATO states – have accepted this compromise, except Turkey, which – for its part – blocks the access to NATO structures of non-NATO EU state Cyprus. *This* is a controversial issue and a problem for a genuinely *common* ESDP, in so far as Cyprus cannot take part in Berlin Plus missions. To the question what can be done about this ‘participation problem’, F. Stephen Larrabee gives the answer that “this issue cannot be resolved at the bureaucratic level; it will require high-level political intervention, especially from the American President. In addition, it will require European leaders to show greater flexibility in addressing Turkey’s concerns and to put greater institutional pressure on the Greek Cypriots to make progress in resolving the Cyprus issue” (Larrabee 2009: 57). Jolyon Howorth might agree and add that “the EU could make more of a concerted effort [...] to include

Turkey in various EU bodies – by offering observer status or even associate membership in instances such as COREPER, the PSC, the EDA or even the Council of Ministers” (Howorth 2009b: 4/5).

- *The question of collective defence* – should the EU treaties include mutual defence obligations or not – has not been finally answered. On the one hand it can be argued that the Atlanticists prevented such obligations within the EU framework with the reference to NATO primacy in the respective Lisbon Treaty article. On the other hand, however, the introduction of a mutual assistance and a solidarity clause can also be seen as a further ‘seed planted’ and a first step towards the Europeanist concept of ESDP. In the short term, it might be unrealistic that any *EU* mutual defence clause will have a chance. Apart from collective defence, all other kinds of military operations can already be undertaken under the umbrella of ESDP – collective defence is the only *exclusive* function which NATO still fulfils. It is very unlikely that the US and the Atlanticists will allow any efforts which could undermine NATO’s primary *raison d’être*. In the long term however, the view can be shared that “the logic of the strategic context in which the EU will find itself operating will require it to integrate into the objectives of ESDP an explicit collective defence article similar to article 5 of the WEU or NATO Treaties” (Howorth 2009a: 47). If the EU continues to understand itself as political union with common values, the European integration process will naturally educe collective security and defence one day. Kenneth Payne argues in this respect that “[t]his would not invalidate the existing NATO provision, and so would not necessarily weaken the Alliance, except perhaps in shifting some public perceptions of which is the most important security alliance” (Payne 2003: 7).

What has become evident is that any genuinely *common* ESDP in the future (whether in form of a CSDP or a common European army) will be closer and more similar to the Europeanist concept of ESDP than to the Atlanticist one, as ESDP *autonomy* is already a reality: “A number of EU Member States, in particular the UK, are still unconvinced that a more autonomous ESDP would not threaten NATO, which they prioritize. Still, it seems that the balance of perceptions on this issue is slowly but surely shifting in favour of the pro-ESDP camp” (Zaborowski 2009: 233; see also Howorth 2007: 160).

Conscription versus All-Volunteer Forces in the European Union

It is generally known that “[a]s part of the defence structure, the defence system includes ‘the type of recruitment of personnel’ [...]. An essential feature of defence systems are recruitment systems” (Werkner 2003: 7). On this basis it can be argued that a genuinely *common* European security and defence system requires a *common* European recruitment system (or at least *same* national recruitment principles and mechanisms). This is not only true for the concept of a common European army – the *maximum* of European integration in the area of security and defence – but also for the ambitions of the current CSDP model to have genuinely *common* EU armed forces to successfully conduct genuinely *common* ESDP operations. Of course national diversity *per se* is not the problem in this respect; the problem is that in multinational military units “fundamentally different perceptions of military tasks for the armed forces, of professional standards, quick availability and comprehensive deployability of troops” have an effect on the profession of soldiers – the problem is that “[t]he clash of different recruitment and career systems causes recurring irritations” (both Gareis 2004: 189; 192): different competence levels, different career regulations, different military rank structures and different salaries and social security benefits of national armed forces can cause mutual mistrust, dissatisfaction and resentment and can result in inhibited interaction and poor cooperation (see Gareis 2004: 189-195). Therefore, for the development of a genuinely *common* ESDP “a continuing harmonization of national defence structures [...] is a requirement of particular relevance” (Gareis 2004: 195).

There are two main formats which could serve as model for harmonization: armed forces can either be recruited, trained and organized based on *conscription* or on a *professional/all-volunteer* basis.

Conscription System

By definition conscription is “compulsory enlistment for military service” (Bowyer 2004: 57). The words ‘compulsory’ and ‘enlistment’ in combination sound somehow contradictory, however, and weaken the main character of conscription. Military recruitment by conscription is mainly characterized by *compulsion*: “Conscription (military draft) is the legal obligation for persons from a certain demographic subgroup to perform military service; in

practice this obligation is usually imposed on young men. Non-compliance with the draft is typically considered a felony, punishable by imprisonment or, in case of war, even death” (Poutvaara & Wagener 2009: 1). The classical *conscription army* “is predominantly or at least partly composed of conscripts, being drafted on the basis of general or selective conscription²³. For their military tasks, the conscripts are fully trained in their armies in the course of their basic military service and serve as reserve after its ending” (Klein 2004: 13). The traditional *militia army* is a special type of conscription army in so far as it is usually composed of *all* (male) citizens of a country (‘citizens in arms’) which keep their weapons at home, are called up for mutual periodic training (see Klein 2004: 11) and are exclusively used for territorial defence in times of emergency, not serving overseas (see Bowyer 2004: 155). Some experts argue that “militia forces cannot usually be seen as conscripted, as they mainly serve local defence needs, and often involve a degree of voluntary choice as well. To the extent that various communities exert pressure on young males to participate, however, militias can be seen as a limiting case of conscription” (Mjøset & Van Holde: 9). Switzerland is the only country in Europe with a purely traditional militia army today.

All-Volunteer System

In contrast to the conscription system in which recruits are required by a political authority to serve, recruitment on the basis of an all-volunteer system means that all soldiers enrol *voluntarily* for military service and serve of their own free will either temporarily or for life. As such volunteers choose warfare as their profession or employment, serve in exchange for pay and are hired on the free labour market, all-volunteer forces are usually also called *professional armies*. These terms can be used interchangeably (see Poutvaara & Wagener 2009: 4). There are three special types of all-volunteer forces: the first is the *mercenary army*. A mercenary is “a person who serves in the armed forces of another state for payment” (Bowyer 2004: 152). *War volunteers* of another state are the second type: “In contrast to the mercenary, financial benefits are not the main motive for war volunteers, but rather political, ideological or religious reasons or ethnic bonds and sympathy resting on those, respectively” (Klein 2004: 19). And finally, there are also *all-volunteer militia systems*: “Unlike militia systems which are based on general conscription, all-volunteer militias rely on

²³ “Pure conscript armies do not exist; some career officers are always needed to train conscripts and to command the troops” (Poutvaara & Wagener 2009: 4).

the voluntary commitment of citizens. With the exception of a small core of professional trainers and infrastructure personnel, such systems usually do not maintain standing troops” (Klein 2004: 21). Today there are no armed forces in Europe which exclusively or predominantly consist of mercenaries and only elements of all-volunteer militia can be found in the military of the UK and Scandinavian countries (see Klein 2004: 18; 21).

Advantages and Disadvantages of Conscription and All-Volunteer Forces

There have been many studies which outlined and discussed the arguments *pro* and *contra* the two military recruitment systems in Europe – Buch 2010, Tresch 2005, Dinter 2004 and Møller 2002 are useful examples. All of these examples identified different driving forces which influence countries in their security policy orientation – different criteria which influence a country’s preference for a recruitment system. They all name ‘social criteria’ and ‘economic criteria’. A third category of criteria is called ‘security-political’ (Buch and Dinter), ‘geo-strategic’ (Tresch) or ‘strategic’ and ‘political’ (Møller). Buch and Dinter have three additional categories which they label ‘historical’, ‘constitutional’ and ‘military-personnel’ criteria and Tresch one additional category called ‘technological’ criteria. For a detailed overview of the relevant arguments, it is useful to consult these studies directly – the following paragraphs will nevertheless sum up the main arguments in each category.

Social Criteria

Social arguments *pro* or *contra* conscription and all-volunteer force in Europe are sparked off by the question “whether the state should maintain conscription in order to achieve socio-political objectives [...]” (Dinter 2004: 118). The main arguments *pro* conscription are social arguments. First, conscription politically integrates the military into the society. Many believe that an all-volunteer army which is uncoupled from the society is undermining democracy. Secondly, conscription provides a permanent exchange between military and civil society. While conscription permanently provides the public a transparent insight into the inner structure of the armed forces (public attention for military issues increases), the military gains from permanent civil input through conscripts (intelligence and competence of army increases). Thirdly, a conscription army is not a reservoir for (unwanted) social minorities. Fourthly, young people of a country not only get military training, but also important education for life. Socialization in the armed forces internalizes important values

and virtues like discipline or solidarity. Fifthly, conscription prevents careless participation in military missions. Opponents of conscription reply, however: first, military service which is *compulsory*, is a contradiction to a democratic and liberal society. Secondly, the fact that theoretically every man has to do military service rather suggests that conscription furthers militarization instead of democratization of society. Thirdly, if draftees have a non-combatant option for their service, conscription armies can become reservoirs for social minorities in the same way as all-volunteer armies can. Fourthly, the problem that some countries have to limit the total number of forces for non-demographic reasons, leading to a small percentage of an age cohort to be drafted, and consequently “creating the impression that the state is inflicting arbitrary ‘punishment’ on the few draftees – a problem referred to in Germany as ‘*Wehr(un)gerechtigkeit*’” (Møller 2002: 289). Fifthly, conscription leads to possible ‘casualty scaredness’ – military deployment is constrained and international obligations at risk. Sixthly, gender inequality. Men are usually *obliged* to do military service while women are not, and conversely, women are *not* allowed to have a military career while men are.

Economic Criteria

“Economic considerations usually weigh heavily in military planning, also with regard to manpower. For rather obvious reasons, governments want to get a maximum (or at least a sufficient amount) of military power for the minimum costs. To determine how to achieve this is, however, extremely complex” (Møller 2002: 284). Most experts argue that while conscription has modest direct manpower costs, but higher opportunity costs, an all-volunteer army has low indirect manpower costs on the one hand, but high direct manpower costs on the other (see Tresch 2005; Møller 2002). In the same way as *studies* are numerous which analyse the economic advantages and disadvantages of the two recruitment systems, contradictory *results* of these studies – both for single and overall costs – are numerous: “Undisputed is only that a short-service volunteer or a professional soldier get a higher pay for their work than a conscript does” (Dinter 2004: 123; also Buch 2010: 29).

Strategic/Security-Political Criteria

Bjørn Møller argues that in view of a country’s military recruitment system, “[i]n a certain sense, strategic considerations have first priority. If a country has no need for armed forces,

for instance, it could abolish them altogether, making all other considerations irrelevant. Conversely, if only one particular personnel structure could ensure national survival, a state would have to adopt it, regardless of the implications for other fields” (Møller 2002: 284). In this respect, advocates of conscription argue as follows: first, a military threat to a EU country’s territorial integrity can never be ruled out and conscription is the only system able to guarantee territorial defence due to its large mobilization potential. Furthermore, conscripts have also a sufficient quality to fulfil military tasks other than territorial defence and to serve in missions abroad. Supporters of an all-volunteer force would reply that a military threat to an EU country is very unlikely with the end of the Cold War and that the integration into alliances is guaranteeing territorial defence, even without mass armies and less mobilization potential. Moreover, they would continue to argue that the new main task of the armed forces today – peacekeeping – requires many standing forces (and not a large reserve with only moderate readiness for crisis management) which enjoy high level training (and which do not only have elementary military skills). In their view, only an all-volunteer force is capable of serving in military missions abroad and fulfilling international obligations, having a higher level of military skills and military commitment than a conscription army.

Technological Criteria

The technological issue of the debate would also fit into the strategic category: *professional* armies are considered by many to be better suited for the use of high-tech equipment – conscripts are not capable of handling complex weapon systems according to the argument. Advocates of conscription of course deny this assumption referring to the civil expertise of conscripts and see an advantage of equipment mass production in a mass army. Furthermore, there are experts who generally question the necessity of high-tech equipment by pointing out the related high costs and complicated maintenance.

Military-Personnel Criteria

For some, conscription prevents recruitment *bottlenecks* and ensures the recruitment of *qualified* troops. Others neither see *quantitative* nor *qualitative* recruitment problems for an all-volunteer army, explaining that any professional army is smaller than a conscription army and that institutions like the police do also successfully compete on the free labour market.

Historical and Constitutional Criteria

As “armed forces cannot be analysed and designed without considering the relevant history and traditions of a country” (Buch 2010: 17), the national tradition with regard to its recruitment system of course also plays a role in the debate. The same applies for the legal or constitutional status of a national recruitment system.

Møller explains with regard to the mentioned arguments and criteria that “there is no a priori reason to expect all of these to point in the same direction, i.e. one should not be surprised to find that the strategically most appropriate option might be economically unaffordable, or that it could have unacceptable social or political consequences. Politics is almost always about making choices, which often means weighing incommensurable considerations against each other” (Møller 2002: 284; see also Klein 2004: 25).

Although the many pro- and contra-arguments seem incommensurable and irreconcilable, Tibor Szvircsev Tresch has at least found a way to weight the arguments and to create a ranking that indicates which criteria might be most influential in the decision on maintaining conscription/introducing an all-volunteer force: he conducted a survey in 2001 among 87 military and academic experts from several European countries (24 EU states (not including Cyprus, Luxembourg and Malta) plus Croatia, Russia, Serbia, Switzerland, Turkey and Ukraine) asking which criteria have been decisive in the debate of their specific cases. 77 experts from 24 countries with conscription took part in the survey and 10 experts from 6 countries with an all-volunteer force. One of the main questions of the survey to be answered by experts from countries in which the abolition of conscription is presently not considered (in total: 61 experts) was: how important were specific reasons for the retaining of conscription? Box 6 outlines the results (see also Tresch 2005: 207-209; 278): the most important role is played by the question of tradition. The assumption that there is a close relationship between conscription and democracy, is also an important argument for maintenance. If conscription is regarded as old institution which fulfils the function of political cohesion and education, it will not be easy to suspend it. Such considerations seem to be more important than such of economic nature, the belief that a conscription army costs less than an all-volunteer force. The economic factor in general is rated high however – along with the cost argument, the belief of many experts that conscripts can be used as efficiently as professional soldiers is proof of that. A very important aspect in many countries

seems to be an existing *Wehrgerechtigkeit*²⁴: If a certain degree of justice in countries with conscription cannot be guaranteed, the political pressure on suspension of conscription will clearly increase. If a state engages little or not at all in peace support operations (PSOs),



Box 6: Reasons for Maintenance of the Conscription System

How important were the reasons cited below for the retaining of conscription in your country?

01. In my country, conscription has a long tradition and is very important
02. In my country, there is just burden sharing (most young men have to do military service)
03. Conscription is looked upon as a link between a democratic society and its armed forces in my country
04. In the view of politicians and in the public opinion, conscription is less costly than a volunteer force
05. Conscripts can be used very efficiently in the military
06. My country is not part of any military alliances (e.g. NATO)
07. A direct military threat to my country cannot be ruled out even in the near future
08. In my country, a volunteer force is viewed as being politically dangerous by many people (The military becoming a state within the state).
09. Conscripts may be used in peace support operations (PSOs), as well.
10. My country's commitment to its allies (as NATO, PfP, EU etc.) makes conscription indispensable
11. My country engages only little in PSO
12. My country will engage little or won't engage at all in PSO in the future

seems not to have decisive influence on the maintenance of conscription according to the opinion of the interviewees. Being part of an alliance also does not influence the decision to retain conscription. The fact that a possible threat towards their country cannot be ruled out in the near future only plays a role for *some* experts. The picture of a professional military as 'state within the state' which can become dangerous for the civil society, is considered as a quite irrelevant argument for the maintenance of conscription by the experts.

It is not the negative assessment of or association with the professional army which generally favours the maintenance of conscription in many countries, but rather the positive perception of the effects of a military being connected to society, and vice versa.

²⁴ The German term 'Wehrgerechtigkeit' means that a conscription system guarantees *just* burden sharing, with most young men of an age cohort doing military service. 'Wehrungerechtigkeit' means the opposite.

The experts from countries that have volunteer forces and countries that have decided to abolish conscription (in total: 19 experts) were to be asked the same question (specified to their national context): how important were specific reasons for the planning or creation of an all-volunteer force? Box 7 provides an overview of how *they* responded (see Tresch 2005: 209-211; 277): in contrast to the conscription advocates, states favouring all-volunteer forces rely almost exclusively on arguments which are based on military, technological or geo-strategic nature. As examples serve the increase of PSOs and the necessity of increasing high standby-readiness and more military efficiency of forces today. The most important



Box 7: Reasons for Introduction of an All-Volunteer Force

How important were the reasons cited below for the planning or creation of a volunteer force in your country?

01. Only volunteers are able to do peace support operations
02. There is a necessity for high standby-readiness of the forces today
(also: rapid deployment out of area)
03. A fair system of burden sharing among young men cannot be assured today, as only few people do or did military service.
04. The involvement in alliances (NATO etc.) allows for a reduction of the national armed forces today
05. There is no direct military threat anymore
06. Technical reasons: Only volunteers are militarily efficient today
07. The tradition of democracy is so powerful that volunteer forces do not pose a political risk to my country
08. The defence of the national territory has become secondary
09. Volunteer forces lower the costs on the national economy as a whole
10. Conscription has always been very unpopular in my country
11. Conscription does not have a long tradition in my country

reason for the transition to an all-volunteer army according to the national experts is the belief that only professional soldiers are able to successfully serve in PSOs and operations abroad. The necessity of high standby-readiness is increasingly regarded as essential at the international stage of crisis management. Only in this way, and in combination with the technological superiority of professional soldiers compared to conscripts, so the argument of the experts goes, can the new security political challenges be met with military efficiency. International cooperation in security and defence matters furthermore allows – as an

additional perceived alliance effect – the reduction of national armed forces. The perception of the decreasing risk of a military threat seems to be a relevant, but not dominant reason for the change of the recruitment system – the same applies to the perception that territorial defence has become a secondary task. At the social level the increasing injustice of conscription among young men leads to discussions – the implying political pressure seems to favour the introduction of an all-volunteer force as well. The democracy argument (democracy is so strong that an all-volunteer force is no political danger) is only used as a weak argument *pro* all-volunteer force. It seems as if the reservations towards an all-volunteer army – which have emerged during the twentieth century time and again – have become secondary in the social debate. The unpopularity of conscription has almost no influence on the decision of a system change.

It is in particular military and technological considerations of armed forces being capable and prepared to participate in international peacekeeping missions which accelerates the transition away from conscription towards an all-volunteer army. The experts do not want to believe in the argument, however, that volunteer forces lower the costs on the national economy as a whole (despite some theoretically proclaimed theses of economy).

Now that the arguments *pro* and *contra* conscription army and all-volunteer force are obvious and the motives are clear why do some countries prefer a professional army while others prioritize conscription, it is time to examine which recruitment system EU member states have chosen and to highlight recent trends.

Military Recruitment Systems in the European Union

Møller wrote that “[t]he social organization of war has changed through the ages, the pendulum swinging back and forth between professionals and conscripts or citizen’s militias. [...] The origins of modern type conscription are usually traced back to the French revolution with its famous *levée en masse* (1793/194) under the parole ‘tous les Français sont soldats’ [...]” (Møller 2002: 277; 278) which became tradition during the 19th and 20th centuries with Europe predominantly having conscript armed forces, manned according to the principle of compulsory military service (see Malešič 2003: 7). In the 21st century the pendulum has obviously swung back towards professionalism again: out of 27 EU member states in 2010 (see table 21) 20 have an all-volunteer force (BE, BG, CZ, ES, FR, HU, IE, IT, LT, LV, MT, NL, PL,

**Table 21: Military Recruitment Systems in the European Union***Does a country have conscript-based or all-volunteer armed forces?*

AT	Conscription	6 months
BE	All-Volunteer	Conscription ended ²⁵ 31.12.1993
BG	All-Volunteer	Conscription ended 01.01.2008
CY	Conscription	25 months
CZ	All-Volunteer	Conscription ended 01.01.2005
DE	Conscription	9 months
DK	Conscription	4-12 months
EE	Conscription	8 months (juniors) & 11 months (officers)
EL	Conscription	12 months
ES	All-Volunteer	Conscription ended 31.12.2001
FI	Conscription	6-9 months (juniors) & 12 months (officers)
FR	All-Volunteer	Conscription ended 31.12.2001
HU	All-Volunteer	Conscription ended 03.11.2004
IE	All-Volunteer	No conscription tradition
IT	All-Volunteer	Conscription ended 31.12.2004
LT	All-Volunteer	Conscription ended 01.07.2009
LU	All-Volunteer	Conscription ended 1967
LV	All-Volunteer	Conscription ended 01.01.2007
MT	All-Volunteer	No conscription tradition
NL	All-Volunteer	Conscription ended 01.08.1997
PL	All-Volunteer	Conscription ended 01.01.2009
PT	All-Volunteer	Conscription ended 31.12.2004
RO	All-Volunteer	Conscription ended 01.01.2007
SE	All-Volunteer	Conscription ending 01.07.2010 ²⁶
SI	All-Volunteer	Conscription ended 31.12.2003
SK	All-Volunteer	Conscription ended 01.01.2006
UK	All-Volunteer	Conscription ended 1963

Sources: Buch 2010: 84-86 (for all-volunteer systems), International Institute for Strategic Studies 2009: 111-190 (for conscription systems) and Samuelsson 2010 (for the Swedish case).

²⁵ While some countries have 'abolished' conscription (CZ, ES, RO, SI, SK for example), others (e.g. NL, PT) have only 'suspended' it. This means that "it still exists in law and, in theory, can always be reinstalled if the government would so decide" (Manigart 2005: 32). For reasons of simplification, only the term 'abolishment' is used in this analysis.

²⁶ "Sweden is on the threshold of suspending conscription. [...] The Swedish Parliament is expected to approve a bill in this matter in spring of 2010. As a direct consequence of this bill, conscription will be suspended as per the 1st of July 2010" (Samuelsson 2010).

PT, RO, SE, SI, SK, UK – including Sweden which has decided to phase out conscription in July 2010) while 7 (AT, CY, DE, DK, EE, EL, FI) retain a conscription system (see table 21).

A clear trend towards all-volunteer forces can be identified in the European Union (see Buch 2010: 11; Werkner 2006: 17; Manigart 2005: 31; Werkner 2003: 3; Jehn & Selden 2002: 98):

- Considering the current 27 EU member states, only four had an all-volunteer army at the end of the Cold War in 1989/1990 (UK, IE, LU and MT). Ten years later a further two countries had joined this group (BE, NL). In 2005, around five years after ESDP was initiated, 13 EU states had opted for a professional army (CZ, ES, FR, HU, IT, PT and SI). And another five years later, in 2010, another six states (BG, LT, LV, PL, RO, SK) ended conscription and introduced a transition to an all-volunteer force – with Sweden phasing out its compulsory military service in July 2010. Over two-thirds of EU member states have an all-volunteer force in 2010. In total, 16 EU countries have chosen transition from conscription to an all-volunteer force since the end of the Cold War while not a single one has swapped its all-volunteer force for conscription during the same period.
- The share of conscripts in the total active military within the EU has been drastically reduced in the last decades: in 2003, Ines-Jacqueline Werkner found out that “[i]n the course of the last ten years there has been a permanent decrease of the conscription ratio in almost all European countries. A comparison of the years 1990 and 2002 confirms this development: in this period the conscription ratio of European states have been reduced by one-third on average” (Werkner 2003: 25-27). Daniel Keohane and Charlotte Blommestijn confirmed this trend in 2009: “In 1999 the 27 EU governments had almost 2.5 million personnel in their collective armed forces, including more than 1.1 million conscripts, which are costly and much less preferable for international peacekeeping operations than professional soldiers. In 2008, the 27 EU governments had reduced their armed forces to 2 million personnel, and just over 200.000 conscripts” (Keohane & Blommestijn 2009: 3) – an 81 percent-decrease. These numbers underline that not only has conscription as a recruitment system been quantitatively reduced within the EU, but so too has the share of conscripts within the EU’s armed forces in general (see Tresch 2005 120ff.) – *including* conscription armies: “Those who stick to conscription do so while

significantly reducing the share of conscripts in the armed forces. [...] The Nordic countries [Denmark and Finland] and Germany [for example] have not abolished conscription, but conscripts make up a decreasing share of the armed forces which governments plan to shrink even further” (Leander 2004: 571).

This trend suggests that harmonization of national EU military recruitment systems will lean towards professionalism rather than conscription and that any *common* EU recruitment system – if there will be one in the future – will more likely be based on volunteers and professionalism. Christopher Jehn and Zachary Selden argued in 2002 that “[i]f the next 10 to 15 years unfold in the same pattern as the past 10, countries with relatively high living standards [...] are likely to phase out conscription, even though they have no plans to do so at the present” (Jehn & Selden 2002: 98). And according to estimations by Tresch in 2005 (based on extrapolations), “conscription will be phased out in Europe between 2021 and 2025 [...] if the linear downward trend continues” (Tresch 2005: 135).

Is it possible to predict whether this downward trend will continue or not? How likely is it that all EU countries will actually have all-volunteer forces – a genuinely *common* recruitment system in all member states – in ten to fifteen years’ time?

An analysis of the EU member states which still maintain a conscription system (‘EU conscription countries’) will try to find an adequate answer to these questions. The main focus of this analysis will be four of the main issues which so far have been decisive for the retaining of conscription (see box 6):

- Do all these countries actually have a long tradition of conscription?
- Does the conscription system in these countries guarantee *Wehrgerechtigkeit*?
- Is the basic military training effective enough in these countries?
- What role does territorial defence play in these countries?

Furthermore, the *status quo* of conscription will be highlighted by illuminating:

- The legal basis of conscription
- Political and public opinion on conscription

Tradition of Compulsory Military Service in EU Conscription Countries

Germany is the only *big player* of the EU that still maintains conscription and its tradition of conscription is not only long, but also very strong – Germany can be described as “one of the homelands of military conscription” (Unterseher 2003: 63). The tradition is *long* in so far as a first type of compulsory military service already appeared in the 18th century (“As early as 1733, more than half a century before the Jacobins in France created the levée en masse, Frederic William I, King of Prussia, introduced the ‘Kanton System’ in all his territories” (Unterseher 2003: 63)) and this became a general pattern of military recruitment (“From 1733 to 1945 [...] conscription in Germany had a lot to do with the maximization of state power and almost nothing with political participation and citizens’ pride” (Unterseher 2003: 64)). The tradition is *strong* in so far as conscription has become part of German post-war culture and identity after the new Federal Armed Forces (*Bundeswehr*) were founded in 1955: “[T]he endurance of conscription relates to the way in which military service was intimately linked to domestic consolidation, the Federal Republic’s entry into the international community and the construction of a democratic ‘peace loving’ West German state. A consequence of this is that despite the end of the Cold War, there has been an overwhelming reluctance to consider ending conscription, with contemporary debate premised upon the notion that compulsory military service is intimately linked with a positive conception of post-war German identity. The potency of this conviction has meant that the notion of abandoning conscription is still largely regarded as taboo” (Longhurst 2006: 83).

In Austria, there is a conscription tradition which dates back to the 19th century: “The lost war of 1866 was the starting point for introducing conscription in the Austro-Hungarian Empire. [...] After the army was defeated in the war of 1866 against Prussia, [...] senior officers in the Austro-Hungarian military came to deeply admire the performance of the Prussian draftee. [...] Two years later, with the Law of the 15th of December 1868, conscription was introduced” (Kernic & Callaghan 2003: 32). From that date onwards compulsory military service was a dominant feature of the Austrian military system and after war interruptions it has always been re-introduced. Modern conscription in Austria dates back to the year 1955 like in Germany: the Military Act of the 7th of September 1955 returned universal conscription for male citizens to Austria after the World War II.

In the same way as in Germany and Austria, “[c]onscription has a long tradition in Denmark. With the introduction of the constitutional monarchy it was anchored in the Constitution in 1849. Conscription in Denmark even dates back further: it has its origins in the time of the Vikings (750-1050)” (Werkner 2006: 95). Although it has not *always* been the standard recruitment system since that time, it has *always* been re-introduced after abolishment. For this reason many experts have argued that conscription is ‘integral to Danishness’, ‘a natural part of the Danish society’, ‘a piece of Danish people’s culture and an expression of the determination to pursue a defence as embedded in the people’ and that it ‘stood out for 150 years as the link between the Danish people and their defence’ (see Joenniemi 2006: 15). This opinion is somewhat toned down by Pertti Joenniemi who might agree that conscription has an important tradition in Denmark, but argues that it is by no means an uncontroversial love affair: “Conscription has, no doubt, been seen as being of some value in standing out also in the case of Denmark as one of the high-policy related vehicles that contributes to the way ‘Denmark’ has projected itself into the future during different periods. However, there are also signs indicating that the position of conscription has remained somewhat shallow. Despite some importance, the system has in essence failed to gain an uncontested standing” (Joenniemi 2006: 29).

In Estonia, the conscription system is still relatively young: “In 1991, when Estonia regained its independence from the Soviet Union, one of the first tasks of the new Estonian government was to secure the borders of Estonia and prepare to defend regained independence from all those, who would threaten the existence of the young republic. By October of 1991 a mobilization call of the Estonian government for those born between 1965-1973 went out with the aim of re-establishing national defence forces. The age of conscription in Estonia had arrived” (Saar 2003: 3). It is too early, however, to talk about a conscription *tradition* in Estonia and very unlikely, that it has already become part of national identity.

In Finland, conscription *does* have a tradition – a special one: “Conscription in Finland stands for an unmistakably unifying bond between the nation and the state. It constitutes a pillar of national stability seen almost as a holy sign and a true expression of the nature of Finnishness” (Laitinen 2006: 42). This strong attachment stems from the first years of conscription in Finland: “Conscription in Finland began when Czar Alexander II ordered that Russia should transform its army based on conscripts – [...], demanded that the Finnish army

be in all circumstances under the authority of the Russian Minister of War [...]. After serious debate, the Emperor and the parliament of Finland finally passed a law on conscription in 1878. [...] However, the Finns opposed these orders in a uniform manner. In other words, the Russian state was seen as foreign and the idea of Finnishness gradually started to emerge” (Laitinen 2006: 47/48). When Finland declared independence in 1917, “[t]he government forces were recruited by conscription, which was based on the old law of 1878 [...]” (Visuri 2003: 16). But although this system was inherited from the Russian army, “during Finland’s autonomy, conscription functioned as a nation-building ‘tool’, and at the very beginning of the 20th century it served basically to accentuate the separation of the Russian state and the Finnish nation. The Finnish nation, and hence Finnishness, have both constituted a kind of anti-thesis in relation to Russian identity and culture” (Laitinen 2006: 48).

Andrew Liaropoulos – expert in Greek security policy at the University of Piraeus – noted in personal communication: “To my knowledge, there is no literature in English regarding conscription in Greece. I would be surprised if there is any in Greek” (Liaropoulos 2010). Exactly this lack of (credible) information has been experienced when the tradition of Greek *and* Cypriot conscription was to be explored for this work. For this reason two national conscription experts have been consulted. According to Thanos Veremis, Professor at Athens University, Greece has a long tradition of compulsory military service: “Greece had conscription since the mid-nineteenth century. The standing army was small and therefore those enlisting were selected by lot. Even to this day we call conscripts “*klirotoi*”, the products of a lottery. Universal conscription began on the eve of the Balkan Wars (1912-13) and has been in use since” (Veremis 2010). According to Aristos Aristotelous, expert of the University of Nicosia and the governmental AKEL-party, compulsory military service in Cyprus goes back to the year 1964: “Cyprus conscription, as a state, began in 1964 with the formation of the National Guard. This became the Army of Cyprus and conscription was compulsory. The perceived Turkish threat was the only reason for creating the National Guard and for conscription and still is today” (Aristotelous 2010). Thus, although conscription has obviously strong reasons in Cyprus, these reasons do not stem from a long tradition.

Wehrgerechtigkeit in EU Conscription Countries

It seems clear that “if there is *Wehrgerechtigkeit* the majority of the public and the military leadership support the system of compulsory duty, if there is *Wehrungerechtigkeit* the public and military acceptance clearly decreases. [...] *Wehrgerechtigkeit* is an important variable in search of reasons for suspension or maintenance of conscription” (Tresch 2005: 179). Tresch has analysed to what extent the conscription systems within the EU can guarantee *Wehrgerechtigkeit* by comparing the corresponding share of conscripts (all of whom are militarily fit and actually drafted) in an age cohort (see Tresch 2005: 177-179). He assumes that a recruitment practice can only be considered as ‘just’ if the recruitment ratio is higher than 50% of fit draftees; if only a minority (<50%) of fit draftees is actually called up, *Wehrungerechtigkeit* applies. According to this definition and the analysis of Tresch, there are two country groups: Austria, Finland and Greece, on the one hand, have – more or less – *Wehrgerechtigkeit* (>50%), while Denmark, Estonia and Germany, on the other hand, have *Wehrungerechtigkeit* (<50%). Cyprus was not included in Tresch’s analysis.

Basic Military Training in EU Conscription Countries

Tresch argues that “basic military training of short duration is a good prerequisite for the suspension of conscription, because recruits can only be used for military *side* services and therefore public acceptance of conscription might decrease” (Tresch 2005: 192ff.). He distinguishes three types of basic military training – *real military training* (minimum 12 months), *military training light* (minimum 9 months) and *pseudo military training* (4-8 months) – and argues that the last category provides no sufficient training to guarantee that ‘conscripts can be used very efficiently in the military’ (see box 6). Conscription in Austria (6 months) and Estonia (8 months) and partly Denmark (4-12 months) and Finland (6-9 months) falls into this category. The Cypriot (25 months) and Greek (12 months) conscription systems provide *real* basic military training and the German system at least *military training light* (9 months).

Territorial Defence in EU Conscription Countries

If “the need for the capability to fight and to defend one’s homeland may be seen as a basis for the development of the modern universal conscription system [...]” (Kernic & Callaghan

2003: 35), the extent to which territorial defence still plays a role in national strategic culture of EU conscription countries today should be seen as an influential factor.

The paradigm of the German armed forces after World War II has clearly been one of 'territorial defence'. The strategic objective of the western Alliance right after the war was to anchor the Federal Republic to Euro-Atlantic structures, to create a 500.000-strong *Bundeswehr* – based on conscription with the capacity of rising to one million – in order to fulfil the demands of the territorial defence of West Germany and its NATO allies against the eastern threat of the Soviet Union (see Longhurst 2003: 153). This corresponded with "Germany's 'culture of antimilitarism', rooted in Germany's 'struggle to draw lessons from its troubled past'" (Dyson 2005: 362), the post-war principle to never use military power again except for self-defence. Over the years this paradigm has changed, however. First, because the Soviet threat has disappeared after the end of the Cold War. Secondly, because military crisis management has become necessary in Europe with the Balkan wars. And thirdly, because 9/11 turned the international security environment upside down. The change came slowly in Germany though. Until 1999 the German "culture of military restraint" (Kirchner 2008: 3) had its influence. Only controversial commitments and participations in the Kosovo conflict of 1999 and in Operation Enduring Freedom in Afghanistan 2001 brought the change. In a press conference in 2002, Peter Struck, minister of defence at that time, finally reformulated the German paradigm of territorial defence with his famous words: "Germany is also being defended at the Hindu Kush" (Struck 2002). The message of this sentence was officially set in stone one year later in 2003, with new 'defence policy guidelines': "According to Article 87a of the German Constitution the armed forces are for Germany's defence. Today, defence involves a great deal more than the traditional defence of our borders. It involves the containment of conflicts and crises. Accordingly, defence can no longer be geographically limited. [...] There is no threat to German territory by conventional armed forces, neither at present nor in the foreseeable future. The operational spectrum has radically changed. [...] [M]issions of conflict prevention and crisis management as well as for the support of allies, even beyond the territory of the alliance, will be in the foreground. [...] Considering the new international environment, there is no longer any need for capacities exclusively serving conventional home defence against a conventional aggressor" (German Defence Policy Guidelines 2003: paragraphs 5, 9, 10, 62).

Like Germany, Austria also has a strong tradition of territorial defence: “The traditional Austrian concept of a *comprehensive national defence* (*Umfassende Landesverteidigung*) is based on *area defence*, which aims to avoid war by keeping potential aggressors out of the country. The basic idea of this strategy is that aggressors can be deterred by the knowledge that a military occupation of the country would cause an endless struggle for freedom and independence” (Kernic & Callaghan 2003: 34). Unlike Germany and most other European countries, however, “the Austrian military forces are organized primarily as a *militia* designed for the defence of the homeland” (Kernic & Callaghan 2003: 35). This fact and the Austrian tradition of non-alignment suggest that even today territorial defence might be the dominant feature of Austrian military philosophy.

In the case of Denmark, conscription has also traditionally fulfilled the function “to provide an outlet for a will to defend oneself” (Joenniemi 2006: 15); it did not take long after the Cold War, however, and territorial defence gained a far less prominent standing. The recent strategic documents confirm that: “The current security environment, including the enlargement of NATO and the EU, is of such a nature that the conventional military threat to the Danish territory has ceased for the foreseeable future. There is no longer a need for the conventional territorial defence of the Cold War” (Danish Defence Agreement 2004: 2). As a consequence, “[d]uring the last ten years the Danish Army has been restructured from a force exclusively dedicated to territorial defence, to an army able to project its influence anywhere in the world” (Danish Armed Forces – International Perspectives 2004: 29).

In Estonia, change can also be noticed. The Soviet Union – and later its successor, the Russian Federation – has traditionally been perceived as the main threat to Baltic countries’ sovereignty and territorial integrity, which have been part of the Soviet Union for almost fifty years. It is therefore not surprising that in 1999, major-general Ants Laaneots stated that “Estonia’s armed forces are defensive in character” and that the “Estonian Military doctrine is based on the principles of territorial defence” (Laaneots 1999: 37). The eastern threat might still be perceived today, because “there is more than enough evidence to believe that Russia seeks to retain political, economic and even cultural influence in the Baltic States. [...] The risks that Baltic States face in their Eastern neighbourhood are no longer of traditional military nature” (Paulauskas 2006: 19), however – something recognized and confirmed by Estonian strategists: “A direct military threat to Estonia is unlikely” (Estonian National Military Strategy 2005: 3). Furthermore, there has been a

strategic shift away from *national* territorial defence towards *collective* territorial defence: “The Estonian military doctrine after the accession to NATO has been gradually evolving from domination of territorial defence principles to higher reliance on guarantees by Article 5 of the Washington Treaty [...]” (Karabeshkin 2007: 14); “[t]oday the Armed Forces are undergoing new reorganization – the old territorial defence concept, or preparations to fight alone, is replaced by the readiness to fight together with allies in other parts of the world” (Urbelis 2003: 7). These two developments have led to the trend that “[d]uring the last fifteen years after independence and the coming five years, building up territorial defence was and will be sacrificed to make more resources available for NATO and EU mobile needs” (Kasekamp & Veebel 2007: 17).

In Finland, “[t]he national vocabulary posits that a classical territorial defence continues to be of essence and that conscription continues to be an essential part of this defence. Russia continues to be the main threat, landmines continue to be a necessity, and Finland is therefore one of the few non-signatories of the international landmine ban treaty. The rest of the world might think that territorial threats are a thing of the past. For Finland they are not” (Leander & Joenniemi 2006: 171). The main strategic document of Finland published in 2009 has again confirmed this posture: “In addition to crisis management, Finland still needs to prepare for the prevention or repelling of military threats to its territorial integrity or to the vital functions of society. [...] Finland’s defence is based on territorial defence, general conscription and a large reserve” (Finnish Government Report 2009: 64; 81). Kari Laitinen argues in this respect that it seems that only “if a massive attack from the Outside can no longer be defended, the very foundation of the conscription as a military manpower system is questioned” (Laitinen 2006: 43) in Finland.

Territorial defence is essential to both the Greek and Cypriot military due to the same reason: a perceived threat by neighbour Turkey. For Cyprus, “the division [of the island] is regarded as the result of the Turkish invasion and occupation. The forced expulsion of 160.000 Greek Cypriots from their homes [in 1974] and the casualties of the war are in the forefront of their collective memory. Consequently for the Greek Cypriots ‘security’ in a narrow sense means to have the certainty of never again being threatened by a Turkish military invasion. In a broader sense they want to be certain that the Cypriot state is not and never will be dependent on Turkey and that it can work smoothly without having to be afraid of Turkish Cypriot or Turkish obstructiveness” (Sommer 2005: 16). For Greece, “Turkey,

although a NATO ally, is [also] considered to be of concern as a conventional military threat” (Giegerich & Nicoll 2008: 48), on the one hand because of its own historical conflicts with its neighbour and, on the other hand, because of the worries about their Cypriot *compatriots*.

Legal Basis in EU Conscription Countries

Conscription is based on constitutional law in all countries under review except Cyprus where “[c]ompulsory military service shall not be instituted except by common agreement of the President and the Vice-President of the Republic” (Cypriot Constitution: Chapter 2, Article 129 (2)). In Germany, “[m]en who have attained the age of eighteen may be required to serve in the Armed Forces, in the Federal Border Police, or in a civil defence organization” (German Constitution: Article 12a (1)); in Austria, “[e]very male Austrian national is liable for military service” [...] (Austrian Constitution: Article 9a (3)); in Denmark, “[e]very male person able to carry arms shall be liable with his person to contribute to the defence of his country under such rules as are laid down by Statute” (Danish Constitution: Part VIII, Section 81); the Estonian Constitution states that “Estonian citizens have a duty to participate in national defence on the bases of and pursuant to procedure provided by law” (Estonian Constitution: Chapter X, Article 124); in Finland, “[e]very Finnish citizen is obligated to participate or assist in national defence, as provided by an Act” (Finnish Constitution: Chapter 12, Section 127); and finally in Greece, “[e]very Greek able to bear arms shall be obliged to assist in the defence of the nation, as provided by law” (Greek Constitution: Part II, Article 4 (6)). In some of these countries it might only be possible to change or adapt these provisions with a strong public backing or the support of a large majority of the political parties: in Denmark, a change of the constitutional ‘conscription paragraph’ requires a referendum; in Austria and Finland a double majority in parliament is necessary (see Tresch 2005: 213).

Governmental Opinion in EU Conscription Countries

The most recent strategic documents of EU conscription countries which were published by their governments (only Cyprus has no official strategic document accessible by the public) all underlined their commitment to conscription – only the accentuation differs from country to country. In Germany and Estonia there are no ‘ifs and buts’ – conscription seems untouchable: according to the main German document, “[t]he Bundeswehr will continue to be a conscript force in the future; universal conscription has proven to be an unqualified

success in varying security environments” (White Paper on German Security Policy 2006: 10); an Estonian document highlights that “[c]ompulsory military service will remain the basis for manning the units and for recruiting to the EDF [Estonian Defence Forces]. While drafting the Plan 2018, an analysis of compulsory military service was conducted – this suggested retaining of the current compulsory military service model also for the near future” (Estonian Defence Development Plan 2009: 16). The Finnish government also argues strongly in favour of conscription, but retains some room for manoeuvre in case of a possible future NATO membership: “General conscription is the basic pillar of our national defence. [...] Should the [NATO] membership be considered, an assessment must be made on how the fact that NATO nations develop professional armed forces, rather than general conscription, would affect Finland’s defence system” (Finnish Government Report 2009: 119; 81). The governments of Austria, Denmark and Greece on the one hand all signal the continuation of conscription, but on the other hand recognize – more (DK, EL) or less (AT) – that there is some need for professionalization and restructuring of their armed forces: “In March 2004, in order to reflect the new security environment and meet the new requirements from NATO, the Danish Government presented its plan for a complete restructuring of the Danish Army, calling for a more deployable Army, equipped with material of high standards and world climate capabilities. Conscription would remain fundamental to this but with a new purpose aimed at homeland security” (Danish Armed Forces Document 2004: 29). Already in 1997 – when the last strategic White Paper was published – the Greek government found even more drastic words: “The continuous decrease of the draftee resources is expected to have a negative effect to the combat effectiveness of the armed forces, in case the present structure and recruiting system are maintained. The Ministry of Defence is oriented to a radical re-structuring of the armed forces, in order to significantly improve their combat effectiveness and overcome the weaknesses of the present system” (Greek White Paper for the Armed Forces 1997: 50). In the Austrian case, one strategic document states that “[u]niversal conscription still constitutes an important basis for cadre recruitment in Austria as well as for the fulfilment of the entire spectrum of military tasks of the Austrian Federal Armed Forces [...]” (White Book of Austrian Armed Forces 2008: 48), while another one warns that “the qualifications needed call for a gradual increase in the degree of professionalization and in the share of volunteers” (Austrian Security and Defence Doctrine 2001: 10).

