

UTRECHT UNIVERSITY

Institutional Power Europe

A Comprehensive Conceptualisation of the EU
as a Power?



Peter Snijders, 3709159

24-6-2013

BA-Thesis

Liberal Arts & Sciences

Major: Political History and International Relations

Tutor: Dr. Mathieu Segers

TABLE OF CONTENTS

I. INTRODUCTION	2
II. INSTITUTIONAL POWER EUROPE	6
2.1 The Characteristics of Institutional Power	7
2.2 The EU's Institutional Basis.....	9
2.3 The Exercise of Institutional Power.....	12
2.4 The EU's Institutional Difference.....	15
2.5 Summary.....	17
III. CASE STUDY 1: THE PURSUIT OF DEATH PENALTY ABOLITION	18
3.1 The Campaign for Death Penalty Abolition: A Background	19
3.2 Institutionalising Abolition.....	22
3.3 Explaining Abolition: IPE versus NPE.....	25
3.4 Summary.....	28
IV. CASE STUDY 2: COMMON SECURITY AND DEFENCE POLICY	30
4.1 European Security and Defence: An Introduction	31
4.2 Institutionalising Security and Defence.....	35
4.3 Explaining CSDP: IPE versus SPE.....	39
4.4 Summary.....	43
V. CONCLUSION – A COMPREHENSIVE CONCEPTUALISATION?	44
References.....	50

I. INTRODUCTION

For centuries, the most important – if not the only – actor on the international stage was the state. According to some, the rise of international organisations and supranational institutions fundamentally alters the structure of the international system; according to others, these organisations and institutions do no more than reflect the relations between nation-states – they are instruments through which powerful states may pursue their own interests. Yet at least of one of these new actors, the European Union (EU), seems to undermine the realist emphasis on state primacy. In the decades following the founding of the original ECSC, the European project (regardless of whether its institutional incarnation was the ECSC, EEC, EC or EU) seems to have acquired ever wider competences and ever greater autonomy. In policy areas such as development aid, foreign trade, human rights, financial regulation and climate policy the EU seems to have fast become an actor in its own right.

This observation has led to the problem of characterisation: what *kind* of actor is the ‘unidentified political object’¹ that is the EU? As early as the 1970s and 1980s the debate on this subject began to take shape with François Duchêne’s conceptualisation of Europe as a *civilian power*: an actor that used a different kind of power than the traditional hard power central to the realist theory of international relations.² The soft power of the European Community supposedly consisted of the promotion of democratic values and the exercise of influence without the use of military force, by means of multilateral diplomacy and (possibly) economic power. This characterisation of Europe as a power in world politics soon found itself under fire, primarily from realist thinkers. Leading the realist charge was Hedley Bull, who described *Civilian Power Europe* as a contradiction in terms.³ The military power of states was critical to Bull: “the power of influence exerted by the European Community and other such civilian actors was conditional upon a strategic environment provided by the military power of states, which they did not control.”⁴ Bull concluded that ‘Europe’ was not an actor in international relations at all, nor seemed likely to become one – unless it started behaving more like a ‘proper’ state by building up military capabilities of its own. Hence, only a kind of *Military Power Europe* would be able to exercise *real* influence.

¹ Phrase coined by Jacques Delors. See Delors, J. “Speech at the First Intergovernmental Conference.” 9/9/1985. *Bulletin of the European of the European Communities*. No. 9.

² Duchêne, F. “Europe’s Role in World Peace”. In: R. Main (Ed.), *Sixteen Europeans Look ahead*. London: Fontana (1972): 32-47.

³ Bull, H. “Civilian Power Europe: A Contradiction in Terms?” *Journal of Common Market Studies*. Vol 21, No 2. (1982). 149-164.

⁴ Bull. H. “Civilian Power Europe.” P. 151.

In 2002 the debate about what type of international actor the EU is was reinvigorated by Ian Manners, who famously characterised the EU as a normative actor: *Normative Power Europe*.⁵ Manners's criticism primarily targeted Bull, but in truth Manners problematized both *Civilian Power Europe* and *Military Power Europe*. According to Manners both perspectives were born of the "frozen nature of international relations during the cold war period and included assumptions about the fixed nature of the nation-state, the importance of direct physical power and the notion of national interest."⁶ Both Duchêne and Bull valued direct physical power in the form of empirical capacities (be they economic, as with Duchêne, or military, as with Bull). Furthermore, both considered the pursuit of *European* interests paramount – they merely advocated different methods. The collapse of the bipolar world order of the Cold War – the 'thawing' of international relations – offered, in Manners's view, room for a new perspective. *Normative Power Europe* characterises the EU as an actor that is essentially new and different. Manners's conceptualisation rests on two fundamental arguments. On the one hand, the EU is by *nature* different from traditional polities: "In my formulation the central component of Normative Power Europe is that it exists as being different to pre-existing political forms, and this particular difference predisposes it to act in a normative way."⁷ The EU was built on a history of commitment to certain norms and values that determine its international identity: Manners points to the principles of *peace, freedom, democracy, the rule of law* and *human rights*, which is he draws from the various declarations and treaties of the ECSC, EEC, and the EU. On the other hand, the EU differs from other polities in terms of the *type of power* it employs. Normative power is the power to determine what passes for 'normal' in international relations; it is the power of opinions and ideas. In other words, Manners proposes that the EU *is* a normative power and *behaves* like a normative power. He illustrates his theory with a case study: the EU's campaign for the abolition of the death penalty.

Manners's article has enjoyed great influence, but *Normative Power Europe* is far from unproblematic. Once again the most vocal critics are found in realist circles. Aside from emphasising other motivations for the EU's behaviour on the world stage (material concerns as opposed to normative ones, for example) these realist theorists have voiced far more fundamental criticisms of Manners's conceptualisation of the *nature* of the EU. Among others the neorealist Adrian Hyde-Price argues that the EU is no more than a tool that its member

⁵ Manners, I. "Normative Power Europe: A contradiction in terms?" *Journal of Common Market Studies*. Vol 40, No 2. (2002): 235-58.

⁶ Manners, I. "Normative Power Europe." P. 238.

⁷ Ibidem. P. 242.

states can use to shape their external ‘milieu’ through a combination of hard and soft power.⁸ In this view, the EU is hardly an actor to begin with, let alone one that can challenge the primacy of nation-states. Although Hyde-Price (and others) do not use this term themselves, I would propose calling their characterisation *State Power Europe* – a term that might just describe the state-centric realist perspective (including Bull’s) more accurately than *Military Power Europe*.

Both dominant theories – *Normative Power* and *State Power* – are problematic in at least one respect. In fact, they both are both guilty of more or less the same mistake: they make assumptions about the origins of and driving forces behind European integration that they apparently view as general, unproblematic ‘background knowledge’. Hence, both stances ignore the complexity of the problem’s historical dimension. Manners, for instance, accepts the (rhetoric of) European treaties and declarations without question: if Manners is to be believed, European integration has been a normative project from the very beginning. Hyde-Price, for his part, is just as short-sighted: he devotes but three brief paragraphs to European integration in the Cold War, which he explains on the basis of the bipolar world system and the search for geopolitical security. Neither positions mentions economic factors or takes note of such subtle phenomena as institutional path-dependence. Yet such factors, if they played a part in the formation of the EU (as whole schools of academics argue), would surely have left their mark on the nature of the EU. If the characterisations of the EU as actor on the international stage loosely overlap with theories of European integration (*Normative Power Europe* seems to suit a constructivist approach and *State Power Europe* a realist one), then what would happen if were to extrapolate from liberal-intergovernmentalism, institutionalism, or neofunctionalism?

If we approach European integration as a consequence of member states’ pursuit of economic interests – for which liberal-intergovernmentalism makes a strong case – would that not logically lead to a kind of *Market Power Europe*? Quite recently, Chad Damro took just this perspective, providing a tentative but promising theoretical framework.⁹ In such a conceptualisation it would be the internal market and the policy relating to it that define the EU; regulation, stimuli, subsidies and external tariffs would be the primary means by which the EU exercises its power.

