

EU security governance

Emil Kirchner & James Sperling

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Dedication

To Jo and Joy

Contents

<i>List of illustrations</i>	<i>page</i> viii
<i>Preface</i>	xi
<i>Acknowledgements</i>	xviii
<i>List of abbreviations</i>	xix
1 Introduction: the EU and the governance of European security	1
2 Policies of prevention: preempting disorder along the periphery	25
3 Policies of assurance: peace-building in south-eastern Europe	78
4 Policies of protection: meeting the challenge of internal security	120
5 Policies of compellence: projecting force into an uncertain world	185
6 Conclusion: securing Europe in the twenty-first century	217
<i>Bibliography</i>	248
<i>Index</i>	276

Illustrations

Figures

1.1	Threat typology	13
1.2	Governance challenges	14
1.3	Governance policies	15
Appendix 3.2	Main international structures in south-eastern Europe	114

Tables

2.1	Types of policies, instruments, monitoring tools and financial means of EU conflict prevention	36
2.2	Financing of crisis management operations	41
2.3	Possible crisis actions and related EC instruments	46
2.4	ENP performance	48
2.5	Per capita payments and absorption rates	50
2.6	Common foreign and security policy budget (in euros)	55
2.7	ENP democratic indicators, 2000–2005	60
2.8	ACP democratic indicators, 2000–2005	66
Appendix 2.1	ACP democratic indicators by individual countries, 2000–2005	70
3.1	Stability Pact allocations: total assistance to south-east Europe by donor, 2001–2005	90
3.2	CARDS Programme country allocations by countries for 2002–2005/06	90
3.3	Stability Pact donor assistance to south-east Europe by sector, 2002–2005	91
3.4	CARDS assistance by sector and year for Albania, Bosnia and Herzegovina, Croatia, and the former Yugoslav Republic of Macedonia, 2002–2005/06	92

3.5	CARDS assistance by sector and year for Serbia and Montenegro and Kosovo, 2002–2005	93
3.6	CARDS Regional Programme, 2002–2004	93
3.7	Regional networks	94
3.8	Refugees and internally displaced persons (IDPs) in the western Balkans, 1999–2005	98
3.9	South-eastern Europe democratic indicators, 2000–2005	99
3.10	SAP south-eastern Europe: summary table	101
3.11	EU civilian missions (excluding the western Balkans)	109
Appendix 3.1	Working tables of the Stability Pact for SEE	113
4.1	Major institutional innovations and networks	139
4.2	Europol budget and activities, 2000–2005	141
4.3	Eurojust coordination meetings, 2002–2005	143
4.4	Categories of cases referred to Eurojust, 2001–2005	144
4.5	Categories of offenses referred to Eurojust, 2002–2005	145
4.6	Major EU initiatives strengthening judicial cooperation	155
4.7	Major EU initiatives facilitating police cooperation	157
4.8	EU programmes targeting police and judicial cooperation	159
4.9	Major EU initiatives in combating terrorism	162
6.1	Rationale for collective action	222
6.2	Principles of action	225
6.3	Policy challenges and goals	226
6.4	Institutional evolution of the EU as a security actor	230
6.5	The EU's performance as a security actor	233
6.6	Assessment of the EU as a security actor	236

Preface

Important changes have taken place in the European state system over the past fifty years and those changes were accelerated by the collapse of the post-war bipolar world. These changes initiated the enquiry into our understanding of security and the nature of security threats, the target of those threats, and the instruments best matched to meeting them. Moreover, the European Union (EU) has emerged as an important security actor *qua* actor, not only in the non-traditional areas of security, but increasingly as an entity with force projection capabilities. Why has the EU emerged as a security actor and why have its member states turned to the EU to resolve the security dilemmas that they face? The intersection of the military and non-military elements of the contemporary security agenda and the role of the European Union as a central provider of European security constitute the empirical focus of *EU security governance*. We link the challenges of governing Europe's security to the changing nature of the state, the evolutionary expansion of the security agenda, and the insufficiency of the traditional forms and concepts of security cooperation. *EU security governance* redresses conceptual gaps in the study of security governance, particularly as it pertains to the EU.

