

RECON Online Working Paper 2007/09

‘Doing Good’ in the World?

Reconsidering the Basis of the
Research Agenda on the EU’s Foreign
and Security Policy

Helene Sjursen



Helene Sjursen

'Doing good' in the world?

Reconsidering the basis of the research agenda on the EU's foreign and security policy

RECON Online Working Paper 2007/09

September 2007

URL: www.reconproject.eu/projectweb/portalproject/RECONWorkingPapers.html

© 2007 Helene Sjursen

RECON Online Working Paper Series | ISSN 1504-6907

Helene Sjursen is Research Professor at ARENA - Centre for European Studies at the University of Oslo. E-mail: helene.sjursen@arena.uio.no

The RECON Online Working Paper Series publishes pre-print manuscripts on democracy and the democratisation of the political order Europe. The series is interdisciplinary in character, but is especially aimed at political science, political theory, sociology, and law. It publishes work of theoretical, conceptual as well as of empirical character, and it also encourages submissions of policy-relevant analyses, including specific policy recommendations. The series' focus is on the study of democracy within the multilevel configuration that makes up the European Union.

Papers are available in electronic format only and can be downloaded in pdf-format at www.reconproject.eu. Go to Publications | RECON Working Papers.

Issued by ARENA

Centre for European Studies

University of Oslo

P.O.Box 1143 Blindern | 0317 Oslo | Norway

Tel: +47 22 85 76 77 | Fax +47 22 85 78 32

www.arena.uio.no

Abstract

What kind of foreign policy may be produced by an entity such as the EU – which is neither a state nor an international organisation? The efforts to build a common European foreign and security policy forces us to rethink deep seated understandings of what foreign and security policy actually is and of what a polity is that can conduct such policies. It requires us to reassess core analytical categories in the study of international relations and foreign policy, such as those of rationality, power and sovereignty. Through a reconceptualisation of core concepts it is possible to develop a distinct empirical research agenda on European foreign and security policy, allowing us to move forward in terms of accounting for the emergence of this peculiar foreign policy actor.

Keywords

Common Foreign and Security Policy - European Security and Defense Policy - European Union - Europeanisation - International Relations - Sovereignty

Why study European foreign policy?

Traditionally, there has been considerable skepticism to the value of conducting research on the European Union's (EU) foreign and security policy. To many there was no such thing as a European foreign policy, and even more so, no European security or defence policy. Only states were seen as able to conduct foreign policy, and there were only national foreign and security policies. To study European Political Cooperation (EPC), as it was once called, and even as some did, write thick books about it (Ifestos 1987), was considered a bit odd.

Nevertheless, it has become increasingly difficult to neglect the EU's international role. It is the world's largest trading power as well as a major donor of humanitarian assistance and development aid. Further, its gradual building of capabilities in security and defence makes it an important actor in areas of tension, as we can observe for example with regard to the Middle East. In spite of the skepticism, the European Union has forced itself upon the international agenda. And in fact, rather than a research topic that is only for those with very particular, not to say morbid, interests the EU's foreign and security policy, the efforts to build a common European foreign and security policy (CFSP), is both a fascinating and important object of study. It is an experimentarium, not only in practical, political, but also in conceptual terms, forcing us to rethink deep seated understandings of what foreign and security policy actually is and of what a polity is that can conduct such policies. Further, it leads us to think more carefully about the concepts we use to analyse foreign and security policy, and the way we describe and talk about it.

This argument that the European project is an experimentarium for a number of questions of broader theoretical and empirical relevance is often heard with reference to what we might call the 'domestic' politics, or the first pillar, of the EU. Foreign, security and defence policy, that is, the second pillar, is less often viewed in this way, perhaps because it remains formally intergovernmental and thus is not considered to challenge established concepts to the same extent. Nevertheless, we are faced with a major political experiment, which provides fertile ground for conceptual (re-)thinking. Are there additional reasons to these, which are of a general scientific character, why we should study the EU's foreign and security policy? A core aim of the *European Foreign and Security Policy Studies Programme* of Compagnia di San Paolo, Riksbankens Jubileumsfond and Volkswagen Stiftung is to 'strengthen the European dimension in the next generation of intellectual leaders and security experts'. This would suggest that there is something particular about this European dimension that is important and worthwhile cultivating and strengthening. What might this be? Why be concerned with questions such as that of the effectiveness of the EU's instruments and institutions? Why train young people to 'think European'? And why work so consistently and persistently as Anna Lindh did for the EU to become an important actor in the international system?

A traditional answer would, in line with the Realist perspective, be that it is important because it is through the EU that its member states can most effectively defend their interests in an anarchical world. In order to be influential and effective internationally European states must join forces. Yet, according to the European Union itself there is more to it than this. In the European Security Strategy (ESS) the EU's aims are linked

* This paper is a revised version of the lecture given at the Anna Lindh award ceremony, Brussels, 14 September 2006.

to 'doing good' in the international system. If this is so, it would certainly be a reason to train young people to 'think European'. And an academic literature has emerged that seems to agree with this, of course rather vague, notion of the EU as an actor that 'does good' in the world. This literature stresses the 'uniqueness' of the EU and links it to the EU's goals and values as well as the configuration of its foreign policy instruments. The argument is that the EU is distinguished from other actors not only because it is a *civilian* power as François Duchêne argued in 1972 (in the sense that it does not have military instruments at its disposal) but (also) a *normative, civilising or ethical* power within the international system (Whitman 1998; Smith 2000; Stavridis 2001; Manners 2002; Aggestam 2004; Lightfoot and Burchell 2005). Yet, for researchers to claim that the EU is a *normative, civilising or ethical* power can be problematic. Not only do they risk appearing as naïve moralists, as Realists will argue with Morgenthau or Kissinger that the purpose of a foreign policy is to pursue state interests and keep well away from morality. They also become vulnerable to the charge that they are unable to distinguish between their own sympathy for the European project and their academic role as critical analysts.