⁸ Hyde-Price, A. “‘Normative’ Power Europe: a realist critique”. *Journal of European Public Policy*. Vol. 13. No. 2. (2006): 217-234.

⁹ Damro, C. “Market Power Europe”. *Journal of European Public Policy*. Vol. 19. No. 5. (2012): 682-699.

However, European integration is also often seen as an institutional process in which supranational and intergovernmental institutions acquire ever more competences and thus exercise ever greater influence. Looking at the issue in this light might lead to us to consider *Institutional Power Europe*: a vision diametrically opposed to *State Power Europe* in it stresses the power of institutions as opposed to that of states. However, it would differ from *Normative Power Europe* in that it does not view institutions as the champions of inherently normative ideas, but instead emphasises the institutional logic of deepening and widening the EU's power *vis-à-vis* its member states and the outside world.

These approaches have been given relatively little attention in the existing literature on this subject, especially as compared to *Normative Power Europe* and *State Power Europe*. Only Damro's very recent research has taken a first stab at conceptualising the EU as *Market Power Europe*.¹⁰ Of course, here is plenty of literature approaching Europe from an institutional perspective – particularly with regards to the European Court of Justice – but this scholarship stops short of actually conceptualising the EU as an *Institutional Power* in the way that Manners did with *Normative Power*. This is odd, because institutional power holds great potential explanatory power as the common denominator in the way the EU pursues its interests, regardless of whether those are normative, economic or otherwise. This study will thus explore *Institutional Power Europe* as perhaps the most precise conceptualisation of Europe as an actor.

The existing models of Europe as a power commonly rely on case studies to support (not to mention ground) their argument. Interestingly, however, they never actually use the *same* historical case study; in this respect the existing approaches are not really hitting one another where it hurts, thus failing to move the debate forward. Instead of presenting a new, separate case study, this thesis problematizes the existing visions by using their own case studies as tests for *Institutional Power Europe*. The first of these case studies is the one from Ian Manners's original article on *Normative Power Europe*: the EU's campaign for the abolition of the death penalty. Does the campaign for abolition – even as conceived of by Manners – not rely on 'closet' institutional processes, rather than inherently normative ones? And do the norms constituting the EU's 'normative basis', which supposedly provide the motivation for the abolitionary effort, not actually conflict with the campaign?

¹⁰ Damro, C. "Market Power Europe". *Journal of European Public Policy*. Vol. 19. No. 5. (2012): 682-699.

The second case study is the one normally used to support *State Power Europe*, is the tortuously slow evolution of Europe's Common Security and Defence Policy. The firmly intergovernmental nature of this policy area, and EU's reliance on state power in past crises (such as the disintegration of Yugoslavia) is presented by some authors as a 'most likely' case for *State Power Europe*. But to what extent is CSDP (and, indeed, force projection in general) truly representative of how Europe asserts itself on the international stage? And do the actual policies generated in this area truly match the preferences of powerful states, as SPE predicts? If *Institutional Power Europe* can adequately explain both a most likely case for *State Power Europe* and a most likely case for *Normative Power Europe*, then *Institutional Power Europe* would possibly have a broader explanatory power than the existing theories. Moreover, case studies that are 'most likely' for the other perspectives are 'less likely' and 'least likely' for *Institutional Power*, meaning they form not only good starting points for the problematization of the other perspectives, but also good empirical tests for ours.

This study can shed new light on a persistent controversy, both in the scholarship on the EU and in international relations in general, as the themes of the 'Europe as a power' debate touch directly on perennial debates about the nature of the international system between viewpoints such as, for instance, liberal institutionalism, constructivism, and realism. Moreover, the debate about the nature of the EU affects many other specific areas of study, such as the debates on the formation of a European identity, on agricultural policy, and on common foreign and security policy.

II. INSTITUTIONAL POWER EUROPE

In order to be able to consider the EU's identity as Institutional Power Europe (IPE), we need to elucidate exactly what IPE *is* and how IPE *works*; in other words, we need to lay out the foundations for our theoretical model. To that end, the first subsection of this chapter explores the characteristics of our particular conception of 'institutional power'. The second subsection focuses on the EU's institutional basis, explaining what makes Europe an institutional power. The third section considers the operational side of IPE, identifying the mechanisms through which Europe exercises its institutional power. The final section expounds on what distinguishes IPE from other 'Europe as a power' conceptualisations, in particular *Normative Power Europe*, with which it shares several core assumptions. By the end of this chapter, we should be armed with a concrete idea of IPE with which to confront our case studies.

2.1 The Characteristics of Institutional Power

Neither ‘institution’ nor ‘power’ are easy terms to define, and indeed, they are often discussed without being properly defined at all. At its most general, an institution can be considered an established and widely recognised pattern of behaviour or activity, around which the expectations of actors converge.¹¹ Yet such a definition is so broad and unfocused that it possesses little analytical thrust. One component of this definition is potentially interesting for our purposes – namely that institutions shape the expectations of actors (which would seem to imply that institutions must shape the *behaviour* of actors as well) – but overall, we need a more focused definition.

Many such definitions have been attempted over the years. Among the more complete ones is Young’s: “Recognised practices consisting of easily identifiable roles, coupled with collections of rules or conventions governing relations among the occupants involved”.¹² In other words, one can conceive of an institution as a rulebook defining roles and what passes for proper interactions between them. Prominent institutionalist Robert O. Keohane argues that rules are ‘institutionalised’ if they are durable and prescribe behavioural roles for actors (besides merely constraining them and shaping expectations).¹³ Another sharp definition is Mearsheimer’s (a somewhat ironic choice considering Mearsheimer’s less-than-jubilant view of international institutions, but his definition is nevertheless admirable in its succinctness): “a set of rules that stipulate the ways in which states should co-operate and compete with one another”.¹⁴ Another study speaks of “frozen decisions” and “history encoded into rules”.¹⁵

What seems clear to me is that there are two distinct ‘levels of abstraction’ in defining institutions, both of which are relevant to IPE. On the one hand there are what one might call *abstract institutions* or *macro-institutions*, which are what the abovementioned definitions attempt to describe. An integrated version of these might be: *sets of rules and norms that govern the ways in which actors interact with one another*. Such institutions can develop in a relatively organic fashion, or they can be the result of conscious, human-directed construction. On the other hand, these abstract institutions often translate into what we might call *discrete*

¹¹ Keohane, R.O. “International Institutions: Two Approaches.” *International Studies Quarterly*. Vol. 32, No. 4 (1988).379-396, P. 383. See also Mearsheimer, J.J. “The False Promise of International Institutions.” *International Security*. Vol. 19, No. 3. (1995): 5-49 P. 8. While I disagree with the general thrust of Mearsheimer’s article, he has a valid point about the vagueness plaguing some discussions of institutions. This study thus endeavours to avoid that particular pitfall. For a specific reply to Mearsheimer, see Ruggie, J.G. “The False Premise of Realism.” *International Security*. Vol. 20. No. 1. (1995): 62-70.

¹² Young, O.R. “International Regimes: Toward a New Theory of institutions”. Vol. 39 (1986): 104-122. P. 107

¹³ Keohane, R.O. “International Institutions: Two Approaches.” P. 384.

¹⁴ Mearsheimer, J.J. “The False Promise of International Institutions”. P. 8.

¹⁵ March, J., Olson, J. “The New Institutionalism: *Organizational Factors in Political Life*.” *American Political Science Review*. Vol. 79. (1984): 734-779. P. 741.

institutions or *micro-institutions* – that is actual, physical organisations that usually possess offices, bureaucratic staff, and the like.¹⁶ The International Court of Justice would be one such institution, as would the UN, and of course, the various institutions of the European Union. These institutions typically exist to carry out, expedite, implement, promote, enforce and reinforce the ‘rules’ of abstract institutions.