Political Party Opinion in EU Conscription Countries

Interviews and personal communication with members of parliament and party representatives of EU conscription countries have shown that two groups of countries can be distinguished: countries in which the majority of political parties support the continuation of conscription (Austria, Estonia and Finland and Cyprus and Greece) and countries in which conscription is politically highly controversial (Germany and Denmark).

Cyprus and Greece are the countries in which conscription enjoys the broadest political support – all main political parties want to retain the system of compulsory military service. In Cyprus, the strong support of conscription *solely* stems from the perceived threat by Turkey – all main Cypriot parties in parliament make clear that they would be open for abolishment of conscription if there would be no Turkish threat: Tasos Mitsopoulos of the DISY party explains that “as long as the division of Cyprus continues due to the Turkish occupation and the overwhelming presence of more than 40.000 Turkish troops poses an immediate threat to the very existence of the Republic of Cyprus we are obliged to maintain armed forces as a mechanism of deterrence. However, we believe that conscription should be eventually abolished so that the existing National Guard becomes a professional army. Such an army could respond more efficiently to present day needs e.g. high tech and complicated systems, more skills required, professional training and is compatible to modern European military patterns. In case the two communities reach an agreed and viable solution, Cyprus in our view, should retain a small joined professional unit able to cope with the obligations arising from the EU membership such as the patrolling of the external EU borders, search and rescue duties, humanitarian missions etc.” (Mitsopoulos 2009). Nicholas Papadopoulos of the Democratic Party agrees: “Due to the continued occupation of Cyprus by Turkish military forces we are required to protect ourselves and our families and therefore, as long as the occupation and the threat of further Turkish military aggression lasts, we unfortunately need to continue to enlist our citizens in the ranks of the National Guard in order to maintain our defences. ‘Conscription’ therefore is necessary” (Papadopoulos, N. 2009). The position of the ruling AKEL party (“It would be great if we did not have the occupation of northern Cyprus by the Turkish Army and if we would have no army and thus no conscription at all” (Aristotelous 2008)) and EDEK is the same. Yiannakis Omirou of EDEK adds that “the last few years all political parties are discussing the reduction of the period

that the soldiers will have to be in the army, and EDEK has no objection as long as there will be no jeopardizing of the defence of the Republic” (Omirou 2008).

In Greece, the main political parties unanimously want to maintain a military recruitment system of conscription as well, but they all have different concepts of reform. In August 2009, the mandatory service was reduced by the Nea Demokratia-led government to 9 months for the land army, while it has remained unchanged for the navy and the air force (see www.mod.mil.gr). PASOK – as an opposition party – has also been in favour of maintaining conscription and reducing the mandatory service (to 12 months: see Party Manifesto PASOK 2003: 119/120) and has not revised the decisions of the former government since it regained power in 2009. Nea Demokratia now proposes “a gradual decrease in the number of months of compulsory conscription that will result in a 6-months army service” (Papadimitriou 2009) in the same way as Synaspismos calls for further “reduction of conscription’s time length” (Papadopoulos, T. 2009) while the Popular Orthodox Rally, in contrast, wants to increase the months of basic military training again: “We strongly believe that 12 months is the absolute minimum” (Karampelas 2010). The Communist Party (KKE) finally wants a conscription army “that will not serve imperialist forces like US, NATO, EU; disengagement from NATO and the European Army; no action outside borders. [...] The efforts of the abolishment of military service are promoting the US, NATO, EU’s planning of mercenary troops” (Haralampous 2009).

In Finland, *almost* all main parliamentary parties support conscription: “The Finnish Centre Party’s position on conscription is a positive one, we want to maintain conscription concerning the whole population. As Finland has a defence system which is based on regional defence Finland needs a broad army based on conscription, in other options it would be difficult to defend the whole country” (Haapiainen 2009); “traditionally, as a conservative party, the National Coalition Party is known as a patriotic party that strongly supports the conscription” (Hemming 2009); the Social Democratic Party thinks that “conscription is a proper way to organize the defence of our large country. It’s an economical way and it guarantees a big reserve (350.000 soldiers)” (Kallio 2009); for similar reasons the Christian Democrats, the Swedish People’s Party and the True Finns “want to retain conscription” (Hagström 2009; also Östman 2009; Oinonen 2010) and the “Left Alliance is supporting conscription, but [is] preparing a new model for it” (Saramo 2009). Only the Green League opposes the Finnish conscription and advocates abolishment:

“Finland should stop compulsory military service and change to selective service. The importance of international crisis management has grown and more European countries have given up compulsory military service. Instead of preparing to a massive invasion, the resources should be used to respond to today's threats” (Party Manifesto Finnish Green League 2006: 11).

In Estonia, the majority of political parties are also in favour of a conscription system: “The Estonian Centre Party supports the continuation of conscription. [...] The main reason why we support the continuation of conscription is that we see it as a part of self defence capability for Estonia” (Simson 2009); “the Estonian Social Democratic Party supports the principle of total defence and therefore supports compulsory conscription” (Länts 2009); “the Estonian Greens do not see any need to change the basic principles. The people who do not agree to military service have the possibility to choose alternative service” (Lotman 2010); and Pro Patria & Res Publica thinks it is “the most dedicated supporter of conscription in Estonia” and provides a reason for this assumption: “Whereas many in the old democracies still believe the cold war ended with the collapse of the Berlin wall, my party has adopted a more rational and more sober view: we may face new challenges of the 21st century but that does not mean that the old ones have vanished. We rely on the NATO Article 5, at the same time being aware of our own responsibility to be able to defend our own territory alongside with our allies” (Velliste 2009). Only one party in parliament seems to be open for questioning conscription, but it is the influential Estonian Reform Party (RE) which has been in power in recent years: “RE is the only party in Estonia which dares to talk about abolishment and reminds us strongly that our real security guarantee is collective defence and a professional army (which is combined with voluntary *Kaitseliit*). There is no real debate about that topic in Estonia as it is considered to be unpopular and politically incorrect. We do not see how the resources spent on conscription could be justified by our real challenges and international obligations and that this system could produce an effective army. There are also more philosophical arguments – about free choice and equal treatment of citizens, as only one third of young men have to pass obligatory service” (Raidma 2009).

In Austria, a commission set up for the reform of the federal armed forces (*Bundesheerreformkommission*) concluded that the introduction of a professional army is *not* recommendable (see Austrian Defence Commission 2004). The two main political parties and the strongest small party in parliament fall into line with this assessment and favour the

continuation of conscription: the Social Democratic Party has stated that “it is necessary to realize the conclusions of the Bundesheerreformkommission” (Prähauser 2008); “the Austrian People’s Party is committed to general conscription. It is the precondition for the Austrian Federal Armed Forces to be personally able to fulfil the entire task spectrum” (Jäger 2008); and the Austrian Liberal Party declares: “For the fulfillment of security political tasks and for democratic reasons we are committed to general conscription [...] as personal contribution of citizens for the security and independence of Austria” (Party Manifesto FPÖ 2005: 11). The two other small parties in parliament are opposed to conscription and want an all-volunteer force: the BZÖ generally questions “whether conscription is still necessary. In its current form it is definitely outdated. Conscription should be suspended – not abolished – and replaced by an all-volunteer force consisting of professional soldiers combined with a strong militia component” (Anonymous One 2009). The Greens argue that “the current tasks of the federal armed forces can be performed by other units in a better and less expensive way. There is no reason to deprive young men of six months of their lives” (Pilz 2008).

In Germany, there has also been a commission for the reform of the armed forces. Its recommendations – which were published in 2000 – underline how controversially conscription is discussed by the political elite in Germany in the meantime: in contrast to Austria, the commission did not opt *for* or *against* conscription – it proposed *two* models: a pure all-volunteer force (model A) and an army with volunteer and conscription components (model B) (see German Defence Commission 2000). Neither model A nor model B have been realized so far, because the opinions between the political parties differ too much. On the one hand there are the conscription advocates – the two main political parties: the Christian Democratic Party argues that conscription “has asserted itself under various security-policy framework conditions and has been made to conform to the security-policy challenges and further developed accordingly. Readiness for action and endurance of the German Federal Armed Forces can only be guaranteed through an adequate number of qualified reservists. The foundation here is laid by the compulsory military service” (Party Manifesto CDU 2007: 65); the Social Democratic Party insists that “[t]he social and the acceptance of the Federal Armed Forces need to be retained. The further development of conscription is a guarantee in this respect” (Party Manifesto SPD 2007: 26). All small parties are in fierce opposition towards conscription on the other hand: the Liberals argue that “[c]onscription cannot be

justified anymore. It is deeply unfair in its organization and meanwhile even counterproductive in view of the operational readiness of the armed forces. It must be suspended as soon as possible. Germany needs armed forces which are well trained, modernly equipped, fully operational and rapidly deployable. Only an all-volunteer army can guarantee this" (Party Manifesto FDP 2009: 74); the Greens want federal armed forces "more capable for the EU and the UN, [...] want to reduce the armed forces to 200.000 troops, abolish conscription. [...] The Federal Armed Forces shall become an all-volunteer army on behalf of the parliament" (Party Manifesto German Greens 2009: 216); and "one of the fundamental objectives of the Left party is the abolishment of conscription" (Schäfer 2008). The pendulum seems to swing more and more towards an all-volunteer army in Germany in any case, because even in the traditional conscription-friendly SPD the trend goes towards voluntarism. While the official party line still defends conscription, the voices within the party increase (especially of young people) which support its abolishment. This is the reason why a compromise concept of 'voluntary conscription' was developed for the latest manifesto (see Party Manifesto SPD 2007: 26) which was referred to as the "squaring of the circle" by commentators (Spiegel Online 2007).

In Denmark, there is a classical deadlock situation with two equally strong camps in favour/opposing compulsory military service: the ruling Liberals (Venstre) "generally support conscription under the current conditions where men have a duty to serve for a period of four months and women have the right to do the same if they so wish" (Bech 2009); "the Danish People's Party wants conscription to be continued, because of its importance for the national will of self-defence [...]" (Krarup 2009); in the Conservative People's Party they are "strong supporters of a continuation of the new modernized conscription in Denmark" (Møller 2008); and the Red-Green Alliance's argument for conscription is: "Close connection to the people" (Aaen 2010). The Social People's Party on the other hand wants to end conscription in Denmark because "the situation now is that only a small part of the young people joins the army because of very flexible rules for students, civil service and so on, so there are no democratic arguments for keeping conscription. Secondly, the world has changed and the challenges for defence are more and more global and less national. Therefore we think that the demand for longer training and higher education in the forces requires a more professional change" (Frahm 2008). The Danish Social Democrats have obviously consulted their German counterparts as they also advocate a new concept called

‘voluntary conscription’: “We are considering ending conscription, but instead of just putting it aside, we are considering a kind of middle approach that would involve a duty for young men and women to show up to a one-day seminar, where they see a doctor and have a chance to get to know the armed forces. Following that day they can choose to do a voluntary conscription for 3-4 months” (Anonymous Two 2009). Both the Social-Liberal Party and the Liberal Alliance want to abolish conscription “to focus on getting the army more professional” (Christensen 2010; also Petersen 2010).

Public Opinion in EU Conscription Countries

In three EU conscription countries there have been recent opinion polls regarding conscription: in Germany, Estonia and Finland. In Germany, the Institute for Social Sciences of the Federal Armed Forces conducts a yearly survey which includes the question whether conscription should be abolished or retained: “The number of citizens in favour of conscription has slightly increased in recent years. In 2005, the share was 53 percent, in the two following years it was 59 and 58 percent, respectively, and currently it is 62 percent. [...] The occasionally articulated request that ‘conscription should be abolished and the armed forces transformed into an all-volunteer force’, however, is refused by [only] 53 percent of interviewees while 47 percent consent (Bulmahn 2008: 39). In Estonia, polls on behalf of the Ministry of Defence²⁷ also indicate an increase of public support for conscription: while in 2005 only 54% were in favour of preserving general compulsory military service (40% supported the transition to a professional army), in 2006 it was already 63% (12% pro professionalism) and in 2007 even 71% (23%). In Finland, the Advisory Board for Defence Information (ABDI) annually polls the opinions of Finns on Finnish security and defence policy and the conscription system: “During the past decade support for the present [conscription] system has varied between 71-80 percent, support for a selective system between 9-19 percent and support for a fully professional military between 7-11 percent. Seventy-two percent [in 2009] (74% in 2008) deem that a conscription system resembling the present one should be preserved [...]. Sixteen percent (15% in 2008) would rather institute a selective national service system [...]. Eleven percent (10% in 2008) of citizens support the establishment of a fully professional military [...]” (ABDI 2009: 8).

²⁷ The 2005 survey was conducted by the ‘Faktum’ Company and the surveys in 2006 and 2007 under supervision of Tõnis Ormisson/AS Turu-Uuringute – see www.mod.gov.ee (Accessed: 18 Feb. 2010).

For all the other EU conscription countries “[t]here are only a limited number of studies on public support for the military draft” (Poutvaara & Wagener 2009: 10) and, even then, not very recent ones. Tresch has compiled the results of a Eurobarometer survey conducted in 1997: at *that* time 79% of the Greek population supported conscription while only 39% of Danes and 30% of Austrians did (see Tresch 2005: 283-284). The expert interviews of Tresch in 2001 seem to roughly confirm these numbers (see Tresch 2005: 213). Furthermore, for the Austrian case, Franz Kernic and Jean M. Callaghan argued in 2003 that “public opinion has always been very favourable toward the idea of an AVF [all-volunteer force]” (Kernic & Callaghan 2003: 30) – and Pertti Joenniemi in 2006 has stated that “[p]olls indicate that also the public opinion is, in the Danish case, for a professionalization of the military” (Joenniemi 2006: 28). Polls on conscription in Cyprus are not known.

Summary and Prospects: Military Recruitment Systems in the EU

Military recruitment systems have always changed in European history – both professional and conscript armies had their dominant eras (see Møller 2002: 277). The last decades suggest that we are in an era of professional armies, because there has been a clear trend towards abolishing conscription and introducing all-volunteer forces in Europe since the end of the Cold War: “The European security milieu has changed profoundly [...], and the real and perceived threats to security have also changed significantly. Consequently, the armed forces, which in the past focused on the defence of national territory, have for the most part now assumed new missions, such as peace support operations, humanitarian interventions, and crisis management, to mention only the most prominent ones. These missions are mainly performed in a complex international context and demand highly motivated, knowledgeable, skilled, and flexible people to fill the ranks of the military and police” (Malešič 2003: 11). A large number of experts²⁸ today are convinced that conscripts are not able to perform these missions and that only professional armies are capable of meeting the new challenges. This is the main reason why most EU member states have in the meantime opted for a professional army recruited on an all-volunteer basis: while only four out of 27

²⁸ Examples are Daniel Keohane & Tomas Valasek (“Those countries that have not abolished conscription should do so: what Europe needs are professional, mobile troops who are ready and able to go anywhere in the world” (Keohane & Valasek 2008: 42).) or Jess Pilegaard (“The first urgency is to transform armed forces. This will entail first conversion from conscription to professional army [...]” (Pilegaard 2004: 51).).

current EU member states had an all-volunteer army at the end of the Cold War in 1989/1990, 20 have in 2010 (BE, BG, CZ, ES, FR, HU, IE, IT, LV, LT, MT, NL, PL, PT, RO, SE, SI, SK, UK). There are still 7 EU member states (AT, CY, DE, DK, EE, EL, FI) which retain conscription, however, supported by national experts (see Buch 2010 or Ahammer & Nachtigall 2009 in the case of Germany for example) who praise the system's advantages mainly lying in the socio-political area (see Tresch 2005: 90). Will these countries follow the path of their partners and abolish conscription as well? Will they make way for a harmonization of military recruitment systems within the EU – for the sake of a genuinely *common* ESDP and genuinely *common* European armed forces with *common* standards?

It is of course not possible to give definite answers to these questions, but it is possible to say how *likely* a 'yes' or a 'no' is by developing hypotheses from the main criteria decisive for abolishment/maintenance of conscription:

- A country will abolish conscription, if it has no long or strong tradition of conscription
- A country will abolish conscription, if the system cannot guarantee *Wehrgerechtigkeit*
- A country will abolish conscription, if its basic military training is too short
- A country will abolish conscription, if it does not feel territorially threatened
- A country will abolish conscription, if it is not difficult to change its legal basis
- A country will abolish conscription, if the government wants to do so
- A country will abolish conscription, if the majority of political parties decide to do so
- A country will abolish conscription, if public opinion supports abolishment

The more hypotheses apply for a country, the more likely it will abolish conscription – if 8 hypotheses apply, the probability of abolishment is 100%, if 7 apply, it is 87.5% and so on. According to this analytical model (an adaptation of Tresch 2005: 213), only in two of the seven EU conscription countries it is likely that conscription will end in the near future (see table 22). In Denmark, the probability is particularly high (62.5%) as only the long national tradition of conscription seems to hold the government back from changing recruitment systems - “[...] conscription [is] showing signs of disappearing from the scene in its traditional tapping” (Joenniemi 2006: 14). In Estonia, abolishment of conscription is likely (50%) in the foreseeable future in so far as none of the main *pro* conscription arguments

apply anymore and the current broad political and public support will in all probability begin to crumble as a consequence.



Table 22: Probability of Abolishment of Compulsory Military Service in EU Conscription Countries

Criteria for Retainment/Abolishment ²⁹	AT	CY	DE	DK	EE	EL	FI
Tradition	Ret	Abo	Ret	Ret	Abo	Ret	Ret
Wehrgerechtigkeit	Ret	-----	Abo	Abo	Abo	Ret	Ret
Territorial Defence	Ret	Ret	Abo	Abo	Abo	Ret	Ret
Basic Military Training	Abo	Ret	Ret	Abo	Abo	Ret	Abo
Legal Basis	Ret	Abo	Ret	Ret	Ret	Ret	Ret
Governmental Opinion	Ret	-----	Ret	Ret	Ret	Ret	Ret
Political Party Opinion	Ret	Ret	Abo	Abo	Ret	Ret	Ret
Public Opinion	Abo	-----	Ret	Abo	Ret	Ret	Ret
Probability of Abolishment	25%	40%	37.5%	62.5%	50%	0%	12.5%

In Cyprus and Germany, the abolishment of conscription is not likely in the *near* future, but *in the long run* it can be expected. In Cyprus, the only reason why conscription is maintained seems to be the perceived military threat by Turkish occupation in the northern part of the island and by Turkey itself – all political parties agree that conscription becomes obsolete and unpopular if the threat vanishes. Thus, as soon as the Cyprus conflict is resolved, an all-volunteer army could become an option. In Germany, the trend clearly goes towards an all-volunteer force – very slowly, however, because “[...] historical forces which serve to maintain conscription remain vibrant sources of continuity [...]” (Longhurst 2006: 96). If these historical forces become weaker and overpowered by present-day forces, change of public opinion will change the opinion leadership within the main parties CDU and SPD: “Germany’s particular policy towards conscription is born out of a complex set of issues, deriving from historical sources and intimately linked to questions of German post-war identity. This elevated conscription to an issue of more than ‘just manpower’. However, these sources are being revisited and revised to varying degrees and as this occurs, the sacrosanct nature of conscription will come under closer scrutiny. This in itself does not

²⁹ Ret: Retainment; Abo: Abolishment.

signify an end to the draft but does suggest that Germany's hitherto resistance to change will grow weaker" (Longhurst 2006: 97). The latest developments support this argument as the centre-right government that came into power in 2009 has planned to further reduce the duration of basic military training: "We aim to reduce the period of military service to six months by the 1st of January 2011" (German Coalition Agreement 2009: 177).

In Austria, "there is an increasing interest in profound changes in both security policy and the defence system, however the country still seems likely to adhere to its traditional policies of neutrality and conscription" (Malešič 2003: 12).

It is definitely not very likely that Finland and Greece will abolish conscription any time soon (12.5% and 0% probability, respectively) – almost no arguments suggest so. Although "it seems that in the present phase of both European defence politics and the 'revolution' in military affairs, there are peculiar tendencies or even pressures to alter the basis of Finnish conscription [...] the official policy of both Finland's foreign and defence policy, and thus the Finnish defence forces are still premised on conscription remaining at the very core of Finland's defence" (Laitinen 2006: 41; 42). The same applies to Greece, probably even more so.

What do these conclusions mean for the development of a genuinely *common* ESDP – CSDP?

First, it is likely that the trend towards all-volunteer forces continues within the EU, because it is unlikely that the current security environment will change in the near future: "[A]n unchanging security policy environment will not allow conscription to be maintained over a longer period, even if it contributes over the short-term to the continuation of alternative civilian service, which is taken as indispensable due to societal and financial reasons. But the reasons cited again and again for maintaining conscription, such as the better integration of the army into society and precious source of junior staff for regulars and time-career volunteers, will fade away as more and more the state's existential risk from an external threat disappears" (Klein 2005: 154).

Secondly, it is likely that the trend towards all-volunteer forces continues within the EU, because the majority of experts regard professional armies as the only type of military force able to undertake the current military tasks of the EU in the long run: "[A]dvocates of military reform – including senior leaders in NATO – hold that the volunteer militaries will be

better suited to NATO's [and CSDP's] post-Cold War missions and can deliver modern, high-technology, expeditionary capabilities more cost-effectively than can their conscript counterparts" (Williams 2005: 35).

Thirdly – despite the trend – it is *not* likely that *all* EU conscription countries will abolish compulsory military service in the near future and *not* likely that EU armed forces will be recruited by *common* standards any time soon – at least nationally.

Fourthly, as *national* military recruitment systems are unlikely to be fully harmonized in the foreseeable future, any genuinely *common* ESDP possibly requires a separate *common* recruitment system for its armed forces *at EU level*.

VI. ANALYSIS THREE: POLITICAL WILL AND ESDP

The Meaning of Political Will for a *Common* ESDP

The analyses of the previous two chapters have shown that national decision-makers could take a lot of action in order to make European Security and Defence Policy genuinely *common*: the Danish government could hold a referendum on the Danish defence opt-out in order to lift it; governments of non-aligned countries could abandon their neutrality tradition or at least commit themselves fully to a European defence community; Atlanticist governments could accept genuinely autonomous ESDP headquarters and a genuine EU mutual defence clause; governments of EU conscription countries could abolish compulsory military service; and *all* governments could agree on common military deployment regulations.

Such action requires something essential: *political will*. Political will to really *want* a *common* ESDP, political will to *really* turn ESDP into CSDP. What the analyses of the previous two chapters have *also* indicated, however, is that exactly in this respect “political will differs widely from state to state” (Barnier 2004: 168). It was mentioned in the introduction already that many experts argue that “[i]t is far from obvious that EU members share sufficient foreign policy interests, traditions, goals and outlooks to automatically generate substantive common policies” (Toje 2008a: 124/125) – that “[...] member states remain stubbornly differentiated in terms of their approaches to security. [...] [That] significant differences remain between their competing views as to what the ESDP should be” (Menon 2009: 237). Is that true? Does the political will with regard to ESDP really differ that much from member state to member state? Is there enough *common* political will within the EU to make a genuinely *common* ESDP possible after all? To find an answer to these questions is the challenge of this chapter.

‘Political will’ has been “an idea riddled with ambiguity and imprecision” (Post et al. 2008: 670), “an extremely complex phenomenon, with many dimensions that cannot be easily defined or analyzed. [...] Woocher (2001) points out that political will reflects a large and multifaceted set of underlying factors; and Evans (2000) warns that thinking about political will as a single, simple factor underestimates the sheer complexity of what is involved”

(Malena 2009: 18). Hammergren even characterized ‘political will’ as “the slipperiest concept in the policy lexicon” (Hammergren 1998: 12).

Especially because political will is such a slippery, complex and imprecise concept, it is very important to define its meaning in and for this work and to outline how it is understood in the context of the following analysis. Lori Ann Post, Amber Raile and Eric Raile have provided a very useful overview of classic definitions (see box 8).



Box 8: Definitions of Political Will

Author(s)	Definitions or Approaches
Kpundeh (1998: 92)	“[D]emonstrated credible intent of political actors (elected or appointed leaders, civil society watchdogs, stakeholder groups, etc.) to attack perceived causes or effects [...] at a systematic level”.
Brinkerhoff & Kulibaba (1999: 3) Brinkerhoff (2000: 242)	“[C]ommitment of actors to undertake actions to achieve a set of objectives [...] and to sustain the costs of those actions over time.”
Andrews (2004)	Reform space = intersection of ability, authority, and acceptance.
Anderson et al. (2005)	Willingness as evidenced by commitment and inclusiveness.
Rose and Greeley (2006: 5)	“[S]ustained commitment of politicians and administrators to invest political resources to achieve specific objectives”.

Source: Post et al. 2008: 657

They confirm that most authors recognize political will as a complex, multifaceted concept – composed of various subconcepts: “These subconcepts appear to coalesce into three categories. The first category is the distribution of preferences with regard to the outcome of interest. The preferences of political elites (Hammergren 1998) are particularly important. [...] The second common category is the authority, capacity, and legitimacy of key decision-makers or reformers. Political will is inextricably tied to policy outcomes, and the general thrust of the argument here is that political power and other resources (Brinkerhoff 2000; Brinkerhoff and Kulibaba 1999; Hammergren 1998; Kpundeh 1998) are essential for producing these outcomes. Policies backed by resource-poor coalitions suffer a deficit of political will. [...] The third category – perhaps the most difficult to quantify but nonetheless crucial – is commitment to preferences. Weakly held (thereby easily disregarded) or insincere preferences in favor of reform also detract from political will” (Post et al. 2008: 658).

On the basis of these subconcepts, Lori Ann Post, Amber Raile and Eric Raile have formulated their own definition of political will, which shall be the basis of this work's analysis: "Plainly speaking, political will is *the extent of committed support among key decision-makers for a particular policy solution to a particular problem*. The consideration of the 'extent' of support for a 'particular policy solution to a particular problem' acknowledges the distribution of specific preferences, one of the three common categories identified [...]. Similarly, the use of 'key decision-makers' incorporates the authority, capacity, and legitimacy of the decision makers – the second common category. Finally, the use of 'committed support' in the definition addresses the third category of commitment to preferences" (Post et al. 2008: 659).

The definition of Lori Post et al. now provides the guidelines how political will in EU member states towards a genuinely *common* ESDP can be analyzed and measured:

1. The '*distribution of specific preferences*' towards ESDP and the support for '*particular policy solutions*' favouring a genuinely *common* ESDP in and between EU member states shall be analyzed.
2. The distribution of specific preferences among '*key decision-makers*' in EU member states shall be analyzed.
3. The '*commitment to the preferences*' of key EU decision-makers shall be analyzed.

The Method of Analysis: Quantitative-Standardized Elite Survey

A standardized quantitative elite survey has been conducted for this chapter in order to capture the distribution of specific preferences and the commitment to these preferences of key decision-makers within the EU with regard to security and defence policy in general and ESDP specifically.

Elite Survey: Parliamentary Committee Members as Political Elite

Lori Post et al. argue that political will requires that "a sufficient set of decision-makers with a common understanding of a particular problem on the formal agenda is committed to supporting a commonly perceived, potentially effective policy solution" (Post et al. 2008:

659). As the 'set of decision-makers' the political *elites* of EU countries (and their attitudes and opinions) were chosen to form the basis of analysis of this chapter. Political elites can be considered as 'key decision-makers' for two reasons: First, "elites are generally more knowledgeable about politics than non-elites (or the general public)" (Hoffmann-Lange 2008: 54). Second, "[e]lites are customarily defined as incumbents of leadership positions in powerful political institutions and private organizations who, by virtue of their control of intra-organizational power resources, are able to influence important (political) decisions" (Hoffmann-Lange 2008: 53).

Defence, Foreign Affairs and European Affairs Committees

So which specific group of the European political elites was approached for this survey? For several reasons the members of the ESDP-relevant national parliamentary committees – defence committees, foreign affairs committees, EU affairs committees – and the ESDP-relevant committees of the European Parliament – foreign affairs committee (AFET) and security and defence sub-committee (SEDE) – were chosen. First, parliamentary committees are "[o]ne key meeting place for this greatly expanded community of policy-makers" (Christiansen & Kirchner 2000: 4) where key political decisions are discussed, prepared and decided: "The bulk of significant political decisions... are made neither by individual, autonomous decision-makers... nor by all the members of the political system, by the electorate, or by the rank and file of a political party. It is to the face-to-face group that one must look if one is to find the locus of decision-making in political systems" (Verba in Lees & Shaw 1979: 3). Secondly, "[...] parliamentary committees are established by the full plenary to take advantage of the expertise acquired by the specialized committee members" (Häge 2007: 302) – members of the national parliamentary defence, foreign affairs and EU affairs committees might be the political decision-makers which are most familiar with ESDP and with all the issues and debates surrounding it. Thirdly, parliamentary committees provide a clear analytical framework – fixed numbers of members and representation of all political parties relatively to their plenary size – guaranteeing a large degree of trans-national comparability. All in all, parliamentary committees can be considered as 'mini-parliaments' within national parliaments which themselves represent – at least in theory – the political

will of a country. Therefore the opinions on ESDP within parliamentary committees are likely to be very close proxies for the opinions of the parliaments as a whole.

Many analysts might argue that the ‘real’ decision-makers are governmental and ministerial officials and not members of parliament. There lies definitely some truth in the assumption that parliamentarians are not *necessarily* experts in the policy area which is covered by the committee they are members of. It might also be a fact that in some EU countries decisions have already been taken by governments and ministries before they enter the parliamentary discussion. Nevertheless, from a strictly *democratic* perspective members of parliament are the *key* decision-makers, as all political decisions should finally be taken by parliaments – at least in theory and an ideal world.

Different Types of Parliaments

Some EU member states (AT, BE, CZ, DE, ES, FR, IE, IT, NL, PL, RO, UK) have bicameral parliamentary systems, an upper house and a lower house. In most cases second chambers or upper houses are not as powerful and as involved in the decision-making process as first chambers or lower houses are. This is the reason why the ESDP-relevant committees of second chambers/upper houses were not in all cases included in the survey. Second chambers/upper houses were included if they fulfil one of the following two criteria:

1. Decision-Making Power equal to First Chamber/Lower House

There is only one example of an upper house being more decisive than the lower house – the Netherlands: “In the sole example of systematic upper house decisive power, the Dutch ‘first house’ has ultimate veto power over legislation [...]” (see Tsebelis & Money 1997: 63). Italy and Romania both have two chambers with equal competencies: “Italian bicameralism is known as ‘parity’ or ‘perfect’ bicameral, and it stands out with respect to other so-called differentiated or imperfect bicameral systems in which the two houses have a different representational legitimacy and unequal powers” (Lodici 1999: 236); in Romania, “[t]he parliament is characterized by a ‘perfect’ bicameralism both on the level of functions and structure” (Bessi 2006: 1038). In all the other bicameral EU member states, the lower house is decisive (see Tsebelis & Money 1997: 63). As a consequence, only the upper houses of the Dutch, Italian and Romanian parliaments were included in the survey.

2. Joint Committees

In some countries the ESDP-relevant committees are held *jointly* by both chambers with *mixed* membership of deputies of both the lower *and* the upper house. For example, in Ireland all ESDP-relevant committees are joint committees; in Belgium, Romania and Spain only the EU affairs committee is. Of course, in such circumstances, it made no sense to separate the committee members of the two houses, and as such, the members of the ESDP-relevant committees of Ireland and the EU affairs committee of Belgium and Spain were included in the survey.

Along with the members of the ESDP-relevant committees of Belgium, Ireland, Italy, the Netherlands, Romania and Spain, also the members of the relevant committees of the British House of Lords were included in the survey – although this chamber does not fulfil the two criteria. The reasons for this decision were: first, “[t]he House of Lords is in many ways the ‘classic’ second chamber. It competes with a handful of other bodies for the title of oldest parliamentary chamber in the world” (Russell 2006: 65). Second, “the House became known for its expertise and diligence in relation to EC policy” (Shell 1999: 219); “[t]he best known of the House of Lords’ committees is that on the European Union [...]. This committee, which does most of its work through seven subcommittees, has gained a reputation throughout Europe for the thoroughness of its work” (Russell 2006: 84).

Different Committee Names

Although all 27 EU member states have parliamentary committees dealing with defence, foreign affairs and EU affairs, the names differ from country to country. In 23 EU member states there are *three* relevant committees: a defence, a foreign affairs as well as an EU affairs committee. In Bulgaria and Greece foreign and European affairs are covered by *one* committee and in Luxembourg and Malta there is only one committee *in total* dealing with ESDP issues. The *defence* committee is in some countries called committee for *national defence* (AT, BE, EE, FR, HU, PL, PT), *defence affairs* (CY), *national security* (LV), *national security and defence* (LT), *defence and security* (European Parliament, SK) or *defence, public order and national security* (RO). In Ireland, defence is dealt with in a particular eclectic mix: in the committee for ‘justice, equality, defence and women’s rights’. *Foreign affairs* committees are sometimes also called *foreign policy* committees (RO, SI) or *external relations* committees (BE). And *EU affairs* are also discussed in *European affairs* committees

(CY, CZ, FR, EL, IE, LT, LV, NL, RO, PT, SK), in committees for *EU policy* (IT), *Europe* (DK), *EU* (ES, British House of Lords), *EU Scrutiny* (British House of Lords) *European questions* (BE) or in a committee called *grand* (FI). The EU affairs committee in Austria and the security and defence committee in the European Parliament are only *sub*-committees.

Different Committee Sizes

The number of committee members differs considerably from state to state as well – of course due to different total numbers of deputies in national parliaments, but also due to different parliamentary structures in general and different relevance of specific committees in the national context. Italy (204), France (166) and Romania (121) have by far the most total members in their defence, foreign affairs and EU affairs committees – Malta (9), Luxembourg (13) and Cyprus (26) by far the least.

Quantitative Survey: Standardized Questionnaire for all Committee Members

A *quantitative* approach was chosen for the analysis – addressing *all* committee members with a standardized questionnaire – instead of a *qualitative* approach – conducting personal interviews with only *individual respondents*. There were three main reasons for this methodological approach. First, quantitative research allows for better generalization: “A survey researcher often uses a sample, or a smaller group of selected people (e.g., 150 students), but generalizes results to a larger group (e.g., 5000 students) from which the smaller group was chosen” (Neuman 1997: 31). The identification of commonalities and divergences between so many countries in such a large group like the EU is more accurate and consequently more credible if as many voices as possible are heard – the more committee members express their opinion the more precise is the generalization. Qualitative interviews with only *one* committee member per country would provide more in-depth information of course, but would have been indicative of only *one* parliamentary opinion. Secondly, the quantitative approach provided for cross-country comparisons, European differences across broad political groupings and the identification of possible committee or gender differences in attitude. Thirdly, a qualitative approach in form of personal interviews would have been not feasible in time, logistically and budgetary terms – at least for producing the same results as has been produced by the quantitative approach.

Eurobarometer 54.1: Reloaded

In 2000, Belgian Defence Minister André Flahaut decided to conduct a large comparative survey in the EU countries (at that time 15) in order to get to know the Europeans' opinion about a common security and defence policy and to get a picture of to what extent they share the objective of greater integration in this area. To this end, eight questions on this subject, most of them with multiple items, were inserted into the Eurobarometer survey wave 54.1 of autumn 2000. According to Franz Kernic, Jean Callaghan and Philippe Manigart, who analysed the results, “these questions may be grouped under three main themes:

1. A few contextual variables that, at the level of public opinion in the member states, may influence the debate in this area (fears, roles assigned to the army [...])).
2. The way in which a common security and defence policy should be organized (support, level, and modes of decision-making).
3. The establishment of a European army (roles and form)” (Kernic et al. 2002: 40).

Seven of these questions (see box 9: Q 1.1, 1.2, 3.1 (incl. 3.1.1), 3.2, 4.1, 4.2, 4.3) have been used for the elite survey in this work, for two reasons: First, these questions are very suitable for capturing the political will of EU decision-makers to develop a genuinely *common* ESDP. Secondly, using these questions allows a comparison of elite and mass opinion on ESDP.

Additional Questions

One additional *set* of questions has been added to the survey and one *single* question. The additional set contains three questions (see box 9: Q 2.1, 2.2, 2.3) about the general orientation towards Europe’s political and defence future – about the general preference between a nation-state concept and an ever-closer Union. These questions were developed for different national surveys in Italy, Spain and Portugal (see Kernic et al. 2002: 77-81). One single question (see box 9: Q 3.3) has been added to the category ‘decision-making’.

These are the questions which were finally included in the survey:



Box 9: Questionnaire on European Security and Defence Policy

Threat Perception & Role of Army	
Question 1.1	Here is a list of things that some people say they are afraid of. For each of these, please tell me if, personally, you are afraid of it, or not?
Question 1.2	For each of the following, please tell me if you think it is one of the roles of the army, or not?
Orientation towards European Integration	
Question 2.1	Preferences towards Europe's political future?
Question 2.2	Preferences towards European defence?
Question 2.3	Preferences towards the defence of the own country?
Decision-Making in Security and Defence Policy	
Question 3.1	In your opinion, should decisions concerning European defence policy be taken by national governments, by NATO or by the European Union?
Question 3.2.1	In the context of a common European Security and Defence Policy, who, do you think, should take decisions in case of military intervention: only the governments of the countries which are willing to send troops or all member countries of the European Union, including those who are not willing to send troops?
Question 3.2.2	If 'European Union' is the choice in Q.3.2.1: How should these decisions be made within the European Union?
Question 3.3	Do you think single EU member states should be able to go to war and to have military missions alone – without consent in the European Union?
Type and Role of European Armed Forces	
Question 4.1	Recently, the European Union has decided to set up a swift intervention force of 60.000 men. Personally, do you think it is... ?
Question 4.2	Which of these [types of armed forces] would you prefer in the context of a common European security and defence policy?
Question 4.3	The European Union has decided to put in place a common security and defence policy. Which roles do you think European armed forces should have?

Three questions on the depth of affinity with a European identity were also included as part of the survey, as European identity can be considered as another contextual variable that may influence security policy orientations of EU member states with regard to ESDP. For capacity and time reasons, however, these questions and the relevant responses were not included in the analysis of this work.

Translations

As not all members of national parliaments speak English, the questionnaire was translated into different languages in order to make sure that all survey participants understood the questions in the same way. Members of parliament of the following countries could

complete the questionnaire in their mother tongue: Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Estonia, France, Germany, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and the United Kingdom. Of course it is very important to ensure that the equivalent meaning is contained in the different languages. For this reason the common approach of ‘blind back-translation’ was used: “This involves beginning with a base language (e.g. English) and then translating the questionnaire into each of the languages used in the survey. To check the accuracy of the translation, the translation is then independently translated back into the base language and the two versions of the questionnaire in the base language are compared” (De Vaus 2008: 260).

Only for Danish, Finnish, Swedish and Maltese deputies no translation was made, because people in Scandinavia are known for their proficiency in English and English is the second official language in Malta along with Maltese.

Web-based Survey: Efficient Way of Data Collection

For the collection of the relevant responses, an online survey was set-up via the online survey/questionnaire software tool ‘Stellar Survey’ (www.stellarsurvey.com): “The questions are posted on the Web [...]. Respondents are notified about the location of the survey on the Web (with a specific URL) [and in our case by email], enter their responses, and submit their survey online. The results are automatically calculated” (Fetterman 2009: 560). There are several advantages to this approach: “First, the data can be collected very rapidly, clearly more so through mail and phone surveys. Second, there are no data entry costs since the respondent enters his or her data. Third, the data are almost immediately available to the researcher. With the development of sophisticated software, the survey can be programmed with skipping and branching where questions are given to the respondent based on their previous responses. [...] Finally, the researcher can track the completion rate and respond while the survey is still in the field to increase that rate” (Bickman & Rog 2009: 26).

In some countries (Bulgaria, France, Greece, Italy, Poland, Romania, Spain and the European Parliament) it was very difficult to receive enough responses via the web-based survey tool and to get to the response rate aimed at. In these cases, the questionnaire was additionally and in several waves sent out as *hardcopy* and by *regular* mail, because “[t]ypically, response

rates to online surveys are lower than those for comparable postal questionnaire surveys” (Bryman 2004: 485), For France and Poland even this strategy did not lead to a satisfying number of responses. Hence, a research trip was organized to Paris and Warsaw in order to meet members of the relevant committees personally and to collect the missing responses directly.

Survey Statistics: Response Rate and Other Numerical Details

William Lawrence Neuman argued that “[s]urvey researchers disagree about what constitutes an adequate response rate³⁰”, but that “[a] response rate of 10 to 50 percent is common for a mail survey” (Neuman 1997: 247). Gary T. Henry might agree: “It is very difficult, if not impossible, to specify what response rates are necessary to reduce bias to a negligible amount” (Henry 2009: 80). For the web-based survey conducted for this work a minimum response rate of 20 percent³¹ was determined as the objective to be aimed at. There were three reasons for this. First, a trial run – sending the questionnaire by regular mail to the chairpersons of the EU countries’ three relevant committees – has made clear that even a 20 percent response rate requires a lot of effort if there is only a *single* researcher and if the research project is limited to such an extent as this project has been. Second – as mentioned above – online surveys typically generate lower response rates than postal questionnaire surveys. Third, response rates of elite surveys are generally somewhat lower, “primarily because elites are busy people and have little spare time for lengthy interviews even if they are willing to participate in a survey” (Hoffmann-Lange 2008: 54). Of course such a low response rate is not ideal, because the lower a response rate, the more questions are likely to be raised about the representativeness of the achieved sample. Alan Bryman argued, however, that “in a sense, this is only likely to be an issue with randomly selected samples” (Bryman 2004: 136) – what is not the case in the survey conducted for this work. Furthermore, the author has tried to make the survey as representative as possible by

³⁰ “Response rates are the selected sample members that participated in the study divided by the total sample and expressed in percentage terms” (Henry 2009: 80).

³¹ For France and Italy a minimum response rate of only 10 percent was determined, because these two countries have considerably more members in their three relevant committees in total (France: 166 and Italy: 204) than EU countries of a comparable size (Germany: 99; UK: 70).

collecting data which mirror the national proportions of committee membership, the national male-female-ratio and the national balance of power between political parties. For some countries the grade could be made more, for some less – overall the challenge was successfully met. Nonetheless, the possible bias of the survey results caused by the relatively low response rate needs to be taken into consideration.

Tables 23, 24 and 25 on the following pages give an overview of all the important survey details and survey response numbers: all defence, foreign affairs and EU affairs committees of the 27 national parliaments plus the European Parliament amount to a total membership/survey base of 1814. All of these 1814 committee members were invited to take part in the survey. In total, 418 of these finally participated and for all countries the minimum response rate of 20 percent (10 percent for France and Italy) could be achieved. The highest response rates were realized in Denmark (51%), Slovenia (39%), Luxembourg (38%), Latvia (36%), Slovakia and the Czech Republic (both 33%). The average response rate for all countries and the European Parliament is 26 percent. The survey was running for more than two years with the first response coming in on the 17th of July 2007 and the last one on the 8th of September 2009.