EU security governance investigates how the concept of security relates to or deals with different categories of threat, explores the relationship between forms of coordination among states, international institutions, and the EU in the provision of European security and the execution of security governance, and investigates whether the EU has been effective in realising its stated security objectives and those of its member states. Three interrelated questions are posed: Has the EU's growing role as a security actor been driven by a fundamental change in the security agenda? This particular question raises the subsidiary question of whether this change in the security agenda has transformed pre-existing threats to national security into a problem of collective action. How have the functional and operational milieu goals of security governance affected

the way in which security is sought and the type of authority structures relied upon to achieve those goals? We argue that EU institutional mechanisms continue to rest uneasily with the member states' retention of sovereign prerogatives. Has the emergence of the EU as a security actor complemented the role of the state as a security provider, progressively displaced the state in critical areas, or simply remained a forum for intergovernmental bargaining? Unsurprisingly, perhaps, the EU's role as a security actor vis-à-vis its member states is functionally dependent.

EU security governance is divided into six chapters: a conceptual introduction to the problem of European security governance; four substantive chapters that investigate the security policies of assurance, protection, prevention and compellence; and a conclusion that identifies the limitations and promise of the EU as a security actor and suggests the division of labour between the state, the EU, and other institutions of European security in the twenty-first century.

The introduction focuses on three major issues: the changing nature of the European state, the changing nature and broadening of the security agenda, and the problem of security governance in the European political space. There are four functional challenges facing the EU as a security actor: the resolution of interstate conflicts, the management of intrastate conflicts, state-building endeavours, and building the institutions of civil society. The central organising principle is the classification of these security challenges according to four categories of policy response: prevention, assurance, protection and compellence. The empirical section is designed to demonstrate that policy instruments should be carefully matched to the nature of the security threat, that an over reliance on one instrument of policy – either 'soft' or 'hard' power in Joseph Nye's nomenclature – is likely to produce suboptimal, if not counterproductive, security outcomes.

[Chapter 2](#) examines policies of prevention, particularly the pre-emption of conflict within Europe and its neighbourhood. The starting point is the express European preference outlined in the European Security Strategy for policies of pre-emptive engagement to redress the sources of violent conflict and instability. We examine governance efforts designed to prevent conflict, to create the basis for anticipating sources of conflict, and to provide conflict resolution mechanisms that employ 'civilian' rather than traditional forms of statecraft, notably military force. The EU has undertaken efforts to externalise the norms and rules of statecraft that operate within it. This process began with the conditionality attached to the aid programmes designed for developing countries in the 1980s and for Central and Eastern European countries in the early 1990s to facilitate the transition to the market and

democracy. The latter process was deepened with the enlargement process that has extended the EU to the borders of the former Soviet Union. These efforts to extend the norms and practices of the EU system of governance have been most recently codified in the European Neighbourhood Policy. Each of these policies has been designed to prevent the outbreak of armed conflict (inter or intrastate) by pre-empting conflict via the building of democratic institutions domestically and the extension of a nascent civil society externally. We trace these developments since 1990 towards understanding how the changing nature of the state and the role of the EU have altered calculations of interest and threat as well as the critical importance of matching an appropriate set of policy instruments to specific categories of security policy challenge.

Chapter 3 examines policies of assurance, particularly the problem of peace-building in south-eastern Europe. Here we investigate the EU's peace-building or sustaining role where there has been a violent interstate or intrastate conflict, especially the origins and performance of the Stability Pact for south-eastern Europe as well as the Stabilisation and Association Programme for the western Balkans. Attending the conflicts in south-eastern Europe was the collapse of civil order or the renting of the social fabric in Macedonia, Bosnia and Kosovo. Policies of assurance designed for the region include police and judicial training, the building of civic institutions and civil societies, and the contribution to the restoration of order and state legitimacy. More generally, these policies seek the transfer of transfer EU norms and practices towards extending into the whole of Europe the EU system of security governance. The empirical analysis leaves little doubt that the task of institution building, the projection of EU norms along its periphery, and the employment of 'civilian' policy instruments are central to the long-term security of the continent.

Chapter 4 examines policies of protection which capture the challenge of internal security. The challenge of internal security is not merely a reaction to 11 September 2001 or 11 March 2004; this particular task was identified as a central security task in the Treaty of Amsterdam (1997). The evolution of the long-standing democratic and capitalist EU member states into post-Westphalian entities has also transformed internal security into a regional collective action problem entailing the necessary erosion of sovereign prerogatives within and between borders. The task of creating the treaty-mandated area of freedom, security and justice frames EU policies designed to meet the threats posed by terrorism, transnational crime and migration. Open borders within the EU have complicated efforts to control the flow of political and economic refugees. The rise of radical Islamic terrorism, compounded by the sizeable Muslim

diaspora resident in Europe, in conjunction with indigenous separatist movements, have made cross-border cooperation in this issue area more pressing. The support of terrorism through criminal activities and the corrosive effect of criminalised economies on democratising states have transformed policing issues into security issues, particularly the use of chemical, biological or radiological weapons, with regional rather than national ramifications. The policies of protection highlight the erasure of the boundary between inside and outside that has typically framed the analysis of security policy.