‘Power’ is possibly an even more problematic term, and hence is not always defined as clearly as strict academic probity might call for. Indeed, definitions of power are especially important in the ‘Europe as a power’ debate, as differing definitions of what constitutes power cause misunderstandings between perspectives.¹⁷ A simple and comprehensive working definition of power could be *the ability to influence the choices and behaviour of actors*. Power can thus be expressed through coercion (military, economic or otherwise) as well as through persuasion, through what Ian Manners termed ‘contagion’ (one actor copying the policies of another actor simply of its own volition, because the policies in question seem to work well or are deemed otherwise desirable),¹⁸ through specific agenda-setting competences, through legislation, etcetera. Note that this definition does not demand intentionality: power can be exercised without a conscious intention driving it (this is in fact an important element of *Normative Power Europe*). The advantage of such an inclusive definition is that it can apply to the entire ‘Europe as a power’ debate, putting the various perspectives on an equal footing and ensuring that they have a common measurement criterion without prejudice to any of the perspectives.

Institutional power, then, comprises the ability of abstract and discrete institutions to influence the choices and behaviour of actors on the international stage. It covers both the extent to which abstract institutions shape the preferences and power of the actors (including the ones that constructed the institutions in the first place) and the more tangible influence that

¹⁶ The term ‘discrete’ is derived from Keohane, R.O. “International Institutions”. P. 384, who uses it to indicate institutions that are clearly ‘bounded’ entities.

¹⁷ Adrian Hyde-Price, an exponent of State Power Europe, mentioned in his ‘realist critique’ of Normative Power Europe, that it (NPE) suffered from “liberal-idealism’s perennial weakness, namely the almost total neglect of power.” (p. 218). This seems an odd statement concerning an article titled “Normative POWER Europe”. In fact, Hyde-Price completely missed Manners’s point, which was that “normative power” was not a contradiction in terms, as Europe was a different kind of actor wielding a different kind of power – namely the power to determine what passed for ‘normal’ in international politics, “which, ultimately, is the greatest power of all.” (Manners, p. 253). See also Hyde-Price, “Normative Power Europe: a realist critique”, and Manners, I. “Normative Power Europe: a contradiction in terms?”

¹⁸ Manners, I. “Normative Power Europe.” P. 244.

discrete institutions wield through whatever competences they have.¹⁹ It also includes the way discrete institutions may increase the scope of their own competences. The concrete mechanisms through which this occurs are explored below, but for now we need to stop to make explicit at least one important implication of the characteristics here described, lest it be overlooked: Institutional Power Europe is bolstered by, *but does not depend on*, supranationalism.

Institutional Power Europe is not synonymous to ‘Supranational Power Europe’. This point is in line with Saeter (1993), who argues that the intergovernmental and supranational level are “inseparably linked”.²⁰ On a basic level, intergovernmental institutions are institutions too, and they need to be taken seriously as the bearers of institutional power. After all, even if decision-making takes place on an intergovernmental basis, institutions such as the European Council and the Council of Ministers (in cases where it employs unanimity voting) are entrenched (or *institutionalised*) sets of rules and norms governing the way European actors interact with one another. Intergovernmentalism, as long as it is heavily institutionalised in the form of standard, codified and respected procedures, actually contributes to IPE, rather than detract from it.

In sum, we can discern two distinct ‘levels of abstraction’ in considering institutions. *Abstract institutions* or *macro-institutions* are sets of rules and norms that govern the ways in which actors interact with one another. *Discrete institutions* or *micro-institutions* are actual organizations that typically carry out, expedite, implement, promote, reinforce and enforce the ‘rules’ of abstract institutions. ‘Power’ is the ability to influence the choices and behaviour of actors, which can be exercised through a diverse range of methods. Institutional power comprises the ability of abstract and discrete institutions to influence the choices and behaviour of actors on the international stage. It covers the shaping of actors through abstract institutions that and the more tangible influence that discrete institutions wield. Both supranational *and* intergovernmental institutions feed Europe’s institutional power.

2.2 The EU’s Institutional Basis

¹⁹ Keohane, R.O. “International Institutions: Two Approaches.” P. 282. This passage in Keohane draws heavily on Kratochwil, F., Ruggie, J.G. “International Organization: A State of the Art and an Art of the State.” *International Organization*. Vol. 40: 753-776.

²⁰ Saeter, M. “Democracy, Sovereignty, and Supranationality: Institution-Building and European Union in a Neofunctionalist Perspective”. *Working Paper 497, Norwegian Institute of International Affairs*. 1-31. P.29. Seater’s central contention is that the intergovernmentalism-versus-supranationalism dichotomy is an oversimplification that fails to appreciate how these two levels of government interact with and shape one another to form EU governance; in his view, it is in fact the juxtaposition of the two that defines the EU.

As observed in the introduction to this thesis, the way one conceptualises the EU as a power tends to be closely related to the perspective one has on the history and purpose of European integration. IPE contends that the basis of the EU is essentially institutional; on the one hand it is built on institutionalising relations between member states, and on the other hand the EU takes concrete form – becomes corporeal, if you will – in its discrete institutions.

The overriding goals of the European project – be it as ECSC, EEC, EC or EU, as well as the failed political and defence initiatives – have changed and been added to repeatedly across a wide range of objectives. Among other things they have included creating a regional security community, subsidising agriculture, monetary unification, police cooperation, the pursuit of normative ends in the form of human rights, combating climate change, and many more.²¹ None of the existing ‘EU as a power’-conceptualisations seem to incorporate this broad diversity of objectives; all place emphasis on one category (political,²² economic,²³ normative²⁴) and barely mention the others as part of the EU’s basis. I would contend that the common denominator among these diverse, shifting and expanding purposes has been that they were all expressed and pursued through institutional means – that is, institutions were created or the competences of existing institutions were altered to attain them.

Indeed, on a higher level of abstraction, we might conceive of the EU as having been built on institutionalising relations between member states from the very beginning. This ties in with the somewhat unsophisticated but oft heard idea that European integration was the result of a desire to build a lasting peace in Europe,²⁵ but is actually a broader observation. As early as 1958, Ernst B. Haas wrote:

We are likely to find not only direct concern over making the Treaty work, but an institutionalised code for dealing with recalcitrant members (...) If conflicts of national interest are reconciled merely in accordance with conventional diplomatic methods, supranationalism would seem to offer no uniquely valuable road toward the goal of political community. If on the other hand, processes different from standard diplomatic conferences prevail at this [the intergovernmental] level, the juxtaposition of supranational with

²¹ Schmitter, P.C. “A Way Forward?” *Journal of Democracy*. Vol. 23, No. 24. (2012): 39-46. P. 40.

²² Hyde-Price, “Normative Power Europe: A realist critique”. P 226.

²³ Damro, C. “Market Power Europe.” P. 685.

²⁴ Manners, I. “Normative Power Europe: P. 242-244.

²⁵ Ian Manners implies this in his discussion of the EU’s ‘normative basis’, claiming that the effort to construct “peace and liberty were the defining features of west-European politics in the immediate post war period.” (p. 243). To be fair, Manners’s argument is quite well articulated, and he grounds it empirically in declarations and treaty texts, if nothing else. The idea is not incompatible with IPE; IPE simply stresses the institutional means as more defining of the nature of the EU than the – disputable and changeable – ends. See Manners, “Normative Power Europe”. P 241-244.

intergovernmental institutions might just prove to be the most crucial innovation of the ECSC system.²⁶

Through the various intergovernmental and supranational institutions of the ECSC, EEC, EC, and EU, the rules and norms governing interactions among European actors have been become codified and entrenched across an (as a general rule increasingly wide) range of policy areas. Exactly what rules, norms and practices should be institutionalised has, of course, been a historic subject of contention and bargaining (and not exclusively between states, but between a range of interest groups that often included the European polity's discrete institutions²⁷), but that they become institutionalised is clear: consider the European Council as *the* go-to platform for top-level intergovernmental negotiation, the agreement on monetary practices through the economic and monetary union (EMU), or the European Court of Justice as the highest arbitrator in cases of disputes over European law. (Indeed, consider the very existence of such a thing as 'European law'). As a caveat, we should note that institutionalising interactions between member states can occur either through conscious design on the part of those member states (or other actors, such as the transnational interest groups that are central to Haas's neofunctionalist theory,²⁸ ideationally motivated individuals,²⁹ or even 'external' states that hold a stake, such as the USA), or can be considered a more incremental, not necessarily intentional process.³⁰ Here, too, what or who spurred the institutionalisation of relations is not as important for our purposes as the observation that they *were* institutionalised, and that this process of institutionalisation is at the basis of the EU as a polity.