In total, 323 *male* members of parliament took part in the survey and 95 *female* deputies. 143 of the total 418 respondents have been members of their national *foreign affairs* committee, 132 of the *defence* committee and 123 of the *EU affairs* committee (while 20 have been members of *joint* committees at the moment of participation).



Table 23: General Survey Details

COUNTRY	Total Committee Members addressed	Minimum Response Rate (20%)	Actual Response Rate (Number)	Actual Response Rate (%)	First Response (Date)	Last Response (Date)
AT	54	11	15	28%	17.07.07	30.05.09
BE	41	9	12	29%	17.10.07	13.05.09
BG	38	8	8	21%	30.01.08	13.05.09
CY	26	6	7	26%	17.09.07	29.05.08
CZ	48	10	16	33%	15.10.07	22.01.08
DE	99	20	21	21%	22.10.07	12.05.09
DK	45	10	23	51%	22.08.07	21.05.09
EE	30	6	7	23%	16.08.07	19.05.09
EL	70	14	14	20%	22.08.08	02.09.09
ES	121	25	27	22%	15.10.07	30.06.09
FI	52	11	14	27%	29.08.07	25.09.08
FR	166	17	19	11%	16.10.07	25.07.09
HU	66	14	14	21%	15.10.07	18.06.09
IE	59	12	13	22%	24.01.08	27.05.09
IT	204	21	23	11%	17.10.07	04.06.09
LT	40	8	11	28%	16.10.07	27.05.09
LU	13	3	5	38%	22.08.07	05.08.09
LV	36	7	13	36%	15.10.07	28.05.09
MT	9	2	2	22%	19.10.07	25.08.08
NL	80	16	17	21%	21.01.08	04.06.09
PL	93	19	22	24%	06.12.07	08.09.09
PT	56	12	15	27%	16.10.07	29.05.09
RO	97	20	25	26%	15.10.07	09.06.09
SE	50	10	13	26%	15.10.07	01.06.09
SI	33	7	13	39%	17.10.07	10.06.09
SK	33	7	11	33%	22.08.07	29.05.09
UK	70	14	15	21%	05.09.07	03.06.09
EP	85	17	23	27%	21.08.07	21.07.09
TOTAL/ø	1814	336	418	26%		



Table 24: Survey Response Statistics – By Gender & Committee

COUNTRY	Total	Male	Female	DefCom ³¹	ForCom	EUCom
AT	15	8	7	7	6	2
BE	12	9	3	3	6	3
BG	8	7	1	4	4	
CY	7	5	2	2	2	3
CZ	16	15	1	5	5	6
DE	21	13	8	8	5	8
DK	23	14	9	7	10	6
EE	7	6	1	2	2	3
EL	14	9	5	5	9	
ES	27	23	4	10	10	7
FI	14	9	5	7	4	3
FR	19	16	3	14	3	2
HU	14	13	1	2	8	4
IE	13	11	2	3	4	6
IT	23	20	3	8	9	6
LT	11	10	1	3	3	5
LU	5	5	0	5		
LV	13	7	6	4	3	6
MT	2	2	0	2		
NL	17	12	5	4	7	6
PL	22	14	8	7	3	12
PT	15	11	4	5	5	5
RO	25	23	2	8	7	10
SE	13	9	4	5	3	5
SI	13	13	0	2	8	3
SK	11	10	1	1	6	4
UK	15	11	4	3	4	8
EP	23	18	5	3	20	-----
TOTAL	418	323	95	132	143	123
				= 398 + 20 members of joint committees		

³¹ DefCom: Defence Committee; ForCom: Foreign Affairs Committee; EUCom: EU Affairs Committee.

Out of 418 survey participants, 143 belong to a political party of the centre-right spectrum while 141 belong to the centre-left. 58 respondents belong to a liberal party, 24 to a euro-sceptic party, 18 to a post-communist party, 15 to a green party and 7 to a radical-populist party. 12 survey participants were non-attached to *any* political party. The classification of political parties strictly corresponds to the membership of national parties in the political groups of the European Parliament or their affiliation with a European party.



Table 25: Survey Response Statistics – By Party Orientation

COUNTRY	Total	Centre-Right	Centre-Left	Liberal	Greens	Post-Communist	Euro-Sceptic	Radical/Populist	Independent
AT	15	5	7	-----	2	-----	-----	1	-----
BE	12	2	3	3	1	-----	-----	3	-----
BG	8	1	1	6	-----	-----	-----	-----	-----
CY	7	3	3	-----	-----	1	-----	-----	-----
CZ	16	2	4	-----	1	3	6	-----	-----
DE	21	5	9	3	1	3	-----	-----	-----
DK	23	1	7	7	3	1	4	-----	-----
EE	7	2	-----	3	2	-----	-----	-----	-----
EL	14	7	7	-----	-----	-----	-----	-----	-----
ES	27	9	14	3	-----	1	-----	-----	-----
FI	14	9	3	1	-----	-----	-----	-----	1
FR	19	11	6	-----	-----	2	-----	-----	-----
HU	14	5	7	2	-----	-----	-----	-----	-----
IE	13	1	1	7	1	-----	-----	-----	3
IT	23	10	10	1	1	-----	1	-----	-----
LT	11	2	2	6	-----	-----	1	-----	-----
LU	5	1	1	1	1	-----	1	-----	-----
LV	13	7	1	4	-----	1	-----	-----	-----
MT	2	2	-----	-----	-----	-----	-----	-----	-----
NL	17	3	5	1	1	4	1	1	1
PL	22	13	4	-----	-----	-----	3	-----	2
PT	15	5	9	-----	-----	1	-----	-----	-----
RO	25	11	10	2	-----	-----	-----	-----	2
SE	13	7	2	3	1	-----	-----	-----	-----
SI	13	5	5	1	-----	-----	-----	1	1
SK	11	7	1	2	-----	-----	1	-----	-----
UK	15	-----	9	-----	-----	-----	4	-----	2
EP	23	7	10	2	-----	1	2	1	-----
TOTAL	418	143	141	58	15	18	24	7	12

Survey Problems: Critical Notes on Reliability and Biases

Robert J. Lieber has pointed out already in 1975 that “[e]lite surveys in general suffer from certain problems of reliability” (Lieber 1975: 324). The following limitations of reliability and possible biases must be taken into consideration when the results of this work’s survey will be analysed on the following pages:

- *Low response rate:* As mentioned above, response rates of elite surveys are always lower than response rates of public opinion surveys and therefore less representative. With an elite survey, it is very difficult to achieve a response rate and therefore a certain degree of representativeness which satisfies all experts in the field – Philip Norton, in this regard, has spoken of “the virtual impossibility of achieving such a high response rate in any future survey of members of parliament” (Norton 1997: 20) in 1997. Thus, although a remarkable large number of members of parliament have participated in the survey of this work, it should always been taken into consideration that the results lack to a certain degree representativeness – especially regarding the country comparisons.
- *Lack of response control:* Conducting a survey which addresses members of parliament always implies the risk that it is not the parliamentarians themselves completing the questionnaire, but their assistants. This should not cause a major bias though: assistants either might get the permission to complete a questionnaire on behalf of their bosses or they might know that their opinions do not differ.
- *Political party bias:* Political party orientation is a factor which probably influences the opinion of members of parliament on CSDP. Unfortunately the limitations of this work have made it impossible to analyse this factor. A lot of effort was made however, to ensure that the political power balances of each country are as representative as possible (which means that the number of survey participants of a party depends on the party’s national strength). Only for a few countries the theoretical possibility of a bias was unavoidable (see Malta).
- *Time bias:* “The passage of time creates a further problem. Any elite or mass survey measures opinion at a given moment. Responses may be conditioned by events at the time and attitudes may shift in response to subsequent events” (Lieber 1975: 326).

Survey Analysis: Overall EU Opinion, Country Differences and Elite-Mass Cleavage

The analysis of the survey responses will follow four steps for each of the questionnaire questions (step 4 excluded for questions 2.1-2.3 and 3.3 due to lack of data):

1. What are the positions and perceptions of the key decision-makers within national parliaments and the European Parliament *in total numbers*?
2. How do these positions and perceptions differ *from country to country*?
3. How do these positions and perceptions differ between members of national parliaments (MPs) and members of the European Parliament (MEPs)?
4. How do the results of this elite opinion survey differ from the results of the public opinion survey from 2000 (Eurobarometer 54.1)? Is there an *elite-mass cleavage*?

Originally it was planned to also test the influence of party affiliation (left-right cleavage) on the political positions and perceptions of the committee members – as well the impact of gender, committee membership and the depth of affinity with a European identity. The limitations of this doctoral project have made such an extensive analysis impossible, however, why it will be deferred to a later moment in a future publication.

Threat Perception and the Role of Armed Forces

Threat Perception: European Decision-Makers

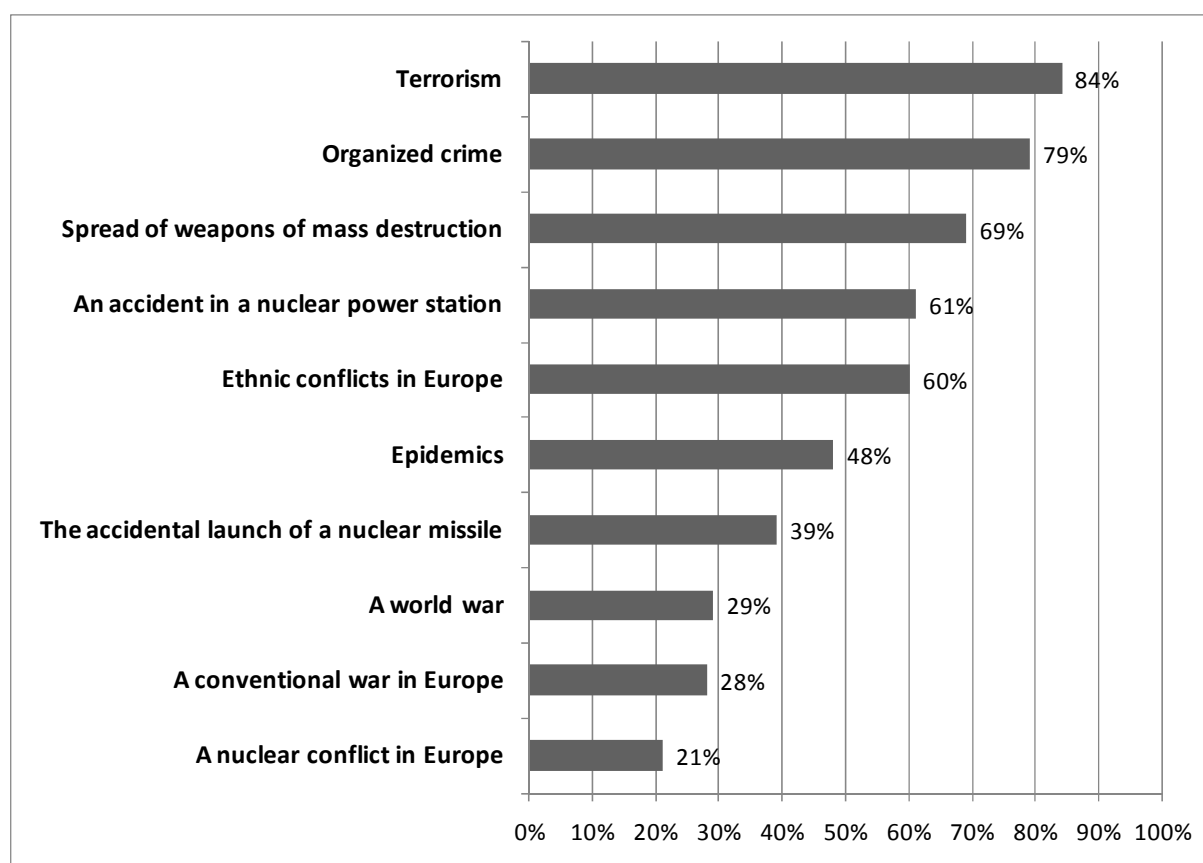
“Strategic culture frames both the perception of a threat and the choice of a response” (Cadier 2008: 6; see also Kirchner & Sperling 2007: 6). The interest of this work in threat perceptions of EU member states derives from this fact, because different threats require different instruments to meet the threats. Threat perception affects the ways and means by which states choose to respond to threats instrumentally. As ESDP comprises the EU’s instruments to address threats, it is important to analyse the threat perception within the EU: The more EU member states *differ* in their threat perception the more likely it is that they have *different* instrumental preferences and prioritize *different* instruments of the ESDP’s toolbox – a *common* threat perception guarantees a genuinely *common* ESDP.

In 2003, the EU member states already agreed on *common* key threats in the European Security Strategy (ESS): terrorism, proliferation of Weapons of Mass Destruction (WMD), regional conflicts, state failure and organized crime. In the Report on Implementation of the European Security Strategy in 2008 these threats were confirmed as *key* threats with energy security and climate change also mentioned as future security challenges.

Which results did the survey produce? Do the key decision-makers of national parliaments and within the European Parliament perceive the same threats as have been defined by former High-Representative Javier Solana in the ESS? The results (see figure 10) are impressive: the same threats top the list, just in a slightly different order. Terrorism is perceived as primary threat as well, followed by organized crime and the spread of WMD



**Figure 10: Fears of European Decision-Makers
for a Certain Numbers of Threats³² (in %, 'fear')**



Total Responses: 412. Don't know (DK)/ No answer (NA) included

³² The question was: "Here is a list of things that some people say they are afraid of. For each of these, please tell me if, personally, you are afraid of it, or not?" (see box 9, question 1.1).

on the second and third rank. For the members of parliament an accident in a nuclear power station is perceived as slightly more threatening than ethnic/regional conflicts, but as this is more an issue of *internal* security, this type of threat was not mentioned in the ESS. The three threats cited least often are a nuclear conflict in Europe, a conventional war in Europe and a world war. It is important to note that “these are the three types of military conflicts directly (explicitly or implicitly) involving European nations on their own territory” (Kernic et al. 2002: 41). The fact that a huge majority of European decision-makers and opinion-leaders don’t see the territorial integrity of their countries threatened is another indication that *symmetric* threats, *conventional* war and *territorial defence* might have lost their importance in national security and defence policy and national strategic thinking – a future CSDP will be shaped to address new types of threats – *asymmetric* threats – by new types of instruments – *unconventional* instruments of *crisis management*.

Threat Perception: Country Differences

If we now look at the differences in perceptions among different EU member states, the most striking result of the survey is that the majority of the Dutch survey participants are not afraid of *any* of the listed threats. Only the spread of WMD is considered as threatening by at least 50%. Apart from that, a rather broad convergence can be noted at both ends of the scale: terrorism is among the top two threats in 25 EU states and organized crime in 21 EU countries – and in only 4 countries the majority of survey participants feel threatened by a conventional war in Europe, in only 3 by a world war and only in Romania (56%) by a nuclear conflict in Europe. Interesting to note is that of all these countries in which *conventional* threats obviously still are of relevance, there is only one that maintains a conscription system of compulsory military service (Estonia, with 57% of survey participants being afraid of a conventional war in Europe). While most EU countries seem to have convergent opinions on the proliferation of WMD (only in Poland (45%) and Bulgaria (38%) are they *not* considered as a *major* threat by the majority), the threat perception widely differs from country to country regarding ethnic conflicts in Europe: On the hand there are countries in which ethnic conflicts in Europe are considered as the *top* threat (Estonia (100%), Sweden (85%), Finland (79%), Hungary (79%)) and on the other hand there are states in which not even a majority of survey participants regard ethnic conflicts in Europe as a risk (Belgium

(33%), Greece (36%), Bulgaria (38%), Latvia (42%), Netherlands (44%), France (47%)). This divergence might be no problem for a future CSDP, however, because it is very unlikely that any EU state would refuse assistance to a partner in which an ethnic conflict becomes violent – the EU countries which feel unthreatened by ethnic conflicts in Europe might only feel that way because they think that they are very unlikely to arise. Differences in threat perception are also existent with regard to epidemics: While in Finland it is considered as the *top* threat together with ethnic conflicts (79%) and comes in *second* in Estonia (86%), it plays almost *no* role in German-speaking Europe (Germany 25%, Austria 27%) and only a *tiny* role in Italy (30%), Belgium (33%), the Netherlands (38%) or Denmark (39%).

Threat Perception: National versus EU Level

The threat perception does not significantly differ between the members of national parliaments and the members of the European Parliament. Only in relation to one listed risk did the perception differ by more than 7 percent: ethnic conflicts in Europe. While 61 percent of the survey participants of the national parliaments (on average) perceive ethnic conflicts as a threat, only 45 percent of European Parliament respondents do so.

Threat Perception: Elite versus Public Opinion

When comparing the results of this work's elite survey with the public opinion results of Eurobarometer 54.1 (see Kernic et al. 2002: 41), three striking observations can be made:

First, threat perception at the end of the scale completely corresponds with each other: A nuclear conflict, a conventional war in Europe, a world war, the accidental launch of a nuclear missile and epidemics are the five least cited threats both among the public in 2000 and among the political elite from 2007 to 2009 – even in the same order.

Second, although the five 'least threatening' risks are cited in the same order, the public is much more afraid of those in total numbers than the political elite is: The public fear of a nuclear conflict in Europe has been 23 percent higher than the fear of the political elite is now – 17 and 16 percent higher, respectively, the public fear has been of a conventional war in Europe and a world war. This decrease could possibly be explained by the *continuous* trend away from symmetric threats and conventional conflicts to asymmetric threats and unconventional conflicts.

Third, public opinion in 2000 identified the same group of risks as *key threats* as the ESS did in 2003 and political elite opinion did according to the survey of this work: terrorism, organized crime, the spread of WMD and ethnic conflicts (the accident in a nuclear power station is ignored at this point being an *internal* threat). Only the order is slightly different in the eyes of the European public in 2000, with organized crime having been the *top* threat, followed by terrorism, ethnic conflicts and the spread of WMD. Although the order is slightly different, the percentages *hardly* differ: 77 percent of the public were afraid of organized crime in 2000 (compared to 79% of the political elite), 65 percent of ethnic conflicts (60%) and 62 percent of proliferation of WMD (69%). Only terrorism is perceived quite differently – quite a lot more threatening by the political elite today (84%) than by the public in 2000 (74%). This is not surprising, however, after the terrorist attacks in New York in 2001, in Madrid in 2004 and London 2005.

All in all, it can be concluded that threat perception hardly differs between the public and the political elite when comparing the results of the two surveys.

Role of the Army: European Decision-Makers

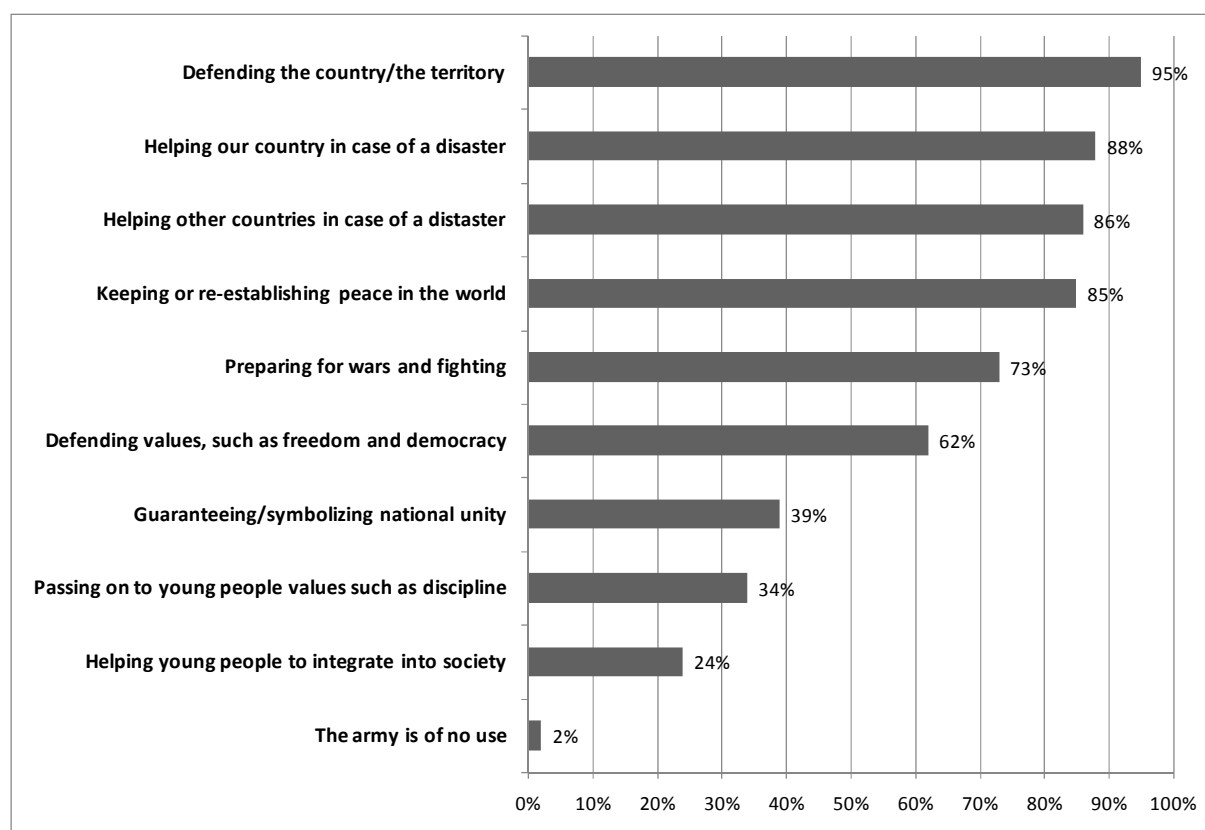
The way in which a country perceives the role of its armed forces decides how the country establishes, develops and finally uses its armed forces. One example is the use of the army in home affairs: While in some countries the armed forces play an important role in case of internal crises, managing the consequences of (for example natural) disasters or catastrophes (protecting the society or rescuing people) – in countries like Germany traditionally the army has *not* been used on home territory for particular reasons (with the police in charge). Such different understandings of the role of *national* armed forces can of course have an influence on how countries perceive the role of *common European* armed forces. So, with that in mind, what roles and missions do the European decision-makers which took part in the survey assign to their armed forces in total?

Defence of the country/territory is still seen as the most important role of the army/armed forces by European decision-makers today (see figure 11). This is not surprising, although territorial defence has lost a lot of its relevance in the last decades. It might be surprising, however, that immediately following on the second and third rank there are two non-military roles – helping the *own* country in case of a disaster (natural, ecological or nuclear)

with 88 percent and helping *other* countries in case of a disaster (natural, ecological or nuclear, famine, removing landmines, etc.) with 86 percent. Only slightly behind these two, the role which most analysts might assign to *common European* armed forces still gets huge



Figure 11: Opinions of European Decision-Makers about the Roles of the Army³³ (in %, 'yes')



Total Responses: 412. Don't know (DK)/ No answer (NA) included

majority support by 85 percent of European decision-makers. Already cited far less as role for the army were 'preparing for wars and fighting' (73%) and 'defending values, such as freedom and democracy' (62%). The first possibly sounds too militaristic to many parliamentarian's ears. And the second might be associated too much with the not so popular policy of George W. Bush of *defending* democracy and freedom by *spreading* it. On the bottom of the ranking – least frequently cited – are the more traditional, non-military roles of the armed forces which effect society: guaranteeing/symbolizing national unity

³³ The question was: "For each of the following, please tell me if you think it is one of the roles of the army, or not?" (see box 9, question 1.2).

(39%), passing on to young people values such as discipline (34%) and helping people to integrate into society (24%). Only 2 percent of the European decision-makers taking part in the survey think that the army is of no use.

Role of the Army: Country Differences

Regarding the top role of the armed forces there is unity among European decision-makers: In *all* 27 EU countries more than 80 percent of the survey participants think that ‘defending the country/territory’ is a role of the army, topping the list of 21, being second in six states. There is also widespread agreement about the relevance of the roles which ranked second, third and fourth overall – with minor exceptions, however. As mentioned above, in Germany it is the police rather than the army helping in case of an internal disaster – this explains a significantly lower support of this role by German members of parliament (60%) compared to their European counterparts. In Germany (60%), Latvia (67%) and Romania (64%), significantly less survey participants think that ‘helping other countries in case of a disaster’ is a role of the army in comparison to the EU average. While in Germany this perfectly corresponds with the general mistrust towards the use of armed forces in internal crises, the numbers in Latvia and Romania surprise, because the decision-makers in both states (92% in Latvia; 84% in Romania) overwhelmingly *do* think that helping in case of a disaster is a role of the army *nationally*. In 20 EU countries more than 80 percent of the decision-makers who took part in the survey think that keeping or re-establishing peace in the world is a role of the armed forces – only in Bulgaria (63%) and Lithuania (64%) the opinion differs significantly, still being a large majority. With role number five of the ranking, the *major* differences in the role perception begin between the EU states: While 100 percent of the British survey participants think that ‘preparing for war and fighting’ is a role of the army, only 25 percent think so in Germany. The other countries lie between these poles. One explanation possibly identifying a pattern could be that the traditional military *players* of the EU support this ‘*militaristic*’ role for the army (UK: 100%; France: 84%; Netherlands: 81%; Denmark: 70%) while the traditional military-*abstinents* do less or not (Malta: 0%; Germany: 25%; Austria: 47%; Finland: 50%; Sweden: 62%; Ireland: 64%). The greatest differences in perception between EU countries can be found for the last four ranked roles in figure 11 – without identifiable pattern, but with some striking extremes: Only 13 percent of the

Bulgarian survey participants think that ‘defending values’ is a role of the army; only 8 percent of Belgian respondents, but 67 percent of British respondents are of this opinion with regard to ‘guaranteeing/symbolizing national unity’; while 86 percent of Estonian and 68 percent of Polish survey participants think that ‘passing on to young people values such as discipline’ is a role of the army, only 25 percent of Latvian and 8 percent of Romanian respondents do. One interesting fact is that a large proportion of the countries which consider ‘helping young people to integrate into society’ as role of the army *well beyond EU average*, are conscription countries (Estonia: 57%; Greece: 50%; Austria: 40%; Finland: 36%). The top percentage comes from Ireland in this respect, however (64%). At the bottom of the list there is broad convergence again: only nine survey participants in total, from only five countries, think that the army is of no use with Germany (3) and Spain (2) having the most ‘peaceniks’.

Role of the Army: National versus EU Level

According to the conducted survey the divergences between how national members of parliament and European members of parliament see the role of armed forces are infinitesimal: the average deviance is somewhat more than 5 percent with the biggest gap being 12 percent (regarding ‘helping our country in case of disaster’).

Role of the Army: Elite versus Public Opinion

The comparison of the present elite survey with the public opinion survey 2000 (see Kernic et al. 2002: 43) provides even more striking results regarding the commonly held perceptions that both bases had of the role of the army than they had regarding threat perception. First, the tables which rank from ‘most cited role’ to ‘least cited role’ show exactly the same order. Both EU decision-makers and the EU public seem to have the same or at least very similar concepts of what armed forces should do and should not do. Secondly, the differences between elite and public support lie within only 5 percent for almost each of the top roles of the army – only the score for the role of ‘defending values’ has decreased by more than 5 percent (8%) from 2000 to 2007/2009. This possibly can be explained by the already mentioned negative perception associated with the ‘value-burdened’ Bush years and the rather unpopular military operations *Iraqi Freedom* and

Enduring Freedom. Thirdly, public opinion in 2000 was more convinced that the armed forces had to fulfil *social* tasks than EU decisions-makers were in the present survey. With regard to all three *social* roles the results of the two surveys differ significantly ('helping young people to integrate into society': 30%; 'guaranteeing/symbolizing national unity': 20%; 'passing on values': 20%). The public either perceives, experiences and values the *social* roles of armed forces more *or* the relevance of those has just further decreased over time.

Orientation towards European Integration

Preferences towards Europe's Political Future: European Decision-Makers

The general orientation of European decision-makers towards European integration is of interest in so far as European integration of course is one of the main drivers behind ESDP. It is a fact that a genuinely *common* ESDP will only happen if European integration continues in the area of security and defence: the more willing member states of the Union are to give up *national* positions (and if necessary sovereignty), the more easy it is to find *common* positions. On the other hand it can be argued that a genuine CSDP will be the *finalité* of this process (see Klein 2003). So what is the attitude of European decision-makers towards European integration in general and with regard to European integration in security and defence matters specifically? Are they willing to further intensify cooperation at EU level or even transfer sovereignty in security and defence affairs?

The survey shows that a large majority of European decision-makers (63%) are in favour of regular cooperation of EU countries and is even willing to transfer part of the national sovereignty to European institutions (see figure 12). 5 percent of the survey participants even like the idea of a single European state, signalling the willingness to transfer *full* national sovereignty to the EU level. A clear majority therefore might be open to more integration in the field of security and defence, possibly even open to transfer sovereignty to the EU in this area to a certain extent. For 28 percent of the survey participants the general orientation towards a nation-state concept is still strong: they want European cooperation 'under certain circumstances', but transferring sovereignty to the EU level is unacceptable – even if only partly in certain areas. 4 percent are actually opposed to European integration and favour a Europe in which each country maintains its own sovereignty and takes care of

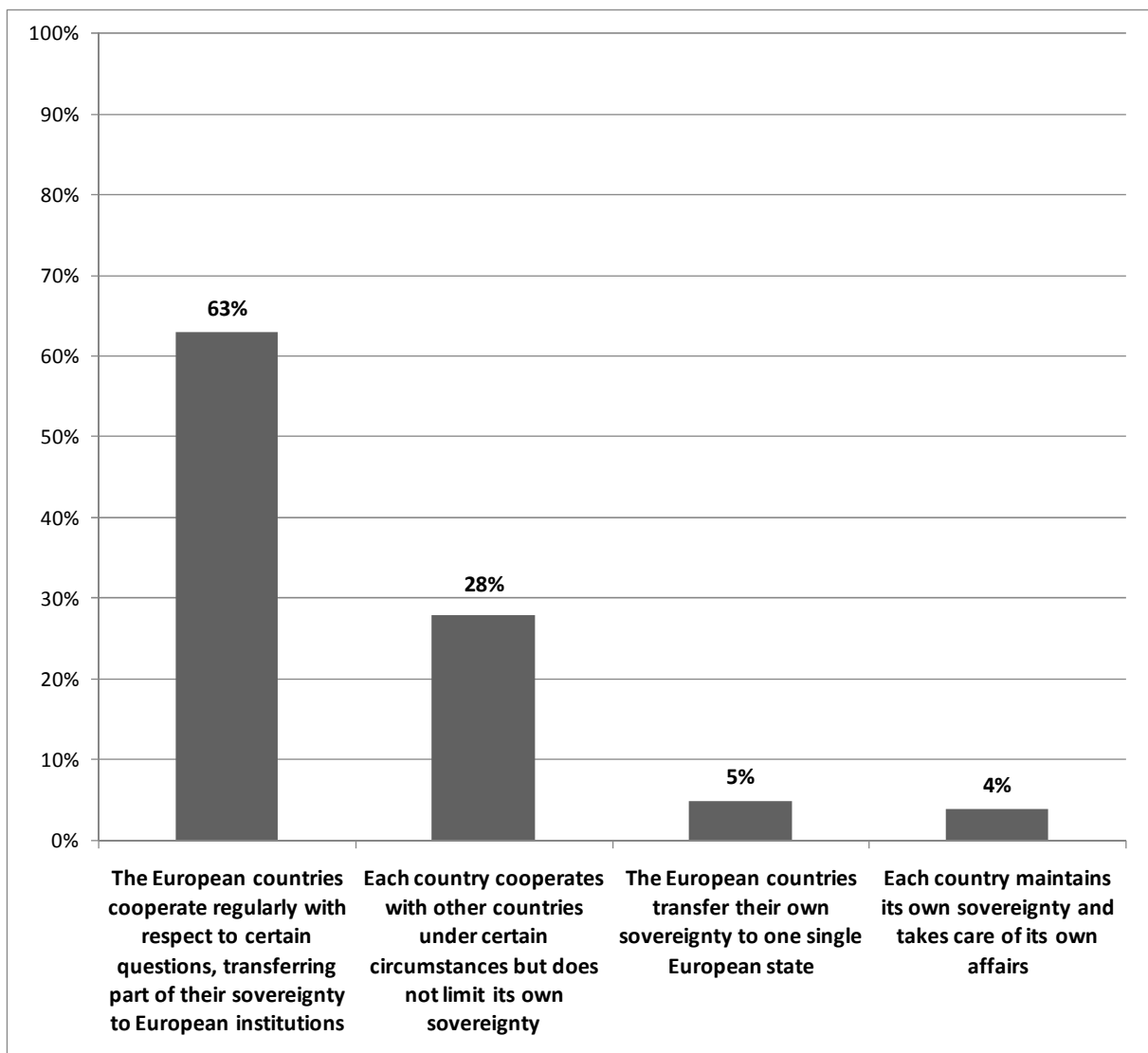
its own affairs. It is remarkable in this respect that more European decision-makers obviously like the idea of a federal Europe than an EU-less Europe.

Preferences towards Europe's Political Future: Country Differences

Only a majority of decision-makers of *three* EU countries have stated in the survey to be generally *not* willing to transfer sovereignty to the EU level: 82 percent of Slovakian survey



Figure 12: Preferences of European Decision-Makers towards Europe's Political Future



Total Responses: 417. Don't know (DK)/ No answer (NA) below 1 percent.

participants do not accept any limitation of national sovereignty, 54 percent of the Irish and 53 percent of the Dutch. In three other countries (Finland, Czech Republic and the UK) there is a deadlock situation between 'sovereignty-keepers' (50%) and 'sovereignty-transferers' (50%). In these six countries opposition towards transfer of sovereignty in the course of the development of a genuine CSDP might be most likely to arise. In all other countries, the general 'willingness' to transfer national sovereignty to the EU level lies above 60 percent of survey participants.

The strongest supporters of a single European state have been recorded from Latvia (15%), Bulgaria (13%), Spain (11%), Germany (10%) and Romania (8%). By contrast, in Slovakia (27%), Finland (21%) and Denmark (9%) the greatest proportion of decision-makers want their country to maintain its own sovereignty and take care of its own affairs.

Preferences towards Europe's Political Future: National versus EU Level

It might be no surprise, but survey participants of the European Parliament have a much more positive attitude towards European integration than survey participants of national parliaments: 91 percent of members of the European Parliament are willing to transfer sovereignty to the EU compared to only 66 percent of national deputies. Considering the fact that the European Parliament is *part* of the EU, the MEPs' responses are really not surprising as a transfer of sovereignty to the EU would actually also mean a transfer of sovereignty to the European Parliament. More remarkable are the *strong* 66 percent of *national* representatives as every transfer of sovereignty from the national to the EU level usually means a loss of power for national parliaments. According to the survey, the degree of support of a single European state differs significantly between European Parliament (17%) and national parliaments on average (4%) – the European Parliament is also the parliament in which this idea is most popular.

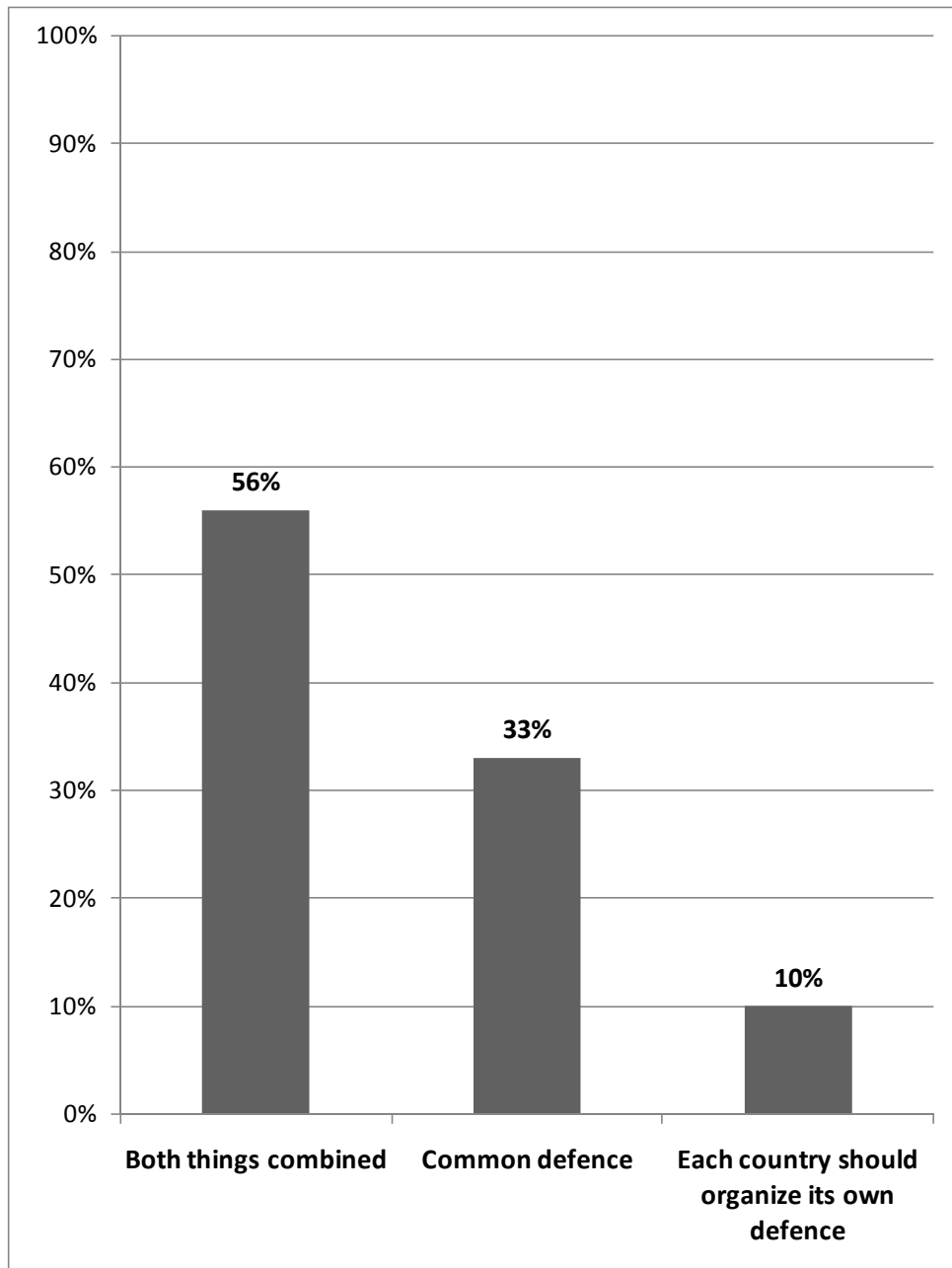
Preferences towards European Defence: European Decision-Makers

European integration in the specific area of security and defence nowadays finds more support among European decision-makers than opposition: asked for their personal preference towards European defence, more than three times more survey participants opt for a common defence (33%) than for national defence organized by each EU member state

independently (10%) (see figure 13). This shows that there definitely *is* political will among European decision-makers to develop a genuinely *common* ESDP. It is doubtful, however, if this political will is strong enough and sufficient to overcome the national diversity outlined in this work which still represents a significant barrier. A clear majority of European decision-



Figure 13: Preferences of European Decision-Makers towards European Defence



Total Responses: 418. Don't know (DK)/ No answer (NA) below 2 percent.

makers still do not support a common defence without ‘ifs and buts’ – 56 percent of those support a solution which combines both a common defence and national defence. At least those 56 percent do not oppose a common defence in general – the crucial question simply is for which parts of ESDP do they prefer a common approach and for which do they want to maintain national primacy? Considering the general balance of power between common defence supporters and independent defence supporters (33% versus 10%) in the survey, it could be speculated that the support of *common* elements is stronger than the support of *independent* elements among the 56 percent which favour a combined defence solution.

Preferences towards European Defence: Country Differences

The combination of common defence and independent defence has been preferred by a majority of survey participants in 17 EU member states. In four EU countries the support of a *common* defence is particularly strong: in Luxembourg (80%), Slovakia (73%), Romania (60%) and Spain (52%) a majority of survey participants have opted for a common defence as preference for European defence. In Slovakia this support is surprising as 82 percent of its survey participants have signalled opposition to any limitation of national sovereignty (see above). It could be, however, that Slovak members of parliament strictly distinguish between defence *policy* and *actual* defence – being not willing to give up national decision-making power, but expecting a defence shelter by the Union. Among Belgian, Greek and Hungarian survey participants a common defence has been popular too: the level of support (50%) matches the support for a combined EU-nation-state-solution (50%). The strongest support for an *independent* defence posture can be found among the decision-makers of the following countries: the neutral states – Ireland (46%), Sweden (38%), Finland (29%) and Austria (13%); and in the relatively euro-sceptic UK (27%), Denmark (26%), the Netherlands (24%) and Portugal (20%). These might be countries again in which opposition to further European integration in the area of security and defence and opposition to a genuinely *common* ESDP is most likely. The EU countries whose decision-makers seem most divided regarding their preferences towards European defence are Ireland, Italy and Portugal: while 46 percent of Irish survey participants favour an independent defence, another 46 percent think that a combination of national/common defence is the better option (with 8 percent in favour of common defence alone); in Italy a common defence gets the most support (48%),

but closely followed by the combination model (43%) (and 9% in favour of an independent defence); and among Portuguese survey participants all three models found a similar degree of support ('combination': 40%; 'common defence': 33%; 'independent defence': 20%).

Preferences towards European Defence: National versus EU Level

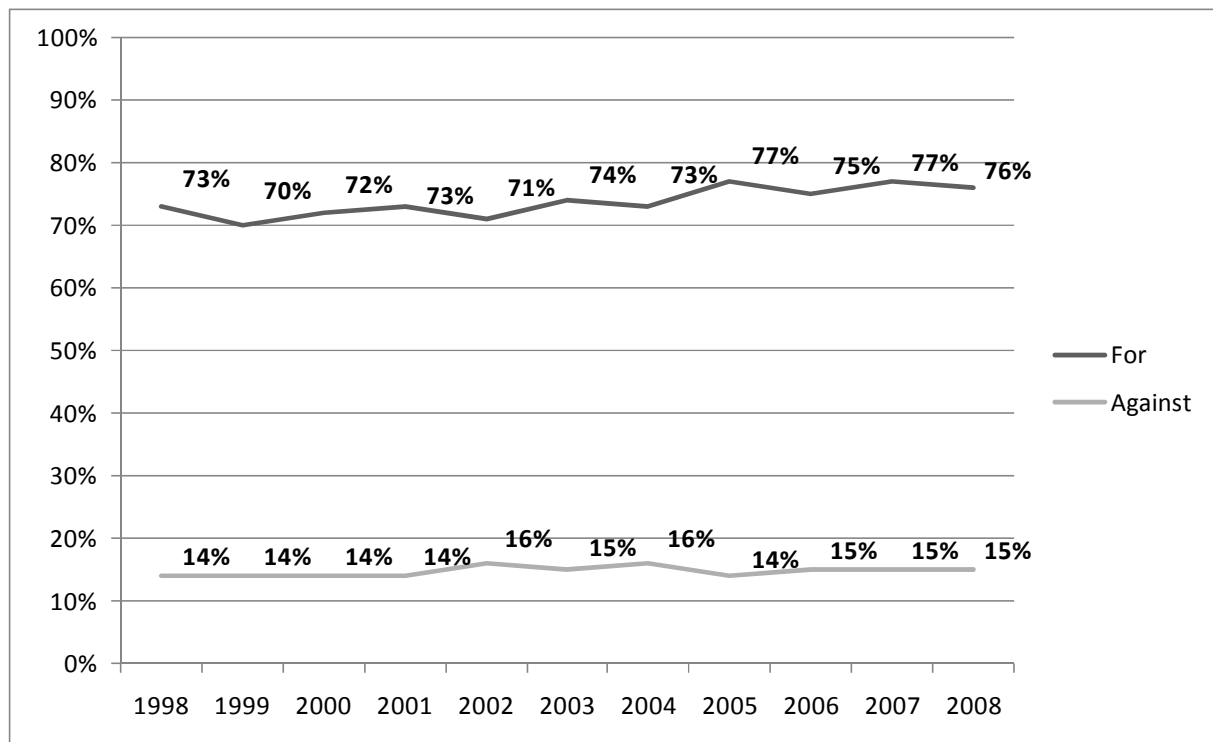
The preferences of national decision-makers and decision-makers of the European Parliament towards European defence are almost identical. Remarkable (but not surprising) is only that according to the survey there is seven percent more support for a common defence in the European Parliament than in national parliaments on average.