The ambivalence of 'doing good': Scholars or naïve moralists?

The argument that the EU is a 'normative/civilizing/ethical' power easily conjures up images of European imperialists or missionaries, who set out to shape the world in their image, convinced that their values and way of life was superior. Alternatively, it could be the stuff of hypocrisy, a simple cover for the promotion of particular interests. The problems with taking such conceptions as the starting point for research become even more evident against the backdrop of recent developments in European security and defence. Although it is important to question if the EU is, or has been, 'doing good' (or not) also in other fields such as for example international trade, the environment or agriculture, the prospect of military power changes the question. How is the availability of military resources reconcilable with a conception of 'normative' or 'ethical' Europe? I leave this question out for now.

In spite of the difficulties with conceptualizing the EU as a 'normative/civilizing/ethical' power, a number of empirical observations related for example to the EU's policy of democracy promotion, its introduction of human rights clauses in trade agreements, the emphasis on encouraging regional cooperation or the focus on building international institutions suggest that there may actually be something distinctive about the EU's foreign and security policy that requires attention, at least in comparison with what we tend to think of as the typical foreign policy of great powers (Risse and Börzel 2007). Hence, rather than being rejected outright, the literature concerning the EU as a *normative, civilising or ethical* power should be examined more closely. This is so also because it constitutes an attempt at tackling the conceptual challenges involved in making sense of the EU international role. As such, it can be used a stepping stone for further research. In the following I would like to make some suggestions as to the direction in which this research could go. What kind of questions may we ask and what needs to be changed in the way we study foreign and security policy in order to pursue them? I will discuss this based on a critique of the above literature and on a reconstruction of some of its gaps and missing links. In doing so I draw on a discourse theoretical perspective.

What kind of 'normative' power? The need for a critical standard

Rather than questioning the 'reality' of the EU as a foreign policy actor, the 'normative power' literature takes its existence for granted and seeks to define and conceptualise it. In this sense the fundamental question asked is that of much of the literature on the EU – i.e. 'what kind of polity is it?' – only, here with a specific focus on its external dimension. The EU's status is unclear and ambiguous. There are different interpretations of what constitutes its core characteristics, as well as the future direction of integration. It is less than a state, but certainly more than a classic international organization. What then, is it, and how should it be conceptualized? And what kind of foreign policy may such an undefined entity be able to produce?

A related puzzle is what kind of normative basis the foreign policy of a polity such as the EU rests upon. The normative basis of a state's foreign and security policy is conventionally linked to the idea that it defends the collective interests of a community of fate. The ultimate purpose and legitimacy basis of foreign and security policy is to defend this community and its values – to protect the *national interest*. Citizens' solidarity with that particular collectivity is taken for granted: when the national interest is at stake, you do not break ranks. An international organisation on the other hand is nothing more than a vehicle for the interests of its member states. As it does not have autonomy, it does not have, or is not expected to have, a self-standing normative basis independently of the member states. It would be legitimized through its ability to defend the interests of its members. But what about the foreign and security policy of a polity such as the EU, which as noted is neither a state nor an international organisation? As it cannot rely upon the kind of collective identity that we assume exists in the nation state – what is the normative basis that gives legitimacy and coherence to its foreign and security policy? The 'normative power' literature alludes to this puzzle, as it implies that there is something particular about the EU and the role that it plays in international affairs. However it does not have the tools to properly analyse what this particularity might be – nor to investigate what kind of normative basis it rests upon. It should also be noted, of course, that the puzzle of the EU's normative basis is a different kind of question to that of whether or not the EU may be described as a 'normative' power. While the former points to the need for an explanation, the latter is a conceptual exercise whose empirical relevance requires assessment. I return to the former issue in the last part of this lecture.

In order to assess the putative particularity of the EU's foreign policy, we need to know not only whether or not the EU 'is' a normative power, but what *kind* of normative power it is. Norms are a variety of different things and, after all, most actors pursue norms; most preferences also reflect a normative position and many foreign policy actors have some kind of normative influence or agenda. In fact, the United States or the former Soviet Union have both in different respects been 'normative' powers. Still, 'normative power' Europe is clearly identified as different from these. As the 'normative power' literature does not discriminate between different types of norms, it does not have a sufficiently nuanced conceptual apparatus to investigate what kind of normative power the EU may be and to substantiate this claim of a particularity to the EU's foreign and security policy compared to that of the two superpowers.