The most visible discrete institutions in the EU today are easy to identify. Article 13, paragraph 1 of the Treaty on European Union (TEU) states that "the Union's institutions shall be the European Parliament, the European Council, the Council [of Ministers], the European

²⁶ Haas, E.B. *The Uniting of Europe*. Stanford, CA: Stanford University Press (1968) [1958]. P.300-301.

²⁷ For instance, we could think of the role that the Commission under Jacques Delors played in the building EMU, the Maastricht Treaty and the SEA.

²⁸ Haas, E.B. *The Uniting of Europe*. See also Haas, E.B. "The Challenge of Regionalism." *International Organization*, Vol. 12, No. 4 (1958): 440-458. P. 450-454, and Ruggie, J.G. *et al* "Transformations in World Politics: The Intellectual Contributions of Ernst. B Haas". *Annual Review of Political Science*. Vol. 8 (2005): 271-296. P. 277-281

²⁹ Parsons, C. "Showing Ideas as Causes: The Origins of the European Union." *International Organisation*. Vol. 56, No. 1. (2002): 47-84.

³⁰ As implied by the 'loop of institutionalisation' of Stone Sweet, A.; Sandholtz, W. "European Integration and Supranational Governance." *Journal of European Public Policy*. Vol. 3 (1997): 297-317. P. 300, 311. Haas himself scaled down the sense of automaticity in *Beyond the Nation State*. See Saeter, "Democracy, Sovereignty, and Supranationality." P. 17, and Haas, E.B. *Beyond the Nation State. Functionalism and International Organisation*. Stanford, CA: Stanford University Press (1964).

Commission, the Court of Justice of the European Union, the European Central Bank and the Court of Auditors.”³¹ Of these, the Council of Ministers are primarily legislative institutions; the Commission and the European Council are the closest institutions the EU has to an executive, and the Court of Justice (ECJ) constitutes a judiciary charged with arbitrating conflicts among institutions, member states and citizens. (It has been rather effective in the past four decades, too, claiming wide powers of judicial review and interpretation of secondary legislation).³² The Court of Auditors is responsible for carrying out the EU’s audit, in particular with regards to the use of the EU’s budget.³³ The European Central Bank, together with the European System of Central Banks (comprising the ECB and the national central banks) is responsible for carrying out monetary policy; its primary objective is to maintain price stability in the Eurozone.³⁴ These institutions in large part give the EU form; they are what most clearly make the EU more than just a treaty text or an abstract idea. Not only do these institutions shape day-to-day EU policy – and thus the ‘face’ of the EU – they might be said to make the EU ‘corporeal,’ and thus contribute to a view of the basis of the EU as institutional.

In sum, the EU has an essentially institutional basis. The common denominator among the various goals and objectives the European project has had is that they were pursued through the creation of institutions or the alteration of existing ones. Europe is built on institutionalising relations between member states, both intergovernmentally and supranationally. Furthermore, the EU takes concrete form – becomes corporeal, if you will – in its discrete institutions. In *Normative Power Europe*, Ian Manners spoke of the “crucial, and usually overlooked observation that the most important factor shaping the international role of the EU is not what it does or what it says, but what it *is*.”³⁵ Ironically, what the EU does and what it says might be well be normative, but what the EU *is* seems to be a dynamic set of abstract and discrete institutions.

2.3 The Exercise of Institutional Power

³¹ TEU, Article 13, Paragraph 1. In: Foster N. (Ed). *EU Treaties & Legislation 2012-2013*. Oxford: Oxford University Press (2012). P.5.

³² Tsebelis G., Garrett, G. , “The Institutional Foundations of Intergovernmentalism and Supranationalism in the European Union.” *International Organisation*. Vol. 55, No. 2. (2001): 357-390. P. 358.

³³ Treaty on the Functioning of the European Union, Articles 285-287. In: Foster N. (Ed). *EU Treaties & Legislation 2012-2013*. P.63-65.

³⁴ Treaty on the functioning of the European Union, Art. 127 and 282. In: Foster N. (Ed). *EU Treaties & Legislation 2012-2013*. P.53 and p. 92.

³⁵ Manners, I. “Normative Power Europe.” P. 252.

So how does the EU exercise institutional power? Here, as earlier, we can differentiate between the levels of abstract or macro-institutions and discrete or micro-institutions, though the distinctions are a little more blurry. We will walk through them from most abstract to most concrete.

On the higher level of abstraction, an important expression of institutional power is through the *institutionalisation of governance*. This expression has already been hinted at the preceding sections, and very basically refers to actors' recourse to institutions as the 'proper' places to contest their interests or organise co-operation, as opposed to 'conventional diplomacy', as Haas called it. To borrow from Phillippe Schmitter, institutionalised governance is "a method or mechanism for dealing with a broad range of problems and conflicts in which actors regularly arrive at mutually satisfactory and binding decisions by negotiating deliberating with one another and cooperating in the implementation of decisions."³⁶ At the macro-level, this is institutions shaping the behaviour and expectations of other actors. The EU's institutions in large part shape the way member states – not to mention non-state actors such as businesses and individuals – interact with one another. The more institutionalised these standard interactions become, the greater Europe's institutional power over its constituent actors. Every binding decision taken, every policy crafted by or through a European institution – intergovernmental or supranational – as opposed to one taken by member state or member states acting through 'conventional diplomatic channels', represents an expression of Europe's institutional power.³⁷

Moving a little further toward the micro-level, the second important mechanism of IPE can be called *institutional feedback*. This term is drawn from a phenomenon appearing under several guises in institutionalist and neofunctionalist literature. It refers to the alteration (often meaning the expansion) of the competences of discrete institutions (or, in the most extreme cases, the creation of new ones) because such an alteration is perceived as necessary

³⁶ Schmitter, P.C. "Democracy in Europe and Europe's Democratization." *Journal of Democracy*. Vol. 14: No. 2. (2003): 71-85. P. 72.

³⁷ This implies a self-reinforcing process, suggested by Stone Sweet and Sandholtz, in the form of the loop of institutionalization: "As European rules emerge and are clarified and as European organisations become arenas for politics, what is specifically supranational shapes the context for subsequent interactions (...) this creates the 'loop' of institutionalization. Developments in EC rules delineate the contours of future policy debates as the well as the normative and organizational term in which they will be decided." (p. 311). While the thrust of their argument very much applies to IPE, I do not agree with their focus on 'what is specifically supranational', as there is no reason why rules made on an intergovernmental basis – which are just as binding, for instance *treaties* are inherently intergovernmental - would not 'shape the context for subsequent interactions', 'delineating the contours of future policy debates as well as the normative and organizational terms in which they will be decided.' See Stone Sweet, A., Sandholtz, W "European Integration and Supranational Governance." P. 311.