Preferences towards European Defence: Elite versus Public Opinion

As the above question about the preferences towards European defence has not been part of Eurobarometer 54.1, a direct comparison cannot be made between elite and public opinion. A trend question which has been put in the annual standard Eurobarometers, however, also shows the degree of public support for a *common* European defence (see figure 14 on the following page): public support for a common defence and security policy has been continuously strong over the years – at least more than 70 percent of Europeans have always been in favour of the idea. Although the interviewees did not have the choice to select a 'combination model' of common *and* national defence, public support for a common defence seems much stronger than the support of the political elite.



Figure 14: Preferences of the European Public towards a *Common* European Defence from 1998-2008³⁴



Source: Standard Eurobarometer (Spring). Don't know (DK)/ No answer (NA) not illustrated.

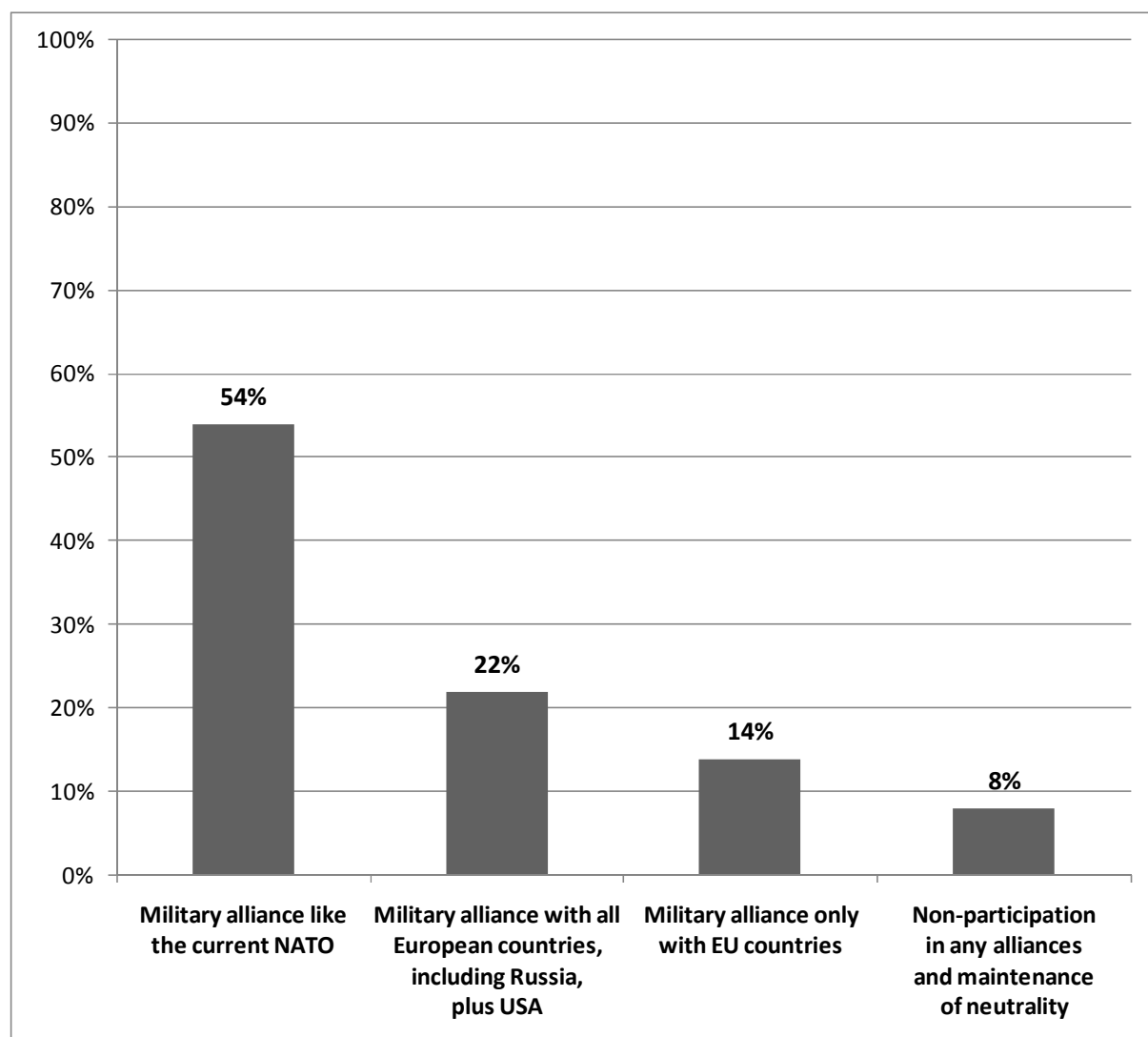
Preferences towards the Defence of the Own Country: European Decision-Makers

The survey shows that if European decision-makers have a choice between different types of military alliances, a majority favour the current NATO-type alliance (see figure 15): asked for their preference towards the defence of the own country, 54 percent of the survey participants have opted for a military alliance like the current NATO. A military alliance with all European countries, including Russia plus the US, is the second most popular option according to the survey – with 22 percent support. This mirrors Russia's recent endeavours to push for a pan-European security pact (see Pop 2009; Goldirova 2008) and the linked debates about possible Russian NATO membership. The time when Russia and NATO were enemies is definitely over – more than one fifth of the survey participants want Russia as a military partner in NATO or another type of alliance. Only 14 percent of the survey

³⁴ The question was: "What is your opinion on each of the following statements? Please tell me for each statement, whether you are for it or against it. – A common defence and security policy among EU Member States".



Figure 15: Preferences of European Decision-Makers towards the Defence of the Own Country



Total Responses: 417. Don't know (DK)/ No answer (NA) 2 percent and 'Military alliance only with the US' below 1 percent.

participants favour a military alliance *only* with EU countries – pure CSDP. This means that any future CSDP will need to be embedded in wider global security architecture, if it is to reflect the expectations of the European political elite. Most European decision-makers don't want any EU 'solo run' or isolated EU policy. 8 percent of the survey participants are opposed to military alliances in general and instead favour non-participation in any alliances and neutrality.

Preferences towards the Defence of the Own Country: Country Differences

Most support for non-participation in military alliances of course can be found among survey participants from neutral/non-aligned states Ireland (92%), Malta (50%), Sweden (31%), Austria (29%) and Finland (14%) and from Cyprus (43%) which is a former member of the Non-Alignment Movement. The different degrees of this neutrality support recorded in the survey confirm the analysis of chapter six: Austria and Finland might be more open for a consequent CSDP (for example accepting a mutual defence clause) than Ireland, Malta and Sweden. One interesting fact at this point is that it is also neutral states where most support for a military alliance *with only EU countries* comes from in the survey: for many decision-makers in Austria (64%), Malta (50%) and Finland (36%) military cooperation within the EU seems to be an acceptable alternative to non-alignment as the EU is not a military alliance *per se*: military alliance *light*. NATO was the most favoured type of military alliance in the classic Atlanticist states Latvia (100%), Denmark (83%), UK (80%) and Hungary (79%) and also scored highly in Germany (76%). A pan-European military alliance including Russia and the US is particularly popular among the survey participants of the *southern* EU states Greece (79%), Italy (52%) and Spain (33%) while survey participants from the non-aligned states do not favour this idea on the other hand (Austria: 0%; Finland: 0%; Ireland: 0%; Malta: 0%; Sweden: 15%). The Baltic States, which traditionally have a delicate relationship with Russia, seem divided on this issue: relatively few Latvian (4%) and Lithuanian (9%) survey participants support a common military alliance with Russia while a relatively large percentage of Estonian (29%) respondents favours such an idea.

Preferences towards the Defence of the Own Country: National versus EU Level

The preferences of the members of the European Parliament towards specific types of military alliances are again almost identical with the preferences of their national counterparts: only a slightly higher percentage of MEPs is in favour of a NATO-like alliance (61%-54%) while only a slightly lower percentage supports non-alignment (4%-8%). The support for the 'NATO plus Russia option' (22%-22%) and the 'EU only option' (14%-13%) does not differ.

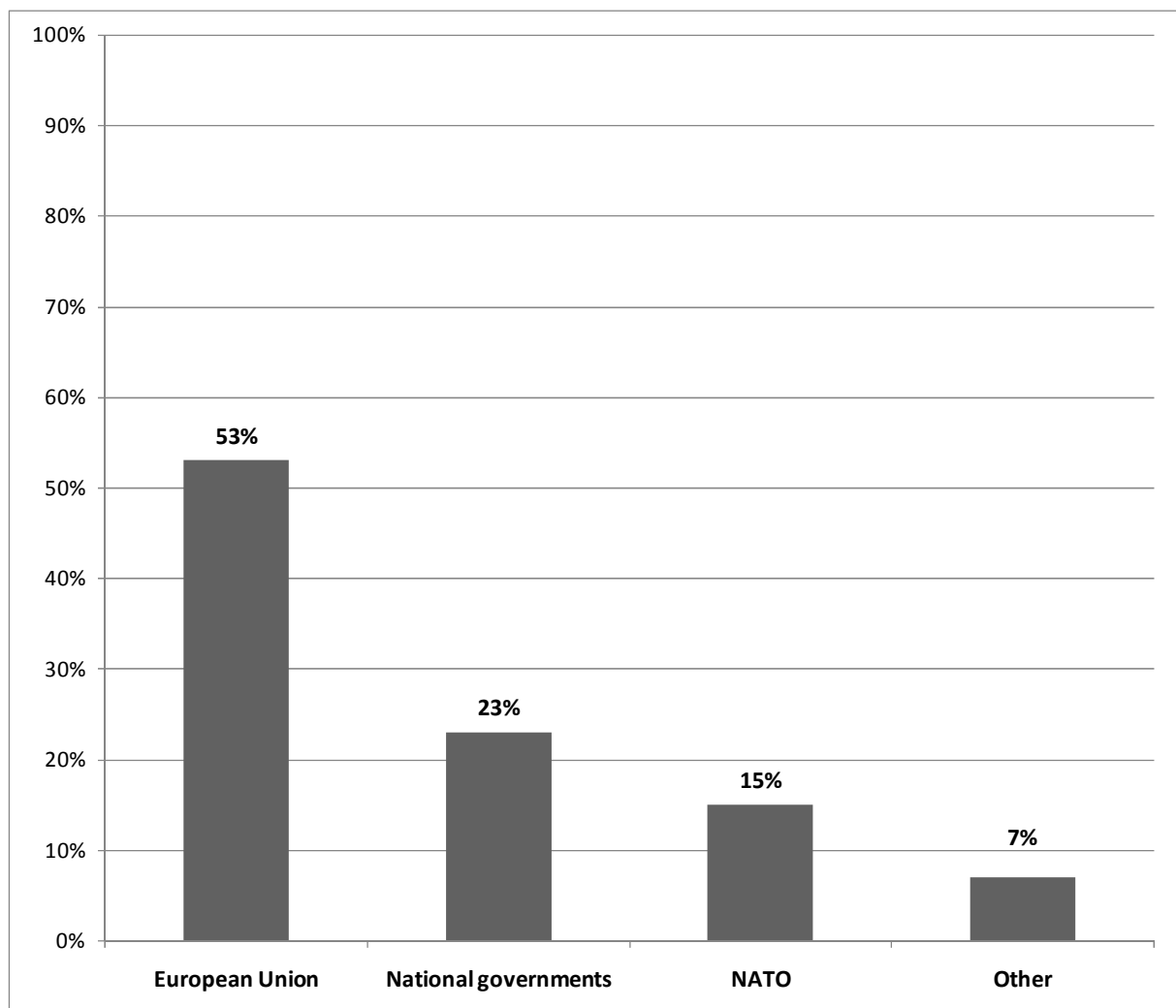
Decision-Making in Security and Defence Policy

Level of Decision-Making: European Decision-Makers

ESDP is only genuinely *common* if decisions on security and defence issues are taken *commonly*. The Iraq conflict 2003 was a negative example of what happens if EU member states take crucial security and defence decisions nationally without consulting the other EU partners in a *common* EU forum before: the ‘letter of eight’, the ‘chocolate summit’ and



Figure 16: Opinions of European Decision-Makers on the Level of Decision-Making When It Comes to Defence³⁵



Total Responses: 418. Don't know (DK)/ No answer (NA) below 2 percent.

³⁵ The question was: “In your opinion, should decisions concerning European defence policy be taken by national governments, by NATO or by the European Union?” (see box 9, question 3.1).

other *nationally* articulated and coordinated initiatives ridiculed the EU, made European policy irrelevant and caused a deep rift between member states leading to a huge inner-European crisis. *Common* decision-making is indispensable for a genuinely *common* ESDP. Do European decision-makers agree that decisions in the area of security and defence should be taken at EU level? The majority does: 53 percent of the survey participants think that decisions concerning European defence policy should be taken by the European Union (see figure 16). 15 percent also wish for a *common* approach, but within NATO – defence decisions should be taken together with the US. Only 23 percent think that defence policy should still be decided at national level, by national governments – and 7 percent favour an option other than the three to choose from, possibly a combination of EU/national decision-making, depending on the issue. These numbers underline that there is definitely a lot of political will among national decision-makers to have *common* EU decision-making in the area of security and defence – a basic condition for a genuinely *common* ESDP. Nevertheless, there are still enough national powers which try to conserve national sovereignty in security and defence policy, so inhibiting the development of CSDP.

Level of Decision-Making: Country Differences

In 21 of the EU countries most survey participants have opted for the European Union as the level where decisions should be taken concerning European defence policy. Only in six states is the EU *not* the top choice: in Finland (71%), the Netherlands (65%), Sweden (62%) and Ireland (54%) a majority of respondents prefer the idea of national governments as the key decision-makers, and in the United Kingdom (40%) and Latvia (38%) NATO is the most favoured option. It is remarkable that the strongest support for decision-making in NATO actually comes from *Atlanticist* countries (UK, Latvia, Lithuania (36%), Poland (36%), Bulgaria (25%), Czech Republic (25%), Denmark (22%), Hungary (21%)) while it is *non-aligned* states (Finland, Sweden, Ireland, Austria (33%) and traditional *euro-sceptic* countries (Netherlands, UK (33%), Denmark (30%)) whose survey participants are most opposed to the idea of giving up national decision-making powers in the area of security and defence. Most support for decision-making at EU level can be found among survey participants from Greece (86%), Belgium (83%), Luxembourg (80%) and Spain (78%).

Level of Decision-Making: National versus EU Level

More members of the European Parliament (65%) want decisions concerning European defence policy to be taken by the European Union than members of *national* parliaments do (52%). This is not surprising in so far as MEPs are *part* of the EU decision-making system. For the same reason MEPs might be *less* in favour (4%) of decisions be taken in NATO compared to their national counterparts (16%).

Level of Decision-Making: Elite versus Public Opinion

Eurobarometer 54.1 has produced similar results like the political elite survey of this work: “[m]ore than four Europeans in ten (43%) are of the opinion that decisions concerning European defence policy should be taken by the European Union [elite: 53%] [...]. Only 17% thought it should be NATO [elite: 15%] and 24% the national governments [elite: 23%]” (Kernic et al. 2002: 47). The main difference might be that the public is more unsure (15% ‘don’t knows’) than the political elite (2%) as to what to do about this question – the public obviously lacks political understanding for this issue to a certain degree compared to the political elite which of course is more familiar with political decision-making. One indication supporting this argument is that more members of parliament seem to have *specific* or *individual* ideas about how decisions should be taken in the area of security defence (7% respondents opted for ‘other’ option) in comparison to the public (only 1%). ‘Other’ options are usually only selected in a survey if a respondent has a strong opinion which he/she cannot find among the answer choices.

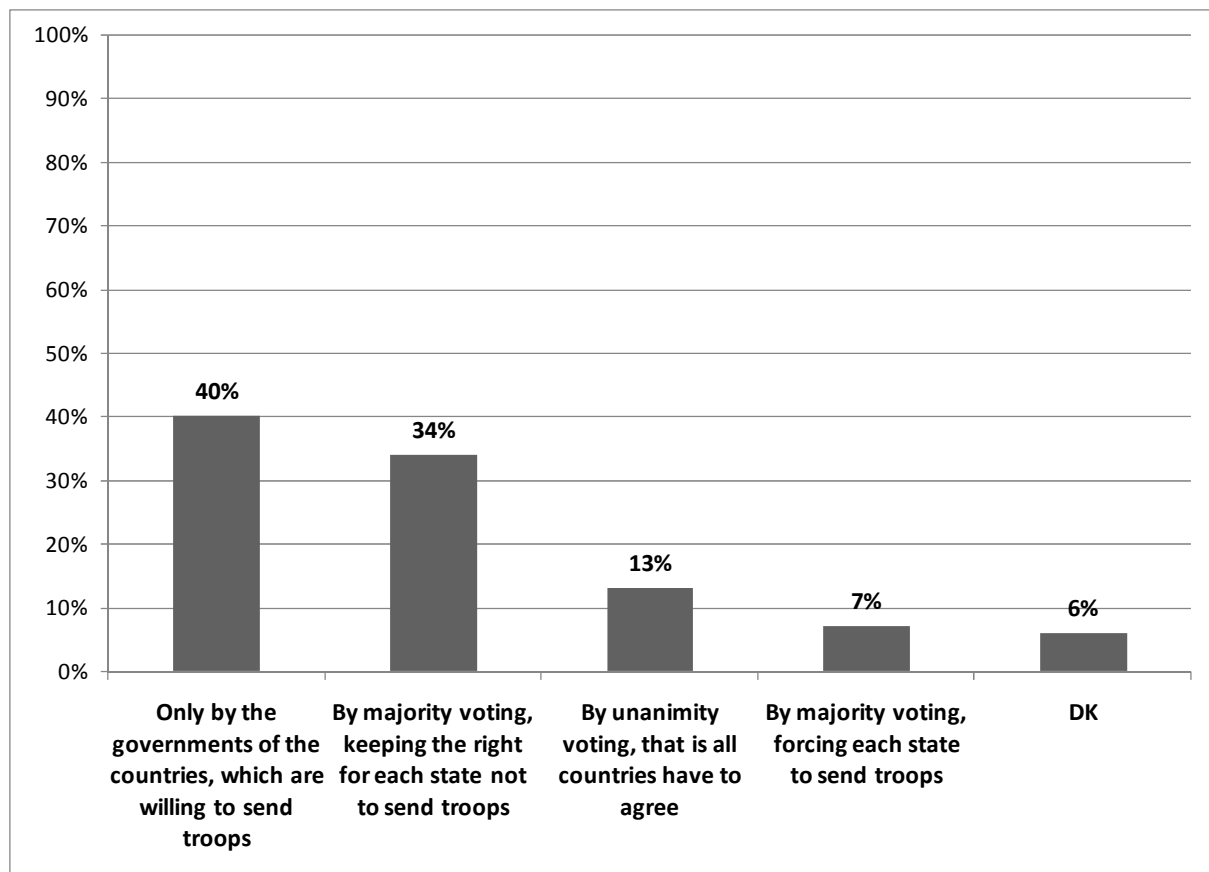
Decision-Making Mechanism in the Event of Military Intervention: European Decision-Makers

While the previous question was concerned with the desired level for decisions on European defence policy, the next question starts on the basis of a CSDP already being in place: who should take the decision to send troops abroad in case an EU military intervention becomes necessary? 54 percent of the survey’s participants think that such a decision should be taken by all the member countries of the European Union including those who are not willing to send troops – 40 percent on the other hand believe that it is up to the national governments prepared to send troops to decide. A majority of decision-makers therefore already want such an important decision to be taken at EU level. Of this 54 percent majority the opinions

diverge, however, with regard to how such a decision should be taken at EU level (see figure 17): 34 percent of the survey participants prefer a decision-making procedure based on majority voting, but keeping the right for each member state not to send troops; 13 percent plead for unanimity voting meaning that all countries have to agree on a solution; and the option representing the most ‘federalist’ solution in the question – namely, a *binding* majority vote forcing each member state to send troops, comes last with just 7 percent. Kernic et al. might argue that “there is still a not inconsiderable gap between the vague desire for a European defence and making such a policy operational” (Kernic et al. 2002: 49).



Figure 17: Opinions of European Decision-Makers on the Way Decisions Should Be Made When It Comes to Military Intervention³⁶



Total Responses: 415 for (a) and 318 for (b). Don't knows (DK)/ No answers (NA) of both sub-questions were added up.

³⁶ For ease of understanding, the question was subdivided into two subquestions (see box 9, question 3.2.1 and 3.2.2): (a) “In the context of a Common European Security and Defence Policy, who, do you think, should take decisions in case of military intervention: only the governments of the countries that are willing to send troops or all member countries of the European Union, including those who are not willing to send troops?” (b) “(If EU in (a)) How should these decisions be made within the European Union?”

Decision-Making Mechanism in the Event of Military Intervention: Country Differences

The EU member states are quite divided on the question whether military intervention should be decided at national or EU level. Although a majority of survey participants of 18 countries prefer decision-making *at EU level* in case of military intervention, the *national* option still wins by a more or less wide margin in 9 states (Malta: 100%; UK: 71%; Finland: 64%; Slovakia: 64%; Luxembourg: 60%; Estonia: 57%; Denmark: 52%; Italy: 52%; France: 50%). Most support for decision-making at EU level comes from members of parliament in Cyprus (100%), Bulgaria (88%), Greece (86%), the Czech Republic (75%), Austria (73%) and Romania (72%).

The question which decision-making procedure is most preferable in case of decisions being taken at EU level seems to be quite uncontroversial in contrast: in 26 EU member states a majority of the survey participants think that the most suitable type of EU decision-making in case of military interventions is majority voting keeping the right for each member state to opt-out from common action on a case-to-case basis. This option scored highest in Lithuania (49%), Italy (46%), Slovakia (45%), Denmark (41%), France (40%), Greece (40%), Spain (39%) and Latvia (38%). *Unanimity* voting has been the most favoured option only among the Irish survey participants (38%) and the ‘federalist’ solution of a *binding* majority vote in no country. At least *strong* support for the unanimity voting system has been also signalled by survey participants of the non-aligned states Austria (28%), Malta (28%) and Finland (22%) and by respondents of the small countries Cyprus (24%) and Luxembourg (22%) and euro-sceptic UK (22%). The most radical option has particularly numerous supporters in Bulgaria (24%), Belgium (18%), Estonia (18%), Portugal (17%), Poland (15%), the Netherlands (13%) and Spain (12%) – of course only in relative terms. Most survey participants who are unsure how decisions should be taken at EU level in case of military interventions come from Sweden (12%).

Decision-Making Mechanism in the Event of Military Intervention: National versus EU Level

According to the survey results the European Parliament is the most divided parliament on this issue – it is the only parliament for which the survey did not produce an absolute majority for one of the two options, either decision-making at EU level or national level. Particularly remarkable is that more MEPs opted for *national* level (48%) than for *EU* level

(43%), just the other way round compared to members of national parliament on average (national level: 39%; EU level: 56%) – the reverse results would have been closer to the general expectation.

The opinions of European and national MPs only very slightly differ on *how* decisions regarding military intervention should be taken if the decision-making takes place *at EU level*: 38 percent favour *non-obliging* majority voting (national MPs: 34%), 11 percent unanimity voting (13%) and 3 percent *binding* majority voting (7%). Remarkable again is that the ‘federalist’ option gets more support by national deputies than by MEPs.

Decision-Making Mechanism in the Event of Military Intervention: Elite versus Public Opinion

Although a majority of both the European political elite and European public opinion think that decisions on military intervention should *not* be taken only by the governments of the countries which are willing to send troops, the two surveys have produced significant differences (see Kernic et al. 2002: 49). First, the gap between supporters and opponents of decision-making at the *national* level is much wider among the political elite (60% opposed – 40% supportive) than among the public (53% opposed – 47% supportive). Secondly, the percentage of respondents which have no opinion on this issue and feel not able to give an answer to the relevant questions (‘don’t knows’) is considerably higher among the public (18%) than among the political elite (6%): “This undoubtedly reflects the European decision-making mechanisms’ complexity and opacity for many citizens” (Kernic et al. 2002: 49). Thirdly, although *non-obliging* majority voting is the favoured decision-making procedure for the EU level both among the political elite and the public, it scored only half as much among citizens (17%) as among members of parliament (34%). This of course has to do with the large share of ‘don’t knows’ among the public.

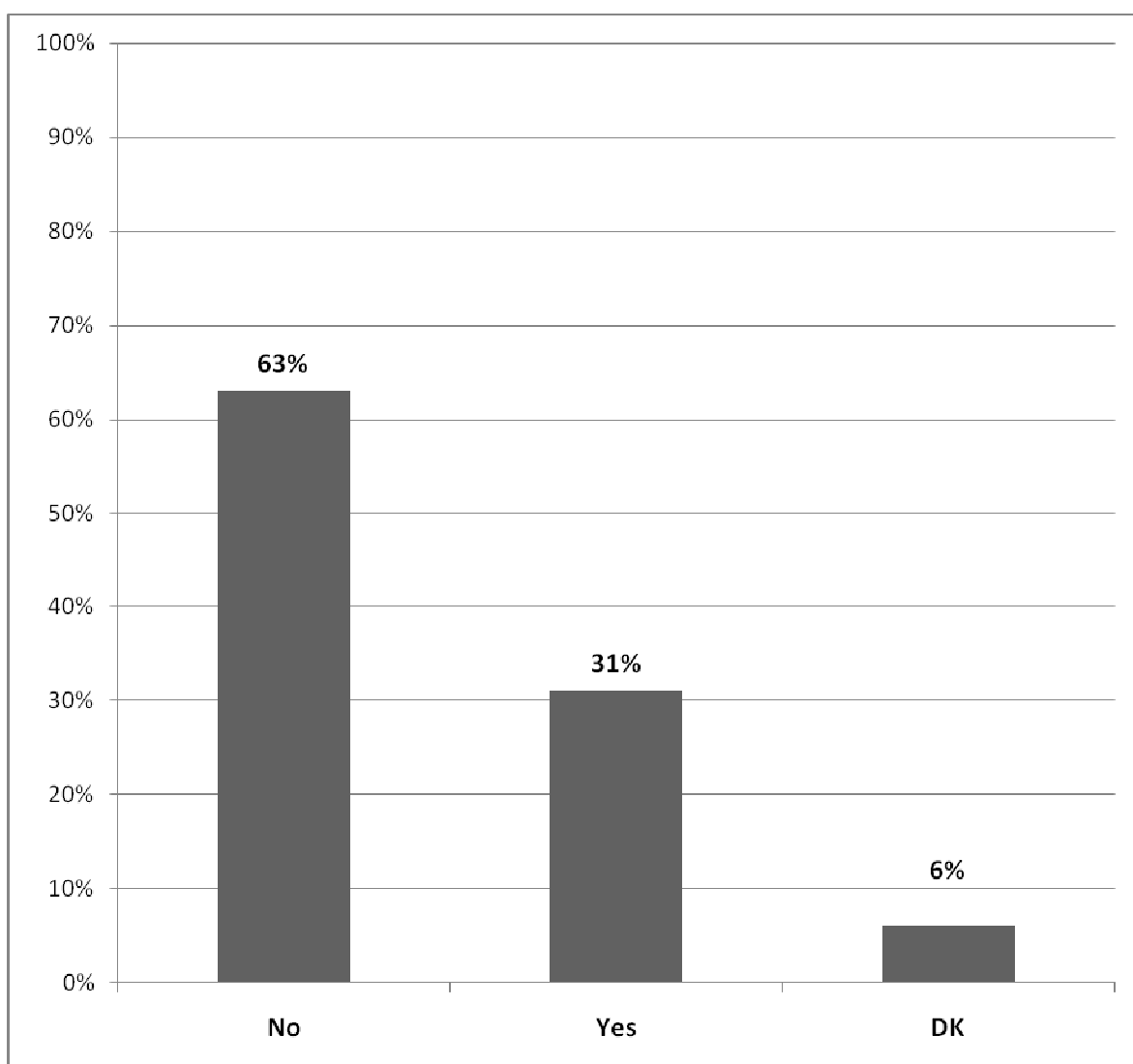
Independent National Military Interventions: European Decision-Makers

The last question has highlighted that a majority of European decision-makers are already prepared to accept decision-making at EU level when it comes to military intervention in the context of CSDP. Another question of interest is whether this CSDP will possibly go so far in the future to become the *only* European forum where EU countries decide on military intervention, completely swallowing independent national decision-making power: what do

European decision-makers think of the idea to make military intervention only permissible within the CSDP framework? Do they think that single EU member states should still be able to go to war and to have military missions alone – independently and without consent in the EU? Or do they think that each participation by an EU member state in a military intervention should be decided within the framework of CSDP? Particularly in the light of the Iraq crisis 2003 – with some countries being fiercely opposed to the military intervention and



Figure 18: Opinions of European Decision-Makers on Independent National Military Interventions³⁷



Total Responses: 417.

³⁷ The question was: “Do you think single EU member states should be able to go to war and to have military missions alone – without consent in the European Union?” (see box 9, question 3.3).

some taking part – this question is very relevant. The results are quite remarkable, because the numbers indicate not only a clear, but also a surprising majority (see figure 18); 63 percent of the survey participants think that single EU member states should *not* be able anymore to go to war and to have military missions alone without consent in the European Union, only 31 percent think they should. 6 percent are not sure what to think.

Independent National Military Interventions: Country Differences

The opinions of national members of parliament converge to a surprisingly large degree: in 21 EU members states an absolute majority of survey participants are opposed to independent national military interventions, in Ireland it is a simple majority. The strongest opposition comes from respondents of Cyprus (100%), Luxembourg (100%), Slovakia (91%), Bulgaria (88%), Greece (86%), Austria (80%), Hungary (79%), Belgium (75%), Italy (74%) and Portugal (73%). The only countries in which national independence regarding military interventions still gets majority support are the UK (93%), Denmark (57%) and Estonia (57%).

The 93 percent figure for the UK is absolutely striking, as this is a result which would have been expected after the Iraq crisis in 2003 and perfectly corresponds with the image of the independent and euro-sceptic British military player. 93 percent might be a clear signal that an *all too* common ESDP can expect opposition from the UK. Furthermore it is notable that along with the UK the countries which show strongest support in the survey for national independence with regard to military intervention (Denmark, Estonia, the Netherlands (41%) and Poland (41%)) are all countries which took part militarily in the US-led Iraq war. In two countries the survey participants have been divided about the question whether independent national military interventions should still be possible – in Malta (50%-50%) and Sweden (46%-46%). And the most unsure members of parliament have been recorded in Germany (24%), feeling unable to give an answer to this question.

Independent National Military Interventions: National versus EU Level

The opinions of the members of the European Parliament almost completely correspond with the opinions of national members of parliament on this issue: 65 percent of the MEPs

taking part in the survey think that single EU member states should not be able to initiate military interventions independently (national MPs: 62%), 30 percent think they should (31%) and 4 percent are not sure (6%).

Type and Role of European Armed Forces

The aim of the survey's last three questions was to analyse, not the European decision-makers' opinions on a common security and defence policy in general but, more specifically, their opinions on the establishment of a European army and, in particular, on the form which it should take and the roles which it should have (see Kernic et al. 2002: 49).

The Establishment of a Rapid Reaction Force: European Decision-Makers

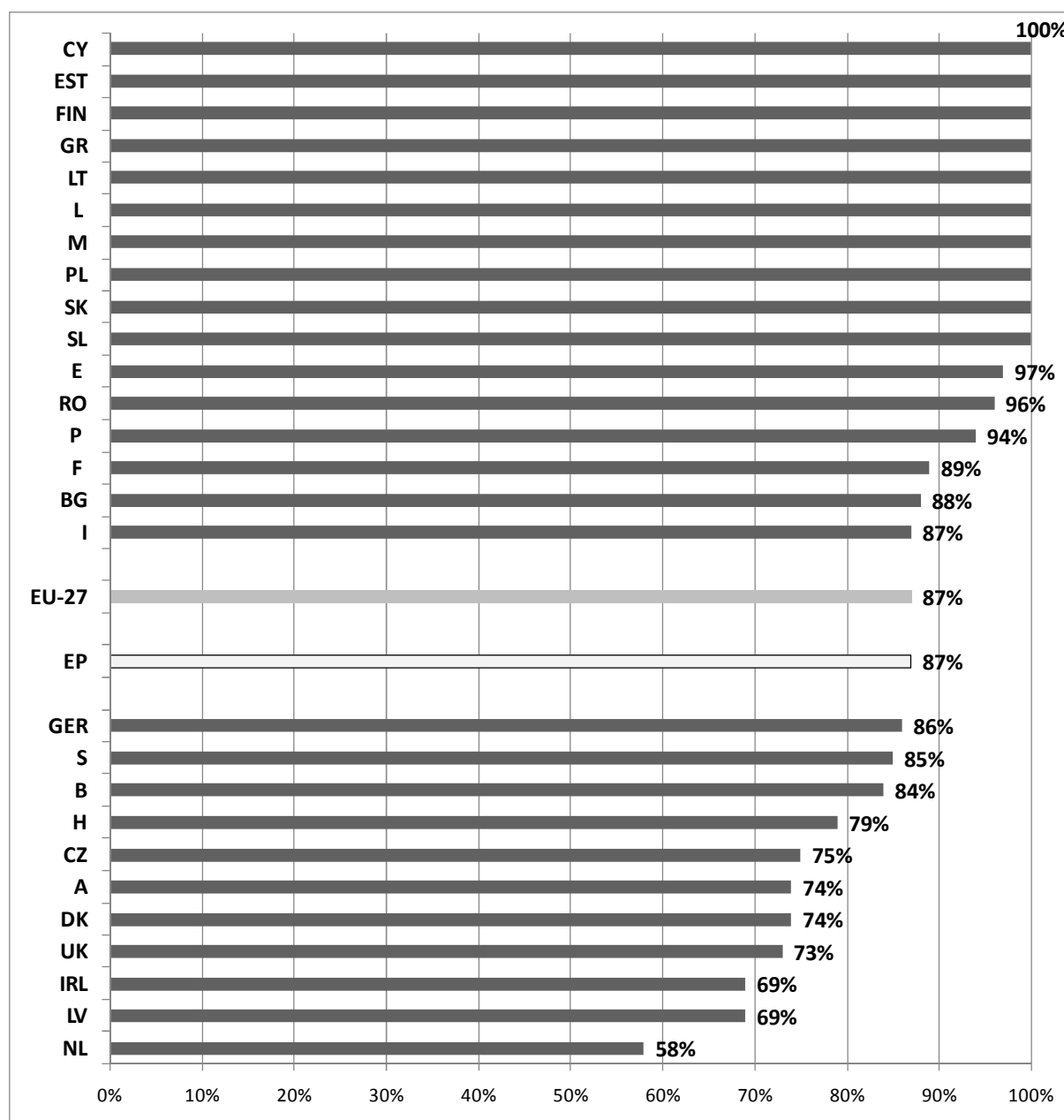
At the Helsinki European Council in December 1999, the heads of EU states and government set a planning target for the development of military capabilities in order to be able to carry out the entire spectrum of the Petersberg tasks (humanitarian and evacuation missions, peacekeeping, and restoring peace). What do EU decision-makers think of the establishment of these 50.000-60.000 man-strong European armed forces, often referred to as 'European rapid reaction force' (ERRF)? As figure 19 shows, an overwhelming majority of survey participants – 87 percent – think that it has been a very good idea (40%) or a fairly good idea (47%). Only a very small minority of respondents (9%) disagreed with that initiative, either very much (6%) or to some extent (3%). 4 percent express no opinion. The political will among EU decision-makers to have an ERRF can therefore be considered as very strong.

The Establishment of a Rapid Reaction Force: Country Differences

Figure 19 illustrates that an ERRF gets strong support from all EU countries: in all EU member states, over half the respondents believe that the establishment of European rapid reaction forces is a very good thing or a fairly good thing. In 8 EU countries an *absolute* majority of survey participants think it is a *very good* thing, in the UK (40%) and in Denmark (39%) it is a *simple* majority. In 13 EU states an absolute majority thinks the ERRF is a *fairly good* thing while a simple majority does in Austria (47%) and Ireland (46%). There is a stalemate among



Figure 19: Opinions of European Decision-Makers on the Creation of an ERRF of 60.000 Men³⁸
(in %, 'a very good thing' and 'a fairly good thing')



Total Responses: 417. Don't know (DK)/ No answer (NA) included.

Polish survey participants – for one half the ERRF is a very good idea, for the other 50 percent it is a fairly good idea. Only in the Netherlands does a *negative* opinion get top results: an equal number of Dutch survey participants (29%) thinks that the ERRF is a very

³⁸ The question was: "Recently, the European Union has decided to set up a swift intervention force of 60.000 men. Personally, do you think it is... ?" (see box 9, question 4.1).

good thing, a fairly good thing, and – a very bad thing. The Dutch survey participants have generally showed most opposition to the ERRF (with 41 percent regarding it a fairly bad thing or a very bad thing), followed by respondents from euro-sceptic Denmark (26%) and UK (20%) and non-aligned Ireland (16%) and Sweden (16%). The countries in which most members of parliament had no opinion on this matter have been Ireland again (15%), Hungary (14%), Austria (13%), the Czech Republic (13%) and France (11%).

The Establishment of a Rapid Reaction Force: National versus EU Level

The attitude of members of the European Parliament and members of national parliaments towards the ERRF is generally identical: 87 percent of survey participants of both the European Parliament *and* the parliaments of the EU-27 think that it is either a very good or a fairly good thing. The differences can only be found in the details: first, the support of MEPs is much *stronger* (61 percent consider the ERRF a *very* good thing) compared to the support of members of national parliaments (only 26 percent do). Second – on the one hand – *all* MEPs have an opinion on this matter while 4 percent of national representatives do not, but – on the other hand and relatively speaking – slightly more MEPs (13%) than MPs (9%) are opposed to the ERRF.

The Establishment of a Rapid Reaction Force: Elite versus Public Opinion

The support for the ERRF among the European political elite today seems stronger (87% – 40 percent think it is a very good thing, 47 percent a fairly good thing) than among European citizens in 2000 (73% – 23%, 50%) (see Kernic et al. 2002: 50-51). This could stem from three reasons. First, the public possibly has not so much an association with the ERRF and its role as European decision-makers have. An indication of this assumption is the high percentage of citizens who have no opinion on this matter on average (16%) compared to a quite low percentage of decision-makers (4%). Second, the ERRF has possibly proven to be a necessary and good thing only in the years *after* Eurobarometer 54.1 was conducted – after all, it was not until 2003 that the first ESDP operation was launched. Third, the support of the EU-27 for the ERRF today is possibly stronger than the support of the EU-15 in 2000 due to the influence of the ‘new’ member states from Central and Eastern Europe: it is remarkable that out of ten countries scoring 100 percent support for the ERRF in the elite survey seven are

‘new’ member states while the approval rate is only in three ‘new’ member states below the European average (87%) (out of eleven in total).

The Type of European Armed Forces: European Decision-Makers

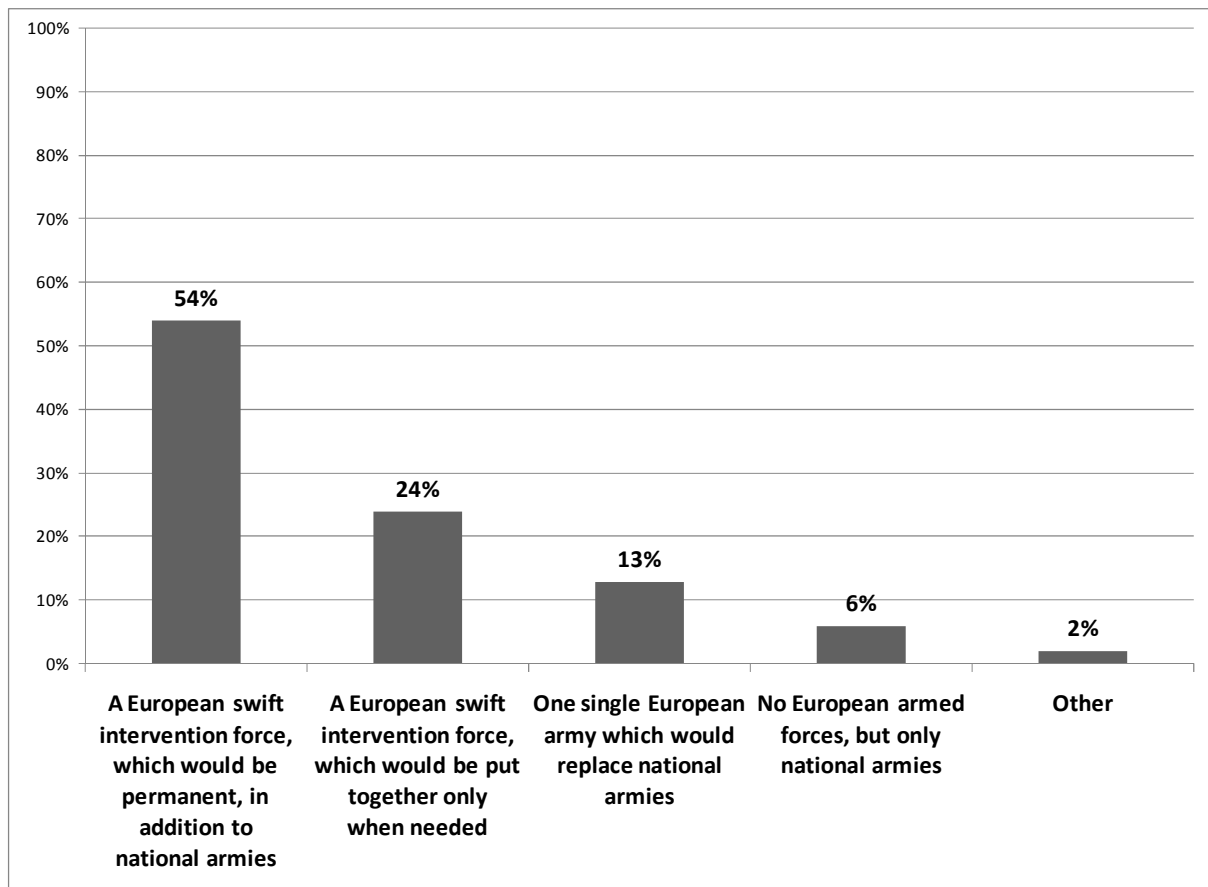
At the European Council in Helsinki in 1999 the EU governments have agreed on European armed forces which correspond most closely to the concept of ‘a European rapid reaction force, which would be put together only when needed’ (see Kernic et al. 2002: 51) and have confirmed that this “does not imply the creation of a European army” (European Council Conclusions 12/1999: II, 27). *Both* of these concepts are not the most desirable types of European armed forces to European decision-makers, however, according to the survey (see figure 20): for a majority of 54 percent of the survey participants the most favoured option is ‘a *permanent* European rapid reaction force *in addition* to national armies’. Only 24 percent favour the accepted solution of Helsinki. Still 13 percent of European decision-makers prefer the most radical option – regardless of the Helsinki declarations of their governments: a single, integrated European army, replacing national armies. This is more support, remarkably, than the purely *national* approach gets (‘*no* European armed forces, but only national armies’, 6%). A marginal percentage of 2 percent of survey participants is not happy with *all* of the mentioned options and obviously believes in a specific type of European armed forces which was not selectable in the survey – only 1 percent has no opinion on this matter at all.