A second, and crucial, problem that follows from this indiscriminate view of norms is the often implicit link between the pursuit of norms and the idea that the EU is 'doing good' in the international system, or between the idea that the EU is a 'civilian power'

and that such a power is necessarily a good thing. The challenge here is not only that norms are a variety of different things, but that all of them do not necessarily lead to good things. In order to resolve this we need to find a way to assess if the pursuit of norms is legitimate. It could very well be that the EU's pursuit of norms or efforts to define what is considered 'normal' (Manners 2002) for example is an expression of Eurocentric cultural imperialism, even though the literature claims that this is not the case. If we fail to distinguish between different types of norms and their validity and legitimacy basis, we cannot really tell – we are required to trust the analyst's personal assessment of what is 'good', without being provided with clear reasons and critical standards. Hence the concern that the 'normative power' literature is simply apologetic and uncritical. It is only if we are clear regarding the basis on which such claims are made, that they may be critically assessed and vindicated – or rejected.¹ In other words, there is a need to establish what kind of standard for 'goodness' is being used and to clarify its legitimacy basis. Surprisingly, this is rarely done in the existing literature.²

A cosmopolitan perspective

I suggest that a criterion, a critical standard, for a 'normative' – or what will hereafter be referred to as a 'humanitarian' – power may be derived from a cosmopolitan perspective. This perspective presupposes the possibility of a community based on certain universal principles, and depicts an international order constrained by a higher ranking law, and not by a balance of power.³ An emphasis on law is important as a foreign policy that claims to be 'doing good' – to act in the name of 'humanity' – must be held accountable. Unchecked power, exercised in the name of 'humanity' as such, in the name of human rights alone, may easily lead to totalitarianism (Eriksen 2006). Further, the law would alleviate suspicions of hypocrisy and ensure consistency in the application and pursuit of norms. There is always a risk that actors will follow their own interests even if they know that this may harm others, or suspect that others do so, even if they say the opposite. In order to avoid such risks, common rules are necessary. The law functions as a system of action that makes it possible to implement moral duties as common commitments.⁴ A distinction is made, then, between traditional international law and multilateralism on the one hand and a cosmopolitan law of the people on the other hand. While the rights of states to external sovereignty is a core principle in international law and multilateralism, cosmopolitanism refers to the rights of individuals and prioritises this above the rights of states.⁵

Such a critical standard would be consistent with the idea of a foreign policy actor that breaks with what we understand by the 'traditional' foreign policy practice of great powers. The core feature of a humanitarian power would be that it acts

¹ For a more detailed analysis of the 'normative' power literature see Sjursen (2006a and b).

² It follows that attempts at assessing the empirical fit of the 'normative' power argument are rather futile unless a clearer definition is provided.

³ There are a number of different 'cosmopolitanisms' Brown (1992). What is presented here can only be a sketchy outline, pointing to some core components. It draws in particular on the chapters contained in Bohman and Lutz-Bachman (1997), Habermas (2001) and Eriksen and Weigård (2003).

⁴ The argument is based on the assumption that modern law is premised on human rights. For further discussions of the relationship between law and morality see Apel (1997) and Habermas (1997).

⁵ For analyses of the legitimacy of cosmopolitan law see Habermas (1996), Rawls (1999), Beitz (1979), Forst (2001).

externally in order to transform the parameters of power politics through a focus on the international legal system, rather than to write itself into the existing international system through an emphasis on multilateralism or with the aim of establishing a (new) balance of power. It would be one that seeks to overcome power politics through a strengthening of cosmopolitan law, emphasizing the rights of individuals and not only the rights of states to sovereign equality, the purpose being to establish a global law of citizens. Further, a humanitarian power would be a power that is willing to bind itself, and not only others, to such common rules. Nevertheless, what is suggested here is a thin version of cosmopolitanism, where few functions are considered 'up loadable' to the global level. It is based on a narrow conception of justice, where the cosmopolitan level would focus on human rights and security.

As the international system is still one in which legal procedures for protecting human rights are weak, a question for empirical research could be to what extent the EU's arguments for human rights were presented only with regard to particular actors or cases or whether they were also part of a broader effort to transform their legal status in international law. An example of such efforts would be to support the establishment of the International Criminal Court (ICC). Furthermore, one might expect that a humanitarian power would develop standards, mechanisms and policy instruments that would ensure that its own policies are consistent with such principles. The confirmation of the Charter of Rights as legally binding for the EU and its member states would be one such indicator, as it would ensure greater consistency between internal and externally projected standards.

What kind of norms?

As noted, a cosmopolitan perspective presupposes the possibility of agreement on certain universal principles. Hence it rests on the analytical distinction between moral and ethical norms. Moral norms refer to questions that may be settled with reference to justice and concern deontological principles such as human rights, democracy and rule of law. Ethical norms, or values, refer to questions of what is conceived of as the common good and thus revolve on what can be justified in a context-bound ethical-political discourse. While ethical norms and the concept of values are connected to the characteristics of a specific community and to the identity of the members of that community, understood as collective representations of the good that vary according to cultural and social context; moral norms or rights – referring to justice – are universal in the sense that they pertain to humanity as such, independently of particular identities and belongings.⁶

The distinction becomes central for example if what we have in mind is a conception of the EU as an actor that promotes norms, but does so without following down the path of European imperialism. Whereas it would not be reasonable to expect transcultural agreement about values, the same is not necessarily the case with regard to higher order norms such as 'equality, freedom, solidarity, self-realisation and human dignity' (Eriksen and Weigård 2003: 138). Values or conceptions of what is good may vary according to cultural or social contexts. They are particular for example to a specific community or a specific collective identity. If the EU defines itself, and thinks of itself, as a 'force for the good' then, as already noted, this could be

⁶ The distinction is connected to that often drawn in debates on international relations theory between cosmopolitan and communitarian perspectives (Brown 1992).

a subjective definition linked to a particular European understanding and defined in a particular European cultural context. It may not match what is defined as good or valuable in other parts of the world, conditioned by other cultural or social norms. So 'normative power' Europe could be true to its own norms, yet be perceived as acting in the same way as 'historical empires'. This basic analytical distinction is important but lacking in the literature on the EU as a 'humanitarian power'. The suggestion here is that a critical standard for a humanitarian power be linked to an emphasis on moral norms, seeking to establish what is right, fair or just, and which can be kept separate from ethical norms.