for the proper functioning of the institutional system. This mechanism is inspired by the Haasian concepts of ‘spill-over’ and ‘learning,’ as well as Schmitter’s ‘good crises.’³⁸ Spill-over refers to the phenomenon whereby supranational institutions receive responsibilities for accomplishing certain tasks, but then discover that success requires addressing related activities, hence necessitating an increase in the scope of that institution’s competences.³⁹ ‘Learning’ refers to an actor’s capacity to modify their expectations and strategies based on past experience, in particular with unintended consequences.⁴⁰ These are both tied to the ‘good crises’ Schmitter envisaged: crises that would propel European integration forward by frustrating member states’ expectations, leading to a redefinition of either the tasks or the level of authority of institutions.⁴¹ These processes together form the mechanism of institutional feedback, which can lead to an increase of the power of discrete institutions.⁴²

The third mechanism brings us firmly into the realm of discrete institutions. This mechanism is *discretionary power*. Tsebelis and Garrett observe that “institutions determine how policy objectives will be translated into political outcomes.”⁴³ Depending on the exact mandate granted a particular institution, it might have considerable manoeuvring room to steer outcomes toward its preferences. Discretionary power covers this leverage, which can be quite considerable. The supranational jurisprudence of the European Court of Justice is an excellent case in point: its mandate to interpret European legislation (secondary legislation as well as treaties) gives it considerable freedom to subtly shape the implementation of policy – often stretching it in a direction that favours deeper integration – simply by ‘doing its job’ as Europe’s judiciary.⁴⁴ It even did so to the extent of becoming the prime driving force behind the European project during the ‘eurosclerosis’ during the era of the Luxembourg Compromise.⁴⁵ Through discretionary power, discrete institutions can influence political

³⁸ Schmitter, P. C. “A Revised Theory of Regional Integration”. *International Organization*. Vol. 24 (1970): 836-868.

³⁹ Ruggie, J.G. *et al.* “Transformations in World Politics.” P. 279.

⁴⁰ Saeter, M. “Democracy, Sovereignty, and Supranationality.” P. 18. First described in Haas, E.B. *Beyond the Nation State*. In particular p. 79-81.

⁴¹ Schmitter, P.C. “A Way Forward?” p. 40.

⁴² As a caveat, we should note that Haas pointed out that ‘learning’ can also lead to a *reduction* in the powers of institutions. In the preface to the 1968 edition of *The Uniting of Europe* he goes so far as to use the term ‘spill-back’. Theoretically, feedback can thus *reduce* institutional power, at least on the discrete level. A high degree of commitment to the institutional structure – a high degree of abstract institutionalization, in other words – might form a kind of ‘threshold’ blocking a spill-back. See Haas, E.B. *The Uniting of Europe*. P. xxix-xxx, and Saeter, M. “Democracy, Sovereignty, and Supranationality.” P. 18.

⁴³ Tsebelis, G., Garrett, G. “Intergovernmentalism and supranationalism in the EU.” P. 387.

⁴⁴ Burley, A.; Mattli, W. “Europe Before the Court.” *International Organization*. Vol. 47, No. 1 (1993): 41-76.

⁴⁵ Tsebelis, G., Garrett, G. “Intergovernmentalism and supranationalism in the EU.” P. 359

outcomes (power in and of itself) – which, if done right, can also be used to steer these outcomes toward even wider mandates.⁴⁶

Even more concretely in the realm of discrete institutions is the fourth mechanism, namely *regulation*. In essence, regulation refers the power of discrete institutions to lay down regulations, rules, legislation and that concretely prescribe the behaviour for other actors. Environmental policy springs to mind, as does monetary policy in the case of Eurozone countries, as well as any other policy area that is arranged at ‘the European level’ yet determines policy that individual member states implement. Gíandomenico Majone goes so far as to refer to the EU as a ‘regulatory state,’ pursuing and emphasising governance through regulations and rules.⁴⁷ In this way, regulation constitutes a very concrete exercise of institutional power.⁴⁸

In summary, the mechanisms of IPE range from the macro-level to the micro-level and involve both abstract and discrete institutions, as described in the first section. If a decision is taken or a policy is crafted through an institution, as opposed to conventional diplomacy, and the decision or policy is different than it would have been if it had been arrived at some other way, then the institution itself can be said to have influenced the policy – it has made an identifiable mark on it, if you will. It is the mechanisms described in this section - *institutionalisation of governance, institutional feedback, discretionary power, and regulation* – that make such ‘mark-making’ possible.

2.4 The EU’s Institutional Difference

As a final point, we should nip potential confusion in the bud by reiterating clearly the distinctions between IPE and other conceptualisations of the EU as power, in particular *Normative Power Europe* (NPE), with which it shares some common assumptions and partially overlaps.

⁴⁶ Tsebelis and Garrett note that, somewhat ironically, the discretionary power of certain (executive and judiciary) supranational institutions – the Court and the Commission especially – might actually be greatest when intergovernmentalism reigns in the legislative institutions (the Council of Ministers in particular), as the need for unanimity makes new legislation less likely. See Tsebelis, G., Garrett, G. “Intergovernmentalism and supranationalism in the EU.” P. 365-383

⁴⁷ Majone, G. “The rise of regulatory state in Europe”. *West European Politics*. Vol. 17, No. 13 (1994). 77-101. See also: Majone G. “From the positive to the regulatory state.” *Journal of Public Policy*. Vol. 17, Iss. 2 (1997): 139-167.

⁴⁸ Bach and Newman go a step further, reviewing the mechanisms of regulation, which include *regulatory expertise, regulatory coherence* and *sanctioning authority*. Bach, D. and Newman, L. “The European regulatory state and global public policy: micro-institutions, macro-influence”. *International Affairs*. Vol. 84, Iss. 1 (2007): 827-846.

IPE and NPE both consider institutions to be independent variables, capable of altering and shaping the behaviour of other actors on the international stage.⁴⁹ Indeed, IPE and NPE do not necessarily exclude one another, as institutional power can be used to achieve normative ends (and *is* frequently used as such, considering that institution-building is often construed as an attempt at ‘taming’ international relations, escaping the zero-sum conflict and warfare described by realist theory – with the intent of ‘building a better world’).⁵⁰

Importantly, however, Manners makes one critical empirical choice in his discussion of NPE, in particular with regards to what he calls the EU’s ‘normative difference’ and ‘normative basis’: NPE takes the treaty texts and declarations of the EU at face value. At no point does Manners even mention the possibility that some of the statements he draws on might be no more than rhetorical fluff (preambles in particular) – which seems akin to assuming that a country must be democratic simply because it is called the ‘Democratic Republic of.’ This is not what the EU *is*, as he claims; this is what the EU *says*. That alone does not discredit NPE, especially in light of Manners’s compelling case study of NPE in action. Yet ‘NPE in action’ is not what the EU *is*, either – that is what the EU *does*. This gives the impression that NPE rests on what the EU *says* and what the EU *does*, the irony of which would surely not be lost on Manners.

IPE, for its part, attempts to focus on what the EU *is* – which, according to Manners himself, is “the most important factor in shaping the international role of the EU”!⁵¹ Our approach means taking into account that treaties are no more than a starting point in exploring what an institution ends up doing or making possible.⁵² IPE also takes into account the possibility that the pursuit of normative ends on the part of discrete institutions (supranational ones in particular) might well be no more than attempts at legitimacy-building on the part of institutions that are actually intent on widening the scope of their own power.⁵³ Thus, the key difference between IPE and NPE lies in their conceptualisation of what the EU is, and not

⁴⁹ Manners does not make this assumption explicit, but NPE functions poorly without it (p. 244-245); tellingly, his case study about the abolition of the death penalty places emphasis on the activism of European institutions, the Commission in particular. See Manners, “Normative Power Europe”, P. 245-252.

⁵⁰ Ruggie, J. G. *et al.* “Transformations in World Politics.” P. 286. See also Keohane, R.O. “International Institutions.” P. 380. Mearsheimer speaks of this too, but in a rather disparaging way; this, indeed, is the titular ‘false promise’. Mearsheimer, J.J. “The False Promise of International Institutions” P. 1-14.

⁵¹ Manners, “Normative Power Europe.” P. 252.