The Type of European Armed Forces: Country Differences

The opinions of decisions-makers from different EU states on the most desirable type of European armed forces converge to a very large extent: in 23 EU countries, a *permanent* European rapid reaction force in addition to national armies is the most favoured option (with an *absolute* majority in 16 states, a *simple* majority in four states and three states with *two* top results (Luxembourg: 40% pro permanent ERRF and 40% pro single European army; Lithuania: 45% pro permanent ERRF and 45% pro temporary ERRF; the Netherlands: 29% pro permanent ERRF and 29% pro temporary ERRF)). The only four EU countries in which most survey participants favour a *temporary* European rapid reaction force, only put together when needed, and are least enthusiastic about a *permanent* one, are the generally rather



Figure 20: Preferences of European Decision-Makers about the Type of European Armed Forces³⁹



Total Responses: 417. Don't know (DK)/ No answer (NA) below 1 percent.

euro-sceptic states Latvia (69%), Ireland (62%), the UK (53%) and Denmark (43%). Strongest support for the most 'federalist' solution – the single European army – comes from members of parliament of Luxembourg (40%), Italy (35%), Germany (29%), Cyprus (29%), Belgium (25%), Romania (20%) and France (17%). It is an interesting fact that five of the six EU founding members are among these states. Strongest support for the purely 'national' solution – wanting *no* European armed forces *at all* – comes from the sixth EU founding member Netherlands (24%) and, again, from rather euro-sceptic states like the UK (20%) and the Czech Republic (19%). Furthermore, Germany stands out with 10 percent of respondents favouring a specific 'other' option, and France with 11 percent of respondents which have no opinion on the issue.

³⁹ The question was: "Which of these [types of armed forces] would you prefer in the context of a common European security and defence policy?" (see box 9, question 4.2).

The Type of European Armed Forces: National versus EU Level

There are no significant differences between the preferences of *European* members of parliament and their *national* counterparts when it comes to the type of EU armed forces: 57 percent of MEPs taking part in the survey favour a *permanent* ERRF while 54 percent of national MPs do; it is 17 percent versus 24 percent pro *temporary* ERRF, 13 percent versus 12 percent pro *single integrated* European army, 9 percent versus 6 percent contra European armed forces in general and 4 percent versus 2 percent believing in a fifth ‘other’ option. In both cases there are almost no respondents without opinion (0% versus 1%).

The Type of European Armed Forces: Elite versus Public Opinion

The European public opinion 2000 and the opinion of the European political elite today *do* differ when it comes to the type of European armed forces. First – as already noticed before – citizens to a much larger extent do not know what to do with this issue/question and cannot express an opinion (13% compared to only 1%; also only 1% with a concrete ‘other’ idea compared to 2%) – members of parliament seem to be more aware of what type of European armed forces they prefer. Second, the rather radical options have been more popular than the modest ones among European citizens in 2000 in comparison with the political elite today: 6 percent *more* citizens (19%) favour a single European army or a purely national military (12%), respectively, while 6 percent *less* citizens prefer a temporary ERRF (18%) and even 18 percent *less* a permanent ERRF (37%). Nevertheless – all in all – there is a clear majority in favour of the more integrationist models among *both* public (56%) *and* elite (67%) opinion, with the same degree of support for the less integrationist ones (30%).

The Role of European Armed Forces: European Decision-Makers

The final question asked European decision-makers which roles did they believe European armed forces should play. What should be the tasks of European armed forces? And do these roles and tasks differ from the roles and tasks European decision-makers believe that armed forces *in general* (that is, *national* armed forces) should play?

Although officials repeat time and again that ESDP is about ‘crisis management’ and NATO about ‘territorial/collective defence’ – confirmed in the Lisbon Treaty (The EU may use military assets “[...] for peacekeeping, conflict prevention and strengthening international security [...] [T]he North Atlantic Treaty Organization [...] remains the foundation of their

collective defence and the forum for its implementation” (Treaty of Lisbon 2007: Article 28 A.7) – ‘defending the territory of the European Union’ is considered as the main task by European decision-makers according to the survey (cited by 75% of survey participants – see figure 21). That is absolutely surprising: there obviously is a discrepancy between what is officially articulated and what is personally thought. In any case it seems as if “the role that wins the greatest approval is an extension to the level of the Union of the armed forces’ traditional role – namely, the defence of the nation” (see Kernic et al. 2002: 52, because that was already the role/task most often cited by the respondents as regards the army’s role in general (95% – see figure 11).

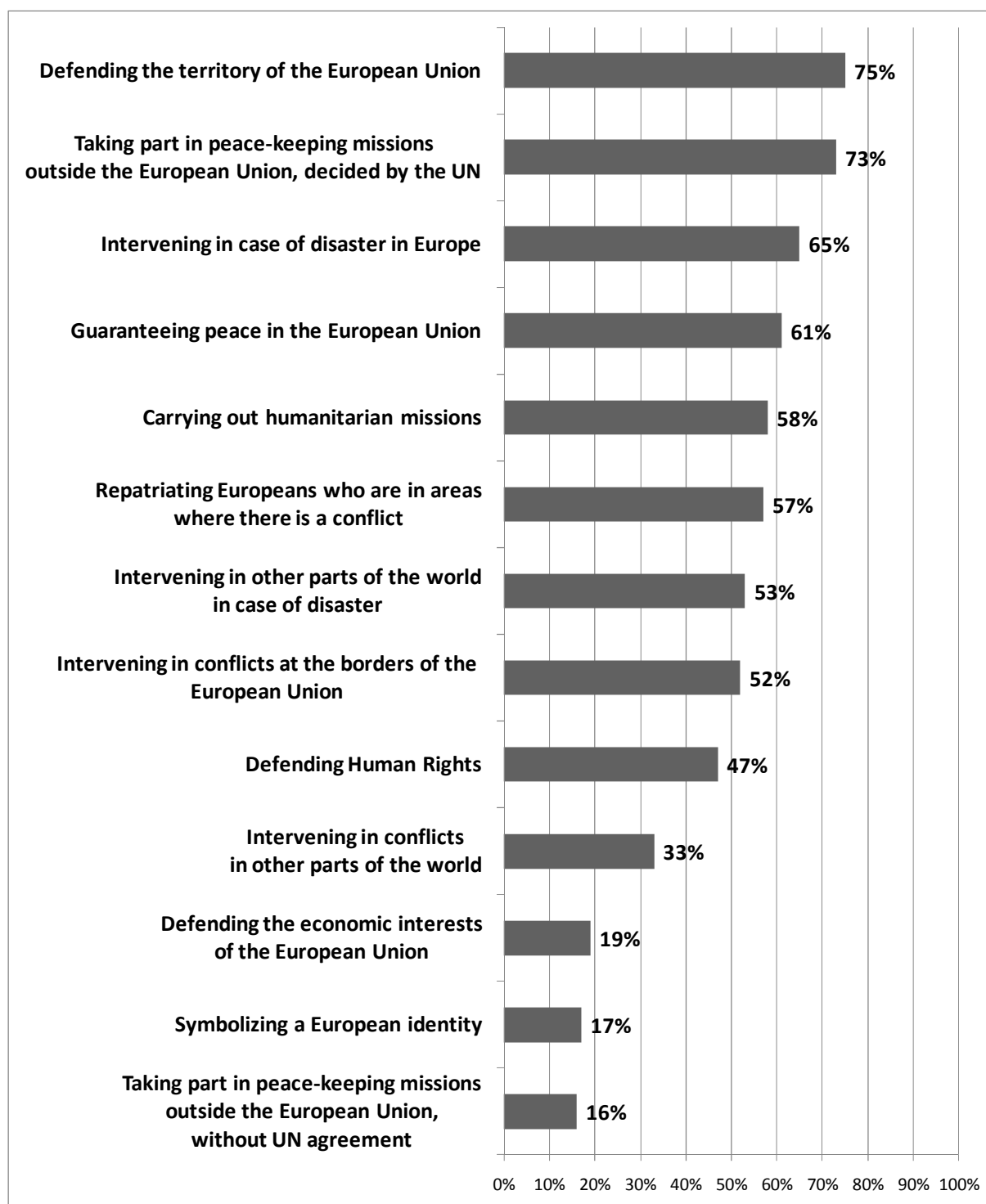
Following directly after ‘territorial defence’, the *lower spectrum* of the traditional Petersberg tasks (‘humanitarian and rescue tasks, peacekeeping tasks’) have been cited most often by survey participants: ‘taking part in peacekeeping missions outside the European Union, decided by the United Nations (UN troops)’ comes in second position with 73 percent approval, ‘guaranteeing peace in the European Union’ in fourth position (61%), ‘carrying out humanitarian missions’ in fifth (58%) and ‘repatriating Europeans who are in areas where there is a conflict’ in sixth position (57%). European decision-makers seem to be more than aware why ESDP was established in the first place – only ‘intervening in case of natural, ecological or nuclear disaster in Europe’ (with 65% in third position) tears the Petersberg tasks apart as *top group*. Most notable is that ‘taking part in peacekeeping missions outside the EU, decided by the UN’ is regarded as *second* most relevant task of *European* armed forces while ‘keeping or re-establishing peace in the world’ is only considered as *fourth* important task of armed forces *in general* (see figure 11) by European decision-makers – peacekeeping is obviously perceived as specific task of *common* armed forces.

For a majority of survey participants ‘disaster management’ is in any case also a task for the *European* military, both in Europe (65%) and in other parts of the world (53%) – the geographical issue is of more relevance here, however, than in view of *national* armed forces (88% pro disaster management ‘in Europe’, 86% ‘in other countries’ – see figure 11).

The *high-end spectrum* of the traditional Petersberg tasks (‘tasks of combat forces in crisis management, including peacemaking’) have been cited not so often by survey participants: ‘intervening in conflicts *at the borders of the European Union*’ has only just been approved by a majority of respondents (52%) while ‘intervening in conflicts *in other parts of the world*’



Figure 21: Opinions of European Decision-Makers about the Roles of European Armed Forces⁴⁰ (in %, 'yes')



Total Responses: 417. Don't know (DK)/ No answer (NA) below 2 percent.

⁴⁰ The question was: "The European Union has decided to put in place a common security and defence policy. Which roles do you think European armed forces should have??" (see box 9, question 4.3).

has not (33%). ‘Defending Human Rights’ is the first task which a majority of survey participants refuse as task for European armed forces, but the support is still large enough to have at least an influence.

Way behind, least often cited by survey participants as relevant roles/tasks, is ‘defending the economic interests of the European Union’ (19%), ‘symbolizing a European identity’ (17%) and ‘taking part in peacekeeping missions outside the European Union, without the United Nations’ agreement’ (16%). It is remarkable that European decision-makers make a clear distinction (more than four times the percentage) between taking part in peacekeeping missions *with* a UN mandate, on the one hand (73%), and those *without* UN mandate, on the other (16%).

The order how survey participants rank the roles/tasks of national armed forces and European armed forces by relevance does not differ – with the exception of ‘peacekeeping’ being higher ranked as task for European armed forces. What differs, however, is the degree of approval of the tasks in *total* numbers – national armed forces get generally more support and acceptance than European armed forces (defending territory: 95% vs. 75%; peacekeeping: 85% vs. 73%; disaster management in Europe: 88% vs. 65%; disaster management in other parts of the world: 86% vs. 53%; defending values/human rights: 62% vs. 47%; symbolizing national unity/European identity: 39% vs. 17%). It seems as there are still general reservations among European decision-makers towards the transition of tasks from *national* to *European* armed forces.

The Role of European Armed Forces: Country Differences

The opinions of decision-makers in the EU considerably diverge regarding the question of what the tasks of the European armed forces should be and what roles they should play. The most striking and significant differences are:

First, the eleven survey participants from Lithuania *by far* seem to have the most reservations towards European armed forces taking over tasks from national armed forces – out of 14 tasks there are only four about which at least one Lithuanian respondent thinks that it should be fulfilled by a common military (‘defending the territory of the EU’: 6 approvals; ‘intervening in conflicts at the borders of the EU’: 2; ‘guaranteeing peace in the EU’ and ‘taking part in peacekeeping with UN mandate’: only 1).

Second, although ‘defending the territory of the European Union’ gets most approval by survey participants in total (75%), in some EU member states the members of parliament are not really enthusiastic about the prospect of European armed forces fulfilling this task. This is particularly true in two *non-aligned* states – Ireland (38%) and Sweden (46%) – where a possible future mutual defence clause might be unpopular, and it is true in traditional *Atlanticist* countries – Denmark (30%), Bulgaria (47%), UK (47%), the Netherlands (53%) – where the political elite is probably not happy with the EU taking over the essential NATO function. In contrast to that, among almost all EU founding members the support of this task for European armed forces is particularly strong (Germany: 90%; France: 89%; Belgium and Italy: 83%; Luxembourg: 80%), as well as among respondents of two other non-aligned states surprisingly – Malta (100%) and Austria (80%).

Third, it is remarkable that in *all* countries in which members of parliament refused ‘territorial defence’ as a task for European armed forces the most, ‘taking part in peace-keeping missions with UN mandate’ comes in first position in the national ranking (Denmark: 30% - 70%; Ireland: 38% - 85%; Sweden: 46% - 77%; Bulgaria: 47% - 63%; UK: 47% - 67%; Netherlands: 53% - 65%). In these countries, decision-makers obviously have a clear idea of ‘division of labour’: territorial defence at *national* or *NATO* level – peacekeeping at *EU* or *UN* level. Particularly *strong* support of this role to be played by European armed forces comes from Estonia, Luxembourg (100%), Belgium, Slovenia (92%), Germany (90%), Spain (89%), Austria (87%), Greece (86%), Ireland (85%), France (83%) and Slovakia (82%); particularly *weak* support from Lithuania (9%), Cyprus (43%) and Latvia (46%).

Fourth, although the *lower spectrum* of the Petersberg tasks gets broad support on average (62% – in 22 members states with an absolute majority approving it), there are large gaps between the EU countries regarding the degree of support: while strong approval comes from members of parliament from Estonia (89%), Belgium (88%), Greece (84%), Austria (82%), Spain (80%), Slovakia (75%), France, Romania (71%), Luxembourg (70%), Germany (69%), Italy, Portugal (68%) or Cyprus and Slovenia (64%), in some countries not even a majority of survey participants think that these tasks combined are relevant for European armed forces (Czech Republic: 50%; Latvia: 48%; Sweden: 44%; Denmark: 41%; Bulgaria: 38%; Lithuania: 5%). Particularly controversial is the task ‘repatriating Europeans who are in areas where there is a conflict’ which is considered as task of *European* armed forces by less

than 50 percent in eleven member states (BG, DK, FI, IE, IT, LT, LU, SE, SI, SK, UK), followed by ‘carrying out humanitarian missions’ in nine states (BG, CZ, DK, LV, LT, NL, PL, SE, UK) and ‘guaranteeing peace’ in seven states (BG, DK, HU, IE, LT, SE, UK). Only in Lithuania all four survey tasks which can be subsumed under the Petersberg tasks are refused by a majority of survey participants, three in Bulgaria, Denmark, Sweden and the UK, two in Latvia and one in the Czech Republic. ‘Taking part in peacekeeping missions with UN mandate’ is by far the most uncontroversial role which EU states want their *common* armed forces to play.

Fifth, ‘intervening in case of disaster’: besides the fact that the survey results differ from country to country, it is an absolute exception that the same percentage of survey participants of a country thinks that European armed forces should intervene in case of disaster *both* in Europe *and* in other parts of the world. Only in Belgium the respondents think that both tasks are equally relevant (83%), in all other countries the rating diverges. The biggest gaps in countries whose survey participants think that disaster management is a task of European armed forces *in Europe*, but *not* in other parts of the world can be found in Latvia (62% - 15%), Bulgaria (63% - 25%), Poland (73% - 36%), Slovakia (91% - 55%) and Romania (76% - 44%); the other way round is rather rare (Denmark: 39% - 57%; Luxembourg: 40% - 60%; Finland: 43% - 50%; Spain: 78% - 81%). The countries with *top* survey results in *both* categories are Estonia (100% - 71%), Greece (93% - 79%), Austria (87% - 73%), Cyprus (86% - 71%), Belgium (83% - 83%) and Spain (78% - 81%). Germany stands out in so far as the approval rate of its survey participants for both of these categories (38% - 29%) is considerably low compared to the other tasks.

Sixth, the opinions on the *high-end spectrum* of the Petersberg tasks – the most robust military types – diverge: while ‘intervening in conflicts *at the borders of the European Union*’ is a very controversial role (the majority of survey participants in 15 countries think it *should* be a task of European armed forces while the majority of 12 countries think it *should not*), ‘intervening in conflicts *in other parts of the world*’ is *not* controversial in so far as only in two EU member states (Belgium: 67%; Denmark: 65%) a majority of parliamentarians consider it an appropriate task for European armed forces. Most support of *European* interventions by an EU force comes from Poland (86%), Belgium (83%), Portugal (73%), and Greece (71%) while least support comes from Bulgaria (13%), Lithuania (18%), Hungary (21%), Czech Republic (25%), Ireland (31%), Germany, Latvia (38%) and Luxembourg (40%),

Finland (43%), Spain (44%), Slovenia (46%) and Italy (48%). Strong support of *global* interventions by an EU force only comes from Belgium and Denmark while it is particularly weak in Bulgaria, Cyprus, Lithuania and Malta (0%), Latvia (8%), Romania (12%), Estonia (14%) the Czech Republic (19%) and Hungary (21%). In all *non-aligned* countries – as expected – a majority of survey participants refuse military interventions in *global* crises (Sweden: approval rate 46%; Finland: 43%; Austria: 33%; Ireland: 23%; Malta: 0%), military interventions in crises *at the borders of the EU*, however, are surprisingly accepted by a majority in Austria (67%) and Sweden (54%) and get more support in relative terms in Malta (50%), Finland (43%) and Ireland (31%). The survey results in France and the UK are surprising too, as members of parliament of these military players – known for their posture of power projection and experience in military intervention – are not very enthusiastic about European armed forces engaging in crisis management (other than peacekeeping), neither at EU borders (France: 56%; UK: 53%) nor globally (France: 39%; UK: 33%).

Seventh, the task which might be perceived most controversially in view of European armed forces' task spectrum is 'defending human rights': both quantitatively (the majority of respondents in 14 member states think it *should* be a task, the majority in 13 think it should *not*) and qualitatively (approval rate in Malta: 100% - Lithuania: 0%; Greece: 79% - Czech Republic: 6%; Estonia: 73% - Latvia: 15%; Belgium: 67% - Luxembourg: 20%; Spain: 67% - France: 22%) the survey participants disagree most in this respect.

Eight, the tasks 'defending the economic interests of the European Union', 'symbolizing a European identity' and 'taking part in peace-keeping missions without UN mandate' are the most uncontroversial ones – in a negative way – as a majority in all EU member states think that they should *not* be tasks of European armed forces. Nevertheless, the approval rate is particularly high in some single member states – for 'defending economic interests' this is the case in Greece and Hungary (43%), Poland (36%), Belgium (33%), Ireland (31%), Italy (30%), Portugal (27%), and Spain (26%); for 'symbolizing a European identity' this is true in Estonia (43%), Spain (37%), Cyprus and Greece (29%), France (28%) and Slovakia (27%); and for 'taking part in peace-keeping missions without UN mandate' this is the case in Estonia (43%), Spain (30%), Germany (29%), Portugal, Slovakia (27%) and Denmark (26%). Two things are remarkable: firstly, the results for 'symbolizing a European identity' are generally very poor – CSDP is obviously in no member state perceived as crucial project of European

integration; secondly, it is a surprise that peacekeeping missions without UN mandate are accepted by so many survey participants in Germany (whose armed forces have no constitutional permission to conduct military missions without UN mandate for other purposes than *defence*) and by respondents in general from non-aligned Sweden (23%) and Finland (7%) (while there is no approval in Austria, Ireland and Malta).

Ninth, comparing the 27 national average approval rates of all 13 selectable tasks, the following patterns are identifiable: Belgium (69%) and Estonia (67%) are the countries which are most in favour of engaging European armed forces to fulfil a *broad* range of tasks. All southern European states also have average approval rates above 50 percent (Greece: 66%; Spain: 63%; Portugal: 57%; Italy: 54%). While non-aligned Austria and Malta (58%) also seem to favour a *broad* range of tasks for European armed forces, non-aligned Finland (43%), Sweden (41%) and Ireland (40%) are rather reserved. 'Big' France (52%), Poland (50%) and Germany (45%) are middle-ranking countries. Finally, at the bottom of the ranking, most reservations can be found in traditionally rather euro-sceptic countries like the Czech Republic, the Netherlands, the UK (40%), Denmark (39%), Latvia (36%) and Bulgaria (24%). The reasons behind the strongly deviant results from Lithuania remain a mystery (7%).

The Role of European Armed Forces: National versus EU Level

The opinions of national MPs and MEPs on what roles European armed forces should play converge with regard to the most important tasks: territorial defence and Petersberg tasks. Most cited in the survey both by MPs and MEPs is 'territorial defence of the EU' with twice 74 percent approval rate. For the *modest* part of the Petersberg tasks the respective approval rates of national and European parliamentarians do not differ more than 10 percent: 70 percent MEP approval and 72 percent MP approval for 'taking part in peacekeeping with UN mandate', 52 percent/62 percent for 'guaranteeing peace in the EU', 61 percent/58 percent for 'carrying out humanitarian missions' and 65 percent/56 percent for 'repatriating Europeans who are in areas of conflict'. 'Intervening in case of disaster in other parts of the world' (57%/53%) and 'defending economic interests' (22%/19%) are also rated almost in the same way. For all other tasks the approval rates differ more than 10 percent, however. Particularly remarkable are three results:

First, MEPs to a larger degree than national MPs want European armed forces to fulfil Petersberg tasks of the *robust* type, to engage not only in *peacekeeping*, but also *peacemaking*, and to operate *globally*: 14 percent more MEPs than MPs – in relative terms – want European armed forces to ‘intervene in conflicts at the borders of the EU’ (65%/51%), 16 percent more that they ‘intervene in conflicts in other parts of the world’ (48%/32%), and even 20 percent more favour ‘taking part in peacekeeping without UN mandate’ (35%/15%). Secondly, 14 percent less survey participants of the European Parliament than of national parliaments (52%/66%) think that ‘intervening in case of disaster in Europe’ is a relevant task for European armed forces. This means that MEPs think that European armed forces should rather ‘intervene in case of disaster *in other parts of the world*’ (unlike national MPs). Thirdly, not a surprise, MEPs to a larger extent than national MPs (30%/16%) think that European armed forces function as ‘symbol of European identity’.

The Role of European Armed Forces: Elite versus Public Opinion

Comparing the results of the political elite survey and the public opinion survey 2000 (see Kernic et al. 2002: 52-54), five findings are relevant. First, for eight out of 13 desirable/undesirable roles and tasks of European armed forces, the opinions of European citizens and European decision-makers differ *insignificantly* (not more than 10 percent). Second, the five tasks for which public and elite opinion differ *significantly* (more than 10 percent) are all tasks which would in all probability require the deployment of European armed forces to *far away* countries: 39 percent less European citizens (34%) want European armed forces to ‘take part in peacekeeping missions with a UN mandate’ in comparison to the political elite (73%); 16 percent less citizens approve ‘repatriating Europeans who are in areas of conflict’ (41%/57%) and ‘intervening in case of disaster in other parts of the world’ (37%/53%); 15 percent less accept ‘intervening in conflicts in other parts of the world’ (33%/18%) and still 10 percent less ‘carrying out humanitarian missions’ (58%/48%). None of these tasks gets a majority approval among European citizens in 2000 – public opinion seems more sceptical about deployments of European armed forces to *far away* countries than the elite opinion. For public opinion these tasks are either not as necessary as in the eyes of the elite or they should rather be fulfilled by *national* armed forces. Third, ‘defending the territory of the EU’ is the most relevant task of European armed forces according to both European public

opinion (71%) and the European political elite (75%). Fourth, while a majority of the political elite think that only *one* task of the Petersberg spectrum should *not* be fulfilled by European armed forces ('intervening in conflicts in other parts of the world' – approved by only 33%), *five* of them were far from winning European citizens' enthusiastic support in 2000 ('carrying out humanitarian missions': 48%; 'intervening in conflicts at the borders of the EU': 44%; 'repatriating Europeans who are in areas where there is a conflict': 41%; taking part in peacekeeping with UN mandate': 34%; 'intervening in conflicts in other parts of the world': 18%). Fifth, the percentage of European citizens having no opinion on this matter and being unable to rate the specific tasks and roles has – again – been higher (4%) than the one of European decision-makers (1%).

Summary and Prospects: The Political Will of EU Member States and CSDP

The results of the elite survey make it possible to draw three different types of conclusions. First, the survey results indicate which type of ESDP the majority of European decision-makers want for a CSDP and in which areas disagreement is most significant. The results show which is the most likely face a genuinely *common* ESDP will have in the near future.

Second, the survey results give an impression of how far political will is, or is not, of help for overcoming the difficulties facing a genuinely *common* ESDP which have been identified in the analytical chapters five and six.

Third, the survey results identify those countries in which members of parliament seem most opposed to a genuinely *common* ESDP.

1. The Most Likely Face of a Genuine CSDP in the Future

The survey conducted for this work makes clear that there is a lot of political will among key European decision-makers and opinion-leaders to develop a genuinely *common* ESDP. The results suggest that such a CSDP will most likely be shaped as follows:

- *CSDP will mainly address asymmetric threats – these will very much resemble the threats which have been defined by the European Security Strategy (ESS).* The survey confirms that the threat perception of European members of parliament corresponds

with the threat perception of the ESS which has been formulated by the EU and agreed by European governments.

- *CSDP will include the transfer of parts of national sovereignty to the EU.* A clear majority of survey participants (63%) favour the partial transfer of national sovereignty for the political EU future. Only 28 percent cannot accept any limitation of national sovereignty and only very few (5%) desire a federal European state.
- *CSDP will – at least for the time being – only complement national security and defence policies, not replace it.* Although a common defence is popular among members of parliament which have taken part in the survey (89% are generally in favour of any kind), for a majority (56%) this is only the case as long as each state at the same time maintains its own defence to a certain degree. For 33 percent, however, a pure common defence is already now desirable.
- *CSDP will be embedded in a wider global security architecture, not being isolated.* 76 percent of survey respondents favour such an option, with a military alliance like the current NATO being popular among a majority of 54 percent. 22 percent even like the idea of an all-encompassing European alliance including Russia plus the USA.
- *CSDP will be the European forum for decision-making in security and defence affairs.* A majority of survey participants (53%) want decisions in European security and defence policy to be taken at a common EU level – only 23 percent are still in favour of pure national decision-making in this regard.
- *CSDP will be the European forum for decision-making when it comes to military intervention.* Although numerous survey participants (40%) have insisted on national decision-making in this respect, a majority of 56 percent want military interventions to be decided at the EU level.
- *CSDP decision-making with regard to military interventions will be based on majority voting, keeping the right for each member state not to send troops.* 60 percent of members of parliament have opted for this procedure in the survey. The days of unanimity voting seem over (only supported by 24 percent) and the days of ‘federal’ majority voting – binding for all member states – have not yet begun (only 12 percent of support).

- *CSDP will imply that EU member states will not be able anymore to go to war or to have military missions alone.* For a clear majority of survey participants (63%) it is desirable that independent national military interventions are prohibited.
- *Common EU armed forces will resemble the European rapid reaction forces developed in the context of the EU headline goals.* A clear majority of the parliamentarians taking part in the survey (87%) think that the ERRF has proven to be a good thing.
- *Common EU armed forces will be permanent armed forces, additional to national armed forces.* A majority of members of parliament have opted for this solution in the survey (54%). Armed forces only put together when needed (24%) and the concept of a single European army (12%) are not very popular.
- *Common EU armed forces will guarantee the territorial defence of the EU and will fulfil the modest spectrum of the Petersberg tasks globally and the robust spectrum of the Petersberg tasks in Europe and at Europe's borders.* A majority of survey participants, respectively, have approved the following tasks: defending the EU's territory, taking part in peacekeeping under UN authority, intervening in case of disaster in Europe, guaranteeing peace in the EU, carrying out humanitarian missions, repatriating European citizens who are in areas where there is a conflict, intervening in case of disaster in other parts of the world, intervening in conflicts at the borders of the EU. Petersberg tasks of the robust type – carried out globally and in far away countries – have been refused in the survey, as well as taking part in peacekeeping missions which are not mandated by the UN.

The Picture in the European Parliament

The vision that members of the *European* Parliament hold for a genuinely *common* ESDP is similar to that which members of *national* parliaments would choose. According to the survey, the opinions of MEPs hardly differ from the opinions of parliamentarians in national capitals – the majorities are not only the same in most cases, but even larger in the European Parliament than in national parliaments: 74 percent favour the transfer of *parts* of national sovereignty to the EU level in general (national average: 62%), 83 percent want CSDP embedded in a global security architecture (national: 76%), 65 percent want decisions

in European security and defence policy to be taken at EU level (national: 52%), 67 percent prefer a majority voting system in case of military interventions decided at EU level, keeping the right of each member state not to send troops (national: 60%), 65 percent do not want single EU member states to undertake independent national military interventions (national: 62%), 87 percent think that the ERRF is a good thing (national: also 87%), 57 percent are in favour of a permanent ERRF as type of EU armed forces (national: 54%); and finally, threat perception also hardly differs and MEPs want EU armed forces to fulfil exactly the same tasks as national MPs want. Only in two cases the survey results between MEPs and MPs differ in a way which could affect the shape of CSDP:

- While a majority of MPs favour a European defence which combines common and national defence (56%), there is no majority for this option among MEPs (48%), although it is still the most popular choice. Supporters of a pure common defence are more numerous among MEPs, however (39% compared to 32%).
- While most MPs (56%) want decisions with regard to military interventions to be taken at EU level, MEPs are divided about this issue: only 43 percent think the EU level is appropriate for decision-making of this kind, 48 percent think it should rather be decided at national level.

The Picture among the Public

The effectiveness of the political will of decision-makers is dependent on public opinion for two reasons. First, it is difficult for decision-makers to turn their political will into political reality if they are facing opposition by the *public* will (see Malena 2009: 8). Second, “strong opinions form political will only if they’re salient to public choice” (Charney 2009: 2): if a political issue is not of interest and not of relevance for the public, or if the public is just not familiar with it, the political will in this regard is lacking drive. So what do the survey results of Eurobarometer 54.1 teach us with regard to public opinion towards ESDP in 2000, in comparison with the results of the elite survey?

The most important lesson is that the vision of a possible CSDP preferred by the public in 2000 looked almost exactly like the face of a CSDP favoured by the political elite looks today – there does not seem to be many substantial differences between elite and public opinion: the threat perception coincides; the public has continuously supported a common defence

over the years; ‘decision-making at EU level’ in European security and defence policy and in case of military interventions, ‘majority voting with the right for each member state not to send troops’ and ‘a permanent ERRF in addition to national armed forces’ have been the most cited options in the respective categories; and the ERRF has been regarded as ‘a good thing’ by a large majority. However, three major differences put the picture into perspective:

- The opinions on the role of European armed forces considerably diverge between elite opinion today and public opinion in 2000. In 2000, a public majority want European armed forces to fulfil only four tasks: defending the EU territory (71%); guaranteeing peace in the EU (63%); intervening in case of disaster in Europe (58%); defending human rights (51%). Other tasks (among others the Petersberg tasks) do not get the approval of a majority.
- The public preferences have not at all been so intense and clear as the preferences of the political elite – the most cited preferences have in most cases only been approved by a *simple* majority, not by an *absolute* majority (as it has been the case in the elite survey): ‘decision-making at EU level’ in European security and defence policy (43%) and in case of military interventions (35%); ‘majority voting with the right for each member state not to send troops’ (49%); ‘a permanent ERRF in addition to national armed forces’ (37%).
- Regarding *all* survey questions a considerably larger percentage of citizens had no opinion or felt unable to give an answer compared to members of parliament. This explains the low top scores mentioned and suggests that the public has obviously been not so familiar with issues of EU security and defence policy in 2000. It also suggests that CSDP is possibly not so much of public relevance, *lacking salience*.

2. Political Will and Neutrality, Atlanticism, Conscription and National Law

Difficulties for a genuinely *common* ESDP have been named in the analytical chapters five and six. In the following cases the political will of decision-makers and opinion-leaders of EU countries is or is not of help to overcome them:

- The results of the elite survey highlight that – among parliamentarians of non-aligned EU states – Irish members of parliament are the least open for (further) integration in

the area of security and defence – which can be regarded as precondition for a genuinely *common* ESDP. Of 14 CSDP-relevant issues (see table 26) a majority of Irish survey participants have opted in 11 cases for solutions not favourable for CSDP, against integration. Only in 3 categories Irish respondents have a positive attitude towards integration: 62 percent want decision-making at EU level in case of military interventions, 69 percent think that the ERRF is a good thing and 58 percent agree that the modest Petersberg tasks should be fulfilled by European armed forces.

- Most political will among non-aligned states for European integration in security and defence policy and therefore development of a genuinely *common* ESDP can be found in the Austrian parliament according to the survey. Of 14 CSDP-relevant issues, a majority of Austrian respondents have opted for the ‘integration solution’ in 13 cases (see table 26). A pure common defence (completely replacing national defence) has not been favoured by a majority yet, but even in this respect the support is relatively strong among Austrian deputies (33%).
- The two survey participants from Malta, which is the only EU country *constitutionally* based on neutrality today, have also showed a lot of political will for European security and defence integration and the development of a genuinely *common* ESDP. In 11 cases their opinion turns out to be favourable for CSDP (see table 26). They only cannot accept a *pure* common defence, decision-making at EU level in case of military interventions and European armed forces fulfilling *robust* Petersberg tasks. These results suggest that it is not out of the question that Maltese members of parliament substantially amend or even abolish their constitutional neutrality clause in the near future – even if it is very unlikely.
- Irish and Swedish parliaments might in all probability vote against an EU mutual defence clause in the near future. A majority of the survey participants from these parliaments have refused both ‘a *common* defence’ (8% for both countries) and ‘defending the EU territory’ as task for European armed forces (IE: 38%; SE: 46% – again, see table 26). Austrian, Finnish and Maltese respondents, in contrast, have at least showed strong support for the latter (A: 80%; FI: 71%; MT: 100%).



Table 26:
Approval of CSDP-Relevant Issues by Non-Aligned EU Countries

	AT	FI	IE	MT	SE
<u>Political Future:</u>					
Transfer of Sovereignty	73%	50%	46%	100%	69%
<u>European Defence:</u>					
Common Defence	33%	0%	8%	0%	8%
Both things combined	53%	71%	46%	100%	54%
<u>National Defence:</u>					
Maintaining Neutrality	29%	14%	92%	50%	31%
<u>Decision-Making (Level):</u>					
EU	60%	7%	31%	50%	23%
National	33%	71%	54%	0%	62%
<u>Decision-Making (Intervention):</u>					
All EU countries	73%	29%	62%	0%	69%
<u>Decision-Making (Intervention/Type):</u>					
Majority voting with right to opt-out	50%	60%	33%	50%	56%
<i>Pure majority voting not accepted by all</i>					
<u>Independent Military Missions:</u>					
No	80%	64%	46%	50%	46%
<u>European Rapid Reaction Force:</u>					
Very good thing	27%	43%	23%	100%	54%
Fairly good thing	47%	57%	46%	0%	31%
<u>Type of European Armed Forces:</u>					
Permanent European armed forces	47%	57%	15%	100%	46%
Single European Army	13%	14%	0%	0%	0%
<u>Role of European Armed Forces:</u>					
Defending EU territory	80%	71%	38%	100%	46%
Petersberg Tasks (modest)	82%	57%	58%	63%	44%
Petersberg Tasks (robust)	50%	43%	27%	25%	50%

- There is scepticism towards the *robust* spectrum of the Petersberg tasks among members of parliament of non-aligned EU states. In Finland, Ireland and Malta, a majority of survey participants think that intervening in conflicts at the borders of the EU and in other parts of the world should *not* be a task of European armed forces; and in Austria and Sweden such missions are only accepted by a majority if they take place in the EU neighbourhood. It is therefore likely that the parliaments of these

states will refuse official approval of such missions and prevent their countries from participating.

- The idea that European armed forces could undertake peacekeeping missions in the framework of CSDP *without* a UN mandate is refused by survey participants of *all* non-aligned EU states (AT: 0% approval; FI: 7%; IE: 0%; MT: 0%; SE: 23%). This suggests that non-aligned states will indeed insist on such a mandate before taking part in a CSDP mission. As support for such an action is absent in any European parliament (only 16 percent of overall survey participants approved it with majority support in not a single country), this is not a specific 'neutral' issue and rather mirrors the concerns of *all* EU states.
- Although there are many reasons to believe that Denmark will get rid of its defence opt-out in the near future (see chapter 6, pages 166-168), the political will among Danish members of parliament to push for a referendum on the issue might be not overwhelming. The survey shows that decision-makers in Denmark are still very sceptical about EU integration in security and defence policy: only 4 percent of the survey participants favour a pure common defence; only 35 percent want decisions to be taken at EU level when it comes to European security and defence policy, only 39 percent when it comes to military interventions; a majority of 57 percent are still in favour of independent national military interventions; only 39 percent prefer European armed forces which are permanent; a mutual defence clause is most likely refused by Danish deputies as only 30 percent think that 'defending the EU territory' should be a task of EU armed forces; and even the modest Petersberg tasks are not very popular on average (41%).
- The survey results show that Atlanticism still has an influence today. For *all* questions in which NATO has been selectable as alternative to the EU (see questions 2.3 and 3.1) or in which CSDP could be regarded as possible rival to NATO (see questions 4.1 and 4.3), the Atlanticist countries all-together (see table 20) have chosen the favourable answer for NATO more often than the Europeanist countries all-together (see table 27): on average, 59 percent of survey participants from Atlanticist EU states favour a military alliance like the current NATO for their national defence organization and 21 percent want decisions in European security and defence policy

to be taken at NATO level – among respondents from Europeanist EU states it is only 31 percent and 6 percent, respectively. 10 percent of ‘Atlanticist’ members of parliament think that the European rapid reaction force (possibly rivalling the NATO response force (NRF)) is a bad thing while it is only 6 percent among ‘Europeanists’. While 77 percent of ‘Europeanists’ think that European armed forces should defend the EU’s territory, only 74 percent of ‘Atlanticists’ think that the EU should be in charge of collective security and mutual defence (the main function of NATO). Finally, fewer respondents from Atlanticist (37%) than from Europeanist EU states (43%) think that EU armed forces should fulfil the robust spectrum of the Petersberg tasks (possibly worried about an overlapping of tasks with NATO). Although the influence



Table 27:
Approval of CSDP-Relevant Issues by Atlanticist/Europeanist States

	Atlanticist EU Member States ∅	Europeanist EU Member States ∅
<u>National Defence:</u>		
Military Alliance like current NATO	59%	31%
<u>Decision-Making:</u> At NATO level	21%	6%
<u>ERRF:</u> A bad thing	10%	6%
<u>Role of European Armed Forces:</u>		
Defending EU territory	74%	77%
Petersberg Tasks (robust)	37%	43%

of Atlanticism is without doubt noticeable, it does not play a relevant role for the most issues mentioned, however. First, although Atlanticism might lead to more opposition to decision-making in security and defence affairs at EU level and to the ERRF, the support of Atlanticists in these categories is still overwhelming. Second, although Atlanticism provides a possible explanation why some countries do not want European armed forces to be in charge of defending the EU’s territory, Atlanticism is not a decisive factor here, as a clear majority of Atlanticists obviously *do* want European armed forces to play that role (and possibly would even accept a mutual defence clause). And third, although – according to the survey – 6 percent fewer Atlanticist than Europeanist members of parliament are in favour of the EU

undertaking robust combat operations, this divergence is irrelevant in so far as a majority of both Atlanticists and Europeanists are opposed to it. Only with regard to the preferred military alliance does Atlanticism seem to play a substantial role as 59 percent of 'Atlanticist' survey participants favour NATO while there is no majority support for NATO among 'Europeanist' respondents (31 percent).

- The countries whose members of parliament can be regarded as most orientated towards Atlanticism are the United Kingdom, Denmark, Bulgaria, Latvia and Lithuania. The reason for this assumption is that – regarding the five questions of table 27 – the extent of Atlanticism has been largest among survey participants of these countries. The UK has been among the top three high scores 'pro NATO' in four out of five cases (NATO as preferred alliance: 80%; decision-making at NATO level: 40%; against ERRF: 20%; defence no ERRF task: 53%), Denmark in three (NATO as preferred alliance: 83%; against ERRF: 26%; defence no ERRF task: 70%) and Bulgaria, Latvia and Lithuania in two (NATO as preferred alliance – LV: 100%; decision-making at NATO level – LV: 38%; LT: 36%; defence no ERRF task – BG: 62%; ERRF not in charge of robust Petersberg tasks – BG: 93%; 91%). As a consequence, it can be argued that parliamentary opposition towards an *autonomous* CSDP comes most likely from these five states.
- The survey results confirm the impression of the analysis in chapter six (see pages 223-229) that an abolishment of conscription finds not much political support in Estonia and Greece: a majority of survey participants from the Estonian and Greek parliament still think that defending the country (EE: 100%; EL: 93%), passing on to young people values such as discipline (EE: 86%; EL: 57%) and helping young people to integrate into society (EE: 57%; EL: 50%) are relevant roles for the armed forces – which is often used as major argument *pro* conscription. A majority of Estonian respondents even perceive a conventional war in Europe as a potential threat today (57%). Only a small percentage of members of parliament from Austria, Cyprus, Denmark, Finland and Germany feels territorially threatened according to the survey, in contrast, and thinks that armed forces should play a 'social' role (see table 28). In these countries the only reason why conscription might get parliamentary support is

the fact that for a majority of deputies ‘defending the country’ still seems to be the primary task.



Table 28:
Opinions of EU Conscription Countries towards Conscription-Relevant Issues

	AT ø	CY ø	DE ø	DK ø	EE ø	EL ø	FI ø
Threat Perception:							
A world war (ø: 29%)	27%	14%	20%	4%	43%	29%	0%
A conventional war in Europe (ø: 28%)	40%	14%	15%	4%	57%	21%	36%
Role of Armed Forces in general:							
Defending the country (ø: 95%)	87%	100%	95%	87%	100%	93%	86%
Passing on to young people values (ø: 34%)	27%	29%	15%	17%	86%	57%	36%
Helping young people to integrate into society (ø: 24%)	40%	29%	15%	22%	57%	50%	36%

- In chapter five (see pages 83-84) it was discussed whether German constitutional law could possibly prevent Germany from taking part in CSDP operations because – in a very strict legal sense – German armed forces cannot be used for purposes other than defence. It is not unlikely that the German parliament will amend the specific provisions in the constitution, extending the task spectrum of the *Bundeswehr* by legally anchoring Petersberg-type tasks: although there might still be reservations in Germany towards the *Bundeswehr* taking part in combat missions in far away countries, the survey results clearly show that an overwhelming majority of German members of parliament might support German armed forces being deployed for other purposes than defence (85 percent think keeping or re-establishing peace in the world is a task of the armed forces in general and 90 percent are in favour of European armed forces taking part in peacekeeping under UN authority).
- The survey results suggest that there is no reason for France and the UK to worry about upgrading their parliaments’ powers in the process of military deployment in order to make common EU deployment procedures possible (see chapter five, pages 116-117) – their members of parliament seem ready to overwhelmingly approve any type of military mission: preparing for wars and fighting (FR: 84%; UK: 100%), keeping

or re-establishing peace in the world (FR: 89%; UK: 80%); helping in case of disaster both at home and abroad (FR: 84%; UK: 94%) and defending values, such as freedom and democracy (FR: 63%; UK: 87%). Even independent national military intervention is accepted by a very large percentage in the UK (93%) and a relatively large percentage in France (33%). It is very unlikely that it is these parliaments which will prevent quick and flexible CSDP military deployment to which France and the UK are traditionally used to.