The principle of universalization provides a test for the validity of moral norms. Norms may be considered valid when they meet the condition that: 'All affected can accept the consequences and the side effects its *general* observance can be anticipated to have for *everyone's* interest (and the consequences are preferred to those of known alternative possibilities for regulation)' (Habermas 1990: 65, cited in Eriksen and Weigård 2003: 69). This principle requires all parties to view the issue from the perspective of the other parties involved. In order to identify the EU as a humanitarian power, the question would then be whether or not its external action relies on norms that may be tested and found to be in accordance with this principle.⁷

However, it is one thing to be able to justify a norm with reference to the principle of universalization. Another is to know if the norm is correct in a particular context: 'The test of universalisability can be used to rule out certain norms of action if it turns out that they are not universalisable' (Eriksen and Weigård: 2003: 80). But, what is the right action in a given situation is not necessarily self evident. In a given context we often face several universalizable norms that have conflicting content, and that would point us in different directions. In order to solve such dilemmas, a distinction has been made between a discourse of justification and a discourse of application. According to the latter, 'the question is if a particular rule should be followed in the present circumstances, and in case of yes, how this should be done' (ibid p. 80).

Utopian normativity?

Many will however consider that even when such precautions are taken, multilateralism is as good as it can get and that the idea of a cosmopolitan perspective resting on shared universalistic norms must be set aside. Some would argue that this is due to cultural differences that make it impossible to come to a rational agreement on universally acceptable norms (Brown 1999). Others would rather emphasize the inherent characteristics of the international system leading to insurmountable practical difficulties in establishing cosmopolitan law, which would ensure the rights not only of states but also the fundamental rights of citizens. The former seems to be the position of Diez (2005), who suggests that the 'normative' power argument should be understood as a practice of constructing a European identity. From an identity perspective, actor rationality is linked to a particular context, and the potential for a rational agreement beyond different cultural contexts or identities is limited. Consequently, from this standpoint, claims to universality can only be viewed as expressions of a particular conception of what is 'good', at worst they represent a form of hypocrisy aiming for the domination of others. This is what Diez appears to

⁷ With regard to ethical norms, they may be considered valid, or rather, appropriate, if they are accepted by all those that are part of a given political community.

imply when he argues, with reference to the EU's international role, that: 'The standards of the self are not simply seen as superior but of universal validity, with the consequence that the other should be convinced or otherwise brought to accept the principles of the self' (2005: 10). However, if this is so, the conclusion regarding 'normative' power EU is given in advance. Then, 'normative' power cannot be anything else than a form of cultural imperialism, unless it abandons the ambition to 'shape conceptions of what is normal' (Manners 2002: 239). Quite clearly this puts the ambitions of the EES, as well as the scholarly claim that 'normative' power or 'civilian' power is a good thing in a dubious light.

Not all agree. Axel Honneth writes that although a critique of the universalism of human rights finds advocates in growing numbers, it 'belongs to the antiquated heritage of the counter-Enlightenment' (1997: 167). He further rejects the claim that 'the moral obligations of universalism are too great a burden both for individual subjects and for nations' (p. 167). He argues that the character of the moral relationship between nations and civil actors has changed and that due to the spread of democracy, civil society plays an increasingly independent role also in international affairs. Increased transparency and access to information pressure governments to provide reasons for their policies. A number of organizations and movements promote the realization of human rights across state borders. Consequently, the transformation of power politics is already under way, according to Honneth.

Regardless of where one would fall down with reference to the above debate, the main point here has been to highlight that if we are to pursue research on the notion of the EU as a 'normative' or as it has been labelled here, humanitarian, power, there is a need for an explicit critical standard, as well as a clarification of the validity and legitimacy basis of the norms that are referred to. Further, if empirical research is to be pursued, indicators that are consistent with this standard must be established. This is lacking in the existing literature. It may well be that in empirical terms, the critical standard suggested here, will not 'fit'. It may also be that there are other critical standards 'out there' that analysts find more acceptable. What has been presented here is simply one suggestion as to where we may look for a such a standard, as well as to what may be its sources of legitimacy.

Rethinking core categories

What are the implications of this perspective - of the theoretical presuppositions of the cosmopolitan view - for the study of the EU's external policy? If we are to examine its relevance we need to rethink some of the basic categories, or analytical tools, traditionally used in the study of foreign policy and international relations. I will highlight three such here and make some preliminary suggestions with regard to the direction in which a rethinking may go.

First, the conception of actors' rationality. In International Relations it is conventionally linked to instrumentality - actors are seen as rational in the sense that they seek to maximise their own interests (Krasner 1999). International politics is considered to be the outcome of adverse self-interested behaviour under conditions of anarchy. As I have already hinted at, an alternative conception would suggest that actors may also act on the basis of normative expectations or assessments. Justice and fairness, and not only self-interest, would be within the realm of rationality. This is

linked to a communicative conception of rationality where actors are considered rational when they are able to justify and explain their actions in relation to intersubjectively valid norms, i.e. norms that cannot be reasonably rejected in a rational debate, and not only when they seek to maximise their own interests (Eriksen and Weigård 2003). A rational actor could explain actions with reference to principles that, all things considered, can be recognised as 'just' by all parties, irrespective of their particular interests, perceptions of the 'good life' or cultural identity. This conception provides an additional basis to that developed through a rational choice perspective from which we may understand the policy-choices that actors make. It provides the necessary micro foundations for the cosmopolitan perspective, because it allows us to account for ideal motives as a basis for rational action. It allows us to conceive of actors that may act in accordance with normative conviction and not only with reference to particular interests. Further, the idea of the legitimacy of cosmopolitan law rests on the assumption that it is possible to come to a rational agreement on universally acceptable norms. It is the process of deliberation, of giving and taking reasons, leading to such a rational agreement that would provide the test for the legitimacy – or lack of such – of the pursuit of norms.