⁵² Ruggie, J.B. *et al.* “Transformations in World Politics.” P. 283. This is also in line with Haas’s thinking in *Beyond the Nation State*. (1964): P. 487.

⁵³ Other authors exploring this include Rosamond, B. “The Uniting of Europe and the Foundation of EU studies: Revisiting the neofunctionalism of Ernst B. Haas.” *Journal of European Public Policy*. Vol. 12, No. 2. (2005): 237-254. P.249 in particular. Ruggie, J.G. *et al.*: Transformations in World Politics.” P. 283-287. and Schmitter, P.C. “Democracy in Europe and Europe’s Democratization.” p. 71-85.

necessarily in what it does, but in how it does it; in other words, in the *basis*, and to a lesser extent in the *mechanisms* (though NPE does rely on some institutional mechanisms – see section 3.3).

Like NPE, *Market Power Europe* (MPE) can also be reconciled with IPE – in fact, MPE's proponent, Chad Damro, actually emphasises the importance of the EU's "institutional features" to MPE.⁵⁴ Indeed, Damro touches quite closely on IPE by mentioning two mechanisms similar to our own, namely (institutionalised) interest negotiation and regulation.⁵⁵ Yet he applies these mechanisms only to market factors, which he deems most important, ignoring their broader applicability – wrongly so, because while the single market is definitely a critical feature of today's EU, the EU's reach in fact touches on a far wider scope of policy areas, from border patrols to human rights to environmental regulation. IPE covers *both* market features *as well as* other policy areas.

As mentioned in the introduction, *State Power Europe* (SPE) is hard to reconcile with IPE. In conceptualising the EU as a tool in the hands of powerful member states, the realist SPE approach questions the notion that institutions are in fact independent actors. In the view of SPE, institutions – abstract or discrete – exercise little to no influence, as the relationship between states and institutions is a distinct one-way street: states shape the behaviour of institutions, not the other way around. The clash between these views is explored in detail in chapter four of this study.

In sum, the core difference between IPE and NPE lies in their approach to the basis and mechanisms of the EU as power – what it is, and how it does what it does. It covers a more complete scope of European policy areas than does MPE. The key contention of IPE that sets it apart from these not irreconcilable viewpoints is, as mentioned earlier, that institutional power is the common denominator across the various conceptualisations (except perhaps for *State Power Europe*), and is thus worthy of our consideration as possibly the most precise characterisation of the EU.

2.5 Summary

In order to be able to consider the EU's identity as Institutional Power Europe, we needed to work out exactly what IPE is and how IPE works. In other words, we needed to lay out the foundations for our theoretical model. The first section defined institutional power as the ability of abstract and discrete institutions to influence the choices and behaviour of actors on

⁵⁴ Damro, C. "Market Power Europe." P. 687.

⁵⁵ Ibidem. P.687-688.

the international stage. It covers the extent to which abstract institutions shape the preferences, behaviour and power of the actors that constructed them, as well as the more tangible influence that discrete institutions wield through whatever competences or mandates they have – as well as the way discrete institutions may use these to increase the scope of their influence. We identified the concrete mechanisms through which IPE worked as *institutionalisation of governance, institutional feedback, discretionary power, and regulation*. If a decision is taken or a policy is crafted through an institution, as opposed to conventional diplomacy, and the decision or policy is different than it would have been if it had been arrived at some other way, then the institution itself can be said to have influenced the policy – it has made an identifiable mark on it. Furthermore, we observed that the EU had an essentially institutional basis. Europe is built on institutionalising relations between member states, both intergovernmentally and supranationally, for a wide variety of motivations that were all pursued through the same means: the creation of institutions or the alteration of existing ones. In addition, the EU's discrete institutions are what make it 'corporeal.' Finally, we made explicit some key differences between IPE, NPE and MPE, arguing that what the EU does and what it says might be well be normatively or market-oriented, but what the EU *is* is a dynamic set of abstract and discrete institutions. Institutional power is the common denominator among these various conceptualisations; hence IPE might well be the most precise characterisation of the EU.

III. CASE STUDY 1: THE PURSUIT OF DEATH PENALTY ABOLITION

Ian Manners presents the EU's pursuit of the abolition of the death penalty as a case study that clearly supports NPE's view of the EU as an actor; the pursuit of death penalty abolition might be considered 'most likely' to support this theory. But using a 'most likely' case is not necessarily convincing when it comes to validating a theory – as Harry Eckstein argued, the same empirical observations that suggest a theory cannot also test it.⁵⁶ But if the campaign for death penalty abolition is most likely to support NPE, it makes for an excellent (if not 'least likely' certainly 'less likely') test for IPE. We will now examine whether IPE has greater explanatory power than NPE when tested against NPE's most likely empirical case.

⁵⁶ Eckstein, H. "Case study and theory in political science." In: Gomm, R., Hammersley, M. and Foster, P. (Eds), *Case Study Method*. London: Sage Publications (2000). 119-164. P. 146. 'Most likely' and 'least likely' cases refer to cases "that ought, or ought not, to invalidate or confirm theories, if any cases can be expected to do so" (p. 149).

The first subsection of this chapter provides a brief general background on the campaign to abolish the death penalty. The second subsection tests whether IPE adequately explains this empirical case. A final section compares IPE's explanation to NPE's, arguing why IPE is the *better* of the two explanations. Three problems guide that comparison: to what extent is the pursuit of death penalty abolition representative of EU policy in the first place, and not merely a 'second-order concern'⁵⁷? Secondly, does the campaign for abolition – even as conceived of by Manners – not rely on 'closet' institutional processes, rather than inherently normative ones? And finally, do the norms constituting the EU's 'normative basis', which supposedly provide the motivation for the abolitionary effort, not actually conflict with the campaign?

3.1 The Campaign for Death Penalty Abolition: A Background

The road to death penalty abolition has been a long and arduous one, to say the least. Europe has a long led the way in paving it, with Portugal being the first European state to cease employing it in 1864 (making it the second state worldwide, after Venezuela in 1863); by the dawn of the 20th century, eleven European countries had done away with the death penalty for crimes committed in peacetime. In recent decades, international abolition campaigns under the aegis of human rights – led by the UN, the Council of Europe (CoE) and more recently the EU – have made great headway in achieving abolition in a great number and wide variety of states, tipping the balance to the extent that there are now more abolitionist states than retentionist ones.⁵⁸ Europe's role in this has been considerable.

Roger Hood, a leading expert on capital punishment, writes that what marks the modern period out from the past, is the “the development of a European-led political movement to make abolition of the death penalty the touchstone of acceptable international standards of respect for human rights.”⁵⁹ Indeed, it was the Council of Europe that took the first major institutional step by calling for the abolition of the death penalty in peacetime. Protocol Nr. 6 to the European Convention on Human Rights (ECHR) in the early 1980s. 1993 saw the Vienna Summit of the Council of Europe making membership conditional upon

⁵⁷ Term derived from Hyde-Price (2006), who in turn derived it from Mearsheimer (2001). I consider 'first-order concerns' to include more than just security and defence – for instance, Chad Damro might argue that for the EU, economic and market concerns might be more important than death penalty abolition. See Hyde-Price, A. “Normative Power Europe: A realist critique”, p. 222; Mearsheimer, J.J. *The Tragedy of Great Power Politics*. New York: W.W. Norton & Co (2001). P. 46-47, and Damro, C. “Market Power Europe”. 682-699.

⁵⁸ Jacot, M. “The Death Penalty: Abolition Gains Ground”. *UNESCO Courier*. Vol. 52, Iss. 10 (1999). 37-38. p.37.

⁵⁹ Hood, R. “Capital Punishment: A Global Perspective”. *Punishment & Society*. Vol. 3., No. 3 (2001): 331-353. P. 337.

signing and ratifying the 6th protocol within set period of years – as well as on the mandatory implementation of an immediate moratorium.⁶⁰ The United Nations (UN), for its part, attempted to enshrine abolition in the Second Optional Protocol (OPT2) to the International Covenant on Civil and Political Rights (ICCPR).