Chapter 5 investigates policies of compellence, particularly the EU effort to implement a common security and defence policy, to develop a power projection capability, to undertake autonomous peace-making, peace-keeping, and peace-enforcement missions. Changes in the approach to defence are best exemplified by the progress towards realising a European Security and Defence Policy after 1998, particularly the enhancement of European defence capabilities permitting credible force projection, the creation of a framework for EU–NATO (NATO: North Atlantic Treaty Organisation) defence cooperation, and the consolidation of the EU defence industrial base. Intervention in conflicts once they occur has been the focus of much empirical work on the problem of European security governance, particularly the difficulty the EU or EU member states have experienced in effectively intervening after the outbreak of intrastate or interstate conflict. The role of the EU has ranged from the permissive (the premature recognition of Croatia), to the ineffective (the inability to intervene militarily in the first Balkan conflict and the poor performance in Kosovo), to the constructive (the interventions in Macedonia and the Congo). We investigate the barriers to and progress towards a European force projection capability, the limits of cooperation in the projection of force, and the continuing importance of NATO as a military security actor in Europe. Attention is devoted to the EU's Amber Force deployment to the former Yugoslav Republic of Macedonia; the deployment of EU member state forces to Bosnia (IFOR/SFOR) (IFOR: Police Implementation Force; SFOR: Stability Force) and Kosovo (KFOR) (Police Implementation Force, Kosovo); the peace-keeping mission to the Congo; the deployment and eventual command of allied peace-keeping forces in Afghanistan (ISAF); and the failure to develop a common policy with respect to the 2003 American-led war in Iraq.

The conclusion summarises the present role of the EU as a security actor, the sources of that emerging role, and the likely evolution given the pressures for enlargement and the apparent failure to combine the three EU pillars into a single framework, even though each pillar is tasked with security responsibilities. The conclusion also addresses the important

question of institutional cooperation and coordination in discharging successfully the task of security governance. The empirical analysis strongly supports four conclusions: first, the EU will become an increasingly important security actor at the expense of its member states; second, the EU system of security governance is increasingly viewed by its member states as the essential forum for providing order and security in all of its dimensions; third, the role of non-governance or the absence of governance is an important factor accounting for the EU's growing role as a security actor, even at the expense of state prerogatives; and finally, traditional security arrangements like NATO are increasingly incapable of meeting the challenges posed by the full spectrum of threats to the security and stability of post-Westphalian states.

Each chapter follows a common rubric. It allows the book to be read horizontally (aspects common to each category of security governance) or vertically (examining each functional security category in form). We first explore and expand upon the content and form of each security challenge, identify the issue areas addressed, and provide a justification for our case selection. The second task is to explain how the EU emerged as a security actor, particularly the rationale for an EU rather than national response. The identification of the collective action problem facing the EU member states and the EU account for different rationales that plausibly explain security cooperation: a simple functionalist logic that the EU is the only actor that can efficiently achieve a particular class of security objectives; the emergence of post-Westphalianism in Europe necessitates deep security cooperation; and the emergence of a collective European identity makes the collective response to security threats a function of those threats being defined as collective rather than individual.

The third section of each chapter examines the goals, principles, and rules governing or informing the statecraft of the individual member states and the ability to deepen security cooperation. The first step towards that goal is the identification of EU security goals. The completion of this task will serve two objectives: it clarifies what the EU security agenda is in a specific issue area; it establishes a yardstick for measuring the EU's effectiveness as a security actor. The principles and rules governing joint action in each specific area or category of security governance will be drawn from the three post-Cold War treaties – Maastricht, Amsterdam and Nice – Commission or Council of Ministers framework decisions, regulations, joint actions, and recommendations with respect to specific issues, European Council presidency reports, and the European Security Strategy.

We then turn to the precise institutional arrangements for meeting the variety of security challenges facing the EU states. We examine the

institutional innovations and refinements undertaken to meet collectively defined security challenges, the choice of whether the EU member states settle for merely coordinating national policies or adopting the more ambitious goal of common EU policies or a single EU policy. These institutional innovations help clarify where the EU acts as a mere clearing house for national preferences, where the EU provides a convenient forum for creating EU 'coalitions of the willing', where the EU acts as a security actor that is at least partially independent of its member states, or where the EU serves as an adjunct to or equal partner with the other multilateral security institutions, particularly NATO.