Second, the conception of power. Traditionally (in International Relations) it is understood in materialist terms. Power is seen as linked to physical resources, be they economic or military. These resources are considered to be what is necessary in order to allow actors to enforce their own will/to impose it on others. An alternative conception would suggest that you also need legitimacy in order to have power. In fact, it would suggest that if an actor does not have legitimacy, i.e. support for what it does, it does not, in the long run, have power either. Such a reconceptualisation would highlight that the concept of power is not absent from a cosmopolitan perspective (in spite of what is often argued in international relations), as the threat of sanctions may be necessary in order to ensure that the law is upheld. However, a cosmopolitan perspective relies on the assumption that it is possible to find a basis for *legitimate* power.⁸ This would arise in the communication between citizens: 'Power is collective and intersubjective by nature; it is created in the interaction between agents, and it is only in operation and is only strong as long as the people are assembled and agree'. (Eriksen and Weigård 2003: 173)

Incidentally, such a conception of power is not a far fetched utopia. In fact, several empirical examples suggest that there is already a conception of 'legitimate power' at work in the international system and further that there are already informal sanctions of some kind in world politics connected to the breach of accepted norms regarding the exercise of power. This may explain why even the United States (US), in spite of its overwhelming military might, keeps returning to the United Nations (UN) to gain support for its policies. Even the world's largest, perhaps only, superpower appears ultimately to be dependent on legitimacy in order to achieve its foreign policy objectives. It may also help us understand why the US was so concerned with highlighting that there was a large number of participants in the so-called 'coalition of the willing' in Iraq, even though, in terms of resources, they did not all make a substantive contribution. The 'symbolic' support that such a coalition provides gives legitimacy to the action itself. Likewise, through such a reconceptualisation it may seem less paradoxical that the European Parliament (EP), which has no traditional

⁸ This conception of power may be traced back to Hanna Arendt's consensual view of power, and her distinction between power and coercion. She writes that 'Power springs up whenever people get together and act in concert, but it derives its legitimacy from the initial getting together rather than from any action that then may follow', in Haugaard (2002: 141).

power tools to wield in foreign policy, is nevertheless listened to and taken seriously when it raises its voice on international issues. As described by MEP Elmar Brook: when the EP criticises a state for example for violations of human rights, the representatives of the state in question usually show up in his office the next day to defend or justify their policies. Why, one might wonder, when the EP has no resources whatsoever available to influence the flow of world affairs – it does not even have much of a say on the development of the EU's own foreign and security policy – would they bother to take it seriously? In order to understand the power of the EP in such situations, an alternative to the materialist conception is required. – And in turn, this suggests that some elements of the prerequisites for a cosmopolitan world order may actually be in place.

A third concept that may require rethinking in light of a cosmopolitan perspective is that of sovereignty. It is defined formally with reference to international law. In order to be sovereign states, as legal entities, have traditionally been seen to need two things: firstly, control over a territory- they need to have constitutional independence; and secondly, recognition from other sovereign states. There has been no formal link between the perceived legitimacy of a particular government and the status of (external) sovereignty. However, due to two parallel developments at the domestic and international level, that is the increase in the number of states that have formally committed themselves to democratic rule (1); and the strengthening of the legal protection of human rights internationally (2), a state that does not respect the sovereignty of its people faces increasing difficulties in achieving international recognition. The establishment of the International Criminal Court, for example, exemplifies the tendency towards an '...increasing conditionality of sovereignty' (Dryzek 2006: 61). Consequently, an attempt at redefining the concept of sovereignty could take the question of human rights into account, and move in the direction of a link between the question of a state's respect, or lack of such, for the fundamental rights of the individual and its status as sovereign. Such a move would be in line with a cosmopolitan perspective in the sense that it considers the individual as the core legal subject. In the words of David Held: 'The ultimate units of moral concern are individual people, not states or other particular forms of human association' (Held 2003: 470). From a cosmopolitan perspective the individual human being is seen as the holder of rights within a legal framework. Only individuals can claim moral respect. Borders of states or collectives do not make the same strong claim (Eriksen 2003: 54).

Such reconceptualisations as the ones suggested above, and in particular the introduction of the concept of communicative rationality, may also help us tackle a second question arising through the literature on the EU as a 'normative/ethical power': How can it be that a polity such as the EU – which, as noted, is neither a state nor an international organisation – can conduct foreign and security policy at all? The CFSP and its Security and Defence Policy (ESDP) are voluntary arrangements, held together by a set of common norms and rules; however, the possibility of formally sanctioning a norm breaker, an actor that does not comply with a common standpoint, is limited. How come that this policy 'hangs together' then, in particular in situations where there is no obvious and easily calculable gain for the participants? And, as noted earlier, what is the normative basis for this foreign policy?