3. National Reservations towards a Genuine CSDP

The results of the elite survey finally highlight in which EU countries the members of parliaments are most likely to impair or even oppose the development of a genuinely *common* ESDP. It is possible to create something like an index of 'CSDP-scepticism' by looking how often the survey participants of a country are in the group which prefers the most the 'least favourable' option for CSDP in a question category:

- '*NO transfer of sovereignty*': a majority of survey participants in five EU member states do not want to accept any transfer of national sovereignty to the EU level in the political future (SK: 82%; IE: 54%; NL: 53%; UK: 50%; FI: 50%).
- '*ONLY national defence*': in seven EU countries a particularly large percentage (two-digit numbers) of members of parliament are obviously completely opposed to any common defence and prefers that each country should organize its own defence (IE: 46%; SE: 38%; FI: 29%; UK: 27%; DK: 26%; NL: 24%; PT: 20%; AT: 13%).
- '*NON-participation in any military alliance*': in seven EU states a particularly large number of respondents (two-digit percentages again) think that it is not desirable to take part in any military alliance (IE: 92%; MT: 50%; CY: 43%; SE: 31%; AT: 29%; FI: 14%; NL: 12%).
- '*Decision-Making in security and defence policy at NATIONAL level*': a majority of survey participants of four EU member states think that decisions with regard to

European security and defence policy should be taken at national level (FI: 71%; NL: 65%; SE: 62%; IE: 54%).

- *'Decision-Making in security and defence policy NOT at EU level'*: in the Netherlands (6%), Finland (7%) and the UK (13%) a particularly small percentage thinks that the EU is not the appropriate level for decision-making in security and defence affairs.
- *'Decision-Making regarding military interventions at NATIONAL level'*: in eight countries a majority of respondents are in favour of decisions concerning military interventions being taken at national level, not at EU level (MT: 100%; UK: 71%; FI, SK: 64%; LU: 60%; EE: 57%; DK, IT: 52%).
- *'PRO independent national military interventions'*: in the UK (93%), Denmark, Estonia (57%) and Malta (50%) a majority of survey participants still want single EU member states to be able to go to war and to have military missions alone – without consent in the European Union. In Sweden (46%) and Ireland (38%) the support is at least so strong to prevent a majority of the opponents.
- *'ERRF is a BAD thing'*: particularly numerous members of parliament (two-digit percentages) obviously think that the ERRF has proven to be a bad thing in ten countries (NL: 41%; DK: 26%; UK: 20%; IE, SE: 16%; LV: 15%; AT, BG, CZ: 13%; DE: 10%).
- *'NO European armed forces at all'*: in seven EU countries a two-digit percentage of survey participants wants no European armed forces at all (NL: 24%; UK: 20%; BE: 19%; CZ: 17%; SE: 20%; DK, PT: 13%).
- *'NO permanent ERRF'*: in three EU states a majority of respondents are opposed to any type of European armed forces which is permanent (LV: 69%; IE: 62%; UK: 53%).
- *'LEAST support for a broad task spectrum of European armed forces'*: less than 50 percent support – on average – for European armed forces carrying out a broad spectrum of tasks comes from eleven EU states (LT: 7%; BG: 24%; LV: 36%; DK: 39%; CZ, IE, NL, UK: 40%; SE: 41%; FI: 43%; DE: 45%).

All in all, these results show that it is the general *euro-sceptic* and the traditional *non-aligned* EU member states in which members of parliament might have the most reservations towards a genuinely *common* ESDP.

The United Kingdom is – according to the above results – in nine of eleven cases in the group which favours an option that is ‘least favourable’ for a CSDP – which means an index of ‘CSDP-scepticism’ of 81 percent, the top score (see table 29). As the UK is known for being strongly characterized by euro-scepticism – in particular by sovereignty-based and principled euro-scepticism⁴¹ (see Sørensen 2006: 15) – this result is not very surprising. Charles Grant has offered four explanations for British euro-scepticism: “These are history, and especially Britain's relatively glorious role in World War II; geography, which placed Britain on the edge of Europe and open to the oceans; and economics – the UK has out-performed much of the continent over the past ten years. The fourth explanation, which is not easily understood outside the UK, is that Britain has a unique popular press. Of the 30 million people who read a daily newspaper, three-quarters read papers that are determined to make people dislike



Table 29: Index of CSDP-Scepticism

	Degree of CSDP-Scepticism
UK	81%
IE; NL	73%
FI; SE	64%
DK	55%
AT; CZ; LV; MT	27%
BG; DE; EE; PT; SK	18%
BE; CY; LT; LU; IT	9%

the EU” (Grant 2004: 1). A genuinely *common* ESDP will in all probability receive most opposition from the UK, if euro-scepticism continues to be a significant trend in British politics and culture.

The high indices of ‘CSDP-scepticism’ in the Netherlands (73%) and Denmark (55%) and relatively high indices in the Czech Republic and Latvia (both 27%) might also stem from traditional strong and modest euro-scepticism. The Netherlands – as EU founding member –

⁴¹ ‘Sovereignty-based euro-scepticism’ is characterized by “a reluctance to increase the competencies of the EU and thereby potentially weaken national sovereignty and/or identity” (Sørensen 2006: 6) while ‘principled euro-scepticism’ is characterized by “the rejection of any kind of integration and cooperation: the very idea of the EU is rejected” (Sørensen 2006: 7).

is often regarded as very pro-integrationist. “Euro-scepticism is not a new phenomenon in the Netherlands” (Vollaard & Boer 2006: 1), however, and especially in the last decades it has become strong again: “The ‘automatic’ pro-integrationist reflex which had marked Dutch European discourse at least since the early 1960s has been replaced by a more explicit discourse of national interest, stressing the need for a careful assessment of the costs and benefits of further integration” (Harmsen 2004: 122). Denmark is usually considered as the most euro-sceptic EU country along with the UK, “Denmark and Britain have often been regarded, by the press and by politicians, as ‘the euro-sceptic pair’ in the EU. [...] Danish popular euro-scepticism [...] seems largely to have been based on concerns about the EU’s impact on national identity and integrity – thus corresponding to the sovereignty-based type of scepticism” (Sørensen 2004: 1; 16). In the Czech Republic Vaclav Klaus and his Tory-like Civic Democratic Party (ODS) has played an important role for the country’s euro-scepticism: “While Klaus sees no alternative to the country’s integration into the EU, he favours the intergovernmental model – based on the nation-state – and strongly emphasizes a concept of national interest spelt out in realist (at times even nationalistic) terms” (Sedivy 2002: 13). And of all the countries which joined the Union in 2004, Latvia has also been “one of the most euro-sceptic candidate states, which has from its first independence day on the 18th of November, 1918, emphasized the importance of cultural traditions” (Romanova 2003: 11). The reason why there is CSDP-scepticism to such a large extent among members of the Irish (index: 73%), Finnish and Swedish parliament (64%) and to a relatively large extent among Austrian and Maltese parliamentarians (both 27%) of course lies in the tradition of neutrality/non-alignment of these countries. After the detailed analysis of the neutrality question in chapter six, the relatively weak degree of CSDP-scepticism in Austria compared to Ireland and Sweden is not much of a surprise – the relatively high index of Finland and the relatively low index of Malta are remarkable, however.

CSDP-scepticism does not play any significant role in 7 EU countries: the ‘least favourable’ answer for CSDP has to *no* single question of the survey been given *in particularly large numbers* by MPs from France, Greece, Hungary, Poland, Romania, Slovenia and Spain.

VIII. CONCLUSIONS

In order to outline how national diversity – in the terminology of Sibylle Lang: national security policy orientation and specific national security interest (see chapter two) – shapes the future of a genuinely *common* European Security and Defence Policy, three research questions have been addressed in the analytical chapters of this work:

1. *How do national military law, security and strategic culture and political will of EU member states differ in view of a genuinely common European Security and Defence Policy?*
2. *How far can integration go in the field of ESDP, considering national diversity?
How feasible is a genuine Common Security and Defence Policy (CSDP) consequently?*
3. *Which type of a future CSDP will most likely develop, considering national diversity?*

National Differences Jeopardizing a Genuine CSDP

Although national military law, national security and strategic culture and the political will of national key decision-makers still differ from EU country to EU country and shape national security policy orientations, only the following issues cause problems for a genuine CSDP:

- *Legal Limitations in Denmark, Germany and Malta:*

In 2005, Niels Aadal Rasmussen made the point that “ESDP [...] is not constructed as a menu with a free choice. On the contrary full participation – in theory of all [...] member states – is essential [...]” (Rasmussen, N. 2005: 22). This is of course even truer for a genuinely *common* ESDP, and the legal limitations of Denmark, Germany and Malta pose a problem. There are different reasons, why the participation of these three countries in CSDP missions is legally limited: Denmark is not part of ESDP in general, due to an *opt-out* in 1993; Malta is not able to take part in military missions due to its constitutional *neutrality clause*; and German armed forces – according to a strict interpretation of the German Constitution – can principally only participate in CSDP operations if these take place for *defence* purposes.

- *Different Military Deployment Systems of EU Member States*

Any future ESDP can only be considered as genuinely *common* when there is a *common* EU Deployment Law or national deployment rules and procedures, which are standardized or harmonized for common missions. This is not easy to achieve because the 27 EU member states differ considerably in this respect, especially with regard to the role of the parliament in the deployment process: in 16 EU member states the national parliaments have the right to approve the deployment of their countries' armed forces prior to the relevant military operation, in 11 they do not.

- *Refusal of a EU Mutual Defence Clause by Neutral/Non-Aligned EU Member States*

Contrary to what could be expected, neutral/non-aligned EU member states have very actively participated in ESDP in its first decade (with the exception of Malta of course): Austria, Finland, Ireland as well as Sweden have all contributed capabilities to the EU headline goals and to the EU battle groups, they have all contributed personnel to civilian ESDP missions and they have supported military ESDP operations by deploying troops. One problem for a genuine CSDP is, however, that all EU Neutrals refuse mutual defence obligations within the EU and oppose a mutual defence clause in the EU treaties which would make EU defence genuinely *common*.

- *Refusal of an Autonomous CSDP by Atlanticist EU Member States*

The traditional ESDP issues and dividing lines between Atlanticists and Europeanists – *autonomous* ESDP capabilities, headquarters and action, the role of non-EU NATO members and the question of collective defence – have become newly accentuated and less controversial and divisive. The question of how capabilities will be developed and used in a transatlantic context, the question of how the Turkey-EU relationship will develop and the question of whether Atlanticist states are able to accept a mutual *defence* clause within the EU one day are still sources of conflict, however.

- *Different Military Recruitment Systems of EU Member States*

A genuine CSDP requires either a *common* European military recruitment system or the *same* national recruitment principles and mechanisms if it wants to have armed

forces of *common* standards at its disposal. Although there has been a clear trend towards a specific system in Europe since the end of the Cold War – towards abolishing conscription and introducing all-volunteer forces – seven EU member states still maintain a conscription system: Austria, Cyprus, Denmark, Estonia, Finland, Germany and Greece. Only in two of those countries, namely Denmark and Estonia, is an abolishment of conscription likely in the near future.

▪ *Euro-scepticism in EU Member States*

The results of this work's survey and of Eurobarometer 54.1 have shown that there is a great amount of will among the political elite and the public to make a genuine CSDP a reality. Large majorities of both the political elite and the public seem open to deepened EU cooperation and integration in the area of security and defence. Nevertheless, there are some parts of the elite and the public which are reserved or opposed towards a genuine CSDP. Apart from the principles of neutrality – which to a certain extent are protected by non-aligned EU member states against CSDP – general euro-scepticism is another major reason behind such reservations and opposition. According to the elite survey, the UK, the Netherlands, Denmark, the Czech Republic and Latvia can be considered as most euro-sceptic.

Feasibility of a Genuine CSDP

A genuine CSDP is definitely feasible if the above mentioned issues can be addressed and resolved. The following political measures are recommended to serve this purpose:

Eutrality

Today the traditionally 'neutral' members of the EU are neither truly neutral nor non-aligned within the EU – they are aligned with the European Union and all of its member states. The time has come that Austria, Finland, Ireland, Malta and Sweden fully accept and stand by this fact and either break with the old principles or adapt their tradition. As a full break with the past is quite unlikely – culture and tradition cannot simply be abolished – the adaptation of neutrality to the new realities might be the easier option. One reasonable new concept

could be ‘solidarity *within* the European Union, neutrality *outside* the European Union’. Such a new philosophy would allow EU Neutrals to fully participate in CSDP, including the approval of a mutual defence clause, while the principles of neutrality *in general* (concerning all non-EU affairs) would remain untouched (a fact which could win acceptance of both the political elite and the public). The new term ‘Eutrality’ – a compound word merging ‘European Union’ and ‘neutrality’ could express such a new philosophy; non-aligned EU states would become ‘*eutral*’ member states or simply ‘*Eutrals*’.

Danish Referendum on the Defence Opt-Out

The defence opt-out is not advantageous for Denmark. A majority of both the political parties, as well as a majority of the Danish people believe that it is time to ‘opt-in’. Therefore, there is no plausible reason *not* to hold a referendum on this issue. The Danish government should take this initiative and show some courage.

Amendment of the ‘Defence Article’ in the German Constitution

The controversies over Article 87a (2) of the German Constitution (“other than for defence purposes the armed forces may only be employed to the extent explicitly permitted in this Grundgesetz”) could vanish if the German parliament would amend the law. One solution could be, to simply include a reference to the Petersberg tasks and UN peacekeeping: ‘Other than for defence purposes the armed forces may only be employed in the context of the Common Security and Defence Policy of the European Union or for peacekeeping under UN authority’.

EU Deployment Law

The decision to deploy armed forces will, in all probability, remain a sovereign prerogative of nation-states in the future, as EU member states will not give up the sovereignty over decisions on ‘life or death’, even if armed forces are deployed in *common* EU missions. Nevertheless – although it is very unlikely that any supranational authority like the European Parliament will ever implement the deployment of European armed forces – deployment procedures at *national* level could be standardized at *EU* level in order to guarantee a *common* approach. Such standardization could legally be fixed by an EU deployment law,

determining that parliaments of *all* EU member states have to vote on a possible CSDP mission (guaranteeing democratic legitimation) in a *specific* period of time (guaranteeing quick and flexible deployment). The question is what an adequate period of time would be. In this respect, the Chief of Staff⁴² of the German armed forces from 2002 to 2009, Wolfgang Schneiderhan, argues as follows: “When the EU decided in 1999 that their rapid reaction forces (of 60.000 men) should be deployable within 60 days, the requirements of today’s security environment were not foreseeable. 30 days would be an adequate solution for European armed forces to meet the challenges of today, but might be a too far-reaching proposal to get European-wide support. However, as the European governments were able to agree on a good solution for their common *small* units – the EU battle groups (of 1.500 men) are deployable within 15 days – I am optimistic that they will also agree on a good solution for their *large* units in the future. It is not sufficient, however, to just optimize the *political* procedures. At the same time it is important to improve the *military* procedures in order to guarantee that the necessary conditions for prompt action *after* a political decision can already be prepared *before/during* the process of political decision-making. The already established planning capacities urgently have to become more efficient, without arousing suspicion of prejudicing the political decision” (Schneiderhan 2010). According to Schneiderhan’s comment, a possible EU deployment law could be formulated as follows: ‘In order to provide full democratic legitimation for CSDP missions, each member state of the European Union taking part in the mission is obliged to seek parliamentary approval of its participation. In order to guarantee quick and flexible deployment of European armed forces, national parliaments have to vote on a CSDP mission within 30 days (ERRF) or 15 days (EU battle groups) after the EU heads of state and government have decided that it should take place’.

As it is unlikely that national governments will agree on such a legal provision in the *near* future, a provisional solution – a first step – could be to define a ‘guideline’ of such standardized deployment procedures in an EU military doctrine (see below).

⁴² The Chief of Staff of the German armed forces (*Bundeswehr*) is the highest-ranking military post in Germany.

NATO as Two-Pillar Alliance

A genuine CSDP only seems possible if CSDP is allowed to be autonomous, while guaranteeing that it is not undermining NATO. This is a delicate balancing act which can only work if some challenges are met: “[T]he Europeans and the Americans must renew their support for NATO and solve the damaging dispute between NATO and the EU. In order to perform effectively as a security actor the EU needs operational HQ. The US seems to have dropped its past objections on the issue but it would help if it used its leverage inside the EU to support this policy. The EU and the NATO need to replace the Berlin Plus arrangement with a more functional agreement that takes into account the EU’s ambition as an autonomous security and defence actor. In order to achieve that, the EU must be more accommodating of Turkey’s desire for inclusion. Both the EU and the US should work more intensively on finding a solution to the Cyprus issue (Zaborowski 2009: 238).

Single solutions to single problems are not enough in the long term, however – NATO needs a structural and conceptual renewal and such a renewal needs to establish one essential principle: ‘European integration’ and ‘transatlantic solidarity’ are not competing poles – the one does not exclude the other. CSDP, on the one hand, is an integral part of *European integration*, first and foremost concerning EU countries. As the EU is a fully autonomous political union, there is no reason why CSDP should not be the fully autonomous military arm of the EU countries. NATO, on the other hand, is the organization which represents *transatlantic solidarity* – transatlantic solidarity in security political terms, with NATO members offering each other mutual defence. As collective security can only truly be guaranteed if the United States is part of the collective security community, there is no reason to believe that an autonomous CSDP could undermine NATO, even if it would include its own EU mutual defence clause. Even in the most unlikely case of the EU being militarily equal to the US one day, there is no reason to assume that Europeans would burn the transatlantic bridges and would forget or loose interest in transatlantic solidarity. Both CSDP and NATO have their very own functions – ‘European integration’ and ‘transatlantic solidarity’ must not be played against each other.

A reformed NATO which would be based on this principle could have the following shapes:

First, while the current NATO today is still an organization of single member states, a reformed NATO could rather be one of two pillars, “satisfying both those who want to maintain the cohesion of the transatlantic Alliance and those who seek room for an autonomous role for the EU” (Biscop 2006: 10). Sven Biscop has made recommendations in 2006 how such a ‘two-pillar alliance’ could look like:

- “Rather than some sort of ‘right of first refusal’, each pillar should have a ‘right of initiative’. [...] In view of the spirit of solidarity and transparency, they should inform and consult their Allies before taking action. [...] But this consultation should not be considered a request for authorization. Rather if both pillars agree on the assessment of the situation and the required response, and if both agree to contribute substantially to the actual military operation, the mission can be implemented under the NATO flag, via the existing political and military structures of the Alliance. If however they do not agree on the action to be taken, or if one pillar prefers not to contribute to the action, the other pillar simply maintains its initial authority to launch the operation autonomously under the EU or US flag” (Biscop 2006: 10).
- “For its autonomous operations, each pillar if required could still request the use of NATO assets according to pre-arranged mechanisms, such as ‘Berlin Plus’. The US would thus also have to agree a ‘Washington Plus’ with the Alliance. A pillar can still choose to invite other individual Allies to participate in its autonomous operations. As far as the EU is concerned, the existing mechanisms for participation of non-EU members of NATO in EU operations could remain valid, i.e. they will be automatically invited to participate in operations making use of NATO assets; for EU-only operations it belongs to the discretionary authority of the Council to invite them or not” (Biscop 2006: 11).
- As a two-pillar system at the political level must be reflected in the command & control structure, several solutions can be imagined for the development of an EU operational headquarters: “Objectively, the US does not need SHAPE: its national command & control structures allow it to undertake all operations autonomously. It is the Europeans who need a multinational command & control capacity, in view of

the limitations of scale and budget at the level of individual States. One could therefore envisage e.g. a merging of existing EU and NATO capabilities into a jointly owned 'EU-NATO Operational Planning and Command Centre' (Lindley-French and Algeri 2004: 40-42). Or one could even imagine a scenario in which NATO's 'whole European command could be placed under the authority of the EU' (Lanxade 2004: 18). Rather than a NATO-owned SHAPE, which the EU can use if the NAC authorizes it, an EU-owned SHAPE would place the capacity where it is really needed, providing of course for permanent involvement of the US and other non-EU Allies for operations undertaken under the NATO flag" (Biscop 2006: 15).

Furthermore, the question of collective defence should not pose a problem in a two-pillar system: each pillar guarantees its *own* defence and together both pillars guarantee *collective* defence. Mutual defence obligations between EU members would of course not replace mutual defence obligations between NATO members – the collective defence system of the EU would only be a natural sub-level of the collective defence system of NATO.

Second – if NATO reformers are courageous – the transatlantic alliance could open up to countries of other parts of the world. NATO could become something like a world security organization, including different regional pillars (like a Russian pillar, a South-American pillar etc.) with CSDP being the European one, working in the same way as the two-pillar model. Such a revolutionary reform could also imply turning NATO into the military arm of the UN.

EU Military Recruitment: EU Military Service or EU Military Academy

As *national* military recruitment systems are unlikely to be fully harmonized in the foreseeable future, a *common* recruitment system for European armed forces *at EU level* could be a possible solution for a genuine CSDP: the EU could recruit and train its armed forces completely through supranational channels, independently from national recruitment systems and national armed forces. This would guarantee common standards and procedures. Two options are conceivable, either separately or in a combined way:

- An EU military service could be introduced which young people could choose as an alternative for national military service: "For military planners, universal conscription

could at one stroke cut through the problems of the ESDP. European commanders would gain access to a huge force employed on the same conditions, all trained to the same pitch and ready to serve abroad. Equipment could be standardized and specialized units developed with a precision and on a scale undreamt of so far. The political and social impact of soldiers of all nations serving Europe as their primary task would give a massive boost to popular awareness of Europe at home and gain respect for the Union abroad” (Bailes 2009: 70).

- An EU military academy could be established, directly recruiting and training soldiers from member states at EU level, in the same way as an EU military service would do it, but on a voluntary basis. Such recruitment could work like the EU’s recruitment of civil servants, through a central agency similar to the European Personnel Selection Office (EPSO)⁴³ and via central selection procedures.

Both types of an EU military recruitment system – conscription or professionalism – would of course establish something like a European army, being independent from national armed forces. It is not unlikely, however, that it could nevertheless find acceptance and support among EU member states, because such a European army would not replace national armed forces.

Addressing Euro-scepticism

Chronic euro-scepticism, being deeply ingrained in the psyche of the political elite and among people of a country is definitely not useful for any European project or policy (like CSDP) which requires intense cooperation and deep integration. Charles Grant wrote in 2004 what he thinks could counteract British euro-scepticism (see Grant 2004: 2):

- Political leaders need to explain the benefits of EU membership, again and again. ‘EU bashing’ by national politicians – blaming the European Union for their own failures – needs to stop.
- Business and trade union leaders need to make aware the huge economic costs and consequences of withdrawal, again and again.

⁴³ The core mission of the European Personnel Selection Office (EPSO) is to provide a professional staff service on behalf of the European Union institutions (www.eu-careers.eu).

- The system of press regulation needs to be strengthened – journalists should not be in the position anymore to be cavalier with the truth. Populist ‘EU bashing’ by the media needs to be stopped.

Such measures are not only useful to address British euro-scepticism of course – they might help in all countries in which euro-scepticism is chronic and possibly based on irrationality and resentment.

EU Military Doctrine

The European Security Strategy (ESS) has been very important for a genuine CSDP as the EU member states agreed on a *common* security environment and *common* key threats and global security challenges in this document and committed themselves to *common* strategic objectives and *common* policy implications and strategic partnerships. This has been a large step for the EU, considering their different security cultures and strategic postures. Nevertheless, the ESS is incomplete – it says nothing about the *common* tools to address the threats and meet the challenges, nothing about the *type* of *common* armed forces which is preferred, *when* these armed forces should be used, *where* they should be used and *how* they should be used; the ESS remains vague, it is “a pre-strategic concept. It must be rapidly hardened into a mechanism that defines when, where, why and how the European Union will act. Only such a strategic concept can generate the consensus that will in turn weld all the EU’s security tools (aid and development, prevention of strategic intrusion by terrorists, robust policing and armed forces) into the single institutional framework that contemporary security demands” (Lindley-French & Algieri 2004: 5). Many years after the ESS has been written it is time for an EU military doctrine, complementing the ESS. Such an EU military doctrine should “make assessments of available military capabilities (including those of allies and enemies); and add precise ideas about strategy and tactics for the armed forces to follow. Thus, [such] a doctrine should provide a framework in which armed forces can train, plan, conduct exercises, and generally work together in a mutually reinforcing way” (Freedman 2004: 14) – a *common* framework for political leaders of the EU when, where, why and how to use European armed forces (including *common* military recruitment and military deployment principles and procedures).

Integrationist Limits of a Genuine CSDP

A genuine CSDP is definitely feasible. But what type of CSDP? How far can European integration go in the field of security and defence, considering national diversity – and to what extent do EU member states want integration to grow? To what extent is a maximum of integration feasible or a minimum of integration the reality considering the different analyses of political will, security and strategic culture and military legal systems (see the ‘integration spectrum’ by Wolfgang Wagner (Wagner 2007: 3) on page 9)?

How much integration is feasible according to the analysis of this work?

Factors supporting the maximalist option of a future CSDP:

1. A supranational European army replacing national armed forces could carry out all types of military and crisis management operations according to national military law of the 27 EU member states (assuming that all states *want* such an army).
2. If the full command of national units of a supranational European army remains in the capitals of the member states, a supranational European army would be feasible, as operational command can legally be transferred to the EU in all EU member states but one: Malta.
3. Neutral/non-aligned EU member states might generally be open to take part in crisis management and peacekeeping of a supranational European army.
4. A supranational European army is feasible if Atlanticist EU states agree on a *fully* autonomous CSDP (what might be likely in the long term), it is *NOT* feasible if they oppose it (what might still be true in 2010).
5. A supranational European army is feasible as long as it does *not* replace national armed forces. Both the elite survey of this work and the Eurobarometer 54.1 have shown that permanent armed forces at supranational EU level are actually popular as long as they do not replace national armed forces (*not* threatening national sovereignty and *not* limiting the national scope for action): permanent European rapid reaction forces *in addition* to national armed forces have been the most popular choice in both surveys, among members of parliament (54%) as well as among European citizens (37%).

Obstacles to the maximalist option of a future CSDP:

1. EU member states have different military deployment structures and procedures. If they agree on a *common* deployment law which defines a *common* deployment structure and procedure for a *common* single army, the situation would change.
2. If EU member states want the full command of a supranational European army to be vested in an EU authority at supranational level, such an army would not be feasible currently, as full command (vested in national authorities) is not transferrable.
3. If a supranational European army would be in charge of collective defence, such an army would currently not be feasible, as neutral/non-aligned and Atlanticist EU member states might not accept it – at least for the time being.
4. EU member states have different military recruitment and training systems. A supranational European army would either require harmonized national recruitment and training systems or a single supranational recruitment and training system at EU level which member states need to agree on.
5. Members of national European parliaments do not favour a supranational European army replacing national armed forces at the moment. The elite survey has shown that only 13 percent prefer this option.
6. European citizens seem not very keen for the European Union having a supranational army. Eurobarometer 54.1 has shown that only 19 percent preferred that option in 2000 – there are no reasons to believe that the public support for a supranational European army has increased considerably in the last ten years.

Being Willing to Be Able

All in all, it can be argued that a CSDP of the maximalist end of the integration spectrum is only feasible if European decision-makers and the European public really desire this option: a maximalist CSDP requires an EU which is '*willing to be able*'. As a supranational European army *replacing* national armed forces finds by far no majority of support in European capitals at the beginning of the new decade, it is very unlikely to see national armed forces vanishing in the near future.

However, high-ranking politicians continue to call for a European army: German foreign minister Guido Westerwelle said at the Munich Security Conference in February 2010 that

the EU's new institutional rules, the Lisbon Treaty, are “not the end but, rather, the beginning for common security and defence policy. [...] The long term goal is the establishment of a European army under full parliamentary control” (see Mahony 2010). Franco Frattini, the Italian foreign minister, said that it was a “necessary objective to have a European army. [...] Every country duplicates its forces; each of us puts armoured cars, men, tanks, planes, into Afghanistan [for example]. If there were a European army, Italy could send planes, France could send tanks, Britain could send armoured cars, and in this way we would optimize the use of our resources. Perhaps we won't get there immediately, but that is the idea of a European army” (Owen 2009). Mr. Frattini, Mr. Westerwelle and other politicians should be aware that in most EU states political leaders might not enter into a discussion about a European army as long as this idea implies the replacement of national armed forces – at least in the foreseeable future. Thus, any European army, which wants to have a chance for realization might not reduce, but increase *duplication*.

Unity Through Diversity?

If the EU member states would have managed to agree on a European Constitution instead of ‘just’ a new (Lisbon) reform treaty, the European Union would have an *official* flag today (a circle of twelve golden stars on a blue background), an *official* anthem (based on the ‘Ode to Joy’ from the Ninth Symphony by Ludwig van Beethoven) and an *official* motto: ‘United in diversity’. In a declaration annexed to the final act of the intergovernmental conference which adopted the Treaty of Lisbon, 16 EU member states (AT, BE, BG, CY, DE, EL, ES, HU, IT, LT, LU, MT, PT, RO, SI, SK) have announced that, for them, the flag, the anthem and the motto continue as symbols to express the sense of community of the people in the European Union and their allegiance to it – although the attempts to establish a *common* Constitution failed. It might be no coincidence that five of the eleven countries which abstained from signing this declaration are countries which have been identified as most sceptical towards a genuinely *common* ESDP (CZ, DK, LV, NL, UK) and three are ‘neutral’ EU member states (FI, IE, SE). They (and also Estonia and Poland) obviously cannot identify enough with the *common* symbols the EU is using for years. It is an irony: ‘United in diversity’ has not become the official motto of the European Union due to disagreement among EU member states – due to *national diversity*. National diversity has considerable impact on the establishment of

a *common* ‘European house’ and on the development of a *common* European policy. This work has highlighted that for the EU efforts to create a genuinely *common* European security and defence policy. This impact will last in the near future and national peculiarities will continue to shape the face of ESDP. A genuinely *common* ESDP is nevertheless feasible in the long-term, however, if the EU learns how to handle national diversity and manages to turn diversity into unity. There are three instruments which the EU has already used for creating ‘unity through diversity’:

- “The ‘principle of differentiation’ applied in the aftermath of the December 1999 Helsinki summit, which provides for countries wishing to join the European Union to pace the negotiation of entry according to national circumstances and capabilities;
- The ‘open method of coordination’ introduced at the March 2000 Lisbon summit, which encourages member states to support one-another in the pursuit of national targets for welfare state reform in line with broader European objectives; and
- The principle of ‘enhanced cooperation’ established at the December 2000 Nice summit, which affords groups of member states the opportunity to explore deeper integration with the provision that the process be left open for others to join” (Jones 2001: 362/363; see also Zehetner 2005, Missiroli 2000).

Erik Jones argued in 2001 that “[t]he EU’s attempt to pursue unity through diversity is constrained in three areas. The principle of differentiation can function only so long as difference does not translate into inequality. The strategy of open coordination can succeed up to the point at which idiosyncrasy becomes asymmetry or asymmetric vulnerability. And the encouragement of enhanced cooperation can progress only in the absence of a competition for resources. Where inequality, asymmetry, and competition predominate, the tension between European unity and national diversity cannot be dismissed” (Jones 2001: 363). Maybe the EU is able to use the mentioned instruments in the area of security and defence and manages to pursue unity *through* diversity in security and defence policy one day in the future.

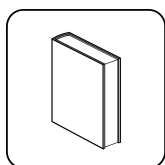
The Most Likely Face of a Genuine CSDP

If political decision-makers of EU member states – supported by their citizens – will develop enough political will to actually agree on a genuine CSDP, it will – according to the analytical results of this work – most likely look like the outline in box 10:



Box 10: The Most Likely Face of a Genuine CSDP

- CSDP *complements* national security and defence policy
 - CSDP has *autonomous* capabilities and *autonomous* headquarters and takes action *autonomously*
 - CSDP includes a mutual defence clause
 - CSDP is embedded in a global security architecture
 - CSDP is part of a ‘two-pillar’ NATO
 - Neutral/Non-aligned EU member states fully participate in CSDP as ‘Eutrals’
-
- European armed forces are permanent, but *additional* to national armed forces
 - European armed forces are recruited through a conscription system of EU military service and/or a professional system of an EU military academy
 - National parliaments of EU member states approve and democratically legitimize each CSDP operation
-
- Decisions regarding European security and defence policy are taken at EU level
 - Decisions concerning military interventions are taken at common EU level
 - Decisions at EU level concerning military interventions are taken by majority voting keeping the right for each member state not to send troops
 - Operational command of European armed forces is transferred to the EU level
 - Full command of national units of European armed forces remains under national authority
-
- Legally, European armed forces are able to carry out all types of military tasks
 - Politically, European armed forces focus on the following tasks:
 - Defending the EU’s territory
 - Taking part in peacekeeping under UN authority
 - Intervening in case of disaster in Europe
 - Guaranteeing peace in the EU
 - Carrying out humanitarian missions
 - Repatriating European citizens who are in areas where there is a conflict
 - Intervening in case of disaster in other parts of the world
 - Intervening in conflicts at the borders of the EU



BIBLIOGRAPHY

LITERATURE

Abromeit, Heidrun (2002)

Institutionelle Herausforderungen einer Demokratisierung der EU.

In: Klein, Ansgar; Koopmans, Ruud; Trenz, Hans-Jörg; Klein, Ludger; Lahusen, Christian; Rucht, Dieter (eds.): *Bürgerschaft, Öffentlichkeit und Demokratie in Europa*. Opladen: Leske & Budrich Verlag. 31-54.

Advisory Board for Defence Information (ABDI) (2009)

Finns' opinions on foreign and security policy, defence and security issues.

Helsinki: Ministry of Defence Finland. www.defmin.fi. Accessed: 4 Dec. 2009.

Aggestam, Lisbeth (2000)

Germany.

In: Manners, Ian & Whitman, Richard G. (eds.): *The Foreign Policies of European Union Member States*. Manchester and New York: Manchester University Press. 64-83.

Ahammer, Andreas & Nachtigall, Stephan (2009)

Wehrpflicht der Zukunft im Gesellschaftsdienst.

Baden-Baden: Nomos Verlag.

Alecu de Flers, Nicole (2008)

The Provisions on CFSP and CSDP in the Lisbon Reform Treaty: Stumbling Blocks or Milestones? Jerusalem: Conference of the Hebrew University of Jerusalem on 'The Lisbon Reform Treaty: Internal and External Implications', 13-14 July 2008. Conference Paper.

Anderson, Michael; Branchflower, Andrew; Moreno-Torres, Magüi; Besançon, Marie (2005)

Measuring Capacity and Willingness for Poverty Reduction in Fragile States.

London: Government of the United Kingdom, Department for International Development. Poverty Reduction in Difficult Environments (PRDE) Working Paper No. 6. www.dfid.gov.uk. Accessed: 29 April 2010.

Andrews, Matthew (2004)

Authority, Acceptance, Ability and Performance – Based Budgeting Reforms.

In: *International Journal of Public Sector Management*, 17 (4), 332-344.

Angelet, Bruno & Vrailas, Ioannis (2008)

European Defence in the wake of the Lisbon Treaty.

Brussels: Egmont - The Royal Institute for International Relations, Academia Press. Egmont Paper No. 21.

Asmus, Ronald & Vondra, Alexandr (2005)

The Origins of Atlanticism in Central and Eastern Europe.

In: Cambridge Review of International Affairs, 18 (2), 203-216.

Asmus, Ronald; Everts, Philip; Isernia, Pierangelo (2004)

Across the Atlantic and the Political Aisle: The Double Divide in U.S.-European Relations.

Washington: German Marshall Fund of the United States. Transatlantic Trends 2004.

Analytical Paper.

Bailes, Alyson J.K. (2009)

The conscription debate that Europe shies away from.

In: Europe's World, 11, 69-72.

Bailes, Alyson J. K. (1999)

European defence: What are the 'convergence criteria'?

In: RUSI Journal, 144 (3), 60-65.

Barbé, Esther & Mestres, Laia (2007)

Spain and ESDP.

In: Brummer, Klaus (ed.): *The South and ESDP – Greece, Italy, Portugal and Spain.*

Gütersloh: Bertelsmann Stiftung. Project 'Europe's Global Responsibility', Paper No. 6, 50-62.

Barbé, Esther & Mestres, Laia (2004)

CFSP Watch 2004 – Spain.

FORNET: www.fornet.info. Accessed: 20 August 2008.

Barnier, Michel (2004)

Commentary.

In: Gnesotto, Nicole (ed.): *EU Security and Defence Policy - The first five years (1999-2004).*

Paris: European Union Institute for Security Studies. 165-170.

Bergman, Annika (2004)

Post-Cold War Shifts in Swedish and Finnish Security Policies: The compatibility of non-alignment and participation in EU led conflict prevention. Uppsala: ECPR panel on 'The European Union and Conflict Resolution', University of Uppsala, 13-18 April 2004. Conference Paper.

Besselink, Leonard F.M. (2003)

Military Law in the Netherlands.

In: Nolte, Georg (ed.): *European Military Law Systems.* Berlin: De Gruyter Verlag. 547-645.

Bessi, Demis (2006)

Some other experiences of European bicameralism.

In: Luther, Jörg, Passaglia, Paolo & Tarchi, Rolando (eds.): *A World of Second Chambers – Handbook for Constitutional Studies on Bicameralism.* Milano: Giuffrè Editore. 1035-1041.

Bickman, Leonard & Rog, Debra J. (eds.) (2009)

The SAGE Handbook of Applied Social Research Methods.

London et al.: Sage Publishing.

Bilčík, Vladimír (2002)

Slovakia.

In: Missiroli, Antonio (ed.): *Bigger EU, wider CFSP, stronger ESDP? The view from Central Europe*. Paris: European Union Institute for Security Studies. Occasional Paper No. 34, 31-35.

Biscop, Sven (2007)

The ABC of European Union Strategy: Ambition, Benchmark, Culture.

Brussels: Egmont - The Royal Institute for International Relations, Academia Press. Egmont Paper No. 16.

Biscop, Sven (2006)

NATO, ESDP and the Riga Summit: No Transformation without Re-equilibration.

Brussels: Egmont - The Royal Institute for International Relations, Academia Press. Egmont Paper No. 11.

Biscop, Sven (2004)

The European Security Strategy Implementing a Distinctive Approach to Security.

In: *Sécurité & Stratégie*, 82, 1-42.

Biscop, Sven & Algieri, Franco (eds.) (2008)

The Lisbon Treaty and ESDP: Transformation and Integration.

Brussels: Egmont - The Royal Institute for International Relations, Academia Press. Egmont Paper No. 24.

Björkdahl, Annika & Strömvik, Maria (2008)

EU Crisis Management Operations – ESDP Bodies and Decision-Making Procedures.

Copenhagen: Danish Institute for International Studies. DIIS Report No. 8.

Bjurner, Anders (2003)

Sweden.

In: Ojanen, Hanna (ed.): *Neutrality and non-alignment in Europe today*. Helsinki: The Finnish Institute of International Affairs (UII). FIIA Report No. 6, 41-45.

Bono, Giovanna (2002)

Democratic Accountability of International Military and Police Cooperation in the EU (ESDP).

Brussels: Geneva Centre for the Democratic Control of Armed Forces. 4th Workshop on 'Strengthening Parliamentary Oversight of International Military Cooperation and Institutions', 12-14 July 2002. DCAF Conference Paper.

Born, Hans (2003)

Die demokratische Rechenschaftspflicht des Militärs in den USA, Frankreich, Schweden und der Schweiz. In: Von Wogau, Karl (ed.): *Auf dem Weg zur Europäischen Verteidigung*. Freiburg et al.: Herder Verlag. 230-254.

Born, Hans & Hänggi, Heiner (2005)

The Use of Force under International Auspices: Strengthening Parliamentary Accountability.

Geneva: Geneva Centre for Democratic Control of Armed Forces. DCAF Policy Paper No. 7.

Born, Hans & Urscheler, Marlene (2002)

Democratic Accountability and Parliamentary Oversight of Multinational Peace Support Operations: Powers and Practices of Parliaments in 17 Countries.

Brussels: Geneva Centre for the Democratic Control of Armed Forces. 4th Workshop on 'Strengthening Parliamentary Oversight of International Military Cooperation and Institutions', 12-14 July 2002. DCAF Conference Paper.

Born, Hans; Fluri, Philipp H.; Lunn, Simon (eds.) (2003)

Oversight and Guidance: The Relevance of Parliamentary Oversight for Security Sector and its Reform – A Collection of Articles on Foundational Aspects of Parliamentary Oversight of the Security Sector. Geneva: Geneva Centre for the Democratic Control of Armed Forces.

Born, Hans; Caparini, Marina; Fluri, Philipp (2002)

Security Sector Reform and Democracy in Transitional Societies.

Baden-Baden: Nomos Verlag.

Bowyer, Richard (2004)

Dictionary of Military Terms.

Oxford: Macmillan.

Brenner, Michael (2003)

The CFSP Factor – A Comparison of United States and French Strategies.

In: *Cooperation and Conflict*, 38 (3), 187-209.

Brinkerhoff, Derick W. (2000)

Assessing Political Will for Anti-Corruption Efforts: An Analytic Framework.

In: *Public Administration and Development*, 20 (3), 239-252.

Brinkerhoff, Derick W. & Kulibaba, Nicolas P. (1999)

Identifying and Assessing Political Will for Anti-Corruption Efforts.

Washington: USAID, USAID's Implementing Policy Change Project. Working Paper No. 13. www.usaid.gov. Accessed: 22 Oct. 2010.

Brummer, Klaus (2006)

Introduction: The Big 3 and ESDP.

In: Brummer, Klaus (ed.): *The Big 3 and ESDP – France, Germany and the United Kingdom.*

Gütersloh: Bertelsmann Stiftung. Project 'Europe's Global Responsibility', Paper No. 5, 5-10.

Bryman, Alan (2004)

Social Research Methods.

Oxford: Oxford University Press.

Buch, Detlef (2010)

Wohin mit der Wehrpflicht? Weisen die Partner wirklich den richtigen Weg?

Frankfurt a. M. et al.: Peter Lang Verlag.

Bulmahn, Thomas (2008)

Bevölkerungsbefragung 2008 – Sicherheits- und verteidigungspolitisches Meinungsklima in der Bundesrepublik Deutschland. Strausberg: Sozialwissenschaftliches Institut der Bundeswehr. Short Report.

Burnham, Peter; Gilland, Karin; Grant, Wyn; Layton-Henry, Zig (2004)

Research Methods in Politics.
Houndmills: Palgrave Macmillan.

Burridge, Brian (1998)

Defence and Democracy: The Control of the Military.
London: Brassey's, The Centre for Defence Studies.

Buttolph, Janet & Reynolds, H. T. (2005)

Political Science Research Methods.
Washington D.C.: CQ Press.

Cadier, David (2008)

CFSP and central European strategic cultures: the Visegrad countries and the Georgian crisis.
Brussels: EU-Consent. Project No. 513416.

Christiansen, Thomas & Kirchner, Emil J. (2000)

Committee Governance in the European Union.
Manchester: Manchester University Press.

Cini, Michelle (2001)

Party Politics and the European Question: The Case of Malta.
Madison, Wisconsin: ECSA-US Conference, 31 May-2 June 2001. Conference Paper.

Clark, William R.; Golder, Matt; Nadenichek Golder, Sona (2008)

Principles of Comparative Politics.
Washington D.C.: CQ Press.