The chapter then proceeds to assess the EU's performance as a security actor. Such an assessment is necessarily tentative and subject to the metric used for that purpose. Our metric of choice does not demand that the EU take on the attributes, prerogatives, or instruments of a state, but measures the value added by the EU in the provision for European security and stability. Value-added can be assessed by matching EU goals with outcomes, no matter how modest or ambitious, or by determining whether the member states could have achieved the same level of performance in the absence of the EU. Five questions are asked and answered: Did the EU succeed where states had previously failed or underperformed? Has the EU functioned as anything other than an internal coalition of member states? Do the treaties, framework documents, and presidency conclusions constitute evidence of an emerging collective security identity that translates into the transfer or pooling of sovereignty to the EU? To what extent has the EU been empowered to act as if it were a 'sovereign' state? What barriers remain to common policies as well as to a single policy parallel to European monetary union?

Each chapter concludes with the answering of a single question: Has the long-recognised capabilities-expectations gap in the field of security given rise to a more unsettling and unbridgeable capabilities-expectations paradox? The more that the EU is able to do, the more that will be expected of it and the greater the potential for disappointment or disillusionment. We investigate how and why the EU persists as a forum for security cooperation. We focus on three possible explanations: first, existing security pathologies are not resolved or new security pathologies emerge that require a collective response; second, the 'idea' of Europe sustains cooperation in a specific field even if specific security or more general milieu goals are put in place; third, institutional inertia – rather than instrumental necessity – allows the EU to persist as a security actor. The reclamation of state prerogatives in the area of security also requires attention. Four possible explanations exist: first, states may reclaim

security prerogatives owing to failure at the EU level; second, security pathologies are resolved and the need for collective effort ends with it; third, the institutional network facilitating cooperation is too weak to hold states together, particularly when national interests diverge; and fourth, other institutions may be viewed as better equipped to address a specific security challenge (e.g., NATO as the forum for collective defence).

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Abbreviations

AA	Association Agreement
AAR	Air-to-Air Refuelling
ACP	African, Caribbean and Pacific
AENEAS	Financial and Technical Assistance to Third Countries in the Areas of Migration and Asylum
AFSOUTH	Allied Forces Southern Europe
ALA	Asia, Latin America
AMM	Aceh Monitoring Mission
APA	Association Partnership Agreements
ASEAN	Association of South-East Asian Nations
ASEM	Asia-Europe Meetings
Althea	(Operational name for EUFOR in Bosnia)
AU	African Union
AWF	analysis working file
BICHAT	Task Force on Biological and Chemical Agents
BOMCA	Border Management in Central Asia Programme
C ³ I	Command, Control, Communications, and Intelligence
CA	Cooperation Agreement
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CBRN	chemical, biological, radiological or nuclear
CCC	Commission Crisis Centre
CEE	Central and Eastern Europe
CEMAC	Central African Economic and Monetary Community
CEPOL	European Police College
CFSP	Common Foreign and Security Policy
CIDA	Canadian International Development Agency
CIVCOM	Committee for Civilian Aspects of Crisis Management
CIWIN	Critical Infrastructure Warning Information Network
COMESA	Common Market of Eastern and Southern Africa
COMEUFOR	EUFOR Commander

COPPS	Co-ordinating Office for Palestinian Police Support
CPP	Conflict Prevention Partnership
CPR	Conflict Prevention and Resolution
CREST	Center for Research and Education on Strategy and Technology
CSP	Country Strategy Papers
CTR	Cooperative Threat Reduction
DCI	Defence Capabilities Initiative
DG	Directorate General
DPPI	Disaster Prevention and Preparedness Initiative
DRC	Democratic Republic of Congo
EADS	European Aeronautic Defence and Space Company
EAR	European Agency for Reconstruction
EBRD	European Bank for Reconstruction and Development
EC	European Community
ECAP	European Capabilities Action Plan
ECDC	European Centre for Disease Control
ECHO	European Community Humanitarian Office
ECMM/ EUMM	EU Monitoring Mission
ECOWAS	Economic Community of West African States
ECSC	European Coal and Steel Community
EDA	European Defence Agency
EDC	European Defence Community
EDF	European Development Fund
EEC	European Economic Community
EGF	European Gendarmerie Force
EIB	European Investment Bank
EIDHR	European Initiative for Democracy and Human Rights
EJN	European Judicial Network
ELPN	European Police Learning Network
ENISA	European Network and Information Security Agency
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EPA	Economic Partnership Agreement
EPC	European Policy Centre
ERRF	European Rapid Reaction Force
ESDP	European Security and Defence Policy
ESS	European Security Strategy
ETA	Euskadi Ta Askatasuna (Basque Homeland and Freedom)