How is collective action possible? A focus on institutions and procedures

A number of empirical observations regarding the operations of the CFSP/ESDP suggest that cohesion within this policy field is linked to a departure from a simple intergovernmental organizing model. Several authors refer to a process of 'Brusselsisation' of European foreign and security policy (Allen 1998; Howorth 2003) which is defined as a shift in the locus of national decision-making to Brussels-based institutional structures. As a consequence it becomes increasingly difficult for national foreign ministries to control all aspects of national foreign policy-making. The Brussels-based institutions are considered to 'gain the advantage' amongst other things due to easy and daily access to information and dialogue with partner states. Further, and in line with the notion of 'Brusselsisation', a number of authors point to a certain transformatory capacity of the EU's foreign and security policy vis à vis national foreign policies (Aggestam 2004; Tonra 2001; Torreblanca 2001; Pijpers 1996). Despite the well-known solo initiatives of some of the EU's member states in situations of crisis, it is argued that it is increasingly difficult for Member States to escape expectations of consistency between national foreign policy and the foreign policy positions of the EU. The existence of clearly distinguishable national preferences within European foreign policy has become less obvious.

The overall impression that emerges through observations such as these is that although the CFSP remains formally intergovernmental and hence in principle is simply an instrument in the hands of the member states, the Brussels-based institutions have gained considerable autonomy (Tonra 2000, Duke and Vanhoonacker 2006, Curtin 2007). They contribute to shape the EU's foreign and security policy and also to re-shape national perspectives and preferences in the field. However, a number of questions remain unanswered. Much further research is required in order to confirm the significance and validity of the above observations. The phenomenon of 'Brusselsisation' must be further specified in order for us to assess its significance and implications for our understanding of European foreign and security policy. Most importantly, however, how may these developments be accounted for in theoretical terms? After all, they challenge deep seated ideas and conceptions of this policy-field as the exclusive domain of the nation state. How do member states manage to come to agreement on a common foreign and security policy and how can we account for a voluntary relinquishing of sovereignty to common institutions?

Departing from the concept of communicative rationality, we may conceive of dialogical actors '...who co-ordinate their plans through argumentation, aimed at reaching mutual agreement' (Eriksen and Weigård 1997: 221). Actors would be conceived of as able to change viewpoints as a result of a better argument. On this basis it is possible to conceive of a process of deliberation - of arguing and counter arguing - as a mechanism that might contribute to account for developments beyond intergovernmentalism (Eriksen and Weigård 1997; Sjursen 2004). Deliberation stands in contrast to threat-based bargaining and voting as procedures for coordination. Bargaining, which is considered to be the dominant mode within international affairs, presupposes the availability of carrots and sticks and leads to a compromise. However within the framework of the CFSP/ESDP bargaining resources are rather slim - there is little to threaten with. Hence, at first sight this does not appear to be a sufficient conception in order to account for a putative move beyond intergovernmentalism. As for voting, which is mostly linked to domestic politics

although also practiced in some international settings, it is less relevant with regard to the CFSP/ESDP as decisions in this field require unanimity. Deliberation may be particularly relevant because it is a mechanism that highlights the voluntary aspect of a process that leads to an agreement. In a context where compliance-ensuring mechanisms are missing, deliberation, or a process of giving and taking reason may be seen to compensate for this. Parties coordinate actions through giving and taking arguments, rather than through power, threats and/or warnings. Deliberation is expected to lead to a common understanding, rather than a mere compromise reflecting the relative power balance between the parties involved. Hence it may also contribute to explain stability over time of a given entity. The risk of defection that follows from a process of bargaining is less pronounced, as actors agree on a joint set of reasons for common policies.⁹

However, such argumentative processes are fragile. Actors must be in a setting where they are able to trust that the other parties are (also) playing by the rules, i.e. are willing to abide by the better argument. Consequently, this perspective would point us in the direction of the institutions and procedures that are in place and the extent to which they allow for argumentative processes to be realised. What kind of values and norms are enshrined in the institutions of European foreign and security policy, and what kind of sovereignty, power and rationality do they presuppose or embody? To what extent are the institutions only aggregative, as one would expect if interaction primarily takes the form of bargaining or voting? – Do they only register preferences or do they function in a way that allows for an integration of preferences and thereby contribute to establish or provide a basis for collective action? Does a sense of trust, we-feeling and collegiality, an institutional identity, allowing for a common agreement on policies appear to have developed amongst the participants?

To take but some examples, mechanisms such as the requirement of consultation between member states, which entails (in principle) that member states take no final position on foreign policy matters before consulting with the other member states may be important in this respect. This requirement has (according to observers such as Nuttall 2000) become the standard in the CFSP – that is, there is what is often called a 'coordination reflex' at work in European foreign and security policy. The frequency of meetings amongst national representatives in the various institutional settings organised under the Council and located in Brussels, the time spent on the preparation of these meetings as well as their duration, may also be important factors. Research may investigate if they contribute to establish trust as well as a sense of commonality amongst the actors involved? Committee studies of other EU areas, as well as IR studies, have documented changes in role-perception, learning and alteration of preferences in such sites.¹⁰

Concluding remarks

In this lecture I have presented a three-step argument based on a particular strand of literature on European foreign and security policy. First, I have suggested that we need to develop a critical standard for assessing the putative normative basis of an EU

⁹ The distinction between deliberation as a decision-making procedure and deliberative democracy is important here, as the hypothesis outlined above does not imply that the establishment of a common European foreign policy entails a democratization of this policy-field. The opposite is more likely to be the case.

¹⁰ See Joerges and Vos (1999) and Risse (2000).

foreign policy. Secondly, I have argued that developing this critical standard entails a need for rethinking some core analytical categories in the study of international relations and foreign policy. Thirdly, this reconceptualisation opens for a distinct empirical research agenda on European foreign and security policy, allowing us to move forward in terms of accounting for the emergence of a foreign policy actor such as the EU.