Cogan, Charles (2001)

The Third Option. The Emancipation of European Defence, 1989-2000.
Westport and London: Greenwood Publishing Group, Praeger Publishers.

Coşkun, Bezen Balamir (2007)

Does 'Strategic Culture' Matter? Old Europe, New Europe and the Transatlantic Security. In:
Perceptions, 12 (3), 71-90.

Cottey, Andrew; Edmunds, Timothy; Forster, Anthony (2002)

The Second Generation Problematic: Rethinking Democracy and Civil-Military Relations. In:
Armed Forces & Society, 29 (1), 31-56.

Cotino Hueso, Lorenzo (2003)

Military Law in Spain.
In: Nolte, Georg (ed.): *European Military Law Systems.* Berlin: De Gruyter Verlag. 711-829.

Coultrap, John (1999)

From Parliamentarianism To Pluralism: Models of Democracy and the European Union's 'Democratic Deficit'. In: Journal of Theoretical Politics, 11 (1), 107-135.

Dagand, Sophie (2008)

The impact of the Lisbon Treaty on CFSP and ESDP.

In: *European Security Review*, 37, 5-9.

D'Argent, Pierre (2003)

Military Law in Belgium.

In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 183-231.

De Vasconcelos, Álvaro (ed.) (2009)

What ambitions for European defence in 2020?

Paris: European Union Institute for Security Studies.

De Vasconcelos, Álvaro & Zaborowski, Marcin (eds.) (2009)

Obama's Visit: Looking beyond Europe.

Paris: European Union Institute for Security Studies. ISS Analysis.

De Vaus, David (2008)

Comparative and Cross-National Designs.

In: Alasuutari, Pertti; Bickman, Leonard; Brannen, Julia (eds.): *The SAGE Handbook of Social Research Methods*. London et al.: Sage Publishing. 249-264.

Devine, Karen (2009)

Irish Neutrality and the Development of the European Union's Security and Defence Policy under the Lisbon Treaty: Compatible or Competing Foreign Policy Agendas?

New York: ISA 50th Annual Convention, 15-18 Feb. 2009. Conference Paper.

Dieterich, Sandra; Hummel, Hartwig; Marschall, Stefan (forthcoming)

Parliamentary 'War Powers': A Survey of 25 European Parliaments.

Geneva: Geneva Centre for the Democratic Control of Armed Forces. DCAF Occasional Paper.

Dieterich, Sandra; Hummel, Hartwig; Marschall, Stefan (2008)

Strengthening Parliamentary 'War Powers' in Europe: Lessons from 25 National Parliaments.

Geneva: Geneva Centre for Democratic Control of Armed Forces. DCAF Policy Paper No. 27.

Dinter, Henrik (2004)

Wehrpflicht, Freiwilligenarmee und allgemeine Dienstpflicht – Aktuelle

Argumentationslinien. In: Werkner, Ines-Jacqueline (ed.): *Die Wehrpflicht und ihre*

Hintergründe. Sozialwissenschaftliche Beiträge zur aktuellen Debatte. Wiesbaden: VS Verlag für Sozialwissenschaften. 109-129.

Dopagne, Frédéric (2003)

Military Law in Luxembourg.

In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 517-546.

Drogus, Carol Ann & Orvis, Stephen (2009)

Introducing Comparative Politics – Concepts and Cases in Context.

Washington D.C.: CQ Press.

Dunn, William N. (2004)

Public Policy Analysis – An Introduction.

New Jersey: Pearson Prentice Hall.

Dunne, Tim (2004)

'When the shooting starts': Atlanticism in British security strategy.

In: *International Affairs*, 80 (5), 893-909.

Dye, Thomas R. (1976)

Public Policy – What governments do, why they do it, and what difference it makes.

University of Alabama: University of Alabama Press.

Dyson, Tom (2005)

German Military Reform 1998-2004: Leadership and the Triumph of Domestic Constraint over International Opportunity. In: *European Security*, 14 (3), 361-386.

Ecker, Boris (2006)

Security of the Slovak Republic: Between NATO and the EU.

In: Lupták, Ľubomír; Hersi, Alexander; Ondrejcsák, Róbert; Tarasovič, Vladimír (eds.):

Panorama of Global Security Environment 2005 – 2006. Bratislava: Department of Security and Defence Policy, Ministry of Defence of the Slovak republic. 123-128.

Eliasson, Johan (2004)

Traditions, Identity and Security: the Legacy of Neutrality in Finnish and Swedish Security Policies in Light of European Integration. In: *European Integration online Papers (EIOP)*, 8 (6):

www.eiop.or.at. Accessed: 21 June 2004.

EPC (2007)

Will the EU ever have a Common Foreign Policy?

Brussels: European Policy Centre. Event Report No. S39/07.

Esperanza Hernandez-Truyol, Berta (2003)

Globalizing law and culture: towards a cross-constitutive paradigm.

In: *Albany Law Review*, 67, 617-627.

EU-ISS (ed.) (2004)

European defence – A proposal for a White Paper.

Paris: European Union Institute for Security Studies.

Evans, Gareth (2000)

Preventing and containing violent conflict: mobilizing political will.

Krusenberg: International Seminar on Preventing Violent Conflict – The Search for Political Will, Strategies and Effective Tools, 19-20 June 2000. Introductory Statement.

Fetterman, David M. (2009)

Ethnography.

In: Bickman, Leonard & Rog, Debra J. (eds.): *The SAGE Handbook of Applied Social Research Methods.* London et al.: Sage Publishing. 543-588.

Fleck, Dieter (2000)

Befehls- und Kommandogewalt über deutsche Streitkräfte in multinationalen Verbänden.
In: Geiger, Rudolf (ed.): *Völkerrechtlicher Vertrag und staatliches Recht vor dem Hintergrund zunehmender Verdichtung der internationalen Beziehungen*. Baden-Baden: Nomos Verlag. 163-178.

Fraenkel, Ernst (1973)

Reformismus und Pluralismus.
Hamburg: Hoffmann und Campe.

Gareis, Sven Bernhard (2004)

Wehrstrukturen und Multinationalität.
In: Werkner, Ines-Jacqueline (ed.): *Die Wehrpflicht und ihre Hintergründe. Sozialwissenschaftliche Beiträge zur aktuellen Debatte*. Wiesbaden: VS Verlag für Sozialwissenschaften. 179-199.

Gassen, Glenn R. (2007)

Finnland und die Europäische Sicherheits- und Verteidigungspolitik (ESVP).
Düsseldorf: Düsseldorfer Institut für Außen- und Sicherheitspolitik. DIAS Analysis No. 19.

Gerkrath, Jörg (2003)

Military Law in France.
In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 275-336.

Giegerich, Bastian (2006)

European Security and Strategic Culture – National Responses to the EU's Security and Defence Policy. Baden-Baden: Nomos Verlag.

Giegerich, Bastian & Nicoll, Alexander (2008)

European Military Capabilities: Building Armed Forces for Modern Operations.
London: International Institute for Strategic Studies. Strategic Dossier.

Gnesotto, Nicole (ed.) (2004)

EU Security and Defence Policy - The first five years (1999-2004).
Paris: European Union Institute for Security Studies.

Gnesotto, Nicole (2003)

Preface.
In: Missiroli, Antonio (ed.): *From Copenhagen to Brussels – European defence: core documents*. Paris: European Union Institute for Security Studies. 9-10.

Goble, Paul A. (2005)

Redefining Estonia's national security.
Tallinn: Estonian Foreign Policy Institute. The Estonian Foreign Policy Yearbook 2005, 9-20.

Gordon, Philip H. (1997)

Europe's Uncommon Foreign Policy.
In: *International Security*, 22 (3), 74-100.

Gourlay, Catriona (2002)

Parliamentary Oversight of ESDP: The Role of the European Parliament and National Parliaments. Brussels: Geneva Centre for the Democratic Control of Armed Forces. 4th Workshop on 'Strengthening Parliamentary Oversight of International Military Cooperation and Institutions', 12-14 July 2002. DCAF Conference Paper.

Græger, Nina; Larsen, Henrik; Ojanen, Hanna (eds.) (2002)

The ESDP and the Nordic Countries: Four Variations on a Theme. Helsinki/Berlin: Finnish Institute of International Affairs (UPI)/Institut für Europäische Politik (IEP).

Grant, Charles (2004)

The Peculiarities of the British.
London: Centre for European Reform. CER Bulletin No. 37.

Grant, Charles (2000)

European defence post-Kosovo?
London: Centre for European Reform. CER Working Paper.

Gray, Colin S. (1999)

Strategic Culture as Context: The First Generation of Theory strikes back.
In: Review of International Studies, 25 (1), 49-69.

Greene, Owen (2002)

The Relevance of Parliamentary Control of the Security Sector: Parliamentary Oversight and the Internationalisation of Security Cooperation. Brussels: Geneva Centre for the Democratic Control of Armed Forces. 4th Workshop on 'Strengthening Parliamentary Oversight of International Military Cooperation and Institutions', 12-14 July 2002. DCAF Conference Paper.

Grevi, Giovanni; Helly, Damien; Keohane, Daniel (eds.) (2009)

European Security and Defence Policy (ESDP) – The First Ten Years (1999-2009).
Paris: European Union Institute for Security Studies.

Gustenau, Gustav (1999)

Towards a Common European Policy on Security and Defence: An Austrian View of Challenges for the 'Post-Neutrals'. Paris: European Union Institute for Security Studies. Occasional Paper No. 9.

Häge, Frank M. (2007)

Committee Decision-making in the Council of the European Union.
In: European Union Politics 8 (3), 299-328.

Hänggi, Heiner (2004)

The Use of Force Under International Auspices: Parliamentary Accountability and 'Democratic Deficits'. In: Born, Hans & Hänggi, Heiner (eds.): *The 'Double Democratic Deficit'. Parliamentary Accountability and the Use of Force Under International Auspices.* Aldershot, Ashgate. 3-16

Hagelin, Björn (1990)

Neutrality and Foreign Military Sales: Military Production and Sales Restrictions in Austria, Finland, Sweden, and Switzerland. Boulder, Colorado: Westview Press.

Haine, Jean-Yves (2004a)

An historical perspective.

In: Gnesotto, Nicole (ed.): *EU Security and Defence Policy – The first five years (1999-2004)*.

Paris: European Union Institute for Security Studies. 35-54.

Haine, Jean-Yves (2004b)

The Union Inaugural Address.

In: Pilegaard, Jess (ed.): *The Politics of European Security*. Copenhagen: Danish Institute for International Studies. 39-53.

Hammergren, Linn (1998)

Political Will, Constituency Building, and Public Support in Rule of Law Programs.

Washington: USAID, Center for Democracy and Governance, Bureau for Global Programs, Field Support, and Research. www.usaid.gov. Accessed: 29 April 2010.

Harlow, Carol (2002)

Accountability in the European Union.

Oxford: Oxford University Press.

Harmsen, Robert (2004)

Euroscepticism in the Netherlands: Stirrings of Dissent.

In: *European Studies*, 20, 99-126.

Harrison, Lisa (2001)

Political Research. An Introduction.

London and New York: Routledge.

Hauser, Gunther (2007)

Austrian Security Policy – New Tasks and Challenges.

In: *Defence & Strategy*, 2007 (1), 45-56.

Hauser, Gunther (2006)

The Concept of Neutrality in Today's Security Environment.

In: *Defensor Pacis – The Defence Analyses Institute Review*, 18, 140-164.

Hay, William Anthony (2003)

Geopolitics of Europe.

In: *Orbis*, 47 (2), 295-310.

Heiselberg, Stine (2003)

Pacifism or Activism: Towards a Common Strategic Culture within the European Security and Defence Policy? Copenhagen: Danish Institute for International Studies.

Helly, Damien (2009)

The EU military operation in DR Congo (Artemis).

In: Grevi, Giovanni; Helly, Damien; Keohane, Daniel (eds.): *European Security and Defence Policy (ESDP) – The First Ten Years (1999-2009)*. Paris: European Union Institute for Security Studies. 181-185.

Henry, Gary T. (2009)

Practical Sampling.

In: Bickman, Leonard & Rog, Debra J. (eds.): *The SAGE Handbook of Applied Social Research Methods*. London et al.: Sage Publishing. 77-105.

Höfer, Gerd (2008)

Europäische Armee. Vision oder Utopie?

Hamburg: merus-Verlag.

Hoffmann, Stanley (2003)

US-European relations: past and future.

In: *International Affairs* 79 (5), 1029-1036.

Hoffmann-Lange, Ursula (2008)

Studying Elite vs. Mass Opinion.

In: Donsbach, Wolfgang & Traugott, Michael W. (eds.): *The SAGE Handbook of Public Opinion Research*. London et al.: Sage Publishing. 53-63.

Hoskyns, Catherine & Newman, Michael (2000)

Democratizing the European Union. Issues for the Twenty-First Century.

Manchester: Manchester University Press.

Hostnik, Ivan (2002)

Slovenia.

In: Missiroli, Antonio (ed.): *Bigger EU, wider CFSP, stronger ESDP? The view from Central Europe*. Paris: European Union Institute for Security Studies. Occasional Paper No. 34, 42-45.

Howorth, Jolyon (2009a)

Implementing a 'grand strategy'.

In: De Vasconcelos, Álvaro (ed.): *What ambitions for European defence in 2020?*

Paris: European Union Institute for Security Studies. 39-49.

Howorth, Jolyon (2009b)

ESDP and NATO: Different actors, common objectives.

Delphi: 6th ELIAMEP European Seminar, 25-28 June 2009. Seminar Paper.

Howorth, Jolyon (2008)

United States: What Does the World Expect of the 'Indispensable Nation'?

In: *Politique Étrangère*, 5 (Special Issue), 11-22.

Howorth, Jolyon (2007)

Security and Defence Policy in the European Union.

Houndmills: Palgrave Macmillan.

Howorth, Jolyon (2003)*ESDP and NATO – Wedlock or Deadlock?*In: *Cooperation and Conflict*, 38 (3), 235-254.**Howorth, Jolyon (2002)***The CESDP and the Forging of a European Security Culture.*In: *Politique Européenne*, 8, 88-108.**Howorth, Jolyon & Keeler, John T.S. (eds.) (2003)***Defending Europe: The EU, NATO and the Quest for European Autonomy.*

New York and Houndmills: Palgrave Macmillan.

Hughes, Peter (2007)*NATO and the EU: Managing the Frozen Conflict. Test Case Afghanistan.*

Bonn: Center for European Integration Studies. Discussion Paper No. C178.

Institut für Europäische Politik (ed.) (2007)*Security Cultures.*In: *EU-25/27 Watch* No. 5, 116-170.**Institut für Europäische Politik (ed.) (2006)***On the EU's Role in the World: CFSP/ESDP.*In: *EU-25 Watch* No. 2, 224-261.**International Institute for Strategic Studies (2009)***The Military Balance 2009.*

London: International Institute for Strategic Studies.

International Institute for Strategic Studies (2008)*The Military Balance 2008.*

London: International Institute for Strategic Studies.

Isernia, Pierangelo & Everts, Philip (2006)*European Public Opinion on Security Issues.*In: *European Security*, 15 (4), 451-469.**Jehn, Christopher & Selden, Zachary (2002)***The End of Conscription in Europe?*In: *Contemporary Economic Policy*, 20 (2), 93-100.**Jensen, Jørgen Albræk (2003)***Military Law in Denmark.*In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 233-274.**Jesse, Neal G. (2006)***Choosing to Go It Alone: Irish Neutrality in Theoretical and Comparative Perspective.* In:*International Political Science Review*, 27 (1), 7-28.

Joenniemi, Pertti (2006)

Farewell to Conscription? The Case of Denmark.

In: Joenniemi, Pertti (ed.): *The Changing Face of European Conscription*. Aldershot, Ashgate. 13-39.

Johnson, Ryan (2001)

Neutral But Not Isolated: Adapting Irish Defence Policy to a Changing Europe.

In: *Perspectives On Business & Economics*, 19, 65-73.

Jones, Erik (2001)

The politics of Europe 2000: Unity through diversity?

In: *Industrial Relations Journal*, 32 (5), 362-379.

Jonson, Pål (2006)

The Development of the European Security and Defence Policy – An Assessment of Preferences, Bargains and Outcomes. Stockholm: Swedish Defence Research Agency (FOI). Scientific Report No. FOI-R-1967-SE.

Jupp, Victor (2006)

The Sage Dictionary of Social Research Methods.

London: Sage Publishing.

Kagan, Robert (2003)

Of Paradise and Power: America and Europe in the New World Order.

New York: Alfred A. Knopf.

Kajnc, Sabina (2004)

CFSP Watch 2004 – Slovenia.

FORNET: www.fornet.info. Accessed: 20 August 2008.

Karabeshkin, Leonid A. (2007)

Civil-military Relations in Estonia: Legal Background and Contemporary Discourse.

Frankfurt a. M.: Hessische Stiftung Friedens- und Konfliktforschung. HSK-Report No. 4/07.

Kasekamp, Andres & Veebel, Viljar (2007)

The Baltic States and ESDP.

In: Brummer, Klaus (ed.): *The North and ESDP – The Baltic States, Denmark, Finland, Sweden*. Gütersloh: Bertelsmann Stiftung. Project 'Europe's Global Responsibility', Paper No. 7, 9-21.

Keaton, Michael (2005)

Dictionary of Modern Strategy and Tactics.

Annapolis: Naval Institute Press.

Kelly, Richard (2005)

Parliamentary approval for participation in armed conflict – some international comparisons.

London: House of Commons, Parliament and Constitution Centre. Standard Note No. SN/PC/3776.

Keohane, Daniel (2009)

ESDP and NATO.

In: Grevi, Giovanni; Helly, Damien; Keohane, Daniel (eds.): *European Security and Defence Policy (ESDP) – The First Ten Years (1999-2009)*. Paris: European Union Institute for Security Studies. 127-138.

Keohane, Daniel (2001)

Realigning Neutrality? Irish defence policy and the EU.

Paris: European Union Institute for Security Studies. Occasional Paper No. 24.

Keohane, Daniel & Blommestijn, Charlotte (2009)

Strength in numbers? Comparing EU military capabilities in 2009 with 1999.

Paris: European Union Institute for Security Studies. ISS Policy Brief.

Keohane, Daniel & Valasek, Tomas (2008)

Willing and able? EU defence in 2020.

London: Centre for European Reform. EU 2020 Essay.

Kernic, Franz & Callaghan, Jean M. (2003)

Conscription Versus All-Volunteer Force: The Case of Austria.

In: Malešič, Marjan (ed.): *Conscription vs. All-Volunteer Forces in Europe*. Baden-Baden: Nomos Verlag. 27-42.

Kernic, Franz; Callaghan, Jean; Manigart; Phillippe (2002)

Public Opinion on European Security and Defence. A Survey of European Trends and Public Attitudes Toward CFSP and ESDP. Frankfurt a. M. et al.: Peter Lang Verlag.

Kerttunen, Mika; Koivula, Tommi; Jeppsson, Tommy (2005)

EU Battlegroups – Theory and Development in the Light of Finnish-Swedish Co-operation.

Helsinki: National Defence College, Department of Strategic and Defence Studies. Research Report No. 30.

Kirchner, Emil J. (2008)

Germany's Role in CFSP/ESDP Development: Aims versus Action.

Boston, Massachusetts: APSA 2008 Annual Meeting, 28 Aug. 2008. Conference Paper.

Kirchner, Emil J. & Sperling, James (2007)

Global Threat Perception: Elite Survey results from Canada, China, the European Union, France, Germany, Italy, Japan, Russia, the United Kingdom and the United States. Warwick: Garnet, Garnet Project JERP 5.3.2, Garnet Working Paper No. 18/07.

Klein, Paul (2005)

The Reform of the Bundeswehr.

In: Kernic, Franz; Klein, Paul; Haltiner, Karl (eds.): *The European Armed Forces in Transition*. Frankfurt a. M. et al.: Peter Lang Verlag. 145-155.

Klein, Paul (2004)

Wehrsysteme und Wehrformen im Vergleich.

In: Werkner, Ines-Jacqueline (ed.): *Die Wehrpflicht und ihre Hintergründe. Sozialwissenschaftliche Beiträge zur aktuellen Debatte*. Wiesbaden: VS Verlag für Sozialwissenschaften. 9-27.

Klein, Rouven (2003)

Die Europäische Sicherheits- und Verteidigungspolitik (ESVP) Finalität europäischer Integration und Projekt dauerhaften Friedens. Eine Konzeption auf der Grundlage der Zivilisierungstheorie von Dieter Senghaas. Düsseldorf: Düsseldorfer Institut für Außen- & Sicherheitspolitik. DIAS Analysis No. 2.

Knutsen, Bjørn Olav (2002)

ESDP and Non-EU NATO Members.

Kjeller: Forsvarets Forskningsinstitutt, Norwegian Defence Research Establishment. FFI Report No. 2002/01212

Kořan, Michal (2006)

Austrian Neutrality: 'Burden of History' in Making or a 'Moral Good' (Re)discovered?

In: Perspectives, 26, 23-45.

Korski Daniel; Guérot, Ulrike; Leonard, Mark (2008)

Re-Wiring the US-EU Relationship.

London: European Council on Foreign Relations.

Kowalski, Michał (2003)

Military Law in Poland.

In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 647-710.

Kpundeh, Sahr J. (1998)

Political Will in Fighting Corruption.

In: Kpundeh, Sahr J. & Hors, Irene (1998): *Corruption and Integrity Improvement Initiatives in Developing Countries*. New York: UNDP, 91-110.

Kriesi, Hanspeter (2007)

Vergleichende Politikwissenschaft – Teil I: Grundlagen.

Baden-Baden: Nomos Verlag.

Kritzinger, Sylvia & Michalowitz, Irina (2008):

Methodologische Triangulation in der europäischen Policy-Forschung.

In: Janning, Frank & Toens, Katrin (eds.): *Die Zukunft der Policy-Forschung – Theorien, Methoden, Anwendungen*. Wiesbaden: VS Verlag für Sozialwissenschaften. 191-210.

Ku, Charlotte (2002)

Using Military Forces under International Auspices and Democratic Accountability.

Brussels: Centre for the Democratic Control of Armed Forces. 4th Workshop on 'Strengthening Parliamentary Oversight of International Military Cooperation and Institutions', 12-14 July 2002. DCAF Conference Paper.

Kupchan, Charles A. (2000)

In Defence of European Defence: An American Perspective.

In: *Survival*, 42 (2), 16-32.

Laaneots, Ants (1999)

The Estonian Defence Forces – 2000.

In: *Baltic Defence Review*, 1999 (1), 37-43.

Laitinen, Kari (2006)

National or International? Contending Discourses on Finnish Conscription.

In: Joenniemi, Pertti (ed.): *The Changing Face of European Conscription*. Aldershot, Ashgate. 41-61.

Lang, Sibylle (2007)

Bestimmungsfaktoren und Handlungsfähigkeit der Europäischen Sicherheits- und Verteidigungspolitik. Frankfurt a. M. et al.: Peter Lang Verlag.

Lanxade, Jacques (2004)

Imagining a New Alliance.

In: Nelson, Richard C. & Purcell, Jason S. (eds.): *NATO Transformation: Problems & Prospects*. Washington: The Atlantic Council of the United States. 13-18.

Larrabee, F. Stephen (2009)

The United States and the evolution of ESDP.

In: De Vasconcelos, Álvaro (ed.): *What ambitions for European defence in 2020?*

Paris: European Union Institute for Security Studies. 51-60.

Lauth, Hans-Joachim; Pickel, Gert; Pickel, Susanne (2009)

Methoden der vergleichenden Politikwissenschaft: Eine Einführung.

Wiesbaden: VS Verlag für Sozialwissenschaften.

Leander, Anna (2004)

Drafting Community: Understanding the Fate of Conscription.

In: *Armed Forces & Society* 2004, 30 (4), 571-599.

Leander, Anna & Joenniemi, Pertti (2006)

Conclusion: National Lexica of Conscription.

In: Joenniemi, Pertti (ed.): *The Changing Face of European Conscription*. Aldershot, Ashgate. 161-174.

Lee-Ohlsson, Fredrick (2008)

Sweden and the Development of the European Security and Defence Policy: A Bi-Directional Process of Europeanisation. Bruges: College of Europe. EU Diplomacy Paper No. 5/08.

Lees, John D. & Shaw, Malcolm (eds.) (1979)

Committees in Legislatures: A Comparative Analysis.

Duke: University Press.

Lieber, Robert J. (1975)

European Elite Attitudes Revisited: The Future of the European Community and European-American Relations. In: British Journal of Political Science, 5 (3), 323-340.

Lindley-French, Julian (2004)

The Revolution in Security Affairs: Hard & Soft Security Dynamics in the 21st Century.
In: European Security, 13 (1&2), 1-15.

Lindley-French, Julian & Algieri, Franco (2004)

A European Defence Strategy.
Gütersloh: Bertelsmann Stiftung.

Lindstrom, Gustav & Schmitt, Burkard (eds.) (2004)

One Year on: Lessons from Iraq.
Paris: European Union Institute for Security Studies. Chaillot Paper No. 68.

Lodici, Claudio (1999)

Parliamentary Autonomy: The Italian Senato.
In: Patterson, Samuel & Mughan, Anthony (eds.): *Senates. Bicameralism in the contemporary world.* Columbus: Ohio State University Press. 225-259.

Longhurst, Kerry (2006)

Resisting Change: The Politics of Conscription in Contemporary Germany.
In: Joenniemi, Pertti (ed.): *The Changing Face of European Conscription.* Aldershot, Ashgate. 83-98.

Longhurst, Kerry (2003)

Why aren't the Germans debating the draft? Path dependency and the persistence of conscription. In: German Politics, 12 (2), 147-165.

Losch, Bernhard (2006)

Kulturfaktor Recht. Grundwerte – Leitbilder – Normen.
Cologne: Böhlau Verlag, UTB.

Luther, Jörg (2003)

Military Law in Italy.
In: Nolte, Georg (ed.): *European Military Law Systems.* Berlin: De Gruyter Verlag. 427-515.

Magnette, Paul (2003)

European Governance and Civic Participation: Beyond Elitist Citizenship?
In: Political Studies, 51 (1), 144-160.

Maillet, Aurore (1999)

Die parlamentarische Kontrolle von Auslandseinsätzen in den Mitgliedstaaten der Europäischen Union. Paris: Institut de Relations Internationales et Stratégiques (IRIS)/Assemblée Nationale France.

Malena, Carmen (2009)

Building Political Will for Participatory Governance: An Introduction.

In: Malena, Carmen (ed.): *From Political Won't to Political Will – Building Support for Participatory Governance*. Sterling, Va.: Kumarian Press, 3-30.

Malešič, Marjan (ed.) (2003)

Conscription vs. All-Volunteer Forces in Europe.

Baden-Baden: Nomos Verlag.

Manigart, Philippe (2005)

The European Armed Forces in Transition: The Case of Belgium.

In: Kernic, Franz; Klein, Paul; Haltiner, Karl (eds.): *The European Armed Forces in Transition*.

Frankfurt a. M. et al.: Peter Lang Verlag.. 31-44.

McBean, Keith (2003)

Ireland.

In: Ojanen, Hanna (ed.): *Neutrality and non-alignment in Europe today*. Helsinki: The Finnish Institute of International Affairs (UPI). FIIA Report No. 6, 30-37.

McNabb, David E. (2004)

Research Methods for Political Science – Quantitative and Qualitative Methods.

Armonk and London: M.E. Sharpe.

Menon, Anand (2009)

Empowering paradise? The ESDP at ten.

In: *International Affairs*, 85 (2), 227-246.

Menon, Anand (2006)

From out of adversity: Kosovo, Iraq and ESDP.

In: Croci, Osvaldo & Verdun, Amy (eds.): *The Transatlantic Divide. Foreign and Security Policies in the Atlantic Alliance from Kosovo to Iraq*. Manchester and New York: Manchester University Press. 49-64.

Menon, Anand (2002)

Enhancing the Effectiveness of the EU's Foreign Defence Policies.

Brussels: Centre for European Policy Studies. CEPS Policy Brief No. 29.

Menotti, Roberto (2003)

European Security Strategy – Is it for real?

In: Heisbourg, François; Fedorov, Yury E.; Menotti, Roberto; Allin, Dana H. (2003): *European Security Strategy: Is it for real?* Brussels & London: Centre for European Policy Studies & International Institute for Strategic Studies. European Security Forum, ESF Working Paper No. 14, 12-19.

Meyer, Berthold (2005)

Sind fünfzig Jahre eine Ewigkeit? Österreichs langsamer Abschied von der

,immerwährenden Neutralität'. Frankfurt a. M.: Hessische Stiftung für Friedens- und Konfliktforschung. HSKF-Report No. 6/05.

Missiroli, Antonio (2008)

The Impact of the Lisbon Treaty on ESDP.

Brussels: European Parliament, Directorate-General for External Policies of the Union, Policy Department. Briefing Paper.

Missiroli, Antonio (2003)

Ploughshares into Swords? Euros for European Defence.

In: *European Foreign Affairs Review*, 8 (1), 5-33.

Missiroli, Antonio (2000)

CFSP, Defence and Flexibility.

Paris: European Union Institute for Security Studies. Chaillot Paper No. 38.

Mjøset, Lars & Van Holde, Stephen (eds.) (2002)

The Comparative Study of Conscription in the Armed Forces.

Oxford: Elsevier Science.

Møller, Bjørn (2002)

Conscription and its Alternatives.

In: Mjøset, Lars & Van Holde, Stephen (eds.): *The Comparative Study of Conscription in the Armed Forces*. Oxford: Elsevier Science. 277-305.

Mölling, Christian (2008)

ESDP after Lisbon: More coherent and capable?

Zürich: ETH Zürich. CSS Analysis in Security Policy No. 28 (3).

Moens, Alexander (2002)

Developing a NATO-EU Security Regime.

In: Hodge, Carl C. (ed.): *NATO for a New Century. Atlanticism and European Security*.

Westport: Greenwood Publishing Group, Praeger Publishers. 69-84.

Möttölä, Kari (2001)

Military cooperation, transatlantic relations and military non-alliance: A conceptual analysis with a focus on the cases of Finland and Sweden. In: *Österreichische Zeitschrift für Politikwissenschaft*, 30 (4), 393-410.

Molis, Arūnas (2006)

The Role and Interests of Small States in Developing European Security and Defence Policy. In: *Baltic Security & Defence Review*, 8, 81-100.

Moravcsik, Andrew (2002)

In Defence of the 'Democratic Deficit': Reassessing Legitimacy in the European Union. In: *Journal of Common Market Studies*, 40 (4), 603-624.

Mouritzen, Hans (2006)

Choosing Sides in the European Iraq Conflict: A Test of New Geopolitical Theory.

In: *European Security*, 15 (2), 137-163.

Myers, Julia A. (1992)

The Western European Union: Pillar of NATO or Defence Arm of the EC?

London: Center for Defence Studies, Defence Studies 16.

Neuhold, Hanspeter (2005)

Comments on the Austrian position.

In: Munro, Emily (ed.): *Challenges to Neutral & Non-Aligned Countries in Europe and Beyond*.

Geneva: Geneva Centre for Security Policy (GCSP). 13-16.

Neuhold, Hanspeter (2003)

Comments on the Austrian positions.

In: Ojanen, Hanna (ed.): *Neutrality and non-alignment in Europe today*. Helsinki: The Finnish

Institute of International Affairs (UII). FIIA Report No. 6, 14-18.

Neuman, W. Lawrence (1997)

Social Research Methods. Qualitative and Quantitative Approaches.

Boston: Allyn and Bacon.

Nicolini, Mário (2006)

Slovakia in NATO, the EU and the UNSC: On the Road to a Full-fledged Membership.

In: Lupták, Ľubomír; Hersi, Alexander; Ondrejcsák, Róbert; Tarasovič, Vladimír (eds.):

Panorama of Global Security Environment 2005 – 2006. Bratislava: Department of Security and Defence Policy, Ministry of Defence of the Slovak republic. 129-144.

Nolte, Georg (ed.) (2003)

European Military Law Systems.

Berlin: De Gruyter Verlag.

Nolte, Georg & Krieger, Heike (2003a)

European Military Law Systems: European Military Law Systems: Summary and

Recommendations. In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 1-18.

Nolte, Georg & Krieger, Heike (2003b)

Military Law in Germany.

In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 337-426.

Nolte, Georg & Krieger, Heike (2003c)

European Military Law Systems: General Comparative Report.

In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 19-182.

Norton, Philip (1997)

Role and Behaviour of British MPs.

In: Müller, Wolfgang C. & Saalfeld, Thomas (eds.): *Members of Parliament in Western Europe:*

Roles and Behaviour. London: Frank Cass. 17-31.

Nowak, Agnieszka (ed.) (2006)

Civilian crisis management: the EU way.

Paris: European Union Institute for Security Studies. Chaillot Paper No. 90.

O'Boyle, Bryan (2007)

Irish Neutrality: A Utilitarian or Ideological Policy?

In: *The Galway Student Law Review*, 3, 151-179.

Ojanen, Hanna (ed.) (2003)

Neutrality and non-alignment in Europe today.

Helsinki: The Finnish Institute of International Affairs (UPI). FIIA Report No. 6.

Ojanen, Hanna (2002)

Sweden and Finland: What difference does it make to be non-aligned?

In: Græger, Nina; Larsen, Henrik; Ojanen, Hanna (eds.): *The ESDP and the Nordic Countries: Four Variations on a Theme*. Helsinki/Berlin: Finnish Institute of International Affairs (UPI)/Institut für Europäische Politik (IEP). 154-217.

Ojanen, Hanna (2000)

Participation and Influence: Finland, Sweden and the Post-Amsterdam Development of the CFSP. Paris: European Union Institute for Security Studies. Occasional Paper No. 11.

Olsen, Gorm Rye & Pilegaard, Jess (2005)

The Costs of Non-Europe? Denmark and the Common Security and Defence Policy.

In: *European Security*, 14 (3), 339-360.

Ondrejcsák, Róbert (2006a)

The Development of Foreign and Security Policies of Central European Countries.

In: Lupták, Ľubomír; Hersi, Alexander; Ondrejcsák, Róbert; Tarasovič, Vladimír (eds.): *Panorama of Global Security Environment 2005 – 2006*. Bratislava: Department of Security and Defence Policy, Ministry of Defence of the Slovak republic. 181-197.

Ondrejcsák, Róbert (2006b)

The Development of Foreign and Security Policies of the United States, the United Kingdom, France, and Germany. In: Lupták, Ľubomír; Hersi, Alexander; Ondrejcsák, Róbert; Tarasovič, Vladimír (eds.): *Panorama of Global Security Environment 2005 – 2006*. Bratislava: Department of Security and Defence Policy, Ministry of Defence Slovakia. 147-179.

Ortega, Martin (2001)

Military Intervention and the European Union.

Paris: European Union Institute for Security Studies. Chaillot Paper No. 45.

Osica, Olaf (2004)

Poland: A New European Atlanticist at a Crossroads?

In: *European Security*, 13 (4), 301-322.

Pace, Roderick (2008a)

Malta's 2008 Election: A Vote for Continuity and Change.

In: *South European Society & Politics*, 13 (3), 377-390.

Pace, Roderick (2008b)

The Maltese 2008 General Election and the European Issue.

Valletta: EPERN – European Parties Elections and Referendums Network. Election Briefing No. 43.

Paleckis, Justas Vincas (2007)

On Franz-Josef Meiers' 'Germany is the ESDP's reluctant third Musketeer'.

In: *Europe's World*, 7, 214-225.

Paulauskas, Kestutis (2006)

The Baltics: from nation states to member states.

Paris: European Union Institute for Security Studies. Occasional Paper No. 62.

Payne, Kenneth (2003)

The European Security and Defence Policy and the future of NATO.

Brussels: NATO. NATO-EAPC Research Fellowship 2001-2003, Final Report.

Pedersen, Klaus Carsten (2006)

Denmark and the European Security and Defence Policy.

In: Bailes, Alyson J.K.; Herolf, Gunilla; Sundelius, Bengt (eds.): *The Nordic Countries and the European Security and Defence Policy*. Oxford/Stockholm: Oxford University Press/Stockholm International Peace Research Institute. 37-49.

Peters, Ingo (2004)

ESDP as a Transatlantic Issue: Problems of Mutual Ambiguity.

In: *International Studies Review*, 6 (3), 381-401.

Pigenko, Vladimir; Wise, Charles R.; Brown, Trevor L. (2002)

Elite Attitudes and Democratic Stability: Analysing Legislators' Attitudes towards the Separation of Powers in Ukraine. In: *Europe-Asia Studies*, 54 (1), 87-107.

Pilegaard, Jess (ed.) (2004)

The Politics of European Security.

Copenhagen: Danish Institute for International Studies.

Pirozzi, Nicoletta & Sandawi, Sammi (2009)

Military and Civilian ESDP Missions: Ever Growing and Effective?

Rome: Istituto Affari Internazionali (IAI). Documenti IAI No. 0929.

Pirozzi, Nicoletta & Sandawi, Sammi (2008)

Five years of ESDP in Action: Operations, Trends, Shortfalls.

In: *European Security Review*, 39, 14-17.

Post, Lori Ann; Raile, Amber; Raile, Eric (2008)

Defining Political Will.

In: *Politics & Policy*, 38 (4), 653-676.

Poutvaara, Panu & Wagener, Andreas (2009)

The Political Economy of Conscription.

Bonn: Institute for the Study of Labor (IZA). Discussion Paper No. 4429.

Prüfert, Andreas (2003)

Europäische Innere Führung? Zur Entwicklung einer gemeinsamen militärischen

Führungskonzeption. In: *Information für die Truppe (IFDT) - Zeitschrift für Innere Führung*, 1 (2003), 25-29.

Quille, Gerrard (2008)

The Lisbon Treaty and its Implications for CFSP/ESDP.

Brussels: European Parliament, Directorate-General for External Policies of the Union, Policy Department. Briefing Paper.

Quille, Gerrard (2004)

The European Security Strategy: A Framework for EU Security Interests?

In: *International Peacekeeping*, 11 (3), 422-438.

Rees, Nicholas (2006)

The Neutral States and the Challenge of ESDP: Kosovo, Iraq and the Transatlantic Divide. In: Croci, Osvaldo & Verdun, Amy (eds.): *Transatlantic Divide: Foreign and Security Policies in the Atlantic Alliance from Kosovo to Iraq*. New York: Palgrave Macmillan. 173-189.

Regnier, Ed (2004)

Neutrality within the EU: Challenging the Swedish Identity.

In: *Perspectives On Business & Economics*, 22, 65-73.

Reiter, Erich; Rummel, Reinhardt; Schmidt, Peter (eds.) (2002)

Europas ferne Streitmacht. Chancen und Schwierigkeiten der Europäischen Union beim Aufbau der ESVP. Hamburg et al.: Verlag E.S. Mittler & Sohn.

Rensmann, Thilo (2002)

Vom Staatsbürger zum Unionsbürger in Uniform.

In: *Neue Zeitschrift für Wehrrecht (NZWehrR)*, 801, 111-130.

Romanova, Yanina (2003)

Latvian Identity and Culture in the Context of Eastern Enlargement of the European Union.

Linköping: Linköping University, Department of Management and Economics. Master Thesis.

Rose, Pauline & Greeley, Martin (2006)

Education in Fragile States: Capturing Lessons and Identifying Good Practice.

Brighton: Institute of Development Studies, University of Sussex. Report prepared for the DAC Fragile States Group, Service Delivery Workstream, Sub-Team for Education Services. www.ids.ac.uk. Accessed: 22 Oct. 2010.

Rosen, Lawrence (2006)

Law as Culture.

Princeton: Princeton University Press.

Rowe, Peter (2003)

Military Law in United Kingdom.

In: Nolte, Georg (ed.): *European Military Law Systems*. Berlin: De Gruyter Verlag. 831-888.

Russell, Meg (2006)

The British House of Lords: A Tale of Adaption and Resilience.

In: Luther, Jörg, Passaglia, Paolo & Tarchi, Rolando (eds.): *A World of Second Chambers – Handbook for Constitutional Studies on Bicameralism*. Milano: Giuffrè Editore. 65-96.

Saar, Jüri (2003)

Economic Aspects of Estonian Defence Policy in Light of NATO Membership.

Tallinn: Estonian Business School. Bachelor Thesis.

Sangiovanni, Mette Eilstrup (2003)

Why a Common Security and Defence Policy is Bad for Europe?

In: *Survival*, 45 (3), 193-206.

Sari, Aurel (2008)

Status of Forces and Status of Mission Agreements under the ESDP: The EU's Evolving Practice. In: *The European Journal of International Law*, 19 (1), 65-100.

Schake, Kori (2002)

Constructive Duplication: Reducing EU reliance on US military assets.

London: Centre for European Reform. CER Working Paper.

Schmidt-Radefeldt, Roman (2005)

Parlamentarische Kontrolle der internationalen Streitkräfteintegration.

Berlin: Duncker & Humblot Verlag. Schriften zum Völkerrecht No. 156.

Schmitter, Philippe C. (2000)

How to democratize the European Union - and why bother?

Lanham: Rowman and Littlefield.

Schneider, Volker & Janning, Frank (2006)

Politikfeldanalyse – Akteure, Diskurse und Netzwerke in der öffentlichen Politik.

Wiesbaden: VS Verlag für Sozialwissenschaften.

Schubert, Klaus & Bandelow, Nils C. (2009)

Lehrbuch der Politikfeldanalyse 2.0.

München: Oldenbourg Verlag.

Schuster, Jürgen & Maier, Herbert (2006)

The Rift: Explaining Europe's Divergent Iraq Policies in the Run-Up of the American-Led War on Iraq. In: *Foreign Policy Analysis*, 2 (3), 223-244.

Schwarzer, Daniela & Von Ondarza, Nicolai (2007)

Dreizylinder für einen neuen Integrationsmotor? Voraussetzungen und Herausforderungen für eine britisch-deutsch-französische Führungsrolle in der ESVP.

Berlin: Stiftung Wissenschaft und Politik. Discussion Paper No. FG1 20/07.

Sedivy, Jiri (2002)

The constraints and the opportunities.

In: Missiroli, Antonio (ed.): *Enlargement and European defence after 11 September*. Paris:

European Union Institute for Security Studies. Chaillot Paper No. 53. 11-27.

Sedivy, Jiri & Zaborowski, Marcin (2004)

Old Europe, New Europe and Transatlantic Relations.

In: *European Security*, 13 (3), 187-213.

Serra, Narcis (2004)

Commentary.

In: Lindstrom, Gustav & Schmitt, Burkard (eds.): *One year on – lessons from Iraq*. Paris: European Union Institute for Security Studies. Chaillot Paper No. 68, 113-120.

Shell, Donald (1999)

To Revise and Deliberate: The British House of Lords.

In: Patterson, Samuel & Mughan, Anthony (eds.): *Senates. Bicameralism in the contemporary world*. Columbus: Ohio State University Press. 199-224.

Sheperd, Alistair J.K. (2006)

Irrelevant or Indispensable? ESDP, the 'War on Terror' and the Fallout from Iraq.

In: *International Politics*, 43 (1), 71-92.

Sheperd, Alistair J.K. (2003)

The European Union's Security and Defence Policy: A Policy without Substance?

In: *European Security*, 12 (1), 39-63.

Siedschlag, Alexander (2004a)

Die Festigung der ESVP - Nationale Positionen von Deutschland, Frankreich, Großbritannien und Polen. In: *Reader Sicherheitspolitik. Die Bundeswehr vor neuen Herausforderungen*. Ergänzungslieferung 9 (2004), 49-66.

Siedschlag, Alexander (2004b)

Europäische Entscheidungsstrukturen im Rahmen der ESVP: Möglichkeiten und Grenzen der Harmonisierung. Düsseldorf: Düsseldorfer Institut für Außen- und Sicherheitspolitik. Commentary.