EUBAM	European Union Border Assistance Mission
EU	European Union
EUFOR	European Union Force
EUJUST LEX	EU Integrated Rule of Law Mission for Iraq
EUJUST THEMIS	EU Rule of Law Mission to Georgia
EUMC	European Union Military Committee
EUMS	European Union Military Staff
EUPAT	EU Police Advisory Team
EUPM (BiH)	European Union Police Mission (in Bosnia and Herzegovina)
EUPOL PROXIMA	European Union Police Mission in the Former Yugoslav Republic of Macedonia
EUPT Kosovo	EU Planning Team Kosovo
EUROJUST	European Union Judicial Cooperation Unit
EUROPOL	European Police Office
EUSEC DR Congo	EU Security Sector Reform Mission in the Democratic Republic of the Congo
EUSR	European Union Special Representative
FATF	Financial Action Task Force
FIU	financial intelligence unit
FIU.NET	financial intelligence unit network
FFI	Friend or Foe Identification
FLEGT	Forests Law Enforcement, Governance and Trade
FLNC	National Front for the Liberation of Corsica
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
FTA	Free Trade Agreement
GCC	Gulf Cooperation Council
GDP	Gross Domestic Product
GFAP	General Framework Agreement for Peace
GNI	Gross National Income
GNP	Gross National Product
GPS	Global Positioning System
GRECO	Groups of States against Corruption
HEU	Highly Enriched Uranium
HHG	Helsinki Headline Goal
HLWG	High-Level Working Group on Asylum and Migration
HQ	Headquarters
IAEA	International Atomic Energy Agency
ICG	International Crisis Group

ICTY	International Criminal Tribunal for the former Yugoslavia
IDP	Internally Displaced Person
IFOR	Implementation Force
IISS	International Institute for Strategic Studies
Interreg	Community interregional cooperation initiative
IPA	Instrument for Pre-Accession
IPTF	International Police Task Force
IRA	Irish Republican Army
IRFFI	International Reconstruction Fund Facility for Iraq
ISAF	International Security Assistance Force
ISG	Infrastructure Steering Group
ISPA	Instrument for Structural Policies for Pre-accession
ITDB	Illicit Trafficking Database
JHA	Justice and Home Affairs
JIT	joint investigation team
KFOR	Kosovo Force
LDC	Least Developed Countries
LEU	Low Enriched Uranium
MAPE	Multi-Advisory Police Element
MARRI	Migration, Asylum, Refugees Regional Initiative
MEDA	EC Assistance Programme for Mediterranean Countries
MIP	Mission Implementation Plan
MONUC	Mission in the Democratic Republic of the Congo
NALAS	Network of Associations of Local Authorities
NATO	North Atlantic Treaty Organisation
NBC	Nuclear, Biological and Chemical
NGO	Non-Governmental Organisation
OAU	Organisation of African Unity
OBNOVA	Aid for the former Republics of Yugoslavia
OCCAR	Joint Organisation for Armaments Cooperation
ODA	Official Development Assistance
OHR	Office of the High Representative
OLAF	European Anti-Fraud Office
OSCE	Organisation for Security and Co-operation in Europe
PCA	Partnership and Cooperation Agreement
PCTF	Police Chiefs' Task Force
PD	Political Dialogue
PHARE	Poland and Hungary Action for Restructuring of the Economy