My intention has neither been to 'prejudge' the outcome of any empirical research that might be developed on the basis of concepts such as those discussed here, nor to make substantive empirical claims about the EU's external policies. Although, as noted, it seems to me that there are some empirical observations 'out there' that justify the development of such an analytical scheme, much more systematic empirical research is required. My point has been that we need to reconsider, clarify and specify the analytical tools we use in order to conduct such research. Finally, the conceptual scheme discussed here should not be seen as a call for a 'normative' theory of the kind that suggests what 'ought to be done' in European foreign and security policy. Rather, and perhaps most importantly on this occasion, the aim has - in the spirit of Anna Lindh - been to point towards a conceptual apparatus that would make it possible to understand or conceive of ideal motives as a basis for action - to suggest that there is rationality also to such a form of action. Ideal motives are not a 'naïve' thing of 'doing good'. They are linked to the aim of upholding the legitimacy and stability of a political order. Thereby, such concepts may help us understand the puzzle of how the emergence of the CFSP/ESDP has been possible even though our traditional conceptual toolbox in foreign and security policy tells us that it is a virtual impossibility.

Bibliography

- Aggestam, L. (2004) 'A European Foreign Policy? Role Conceptions and the Politics of Identity in Britain, France and Germany', doctoral dissertation, Department of Political Science, Stockholm University.
- Allen, D. (1998) 'Who Speaks for Europe? The search for an effective and coherent external policy', in J. Peterson and H. Sjursen (eds) *A Common foreign policy for Europe? Competing visions of the CFSP*, London: Routledge.
- Apel, K.-O. (1997) 'Kant's "Towards Perpetual Peace" as Historical Prognosis from the Point of View of Moral Duty', in J. Bohman and M. Lutz-Bachmann (eds) *Perpetual Peace. Essays on Kant's Cosmopolitan Ideal*, Cambridge, MA: MIT Press.
- Beitz, C. (1979) *Political Theory and International Relations*, Princeton, NJ: Princeton University Press.
- Bohman, J. and M. Lutz-Bachmann (eds) (1997) *Perpetual Peace. Essays on Kant's Cosmopolitan Ideal*, Cambridge, MA: MIT Press.
- Brown, C. (1992) *International Relations Theory. New Normative Approaches*, Exeter: Harvester Wheatsheaf.
- (1999) 'Universal Human Rights: a Critique', in T. Dunne and N. J. Wheeler (eds) *Human Rights in Global Politics*, Cambridge: Cambridge University Press.
- Curtin, D. (2007) 'Transparency, audiences and the evolving role of the EU Council of Ministers', in J. E. Fossum and P. Schlesinger (eds) *The European Union and the Public Sphere. A communicative space in the making?*, London: Routledge.
- Diez, T. (2005) 'Constructing the Self and Changing Others: Reconsidering "Normative Power Europe"', *Millennium*, 33(3): 613-36.
- Dryzek, J. (2006) *Deliberative Global Politics*, Cambridge: Polity Press.
- Duchêne, F. (1972) 'Europe's Role in World Peace', in R. Mayne (ed.) *Europe Tomorrow: Sixteen Europeans Look Ahead*, London: Fontana.
- Duke, S. and S. Vanhoonacker (2006) 'Administrative Governance in the CFSP: Development and Practice', *European Foreign Affairs Review*, 11: 163-82.
- Eriksen, E. O. (2003) 'Why a Constitutionalised Bill of Rights?', in E. O. Eriksen, J. E. Fossum and A. J. Menéndez (eds) *The Chartering of Europe. The European Charter of Fundamental Rights and its Constitutional Implications*, Baden-Baden: Nomos.
- (2006) 'The EU - a cosmopolitan polity?', *Journal of European Public Policy*, 13(2): 252-69.
- Eriksen, E. O. and Weigård, J. (1997) 'Conceptualizing Politics: Strategic of Communicative Action?', *Scandinavian Political Studies*, 20(3): 219-41.
- (2003) *Understanding Habermas. Communicative Action and Deliberative Democracy*, London: Continuum.
- Forst, R. (2001) 'The Rule of Reasons: Three Models of Deliberative Democracy', *Ratio Juris*, 14(4): 345-78.
- Habermas, J. (1990) *Moral Consciousness and Communicative Action*, Cambridge: Polity Press.
- (1996) *Between Facts and Norms*, Cambridge, MA: MIT Press.
- (1997) 'Kant's Idea of Perpetual Peace, with the Benefit of Two Hundred Years' Hindsight', in J. Bohman and M. Lutz-Bachmann (eds) *Perpetual Peace. Essays on Kant's Cosmopolitan Ideal*, Cambridge, MA: MIT Press.
- (2001) *The Postnational Constellation. Political Essays*, Oxford: Polity Press.