In light of this, the EU came to the table fairly late, with the CoE and the UN having already laid a tentative groundwork for the institutionalisation of death penalty abolition. However, prior to the Maastricht Treaty only eight of the then twelve European Community (EC) states had signed and ratified Protocol nr. 6 – and only six had actually abolished capital punishment, let alone many of the states that would join the EU in subsequent enlargements.⁶¹ That the EU would become a prominent champion of death penalty abolition was thus far from a given.

Ian Manners identifies three factors that led the EU to make an international fist for death penalty abolition: first, the normative groundwork laid by the CoE, as described above; second, the “rethinking of what it meant to be a democratic, liberal European state”, as the end of the Cold War had removed the easily identifiable ‘other’; and most importantly, the crisis of confidence in the EU characterising the period from 1992 to 1997, which “provided an opportunity for EU institutions and Member States to reflect on how best to revitalise the Union in order to recover from the ‘post-Maastricht blues’.”⁶² Human rights helped give new direction to the European project, as evident from the greater emphasis placed on them – and on death penalty abolition in particular – in the Treaty of Amsterdam,⁶³ as well as the call for a European declaration on fundamental rights and the abolition of the death penalty in member states.⁶⁴ Soon, the abolition of capital punishment became a precondition for EU membership.⁶⁵ The EU now had its own base for death penalty abolition, above and beyond the Council of Europe’s ECHR Protocol.

⁶⁰ Wohlwend, R. “The efforts of the Parliamentary Assembly of the Council of Europe”. *The death penalty: Abolition in Europe*. Strasbourg: Council of Europe (1999). 55-67. p. 57. See also: Council of Europe, “Parliamentary Assembly Resolution 1097”. 28/06/1996.

⁶¹ Although some Eastern European states actually abolished the death penalty *before* some EC states did – notably Romania, the Czech Republic, Slovakia and Slovenia in 1989 and 1990, in an attempt to make a clean break with the repression of the freshly dethroned communist regimes. See Hood, R. “Capital Punishment.” P. 339.

⁶² Manners, I. “Normative Power Europe”. p. 246.

⁶³ In particular, article 6 saw new founding principles inserted, with corresponding references to applicant states (article 49) and sanctions for failing to respect them (article 7). See TEU, In: Foster N. (Ed). *EU Treaties & Legislation 2012-2013*. P.3-4, 18-19.

⁶⁴ Commission of the European Communities, “Observance of Human Rights in the European Union”. *Bulletin of the EU*, No. 4. (1997). 1.2.11. See also: Manners,, I. “Normative Power Europe”. P. 247.

⁶⁵ Hood, R. “Capital Punishment”. p. 338.

Perhaps even more significantly, the EU's pursuit of death penalty abolition acquired an external dimension through the adoption of *guidelines to EU policy towards third countries on the death penalty*. This document committed the EU to the general pursuit of institutionalising abolition as the international norm (for instance by persuading third countries to accede to OPT2 of the ICCPR), the publication of annual reports on human rights, the taking of institutional initiatives in multilateral fora, and even getting involved in individual cases through specific démarches.⁶⁶ The EU has since carried out these guidelines in its foreign relations – for instance through its engagement with the US and China (both of whom are, in the language of Amnesty International, ‘super-executioners’⁶⁷), as well in raising the issue in the UN (for instance in resolutions to the 54th, 55th, 56th and 57th sessions of the UN commission on human rights⁶⁸). In addition, Ian Manners also argues that the EU influenced the death penalty policies of Cyprus and Poland during those countries' applicant phases to the EU, as well as in the case of Albania and the Ukraine, who were not EU-applicants at the time of Manners's writing but were nevertheless influenced by the EU because of their desire to be accepted as part the European political community.⁶⁹ Manners also mentions the case of Azerbaijan and Turkmenistan, where the EU norm was passed on through ‘contagion’ and ‘transference’ via partnership and co-operation agreements;⁷⁰ and finally in the rather difficult cases of Turkey and Russia, neither of whom enjoy glowing human rights records, but both of whom were the target of an extensive joint CoE-EU public awareness campaign aimed at providing information for legislators, leaders and the general public in those countries. Turkey, for its part, is of course also an EU-applicant state; it abolished the death penalty in 2004. Each of these examples indicate the EU attempting to live up to the guidelines it set out in 1998, and show that EU has actively campaigned for death penalty abolition.

In sum, the past decades have shown a trend toward not only death penalty abolition internationally, but also toward the institutionalisation of abolition through the ECHR, the ICCPR and the various efforts of the EU. While the original European mover and shaker

⁶⁶ Council of the European Union, “Guidelines to EU Policy toward Third Countries on the Death Penalty”. 29/06/1998. Available at <<http://www.refworld.org/docid/4705f3d12.html>> accessed 25 May 2013.

⁶⁷ Along with Iran, Saudi-Arabia, and Iraq. See Amnesty International, “Facts and Figures on the Death Penalty”. <http://www.amnesty.org/> accessed 15 May 2013.

⁶⁸ Council of the European Union, *European Union Annual Report on Human Rights*. Brussels, 1/10/1999. 11350/99, and Council of the European Union, *European Union Annual Report on Human Rights*. Brussels, 26/09/2000. 11317/00.

⁶⁹ Manners, I. “Normative Power Europe”, p. 249. This is supported by Hood, R. “Capital Punishment”. p. 338.

⁷⁰ Manners does not give clear empirical proof for this argument, though he does make a case for its likelihood. Manners, I. “Normative Power Europe”. P. 250.

behind death penalty abolition was the Council of Europe, the EU increasingly took over this role from the 1990s onward, formulating specific guidelines on how to pursue abolition internationally and exercising – at least in Ian Manners’s view – very real influence in several concrete cases. But was this influence really exercised through normative means, as Manners argued?

3.2 Institutionalising Abolition

Perhaps what really marks out the modern pursuit of death penalty abolition as described above is that the way it has been pursued has been through institutionalisation: rather than merely raising the issue on an *ad hoc* bilateral basis or having the issue raised as a matter of domestic politics, the Council of Europe, United Nations and European Union have persistently attempted to enshrine and entrench abolition in treaties, declarations, covenants, and the like (such as the ICCPR).⁷¹ It might be jumping to conclusions to immediately attribute the success of the modern campaign for abolition to the institutional methods employed, but the correlation between the two is certainly a starting point for further inquiry. Our argument, naturally, concerns Europe’s role in the campaign, and posits that Europe’s efforts and successes represent clear expressions of institutional power.

Most obvious, of course, are the mechanisms of *institutionalised governance* and *regulation* working in tandem in the EU’s abolitionary endeavours: the abolition of capital punishment has been completely entrenched in EU governance, to the point that retentionist countries simply cannot join the EU, whatever arguments about cultural tradition or national sovereignty they might have.⁷² On the international stage, the guidelines for EU policy towards third countries on the death penalty quite clearly speak to the EU’s reliance on institutional power. Not only does the EU work toward institutionalising abolition through multilateral fora like the UN (which, we ought to remember, is also a discrete institution) and codifying abolition into international law, but also through attempting to regulate death penalty use in cases where it is still employed. The Council’s guidelines of 1998 include a “minimum standards paper” which is something of a rulebook for countries that insist on retaining capital punishment. Among the twelve points it lists are such items as the exemption of people below the age of 18 at the time of their crime, as well as pregnant women and new mothers; the right to appeal to a ‘court of higher jurisdiction’ (and even calling for such

⁷¹ In line with Hood’s view, quoted earlier, that the modern period was marked by the attempt to “make the abolition of the death penalty the touchstone of acceptable international standards of respect for human rights.” Hood, R. “Capital Punishment.” P. 337.