PIO	Peace Implementation Council
PR	Political Rights
PSA	Partnership Agreement
PSC	Political and Security Committee
PU	Plutonium
QMV	qualified majority vote
R&D	research and development
R&T	research and technology
RACVIAC	Regional Arms Control Verification and Implementation Assistance Centre
RAS-BICHAT	Rapid Alert System–Task Force on Biological and Chemical Agents
RRM	Rapid Reaction Mechanism
RSP	Regional Strategy Papers
SAA	Stabilisation and Association Agreement
SAARC	South Asian Association for Regional Cooperation
SACU	Southern African Customs Union
SADC	South African Development Community
SAP	Stabilisation and Association Process
SAPARD	Special Accession Programme for Agriculture and Rural Development
SAR	Stability and Association Report
SBS	State Border Service
SECI	South East European Cooperative Initiative
SEE	south-eastern Europe
SEECF	South East European Cooperation Process
SEEPAG	SEE Public Prosecutors Advisory Group
SEESAC	South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons
SFOR	Stabilisation Force
SG/HR	Secretary General of the Council of Ministers and High Representative of CFSP
SHAPE	Supreme Headquarters Allied Powers Europe
SIPA	State Investigation and Protection Agency
SIPRI	Stockholm International Peace Research Institute
SIS	Schengen Information System
SitCen	Joint Situation Centre
SME	small and medium sized enterprises
SP	Stability Pact
SPAI	Stability Pact Anti-Corruption Initiative
SPOC	Stability Pact Initiative against Organised Crime
STM	SAP Tracking System

TACIS	Technical Assistance to the Commonwealth of Independent States
TAFKO	European Commission Task Force for Kosovo
TAI	Turkish pre-accession instrument
TEC	Treaty establishing the European Community
TEU	Treaty on European Union
UAV	Unmanned Aerial Vehicles
UK	United Kingdom
UN(O)	United Nations (Organisation)
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Interim Administration Mission in Kosovo
UNPROFOR	United Nations Protection Force
UNSC	United Nations Security Council
US(A)	United States (of America)
USAID	United States Agency for International Development
WB	World Bank
WEAG	Western European Armaments Group
WEAO	Western European Armaments Organisation
WEU	Western European Union
WMD	weapons of mass destruction

Introduction: the EU and the governance of European security

In its earliest manifestation, the European project was explicitly a security project. The European Coal and Steel Community, in addition to providing an institutionalised mechanism for consolidating and rationalising the European coal and steel industries after the war, provided France and the other European states a security guarantee against a rearmed Germany. The failed European Defence Community (EDC) also had two purposes: it served the positive goal of creating a European armed force that could conceivably complement and perhaps substitute for American forces stationed in Europe; it served the negative goal of enabling German rearmament while denying Germany anything other than indirect control of its own armed forces. The failure of the EDC became the signal lesson for those interested in pushing forward the integration of Western Europe; it became the conventional wisdom that the Treaty of Rome should expand cooperation and integration in the European economy and leave foreign and security policy unmolested.

So long as the bipolar conflict between the United States and Soviet Union played out principally in Europe, the definition of security and the object of defence policy were self-evidently defined as maintaining the political and military balance between the west and east. The end of the Cold War, the dissolution of the Soviet Union, and the task of constructing stable democratic polities with competitive market economies from the Elbe to the Urals along an east–west axis and from the Baltic Sea to Asia Minor along a north–south axis transformed the understanding of security and the role of the European Union (EU) as a security actor. Moreover, the dissolution of Yugoslavia and internecine conflicts that emerged in Croatia, Bosnia–Herzegovina, Serbia and Kosovo resurrected the Balkans as the tinder-box that could engulf a prosperous and stable Europe in a conflagration. Europeans, particularly the major member states of the EU, recognised the importance and imperative of transforming the EU into a capable military actor that could either supplement or replace NATO when European interests were threatened by the outbreak of interstate or civil war.

The changes in the geopolitical environment facing the EU and its member states occasioned the broadening of the security agenda to include issues as diverse as transnational organised crime, the acquisition of force projection capabilities, the provision of technical and financial assistance to regions undergoing political and economic transformations, and the preparation for pandemics of natural causes or human agency. These issues emerged on the security agenda of the European states in particular owing to a second major development in the international system; viz., the rise of the post-Westphalian state and vulnerabilities to exogenous shocks attending it. The post-Westphalian character of the EU member states has drained those states of de facto sovereignty while leaving jurisdictional sovereignty intact. The structural mechanisms transmitting endogenous and exogenous shocks throughout the EU and the inability of the individual states to mitigate the shocks unilaterally has created the impulse to elevate the EU as the actor responsible for coordinating if not assuming the security responsibilities once the uncontested preserve of states.

The content of security in the contemporary European system requires a system of governance capable of fulfilling the policy tasks of assurance, prevention, protection, and compellence. These four tasks have been delegated in different measure to the EU; in many cases the states have retained their responsibility for those security policies even where a collective response is acknowledged as technically superior (i.e., more efficient) to national responses. Yet the imperative of solidarity and collective action remains hostage to the residual attachment to sovereign prerogatives. This tension between solidarity and sovereignty holds the key to understanding the limits and promise of the EU as a security actor and the EU's role in the governing of European security.