- Haugaard, M. (ed.) (2002) *Power. A Reader*, Manchester: Manchester University Press.
- Held, D. (2003) 'Cosmopolitanism: globalization tamed', *Review of International Studies*, 29(4): 465-80.
- Honneth, A. (1997) 'Is Universalism a Moral Trap? The Presuppositions and Limits of a Politics of Human Rights', in J. Bohman and M. Lutz-Bachmann (eds) *Perpetual Peace. Essays on Kant's Cosmopolitan Ideal*, Cambridge, MA: MIT Press.
- Howorth, J. (2003) 'European Defence and the Changing Politics of the European Union: Hanging together or Hanging Separately?', *Journal of Common Market Studies*, 39(4): 765-90.
- Infestos, P. (1987) *European Political Cooperation: Towards a Framework of Supranational Diplomacy?*, Aldershot: Avebury.
- Joerges, C. and E. Vos (eds) (1999) *EU Committees: Social Regulation, Law and Politics*, Oxford: Hart Publishing.
- Krasner, S. (1999) 'Logics of Consequence and Appropriateness in the International System', in M. Egeberg and P. Lægveid (eds) *Organizing Political Institutions. Essays for Johan P. Olsen*, Oslo: Scandinavian University Press.
- Lightfoot, S. and J. Burchell (2005) 'The EU and the world summit on sustainable development', *Journal of Common Market Studies*, 43(1): 75-95.
- Manners, I. (2002) 'Normative Power Europe: A Contradiction in Terms?', *Journal of Common Market Studies*, 40(2): 235-58.
- Nuttall, S. (2000) *European Foreign Policy*, Oxford: Oxford University Press.
- Pijpers, A. (1996) 'The Netherlands: the weakening pull of Atlanticism', in C. Hill (ed.) *The actors in Europe's foreign policy*, London: Routledge.
- Rawls, J. (1999) *The Law of Peoples*, Cambridge, MA: Harvard University Press.
- Risse, T. (2000) "'Let's argue!' Communicative action in world politics", *International Organization*, 54(1): 1-39.
- Risse, T. and T. A. Börzel (2007) 'Venus Approaching Mars? The EU as an Emerging Civilian World Power', paper prepared for the Bi-Annual Conference of the European Union Studies Association (EUSA), Montreal, Canada, 17-19 May 2007.
- Sjursen, H. (2004) 'Changes to European Security in a Communicative Perspective', *Cooperation and Conflict*, 39(2): 107-28.
- (2006a) 'What kind of power?', *Journal of European Public Policy*, 13(2): 169-81.
- (2006b) 'The EU as a "normative" power: how can this be?', *Journal of European Public Policy*, 13(2): 235-51.
- Stavridis, S. (2001) 'Militarising the EU: the concept of civilian power Europe revisited', *International Spectator*, 36(4): 43-50.
- Smith, K. E. (2000) 'The End of Civilian Power EU: A Welcome Demise or Cause for Concern?', *International Spectator*, 35(2): 11-28.
- Tonra, B. (2000) 'Committees in common. Committee governance and CFSP', in T. Christiansen and E. Kirchner (eds) *Committee Governance in the European Union*, Manchester: Manchester University Press.
- (2001) *The Europeanisation of national foreign policy: Dutch, Danish and Irish Foreign Policy in the European Union*, Aldershot: Ashgate.
- Torreblanca, J. (2001) 'Ideas, preferences and institutions: explaining the Europeanisation of Spanish foreign policy', ARENA Working Paper 26/01, Oslo: ARENA.

Whitman, R. (1998) *From Civilian Power to Superpower? The International Identity of the European Union*, Basingstoke: Macmillan.

RECON Online Working Papers

2007/09

Helene Sjursen

'Doing Good' in the World?

Reconsidering the Basis of the Research Agenda
on the EU's Foreign and Security Policy

2007/08

Dawid Friedrich

Old Wine in New Bottles?

The Actual and Potential Contribution of
Civil Society Organisations to Democratic
Governance in Europe

2007/07

Thorsten Hüller

Adversary or 'Depoliticized' Institution?

Democratizing the Constitutional Convention

2007/06

Christoph Meyer

The Constitutional Treaty Debates as Revelatory Mechanisms

Insights for Public Sphere Research and
Re-Launch Attempts

2007/05

Neil Walker

Taking Constitutionalism Beyond the State

2007/04

John Erik Fossum

Constitutional Patriotism

Canada and the European Union

2007/03

Christian Joerges

Conflict of Laws as Constitutional Form

Reflections on International Trade Law
and the *Biotech* Panel Report

2007/02

James Bohman

Democratizing the Transnational Polity

The European Union and the
Presuppositions of Democracy

2007/01

Erik O. Eriksen and John Erik Fossum

Europe in Transformation

How to Reconstitute Democracy?

Reconstituting Democracy in Europe (RECON)

RECON seeks to clarify whether democracy is possible under conditions of complexity, pluralism and multilevel governance. Three models for reconstituting democracy in Europe are delineated and assessed: (i) reframing the EU as a functional regime and reconstituting democracy at the national level; (ii) establishing the EU as a multi-national federal state; or (iii) developing a post-national Union with an explicit cosmopolitan imprint.

RECON is an Integrated Project financed by the European Commission's Sixth Framework Programme for Research, Priority 7 - Citizens and Governance in a Knowledge-based Society. Project No.: CIT4-CT-2006-028698.

Coordinator: ARENA - Centre for European Studies, University of Oslo.

Project website: www.reconproject.eu

RECON Online Working Paper Series

The Working Paper Series publishes work from all the researchers involved in the RECON project, but it is also open to submissions from other researchers working within the fields covered by RECON. The topics of the series correspond to the research focus of RECON's work packages. Contact: admin@reconproject.eu.

Editors

Erik O. Eriksen, *ARENA - University of Oslo*

John Erik Fossum, *ARENA - University of Oslo*

Editorial Board

Ben Crum, *Vrije Universiteit Amsterdam*

Zdzislaw Mach, *Jagiellonian University Krakow*

Yvonne Galligan, *Queen's University Belfast*

Agustín José Menéndez, *University of León*

Christian Joerges, *European University Institute*

Helene Sjursen, *ARENA - University of Oslo*

Ulrike Liebert, *University of Bremen*

Hans-Jörg Trenz, *ARENA - University of Oslo*

Christopher Lord, *University of Reading*

Wolfgang Wagner, *Peace Research Institute Frankfurt*