Siedschlag, Alexander (2002)

Nationale Entscheidungsprozesse bei Streitkräfteeinsätzen im Rahmen der Petersberg-Aufgaben der EU - Deutschland, Frankreich, Großbritannien, Italien, Schweden. In: Reiter, Erich; Rummel, Reinhardt; Schmidt, Peter (eds.): *Europas ferne Streitmacht. Chancen und Schwierigkeiten der Europäischen Union beim Aufbau der ESVP*. Hamburg et al.: Verlag E.S. Mittler & Sohn. 222-232.

Simon, Christopher A. (2007)

Public Policy – Preferences and Outcomes.

New York et al.: Pearson Longman.

Simon, Jeffrey (2008)

The ESDP between Washington and Brussels.

In: Merlingen, Michael & Ostrauskaitė, Rasa (eds.): *European Security and Defence Policy - An Implementation Perspective*. London and New York: Routledge. 159-172.

Simón, Luis (2010)

Command and control? Planning for EU military operations.

Paris: European Union Institute for Security Studies. Occasional Paper No. 81.

Smith, Julianne (2008)

Transatlantic Relations under an Obama Administration.
Paris: European Union Institute for Security Studies. ISS Opinion.

Sørensen, Catharina (2006)

Types of Euroscepticism.
Brussels: EU-Consent. Project No. 513416.

Sørensen, Catharina (2004)

Danish and British Popular Euroscepticism compared: A sceptical assessment of the concept.
Copenhagen: Danish Institute for International Studies. DIIS Working Paper No. 25.

Sommer, Jerry (2005)

Security in Cyprus: Threat Perceptions, Possible Compromises and the Role of the EU.
Bonn: Bonn International Center for Conversion. Paper No. 44.

Sperling, James (2004)

Capabilities Traps and Gaps: Symptom or Cause of a Troubled Transatlantic Relationship? In: *Contemporary Security Policy*, 25 (3), 452-478.

Stark, Hans (2006)

France and ESDP.
In: Brummer, Klaus (ed.): *The Big 3 and ESDP – France, Germany and the United Kingdom.*
Gütersloh: Bertelsmann Stiftung. Project 'Europe's Global Responsibility', Paper No. 5, 11-21.

Stockholm International Peace Research Institute (SIPRI) (2009)

SIPRI Yearbook 2009. Armaments, Disarmament and International Security.
Oxford/Stockholm: Oxford University Press/Stockholm International Peace Research Institute.

Stubhaug, Jorunn T.; Sandawi, Sammi; Uhlmann, Milena (eds.) (2008)

The EU as a Global Player: Strengths and Weaknesses of CFSP and ESDP as seen from a German-Italian Angle. Berlin: Conference Report of the German-Italian Expert Seminar ESDP under Review – Achievements and Future Challenges, 31 Jan. and 1 Feb. 2008.

Tepe, F. Fulya (2007)

Swedish Neutrality and its Abandonment.
In: *Istanbul Commerce University Journal of Social Sciences*, 2007 (1), 183-201.

Toje, Asle (2008a)

The Consensus-Expectations Gap: Explaining Europe's Ineffective Foreign Policy.
In: *Security Dialogue*, 39 (1), 121-141.

Toje, Asle (2008b)

The EU, NATO, and European defence – A slow train coming.
Paris: European Union Institute for Security Studies. Occasional Paper No. 74.

Tresch, Tibor Szvircsev (2005)

Europas Streitkräfte im Wandel: Von der Wehrpflichtarmee zur Freiwilligen-streitkraft. Eine empirische Untersuchung europäischer Streitkräfte 1975 bis 2003. Zürich: Universität Zürich.
PhD Thesis.

Tsebelis, George & Money, Jeannette (1997)

Bicameralism.
Cambridge: University Press.

Unterseher, Lutz (2003)

Conscription in Germany – Past, Present, Positions, Plans, Prospects.
In: Malešič, Marjan (ed.): *Conscription vs. All-Volunteer Forces in Europe.* Baden-Baden:
Nomos Verlag. 63-81.

Urbelis, Vaidotas (2003)

Defence Policies of the Baltic States: from the Concept of Neutrality towards NATO membership. Brussels: NATO. NATO-EAPC Research Fellowship 2001-2003, Final Report.

Väyrynen, Raimo (2003)

Comments on the Finnish positions.
In: Ojanen, Hanna (ed.): *Neutrality and non-alignment in Europe today.* Helsinki: The Finnish
Institute of International Affairs (UII). FIIA Report No. 6, 27-29.

Valasek, Tomas (2008)

France, NATO and European defence.
London: Centre for European Reform. CER Policy Brief.

Van Eekelen, Willem (2006)

From Words to Deeds – the continuing Debate on European Security.
Brussels and Geneva: Centre for European Policy Studies and Geneva Centre for the
Democratic Control of Armed Forces.

Van Eekelen, Willem (2002)

Democratic Control of Armed Forces: The National and International Parliamentary Dimension. Geneva: Geneva Centre for the Democratic Control of Armed Forces. DCAF
Occasional Paper No. 2.

Van Orden, Geoffrey (2006)

Time to revitalize the NATO Alliance and deal with ESDP.
In: *Turkish Policy Quarterly*, 5 (3), 25-30.

Van Staden, Alfred; Homan, Kees; Kreemers, Bert; Pijpers, Alfred; De Wijk, Rob (2000)

Towards a European Strategic Concept.
The Hague: Clingendael, Netherlands Institute of International Relations.

Verhofstadt, Guy (2006)

Die Vereinigten Staaten von Europa – Manifest für ein neues Europa.
Eupen: Grenz-Echo Verlag.

Visuri, Pekka (2003)

Finnish Defence Forces: Doctrine, Personnel, and Conscription.

In: Malešič, Marjan (ed.): *Conscription vs. All-Volunteer Forces in Europe*. Baden-Baden: Nomos Verlag. 15-25.

Vollaard, Hans & Boer, Bartho (2006)

Euroscepticism in the Netherlands.

Budapest: EpsNet Conference of the Central European University Budapest on 'European in Context: Debating the Project', 16-17 June 2006. Conference Paper.

Von Ondarza, Nicolai (2008)

EU Military Deployment – An Executive Prerogative? Decision-making and parliamentary control on the use of force by the EU. Brussels: GARNET Conference 'EU in International Affairs', 24-26 April 2008. Conference Paper.

Wagner, Wolfgang (2007)

Problems of Democratic Control in European Security and Defence Politics – a View from Peace and Conflict Research. Berkeley: University of California, Institute of European Studies. Paper No. 070905.

Warnken, Monja (2002)

Der Handlungsrahmen der Europäischen Union im Bereich der Sicherheits- und Verteidigungspolitik. Baden-Baden: Nomos Verlag.

Weber, Annette (2009)

EU Naval Operation in the Gulf of Aden (EU NAVOR Atalanta): Problems Unsolved, Piracy Increasing, Causes Remain. In: Asseburg, Muriel & Kempin, Ronja (eds.): *The EU as a Strategic Actor in the Realm of Security and Defence? A Systematic Assessment of ESDP Missions and Operations*. Berlin: Stiftung Wissenschaft und Politik. SWP Research Paper No. 14, 70-83.

Werkner, Ines-Jacqueline (2006)

Wehrpflicht oder Freiwilligenarmee? Wehrstrukturentscheidungen im europäischen Vergleich. Frankfurt a. M. et al.: Peter Lang Verlag.

Werkner, Ines-Jacqueline (2003)

Allgemeine Trends und Entwicklungslinien in den europäischen Wehrsystemen. Strausberg: Sozialwissenschaftliches Institut der Bundeswehr. SOWI Working Paper No. 134.

Williams, Cindy (2005)

From Conscripts to Volunteers – NATO's Transitions to All-Volunteer Forces. In: Naval War College Review, 58 (1), 35-62.

Windmar, Erik (2005)

Concluding Remarks.

In: Munro, Emily (ed.): *Challenges to Neutral & Non-Aligned Countries in Europe and Beyond*. Geneva: Geneva Centre for Security Policy (GCSP). 57-61.

Witney, Nick (2008)

Re-energising Europe's Security and Defence Policy.

London: European Council on Foreign Relations.

Wolf, Reinhard (2000)

Finanzierungsprobleme der Europäischen Sicherheits- und Verteidigungspolitik unter den Bedingungen der Währungsunion. In: *Aus Politik und Zeitgeschichte*, 47, 31-38.

Woocher, Lawrence (2001)

Deconstructing political will: Explaining the failure to prevent deadly conflict and mass atrocities. In: *Princeton Journal of Public and International Affairs*, 12 (10), 179-206.

Yost, David S. (2000)

The NATO Capabilities Gap and the European Union.

In: *Survival*, 42 (4), 97-128.

Zaborowski, Marcin (2009)

Capitalising on Obamania: how to reform EU-US relations?

In: De Vasconcelos, Álvaro & Zaborowski, Marcin (eds.): *Obama's Visit: Looking beyond Europe*. Paris: European Union Institute for Security Studies. ISS Analysis. 229-238.

Zaborowski, Marcin (2004)

From America's protégé to constructive European Polish security policy in the twenty-first century. Paris: European Union Institute for Security Studies. Occasional Paper No. 56.

Zehetner, Thomas (2005)

Flexibility for CFSP/ ESDP – Squaring the Circles of Unity and Diversity.

UACES European Studies On-Line Essays.

Zilmer-Johns, Lisbeth & Pilegaard, Jess (2004)

Towards a common European Security and Defence Policy?.

In: Pilegaard, Jess (ed.): *The Politics of European Security*. Copenhagen: DIIS. 179-191.

NEWSPAPER ARTICLES & MEDIA REPORTS

Albright, Madeleine (1998)

The Right Balance Will Secure NATO's Future.

In: Financial Times, 7 Dec. 1998.

Aznar, Jose María; Durão Barroso, Jose-Manuel; Berlusconi, Silvio; Blair, Tony; Havel, Vaclav; Medgyessy, Peter; Miller, Leszek; Fogh Rasmussen, Anders (2003)

United We Stand. Eight European leaders are as one with President Bush.

In: Wall Street Journal, 30 Jan. 2003.

BBC Online (2007)

MPs support war-powers proposals.

@ http://news.bbc.co.uk/1/hi/uk_politics/6658161.stm. Accessed: 15 May 2007.

Charney, Craig (2009)

Political Will: What is it? How is it Measured?

@ www.CharneyResearch.com. Accessed: 24 Feb. 2010.

Copenhagen Post (2009)

Opposition parties agree on opt-out referendum.

@: Denmark.dk, 25 Nov. 2009. Accessed: 12 Jan. 2010.

Crossland, David (2007)

Germany Must Stay the Course in Afghanistan.

@: Spiegel Online, 21 May 2007.

Everts, Steven & Missiroli, Antonio (2004)

Beyond the 'Big Three' – To claim a global role, the EU needs its own security council.

In: International Herald Tribune, 10 March 2004.

Goldirova, Renata (2008)

Russia renews push for pan-European security pact.

@: EUObserver.com, 29 Sept. 2008.

Hague, William (2007)

The seal of approval.

@: Guardian Online, 15 May 2007.

Hetland, Jarle (2009)

Danish PM says no to early referenda on opt-outs.

@: EuropeanVoice.com, 14 April 2009.

Hutton, John (2008)

Interview.

In: Sunday Times, 26 Oct. 2008.

Mahony, Honor (2010)

Germany speaks out in favour of European army.

@: EUObserver.com, 8 Feb. 2010.

Merkel, Angela (2007)

Interview.

In: BILD, 21 March 2007.

Kaczynski, Lech (2006)

Interview.

In: Financial Times, 6 Nov. 2006.

Owen, Richard (2009)

Italy's Foreign Minister says post-Lisbon EU needs a European Army.

@: Times Online, 17 Nov. 2009.

Pop, Valentina (2010)

Nato strategy to look at EU relations, says Albright.

@: EUObserver.com, 28 Jan. 2010.

Pop, Valentina (2009)

Medvedev tables EU-Russia-US security pledge draft.

@: EUObserver.com, 30 Nov. 2009.

Schofield, Hugh (2002)

Head start for Chirac's electoral entourage.

@: BBC Online, 23 May 2002.

Spiteri, Lino (2009)

Neutering neutrality.

@timesofmalta.com, 13 Dec. 2009.

Spiegel Online (2007)

SPD will Wehrpflicht abschaffen - und beibehalten.

@ <http://www.spiegel.de/politik/deutschland/0,1518,500502,00.html>. Accessed: 16 Feb. 2010.

Xuereb, Matthew (2008)

Partnership for Peace – Membership 'will not impinge on neutrality'.

@timesofmalta.com, 22 March 2008.

PUBLIC LECTURES & SPEECHES

Blair, Tony (1998)

Pörtlach: Austrian Presidency Informal Summit Press Conference, 24/25 Oct. 2008.

Cameron, Colin (2008)

European Security and Defence Policy: Where do we go from here?

Luxembourg: Address at the 14th Annual EURODEFENSE Conference, 27 Sept. 2008

Cowen, Brian (2003)

Minister Cowen announces joint Irish, Finnish Swedish and Austrian Proposal on EU Defence?

Dublin: Irish Department of Foreign Affairs Press Release, 5 Dec. 2003.

Rumsfeld, Donald (2003)

Washington D.C.: Briefing at the Foreign Press Center, 22 Jan. 2003.

Solana, Javier (2007)

From Cologne to Berlin and beyond - Operations, institutions and capabilities.

Berlin: Address at the European Security & Defence Policy Conference, 29 Jan. 2007.

Struck, Peter (2002)

Berlin: Ministerial Press Conference, 5 Dec. 2002.

PERSONAL COMMUNICATION

Aaen, Frank (2010)

Parliamentary Spokesperson on Defence, Red-Green Alliance. Parliament of Denmark. *Email Interview*. Entry: 25 Feb. 2010. Quote Authorization: 6 April 2010.

Alexe, Adrian (2009)

Adviser, Legal Department. Ministry of National Defence, Romania. *Personal Communication*. Entry: 2 Nov. 2009. Quote Authorization: 5 Nov. 2009.

Andersson, Mikael (2008)

Deputy Director, Legal Secretariat. Ministry of Defence, Sweden. *Email Interview*. Entry and Authorization: 15 May 2008.

Anonymous One (2009)

Assistant, Parliamentary Group of BZÖ. Parliament of Austria. *Email Interview*. Entry: 2 March 2009. Quote Authorization: 6 April 2010.

Anonymous Two (2009)

Parliamentary Spokesperson on Defence, Social Democratic Party. Parliament of Denmark. *Email Interview*. Entry and Quote Authorization: 10 March 2009.

Anonymous Three (2009)

Parliamentary Spokesperson on Defence, Liberal Party. Parliament of Sweden. *Email Interview*. Entry and Quote Authorization: 29 April 2009.

Aristotelous, Aristos (2010)

Member of Defence Affairs Committee, AKEL. Parliament of Cyprus. *Personal Communication*. Recording: 15 March 2010. Quote Authorization: 18 March 2010.

Aristotelous, Aristos (2008)

Member of Defence Affairs Committee, AKEL. Parliament of Cyprus. *Email Interview*. Entry: 8 Sept. 2008. Quote Authorization: 18 March 2010.

Bech, Gitte Lillelund (2009)

Member of Defence Committee, Venstre Party. Parliament of Denmark. *Email Interview*. Entry: 20 Jan. 2009. Quote Authorization: 7 Jan. 2010.

Birmann, Cindy (2008)

Legal Adviser. Ministry of Defence, Belgium. *Email Interview*. Entry and Authorization: 23 May 2008.

Borg, Tonio (2009)

Minister of Foreign Affairs, Malta. *Email Interview*. Entry: 10 Dec. 2009. Quote Authorization: 28 Dec. 2009.

Broman, Albin Ring (2009)

Policy Adviser. Parliamentary Group of Centre Party, Parliament of Sweden. *Email Interview*. Entry: 15 Dec 2009. Quote Authorization: 18 Dec. 2010.

Christensen, Villum (2010)

Member of Defence Committee, Liberal Alliance. Parliament of Denmark. *Email Interview*.
Entry: 25 Feb. 2010. Quote Authorization: 22 March 2010.

Deenihan, Jimmy (2009)

Member of Defence Committee, Fine Gael. Parliament of Ireland. *Email Interview*.
Entry: 15 Dec. 2009. Quote Authorization: 6 Jan. 2010.

Ferlez, Robert (2009)

Chief of Section for Military and Civil Law, Legal Department. Ministry of Defence, Slovenia.
Personal Communication. Recording: 13 Oct. 2009. Quote Authorization: 18 Oct. 2009.

Ferlez, Robert (2008)

Chief of Section for Military and Civil Law, Legal Department. Ministry of Defence, Slovenia.
Email Interview. Entry and Authorization: 24 Nov. 2008.

Ferris, Martin (2009)

Member of Parliament, Sinn Féin. Parliament of Ireland. *Email Interview*.
Entry: 7 Dec. 2009. Quote Authorization: 16 Dec. 2010.

Frahm, Pernille (2008)

Member of Defence Committee, Socialist People's Party. Parliament of Denmark. *Email Interview*. Entry: 21 Nov. 2008. Quote Authorization: 22 Dec. 2009.

Godinho, Maria João (2009)

Legal Adviser, National Defence Committee. Assembleia da República, Portugal. *Email Interview*. Entry and Authorization: 7 Aug. 2009.

Gormley, John (2009)

Party Leader and Member of Parliament, Green Party. Parliament of Ireland. *Email Interview*.
Entry: 7 Dec. 2009. Quote Authorization: 26 Feb. 2010.

Haapiainen, Jari (2009)

Adviser, Parliamentary Office of the Finnish Centre Party. Parliament of Finland. *Email Interview*. Entry: 4 March 2009. Quote Authorization: 26 Feb. 2010.

Hagström, Marcus (2009)

Press Officer. Swedish People's Party, Finland. *Email Interview*.
Entry: 11 Dec. 2009. Quote Authorization: 16 Dec. 2009.

Hames, Mireille (2008)

Attaché de Gouvernement 1er en rang, Direction de la Défense. Ministry of Foreign Affairs, Luxembourg. *Email Interview*. Entry and Authorization: 28 August 2008.

Haralampous, Haralampos (2009)

Member of Parliament, KKE. Parliament of Greece. *Email Interview*.
Entry: 23 Dec. 2009. Quote Authorization: 2 Jan. 2010.

Hemming, Hanna-Leena (2009)

Member of Defence Committee, National Coalition Party. Parliament of Finland. *Email Interview*. Entry: 9 Feb. 2009. Quote Authorization: 23 Dec. 2009.

Higgins, Michael D. (2009)

Member of Foreign Affairs Committee, Labour Party. Parliament of Ireland. *Email Interview*. Entry: 7 Dec. 2009. Quote Authorization: 16 Dec. 2009.

Jäger, Christian (2008)

Assistant, Parliamentary Office of Walter Murauer, ÖVP. Parliament of Austria. *Email Interview*. Entry: 11 Sept. 2008. Quote Authorization: 30 Dec. 2009.

Jupatovs, Vitālijs (2009)

Senior Desk Officer, Legal Department. Ministry of Defence, Latvia. *Email Interview*. Entry and Authorization: 23 Oct. 2009.

Kallio, Reijo (2009)

Member of Defence Committee, Social Democratic Party. Parliament of Finland. *Email Interview*. Entry: 24 Feb. 2009. Quote Authorization: 25 Feb. 2010.

Karampelas, Panagiotis (2010)

Adviser for Security and Defence. Popular Orthodox Rally, Greece. Recording: *Personal Communication*. 12 March 2010. Quote Authorization: 17 March 2010.

Kenneally, Brendan (2009)

Chairman of Defence Committee, Fianna Fáil. Parliament of Ireland. *Email Interview*. Entry: 21 Dec. 2009. Quote Authorization: 7 Jan. 2010.

Kodar, Erik (2008)

Adviser, International Law Section, Legal Department. Ministry of Defence, Estonia. *Email Interview*. Entry and Authorization: 25 March 2008.

Korhola, Anna (2009)

Legal Adviser, Law Drafting and General Administration Unit. Ministry of Defence, Finland. *Email Interview*. Entry and Authorization: 19 February 2009.

Kovács, István & Orosz, Piroska (2008)

Legal Officers, Legal Department. Ministry of Defence, Hungary. *Email Interview*. Entry and Authorization: 5 Dec. 2008.

Krarup, Søren (2009)

Member of Defence Committee, Danish People's Party. Parliament of Denmark. *Email Interview*. Entry: 20 Feb. 2009. Quote Authorization: 25 Feb. 2010.

Kulisek, Martin (2008)

Law Administrator. Ministry of Defence, Czech Republic. *Email Interview*. Entry and Authorization: 29 Aug. 2008.

Laakso, Jaako (2009)

Member of Defence Committee, Left Alliance. Parliament of Finland. *Email Interview*.

Entry: 15 Dec. 2009. Quote Authorization: 22 Dec. 2009.

Länts, Randel (2009)

Secretary General. Social Democratic Party, Estonia. *Email Interview*.

Entry: 28 April 2009. Quote Authorization: 22 Dec. 2009.

Le Clercq, Duco (2008)

Staff Lawyer, Directorate of Legal Affairs. Ministry of Defence, Netherlands. *Email Interview*.

Entry and Authorization: 15 Sept. 2008.

Lechner, Georg (2006)

Col. (retired) and Certified Interpreter at Law. Ministry of Defence, Austria. *Personal*

Communication. Recording: 10 Feb. 2006. Quote Authorization: 9 May 2006.

Liaropoulos, Andrew (2010)

Lecturer, Department of International and European Studies. University of Piraeus, Greece.

Personal Communication. Recording: 22. Feb. 2010. Quote Authorization: 17 March 2010.

Lotman, Aleksei (2010)

Member of European Union Affairs Committee, Green Party. Parliament of Estonia. *Email*

Interview. Entry: 25 Feb. 2010. Quote Authorization: 17 March 2010.

Lund, Cecilie (2008)

Head of Section, NATO and EU Policy. Ministry of Defence, Denmark. *Email Interview*.

Entry and Authorization: 23 Dec. 2008.

Makris, Vasileios G. (2009)

Legal Director, Hellenic National Defence General Staff. Hellenic Armed Forces, Greece. *Email*

Interview. Entry and Authorization: 26 June 2009.

Melinienė, Jelena (2008)

Adviser, Law Department. Ministry of Defence, Lithuania. *Email Interview*.

Entry and Authorization: 28 March 2008.

Mey, Holger (2008)

Vice-President and Head of Advanced Concepts, Defence & Security. EADS. *Personal*

Communication. Recording: 19 June 2008. Quote Authorization: 26 March 2010.

Ministry of Defence Slovakia (2008)

Legal Department. *Email Interview*.

Entry and Authorization: 23 April 2008.

Ministry of Defence Spain (2008)

Secretariat for Defence Policy. *Email Interview*.

Entry and Authorization: 28 Nov. 2008.

Mitsopoulos, Tasos (2009)

Member of European Affairs Committee, DISY. Parliament of Cyprus. *Email Interview*.
Entry: 15 Dec. 2009. Quote Authorization: 12 April 2010.

Møller, Helge Adam (2008)

Member of Defence Committee, Conservative People's Party. Parliament of Denmark. *Email Interview*. Entry: 04 Dec. 2008. Quote Authorization: 5 Jan. 2010.

Morrison, Humphrey (2009)

Head of Legislation, Central Legal Services/Legislation. Ministry of Defence, United Kingdom. *Email Interview*. Entry and Authorization: 8 Dec. 2009.

Niinistö, Ville (2009)

Chairman of Parliamentary Group, Green League. Parliament of Finland. *Email Interview*.
Entry: 7 Dec. 2009. Quote Authorization: 1 March 2010.

Oancea, Viorel (2009)

Adviser, Legal Department. Ministry of National Defence, Romania. *Email Interview*.
Entry and Authorization: 24 March 2009.

Östman, Peter (2009)

Secretary General. Christian Democratic Party, Finland. *Email Interview*.
Entry: 7 Dec. 2009. Quote Authorization: 16 Dec. 2009.

Oinonen, Pentti (2010)

Member of Parliament, True Finns Party. Parliament of Finland. *Email Interview*.
Entry: 26 Feb. 2010. Quote Authorization: 17 March 2010.

Oguz, Ömer (2009)

Presschef. Social Democratic Party, Sweden. *Email Interview*.
Entry: 14 Dec. 2009. Quote Authorization: 28 Dec. 2009.

Omirou, Yiannakis (2008)

Chairman of Defence Affairs Committee, EDEK. Parliament of Cyprus. *Email Interview*.
Entry: 26 Nov. 2008. Quote Authorization: 18 Jan. 2010.

Orosz, Piroska & Varga, Attila (2009)

Legal Officers, Legal Department. Ministry of Defence, Hungary. *Personal Communication*.
Recording: 28 Oct. 2009. Quote Authorization: 4 Nov. 2009.

Pajnkihar, Jasna (2009)

Adviser to the Foreign Affairs Committee. National Assembly of the Republic of Slovenia. *Personal Communication*. Recording: 14 Oct. 2009. Quote Authorization: 15 Oct. 2009.

Palm, Sari (2009)

Member of Defence Committee, Christian Democratic Party. Parliament of Finland. *Email Interview*. Entry: 11 Dec. 2009. Quote Authorization: 16 Dec. 2009.

Panayiotou, Nikos (2009)

Deputy European Correspondent, CFSP/ESDP Department. Ministry of Foreign Affairs, Cyprus. *Email Interview*. Entry and Authorization: 24 June 2009.

Papadimitriou, Nadia (2009)

Adviser, International Relations and European Affairs Secretariat. Nea Demokratia, Greece. *Email Interview*. Entry: 4 and 8 May 2009. Quote Authorization: 23 Dec. 2009.

Papadopoulos, Nicholas (2009)

Vice-President of the Democratic Party. DIKO, Cyprus. *Email Interview*. Entry: 23 Dec. 2009. Quote Authorization: 28 Dec. 2009.

Papadopoulos, Theodore (2009)

Member of the Central Council. Synaspismos, Greece. *Email Interview*. Entry: 7 May 2009. Quote Authorization: 22 Dec. 2009.

Petersen, Niels Helveg (2010)

Member of Defence Committee, Social-Liberal Party. Parliament of Denmark. *Email Interview*. Entry: 25 Feb. 2010. Quote Authorization: 21 March 2010.

Pilz, Peter (2008)

Parliamentary Spokesperson on Security, The Greens. Parliament of Austria. *Email Interview*. Entry: 11 Sept. 2008. Quote Authorization: 23 Dec. 2009.

Prähauser, Stefan (2008)

Parliamentary Spokesperson on Defence, SPÖ. Parliament of Austria. *Email Interview*. Entry: 3 Aug. 2008. Quote Authorization: 23 Dec. 2009.

Raidma, Mati (2009)

Chairman of National Defence Committee, Estonian Reform Party. Parliament of Estonia. *Email Interview*. Entry: 19 Jan. 2009. Quote Authorization: 18 March 2010.

Sajkowski, Michał (2008)

Senior Legal Specialist, Legal Department. Ministry of National Defence, Poland. *Email Interview*. Entry and Authorization: 4 Dec. 2008.

Samuelsson, Jeppe (2010)

Political Adviser, Parliamentary Group of Moderate Party. Parliament of Sweden. *Personal Communication*. Recording: 4 Jan. 2010. Quote Authorization: 4 Jan. 2010.

Samuelsson, Jeppe (2009)

Political Adviser, Parliamentary Group of Moderate Party. Parliament of Sweden. *Email Interview*. Entry: 21 Jan. 2009. Quote Authorization: 4 Jan. 2010.

Saramo, Jussi (2009)

Political Adviser. Left Alliance, Finland. *Email Interview*. Entry: 16 Dec. 2009. Quote Authorization: 22 Dec. 2009.

Savola, Heikki (2009)

Counsel to the Defence Committee. Parliament of Finland. *Personal Communication*.
Recording: 13 Oct. 2009. Quote Authorization: 15 Oct. 2009.

Schäfer, Paul (2008)

Member of Defence Committee, Die Linke. Parliament of Germany. *Email Interview*.
Entry: 18 Sept. 2008. Quote Authorization: 26 Feb. 2010.

Schittenhelm, Sonja (2008)

Desk Officer. Ministry of Defence, Austria. *Email Interview*.
Entry and Authorization: 28 July 2008.

Schneiderhan, Wolfgang (2010)

Former Chief of Staff of the German Armed Forces. *Personal Communication*.
Recording and Authorization: 27 April 2010.

Simson, Kadri (2009)

Deputy Chairman of National Defence Committee, Estonian Centre Party. Parliament of Estonia. *Email Interview*. Entry: 15 Jan. 2009. Quote Authorization: 26 Feb. 2010.

Sydenham, Teresa (2009)

Deputy Policy Director, Department of Defence, Ireland. *Email Interview*.
Entry and Authorization: 15 & 17 June 2009.

Szyber, Caroline (2009)

Political Adviser, Parliamentary Group of Christian Democrats, Parliament of Sweden. *Email Interview*. Entry: 16 Dec. 2009. Quote Authorization: 7 Jan. 2010.

Tiede, Michael (2008)

Assistant Chief of Branch, R II 3. Ministry of Defence, Germany. *Email Interview*.
Entry and Authorization: 7 April 2008.

Vassilev, Vencislav (2008)

Chief Legal Adviser, Legal Affairs Directorate. Ministry of Defence, Bulgaria. *Email Interview*.
Entry and Authorization: 22 Aug. 2008.

Vella, George (2009)

Parliamentary Spokesperson on Foreign Affairs, Malta Labour Party. Parliament of Malta.
Email Interview. Entry: 22 Dec. 2009. Quote Authorization: 26 Feb. 2010.

Velliste, Trivimi (2009)

Member of National Defence Committee, Pro Patria and Res Publica. Parliament of Estonia.
Email Interview. Entry: 17 March 2009. Quote Authorization: 22 Dec. 2009.

Veremis, Thanos (2010)

Professor for Political History, Department for International and European Studies. University of Athens, Greece. *Personal Communication*. Recording: 2 March 2010. Quote Authorization: 18 March 2010.

Vikmane, Jelena (2008)

Senior Desk Officer, International Law Section, Legal Department. Ministry of Defence, Latvia.
Email Interview. Entry and Authorization: 9 Sept. 2008.

Welander, Hans (2009)

Political Secretary for Economy and Defence. Left Party, Sweden. *Email Interview*.
Entry: 10 Dec. 2009. Quote Authorization: 25 Feb. 2010.

Wetterstrand, Maria (2009)

Spokesperson. Green Party, Sweden. *Email Interview*.
Entry: 14 Dec. 2009. Quote Authorization: 19 April 2010.

Žalimas, Dainius (2006)

Legal Adviser. Ministry of Defence, Lithuania. *Personal Communication*.
Recording: 9 Feb. 2006. Quote Authorization: 21 April 2006.

GOVERNMENTAL DOCUMENTS & OTHER OFFICIAL DOCUMENTS

Austrian Defence Commission (2004)

Bundesheer 2010 – Bericht der Bundesheerreformkommission.
Wien: Bundesheer. www.bundesheer.at.

CIVCOM Document (2006)

Note: Draft Concept for ESDP Border missions in the framework of Civilian Crisis Management. Brussels, 1 Dec. 2006, No. 16137/06. <http://consilium.europa.eu>.

CIVCOM Document (2002)

Note: EU Comprehensive Concept for Strengthening of Local Police Missions.
Brussels, 31 May 2002, No. 9535/02. <http://consilium.europa.eu>.

CIVCOM DOCUMENT (2002)

Note: Comprehensive EU concept for missions in the field of Rule of Law in crisis management, including annexes. Brussels, 19 Nov. 2002, No. 14513/02.
<http://consilium.europa.eu>.

Council Background Note on EU-NATO permanent arrangements (Berlin Plus) (2003)

Brussels, 11 Nov. 2003, <http://consilium.europa.eu>.

Council Guidelines 9919/07 (6 July 2007)

...for Command and Control Structure for EU Civilian Operations in Crisis Management.
Brussels, 6 July 2007. <http://consilium.europa.eu>.

European Council Conclusions of the Presidency (12/2004)

European Council, Brussels, 16/17 Dec. 2004, No. 16238/1/04/REV1.
<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (06/2004)

European Council, Brussels, 17/18 June 2004, No. 10679/2/04/REV2.
<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (12/2003)

European Council, Brussels, 12/13 Dec. 2003, No. 5381/04.
<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (12/2001)

European Council, Laeken, 14 Dec. 2001, No. 00300/1/01.
<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (09/2001)

Extraordinary European Council, Brussels, 21 Sept. 2001, No. 140/01.
<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (06/2001)

European Council, Göteborg, 15 June 2001, No. 200/1/01.
<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (12/2000)

European Council, Nice, 8 Dec. 2000, No. 400/1/00.

<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (06/2000)

European Council, Santa Maria da Feira, 19 June 2000, No. 200/1/00.

<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (12/1999)

European Council, Helsinki, 11/12 Dec. 1999, No. 00300/1/99.

<http://consilium.europa.eu>.

European Council Conclusions of the Presidency (06/1999)

European Council, Cologne, 4 June 1999, No. 150/99/REV1.

<http://consilium.europa.eu>.

European Defence Agency Press Release (2008)

EU Governments endorse Capability Plan for future military needs, pledge joint efforts.

Brussels, 8 July 2008. <http://consilium.europa.eu>.

European Security Strategy (2008)

Report on the Implementation of the European Security Strategy. Providing Security in a Changing World. Brussels, 11 Dec. 2008, No. S407/08. <http://consilium.europa.eu>.

European Security Strategy (2003)

A Secure Europe in a Better World.

Brussels, 8/12 Dec. 2003, No. 15895/03. <http://consilium.europa.eu>.

German Coalition Agreement between CDU/CSU and FDP (2009)

Growth. Education. Unity.

Berlin, 26 Oct. 2009. www.cdu.de.

German Defence Commission (2000)

Gemeinsame Sicherheit und Zukunft der Bundeswehr.

Berlin/Bonn: Bundesministerium für Verteidigung. www.bundeswehr.de.

House of Lords Select Committee on the Constitution Report (2007)

Waging War: Parliament's Role and Responsibility, Follow-Up.

London: House of Lords, HL Paper 51, 3rd Report of Session 2006–2007.

House of Lords Select Committee on the Constitution Report (2006)

Waging War: Parliament's Role and Responsibility.

London: House of Lords, HL Paper 236-I, 15th Report of Session 2005–06.

Joint-Declaration on European Defence (1998)

British-French Summit, Saint-Malo, 4 December 1998. www.number10.gov.uk.

Parliamentary Commission of Inquiry Report regarding the events in Rwanda (1997)

Brussels: Senate of Belgium, 6 Dec. 1997. Report of Session 1997-08.

Party Manifesto CDU (2007)

Freedom and Security Principles for Germany.
Party Congress, Hanover, 3/4 Dec. 2007. www.kas.de.

Party Manifesto Finnish Green League (2006)

Our Task: A Fair Change.
Party Congress, Helsinki, 28 May 2006. www.vihreat.fi.

Party Manifesto FDP (2009)

Die Mitte stärken. Deutschlandprogramm 2009.
Party Congress, Hanover, 15-17 May 2009. www.fdp.de.

Party Manifesto FPÖ (2005)

Party Programme of the Liberal Democratic Party of Austria.
Party Congress, Salzburg, 23 April 2005. www.fpo.e.at.

Party Manifesto German Greens (2009)

Der Grüne Neue Gesellschaftsvertrag. Klima – Arbeit – Gerechtigkeit – Freiheit.
Party Congress, Berlin, 8-10 May 2009. www.gruene.de.

Party Manifesto PASOK (2003)

To Kyvernitiko Programma tou PASOK 2004-2008.
Party Congress, Athens, 10 Oct. 2003. www.pasok.gr.

Party Manifesto SPD (2007)

Principle Guidelines of the Social Democratic Party of Germany.
Party Congress, Hamburg, 28 Oct. 2007. www.spd.de.

Petersberg Declaration (1992)

Western European Union, Council of Ministers, Bonn, 19 June 1992. www.weu.int.

Secretariat General of the Council (2009)

FACTSHEET: Development of European Military Capabilities.
Brussels, July 2009. <http://consilium.europa.eu>.

Secretariat General of the Council (2007)

'I/A' ITEM NOTE: New Civilian Headline Goal 2010.
Brussels, 9 Nov. 2007, No. 14823/07. <http://consilium.europa.eu>.

Secretariat General of the Council (2005)

NOTE: EU Concept for ESDP support to Security Sector Reform (SSR).
Brussels, 13 Oct. 2005, No. 12566/4/05 REV 4. <http://consilium.europa.eu>.

Secretariat General of the Council (2004)

NOTE: Headline Goal 2010.
Brussels, 4 May 2004, No. 6309/6/04 REV 6. <http://consilium.europa.eu>.

Secretariat General of the Council (2003)

NOTE: Concept for EU Monitoring missions.
Brussels, 28 Oct. 2003, No. 14536/03. <http://consilium.europa.eu>.

Secretariat General of the Council (2002)

NOTE: EU Framework Nation Concept.

Brussels, 25 July 2002, No. 11278/1/02 REV 1. <http://consilium.europa.eu>.

Statement of the Vilnius Group Countries (2003)

...in response to the presentation by the United States Secretary of State to the United Nations Security Council concerning Iraq. The Foreign Ministers of Albania, Bulgaria, Croatia, Estonia, Latvia, Lithuania, Macedonia, Romania, Slovakia and Slovenia, 5 Feb. 2003. www.vm.ee. Accessed: 23 Feb. 2010.

Strategic Documents of EU Member States

Table 4 on pages 137 and 138 provides an overview of all national strategic documents including sources and additional details.

PERTINENT LEGISLATION (INTERNATIONAL TREATIES, CONSTITUTIONS, ACTS)

Act CIX of 2003 (Hungary)

...on amending the Act XX of 1949 on The Constitution of the Republic of Hungary.

Act XIII of 2006 (Hungary)

...on amending the Act XX of 1949 on The Constitution of the Republic of Hungary.

Act on Peace Support Operations (Finland)

Adopted on 29 June 1984. No. 514/1984

Last Amendment: 31 Dec. 2000.

Act on Military Crisis Management (Finland)

Adopted on 1 April 2006. No. 211/2006.

Armed Forces Act 1966 (United Kingdom)

Adopted on 21 Dec. 1966. No. c.45.

Arrêté royal du 9 janvier 1951 (Belgium)

...relatif à l'affectation des forces belges à l'exécution du Traité de Atlantique-Nord.

Moniteur belge, 11 Jan. 1951.

Charter of the United Nations (1945)

Signed at San Francisco, 26 June 1945. Effective on 24 October 1945. www.un.org.

Council Decision 2001/78/CFSP (22 January 2001)

...setting up the Political and Security Committee.

Official Journal of the European Communities, Brussels, 30 Jan. 2001, No. L 27.

<http://eur-lex.europa.eu>.

Council Decision 2001/79/CFSP (22 January 2001)

...setting up the Military Committee of the European Union.

Official Journal of the European Communities, Brussels, 30 Jan. 2001, No. L 27.

<http://eur-lex.europa.eu>.

Council Decision 2001/80/CFSP (22 January 2001)

...on the establishment of the Military Staff of the European Union.

Official Journal of the European Communities, Brussels, 30 Jan. 2001, No. L 27. <http://eur-lex.europa.eu>.

Council Decision 2000/354/CFSP (22 May 2000)

...setting up a Committee for civilian aspects of crisis management.

Official Journal of the European Communities, Brussels, 27 May 2000, No. L 127. <http://eur-lex.europa.eu>.

Council Decision 2005/395/CFSP (10 May 2005)

...amending Decision 2001/80/CFSP on the establishment of the Military Staff of the European Union. Official Journal of the European Communities, Brussels, 26 May 2005, No. L 132.

<http://eur-lex.europa.eu>.

Council Joint Action 2001/554/CFSP (20 July 2001)

...on the establishment of a European Union Institute for Security Studies.

Official Journal of the European Communities, Brussels, 25 July 2001, No. L 200. <http://eur-lex.europa.eu>.

Council Joint Action 2001/555/CFSP (20 July 2001)

...on the establishment of a European Union Centre.

Official Journal of the European Communities, Brussels, 25 July 2001, No. L 200. <http://eur-lex.europa.eu>.

Defence Act (Slovenia)

Adopted in 1994. Official Gazette of the Republic of Slovenia, No. 82/94.

Last Amendment: 23 Sept. 2004, No. 40/2004.

Federal Constitutional Law on the Neutrality of Austria (Austria)

Adopted on 26 Oct. 1955. Bundesgesetzblatt für die Republik Österreich, 4 Nov. 1955, No. 57.

Geneva Conventions (1945)

Signed at Geneva, 12 Aug. 1949. Effective on 21 Oct. 1950. www.icrc.org.

International Military Co-operation Act (Estonia)

Adopted on 12 Feb. 2003, No. RT1 I 2003, 23, 138. Effective on 15 April 2003.

Last Amendment: Passed on 10 Nov. 2004. Effective on 10.12.2004, No. RT I 2004, 81, 541.

KSE-BVG (Austria)

Bundesverfassungsgesetz über Kooperation und Solidarität bei der Entsendung von Einheiten und Einzelpersonen in das Ausland.

Adopted 17/18 Apr. 1997. Effective on 22 April 1997. BGBl. I, No. 38/1997.

Law on the Organization of the National Defence System and Military Service (Lithuania)

Adopted on 5 May 1998. Official Gazette, No. VIII-723.

Last Amendment: 7 July 1999, No. VIII-1289.

Law on the Participation of Romanian Armed Forces in Missions Abroad (Romania)

Official Gazette of Romania, 15 March 2004, No. 42.

Law on the Participation of the National Armed Forces of Latvia in International Operations (Latvia)

Adopted on 16 Feb. 1995. Vēstnesis, 25 Feb. 1995, No. 30.

Last Amendment: 31 Jan. 2002.

Loi du 27 juillet 1992 (Luxembourg)

...relative à la participation du Grand-Duché de Luxembourg à des opérations pour le maintien de la paix (OMP) dans le cadre d'organisations internationales.

Mémorial 1992, A-56, p. 1744.

Statute Concerning the Rules on the Deployment and Stationing of Polish Armed Forces Abroad of 17 December 1998 (ZUPSZ) (Poland)

Journal of Laws, 17 Dec. 1998, No. 162, item 1117.

Treaty instituting the European Defence Community (1952)

Signed at Paris, 27 May 1952. Never went into effect. www.ena.lu.

Treaty of Lisbon (2007)

...amending the Treaty on European Union and the Treaty establishing the European Community. Signed at Lisbon, 13 Dec. 2007. Not ratified yet. Official Journal of the European Communities, No. 2007/C306/01. <http://eur-lex.europa.eu>.

Treaty of Nice (2001/2003)

...amending the Treaty on the European Union, the Treaties establishing the European Communities and certain related acts. Signed at Nice, 10 March 2001. Effective on 1 Feb. 2003. Official Journal of the European Communities, No. 2001/C80/01. <http://eur-lex.europa.eu>.

Treaty of Amsterdam (1997/1999)

...amending the Treaty on the European Union, the Treaties establishing the European Communities and certain related acts. Signed at Amsterdam, 10 Nov. 1997. Effective on 1 May 1999. Official Journal of the European Communities, No. 97/C340/01. <http://eur-lex.europa.eu>.

Treaty of Maastricht (1992/1993)

Treaty on European Union. Signed at Maastricht, 7 Feb. 1992. Effective on 1 Nov. 1993. Official Journal of the European Communities, No. 92/C191/01. <http://eur-lex.europa.eu>.

Constitutions of EU Member States

For the analysis of national constitutions of EU member states the collections of the following online sources were used: Oceanalaw (www.oceanalaw.com); ICL (www.servat.unibe.ch) and the Institute for European Constitutional Law of the University of Trier (www.uni-trier.de).