The changing nature of the European state: towards post-Westphalianism

The evolution of the European state towards a post-Westphalian identity is perhaps the most fundamental change that has taken place in the modern European state system. The Westphalian state that has defined the European state system since 1648 has slowly given way to a post-Westphalian state where sovereignty is both compromised and qualified (Caporaso, 2000); where stated security goals have increasingly become preoccupied with matters of protecting existing levels of economic welfare as well as the social fabric from external disruptions. This change has been compounded by the failed Westphalian states along Europe's perimeter extending into Central Asia and the Middle East and the

persistence of sovereign free territory attending that failure. When these two developments are considered together – the emergence of the post-Westphalian state within Europe and the disintegration of Westphalian states along Europe's southern periphery into central Asia – the potential for increased threats to societal and state security rises with a corresponding diminution of the state's ability to defend against them.

The contemporary international system consists of heterogeneous actors producing interactions fundamentally different than those occurring between states with a uniform homogeneous Westphalian character. Consequently, there are three general and distinct patterns of interaction reflecting the divergent characteristics of states in the late twentieth and early twenty-first centuries: interactions between post-Westphalian states, between Westphalian states, and between Westphalian and post-Westphalian states.¹ These two categories of state face different kinds of vulnerabilities and act according to different security calculi: Westphalian states face traditional concerns about territorial integrity, but retain the ability to control it; post-Westphalian states face the traditional concern with territorial integrity compounded by an inability to protect borders and a rising preoccupation with the threats posed to societies by transnational, non-state actors. Post-Westphalian states are incapable, owing to internal norms and substantive policy concerns, to act as effective gate-keepers between internal and external transactions. This transition to the post-Westphalian state, largely completed for the established members of the EU and proceeding rapidly for the most recent member states, has required deepened cooperation and collaboration to meet the welfare and security obligations underwriting the social contract. The loss of sovereignty attending post-Westphalianism has created an alternative form of statecraft (civilian power) and has produced an emergent civil order in the geopolitical space defined by the EU. The emergence of a rule and norm based civil order, the perforated sovereignty of the state, and the expansion of the security agenda has introduced the problem of security governance without government, internally or externally.

The sovereignty norm of the Westphalian state forms a significant barrier to security cooperation – even in the Atlantic area. The key characteristic of the Westphalian state is its 'territoriality', described by John H. Herz (1957) as a 'hard shell' protecting states and societies from the external environment. Territoriality is increasingly irrelevant, not only in Europe but in Eurasia and beyond. States no longer enjoy the luxury of a 'wall of defensibility' that leaves them relatively immune to external penetration. As Wolfram Hanrieder noted, even though Herz later changed his mind about the demise of the territorial state, 'his

argument on the changed meaning and importance of territoriality was clearly valid' (Hanrieder, 1978: 1280–1). This change not only forces us to modify our conception of power – shifting attention from the military-strategic to the economic and political requirements of security – but to change our understanding of threat. As the boundaries between the state and the external environment have become increasingly blurred, it leaves open the possibility that the new security threats may operate along channels dissimilar to the traditional threats posed to the territorial state.

The 'interconnectedness' of the post-Westphalian state system, most visible in Western Europe, was facilitated and reinforced by the success of the post-war institutions of American design as well as by European economic and political integration.² Geography, technological innovation, the convergence around the norms of political and economic openness, and the rising 'dynamic density' – defined by John Ruggie (1986: 148) as the 'quantity, velocity, and diversity of transactions' – of the Atlantic political space have progressively stripped away the prerogatives of sovereignty and eliminated the autonomy once afforded powerful states by exclusive territorial jurisdiction. These elements of the contemporary European state system appear to have linked the states of Europe together irrevocably.

The porousness of national boundaries in the contemporary European state system has made it less likely that 'domestic' political, economic or even environmental disturbances will be contained within a single state. Moreover, those disturbances are easily diffused throughout Europe without regard to internationally recognised frontiers or EU membership; neither provides protection from external shocks, political or otherwise. The postulated ease with which domestic disturbances are transmitted across national boundaries *and* the difficulty of defending against those disturbances underline the strength and vulnerability of the contemporary state system: the openness of these states and societies along an ever expanding spectrum of interaction provides greater levels of collective welfare than would otherwise be possible, yet the very transmission belts facilitating that welfare also serve as diffusion mechanisms hindering the ability of the state to inoculate itself against disturbances within the subsystem.

Stephen Krasner (1999) has challenged the argument that the state has undergone a fundamental change in character, referring famously to sovereignty as organised hypocrisy. Krasner does a service in his deconstruction of sovereignty into its constituent elements, yet his argument that post-Westphalianism is a premature description of states is only possible owing to his extreme characterisation of the sovereignty problem.

First, he rejects post-Westphalianism because ‘violations of the principles of territoriality and autonomy have been an enduring characteristic of the international system before and after the peace of Westphalia’ (Krasner, 1995/1996: 123); second, he asserts that states have never been able ‘to regulate perfectly transborder flows’; and finally, he excludes from consideration the evolution of the wealthiest and some of the most powerful states in the international system – the members of the EU. Both the evolution of those states and the emergence of the EU as an actor possessing sovereign prerogatives are dismissed as ‘neutral mutation(s)’ without apparent consequence for the international system (Krasner, 2001: 283–4).³ These arguments cannot withstand even superficial scrutiny: first, the violation of the principles of territoriality and autonomy is distinct from the voluntary acceptance of mutual governance and the loss of autonomy attending it; second, the question is not whether states have been able to control transborder flows, but the qualitatively different nature and volume of those flows and the subsequent impact those flows have on the government’s ability to govern; and third, dismissing the EU member states and the EU itself as neutral mutants represents a suppression of an inconvenient counterfactual.

If the post-Westphalian hypothesis is accepted, it violates a central assumption held by most system level theories of international politics; viz., the homogeneity of the state as actor. The rejection of this assumption means that there are two ‘kinds’ of states in the international system, an assumption Robert Powell (1991) argued prevents a system-level of theory of international politics. Positing the existence of two kinds of states in the international system with different preference structures does lack theoretical elegance, but the existence of states that deviate significantly from the Westphalian ideal-type requires a conceptual explication. Introducing the post-Westphalian state conforms better to the empirical world. It identifies the structural conditions necessary for the emergence of a European security community; it explains the rationale for the delegation of state responsibility for security to the EU. By relaxing the homogeneity assumption in this way, it is possible to explain why the EU member states have embraced an alternative form of multilateral security governance.

The most compelling reason for accepting the distinction between Westphalian and post-Westphalian states can be traced to the spectrum of threats faced by these states, which are directly connected to the perforated sovereignty of post-Westphalian states. The spectrum of threats and instruments available for redressing those threats is largely a function of state attributes. The preoccupations of Westphalian states

are traditional security concerns of territorial integrity, autonomy and independence, retaining the role of gate-keeper between internal and external flows of goods, capital, people and ideas, and avoiding external interference in domestic constitutional arrangements. Post-Westphalian states are not disinterested in maintaining territorial integrity, but have largely abandoned the gate-keeper role owing to the preoccupation with maximising economic and social welfare. The openness of the post-Westphalian state and the dependence of internal welfare on external cooperation have devalued the core foreign policy preferences of the Westphalian state; viz., autonomy and independence (Baumann *et al.*, 2001: 38–42).

Sovereignty has been devolved to regional or supranational or international institutions. These states recognise the prerogatives of non-governmental actors in traditional areas controlled by the state and have furthermore accepted the seizing of sovereign prerogatives by individual economic agents. Perforated sovereignty has left states incapable of meeting their private security requirements, let alone threats that have the character of a regional collective bad. It is this very characteristic of the contemporary European state system, particularly the pressure towards norm convergence within Europe conjoined by the openness of both European states and societies, which provides the mechanism whereby external disequilibria are projected into the EU. This development has altered the conception of security threats away from the narrow concern with national defence to a broader understanding and concern with security. There has been a reorientation towards broad and collective milieu goals; those milieu goals, in turn, have replaced or modified the particularistic, national goals associated with traditional statecraft.⁴ These structural changes in the nature of the European state and state system mitigate the conceit that there has not been a qualitative change in the interrelationships between European states and societies that requires a re-examination of the nature and sources of security threats in the new century.

The transition to the post-Westphalian state – and the changes in the security threats and security dilemmas these states face – have also transformed the nature of the collective action problem in the security domain. Post-Westphalian states must rely upon institutions – ranging from specific legal understandings to comprehensive regimes to quasi-governmental institutions where sovereignty is pooled – to facilitate the derivation of a security calculus that effectively integrates the traditional and new security agenda. Moreover, post-Westphalian states face a more ambiguous threat environment. First, states now play a relatively minor