⁷² Ibidem. P. 338.

appeals to be made mandatory); the standard that executions may only be used in cases of the most serious, intentional crime with lethal consequences; that the right of anyone sentenced to death to have the right a complaint ‘under international procedures’ (and naturally, while the complaint is being considered, the condemned’s execution would be delayed); that executions should be carried out in a way that inflicts only minimal suffering; and that capital punishments cannot be carried out against a state’s international commitments, such as extradition treaties.⁷³ All these measures indicate that the EU pursued abolitionist goals through institutional power, in particular through the *institutionalisation of governance* and through *regulation*.

Perhaps one of the most interesting points from the perspective of institutional power concerns the interest groups driving the institutionalisation of abolition. This point has been brought up by several authors, including Roger Hood,⁷⁴ but it is really Ian Manners’s phrasing that provides the best primer: “Contrary to conventional expectations, the main force for EU policy comes from transnational and supranational organisations reflecting a combination of norms from civil society and European political elite.”⁷⁵ Neofunctionalists would have a field day with that observation. A central tenet of Haasian theory is that the increasing transference of power to institutions, primarily through spill-overs, is driven by transnational elites and interest groups that find in the supranational level a more effective platform for pursuing their interests – a process which both stimulates and results from the shifting of actors’ expectations away from the national level to the institutional one.⁷⁶ From this theoretical vantage point, what Manners describes is not at all “contrary to conventional expectations” – rather, it is perfectly in line with them. It seems that the expectations of these abolition-oriented actors (such as Amnesty International) have converged around international institutions, and the EU in particular, wanting specifically to make abolition an EU policy⁷⁷ – reflecting not only a relatively high level of institutionalised governance, but also a trend to even greater institutionalisation through the *institutional feedback* resulting from the success that institutionalisation has had in achieving abolition.⁷⁸

⁷³ Council of the European Union, “Guidelines to EU Policy toward Third Countries on the Death Penalty”. P. 3-4.

⁷⁴ Hood, R. “Capital Punishment.” P. 337-339. See also Jacot, M. “The Death Penalty”. P. 37-38, and Krause, A. “Life versus Death: A Worldwide Plea for Abolition of the Death Penalty.” *Europe*, No. 401. 6-9.

⁷⁵ Manners, I. “Normative Power Europe.” P. 251.

⁷⁶ Ruggie, J.G. *et al.* “Transformations in World Politics”. P. 279.

⁷⁷ Krause, A. “Life versus Death”. P. 7; Manners, I. “Normative Power Europe”, p. 251.

⁷⁸ Commission of the European Communities. “European Governance: A White Paper.” Brussels, 25/07/2001. COM (2001) 428 Final. 1-35, p. 15.

Indeed, more broadly speaking, the institutionalisation of governance beyond the EU's borders actually seems give the EU discrete institutional weapons – arms it, as were – thus increasing its influence by further bolstering its institutional power. This may pertain to death penalty abolition specifically, as well. Stating explicitly that “the EU's external trade and co-operation relations have been institutionalised in a series of treaties,” the EU's Annual Report on Human Rights (2000) proceeds to explain the following:

Since the early 1990s, the EU has inserted human rights clauses in a substantial number of trade and co-operation agreements with third countries (such as association agreements, Mediterranean agreements, and the Lomé Convention). In May 1995 the Council approved a model clause (...) consisting of a provision that respect for human rights and democratic principles as laid down in the Universal Declaration of Human Rights of 1948 (...) and for the rule of law underpins the domestic and external policies of the parties and constitutes an “essential element” of the agreement. A provision dealing with non-execution of the agreement requires each party to consult the other before taking measures, except in cases of special urgency. An interpretative declaration, and the enacting terms, specify that cases of special urgency usually include breaches of an “essential element” of the agreement. The Community thus makes it possible to suspend all or part of the implementation of an agreement in the event of human rights violations.⁷⁹

This is a remarkably clever way of not only institutionalising human rights, but also ensuring that the rules agreed to can actually be enforced – providing a ‘carrot-and-stick’ approach through agreements that do not necessarily have human rights as their chief subject. The reports to provide an example of this strategy being carried out successfully, though not one specifically relating to the death penalty. Yet such a method may provide a very concrete method of realising the points in the *guidelines*; it illustrates just how great the potential power of institutional power can be.⁸⁰

To review, what marks out the modern pursuit of death penalty abolition is that it has been pursued has been through institutionalisation rather than merely raising the issue on an *ad hoc* bilateral basis or having the issue raised as a matter of domestic politics. The EU, in

⁷⁹ Council of the European Union, *European Union Annual Report on Human Rights*. Brussels, 26/09/2000. 11317/00. P. 32.

⁸⁰ To be fair, it can also be construed as facilitating Manners's mechanisms of procedural diffusion and especially ‘transference’. This is not at odds with IPE, though; in fact, it supports it, as elucidated further in section 3.3. For a general review of the use of conditionality by the EU, see Smith, K. “The Use of Political Conditionality in the EU's Relations with Third Countries: How Effective?” *European Foreign Affairs Review*. Vol. 3, No. 2 (1998): 253-274.

particular, has used institutional power to see international abolition realised, primarily through *institutionalisation of governance and regulation*; it aims to see, at the very least, minimum standards regarding death penalty use institutionalised. Furthermore, in accordance with Haasian theory, the expectations of abolition-oriented actors have converged around international institutions, and the EU in particular – reflecting not only a relatively high level of institutionalised governance, but also the possibility of positive *institutional feedback* resulting from the success that institutionalisation has had in achieving abolition. The inclusion of human rights clauses in regular agreements arms Europe with added institutional power to pursue human rights in general and death penalty abolition specifically through a kind of *discretionary power* – the ability to cancel suspend an entire agreement if the EU consider human rights to have been violated. In short, it seems that IPE can more than adequately explain this case study. But NPE's explanation still stands as well – so which is preferable?

3.3 Explaining Abolition: IPE versus NPE

The final step in our argumentation is to establish which of the competing views on this case study is the more accurate one. Our contention is that IPE is more suitable than NPE in explaining the EU's international power generally and the abolitionary campaign specifically; this is based on three problems, namely the problem of the primacy of normative issues in EU policy, the 'closet institutionalism' of NPE, and the conflict between the norms supposedly constituting the EU's 'normative basis' and the effort to abolish capital punishment.

Beginning once more at the general and working our way down to the specific, we ought to start by questioning the primacy of normative goals in EU foreign policy broadly. Are normative goals really the only (or the primary) policy elements for the EU? This seems unlikely, particularly considering the wide variety of compelling alternatives available – consider the economics and common market central *Market Power Europe*, for instance.⁸¹ But even in documents relating specifically to human rights and the death penalty, some of the evidence available tempers the primacy of the human rights issues – and with that, the entire representativeness of the abolition case study. The EU annual human rights report of 2000 – which Ian Manners actually draws on – states that:

The human rights clause does not transform the nature of agreements which are otherwise concerned with matters not directly related to the promotion of human rights. (...) Such a

⁸¹ Damro, C. "Market Power Europe." p. 6-7.

clause thus does not seek to establish new standards in the international protection of human rights. It merely reaffirms existing commitments which, as general international law, already bind all States as well as the EC in its capacity as a subject of international law.⁸²

This particular passage seems to favour the institutional power approach over the normative power one, both in its affirmation of commitment to established international institutions and in the relative reticence with which the EU seems to approach the issue of human rights here. They are important yes, but they do not trump the nature of agreements that deal with matters not related to normative issues. As established in chapter two of this study, the broad explanatory power of the ‘common denominator’ that is IPE means that it is much better poised to be a model for an EU that is not *defined* by normative issues. Simply put, if normative issues are ‘not that important’, then the study of the death penalty abolition campaign might well support NPE, but meaninglessly so, as it will not be representative of the EU’s primary role on the international stage.

Yet that puts things rather too strongly: certainly Manners is right that the promotion of human rights *are* an important (in any case visible) element of EU foreign policy, and that abolition does represent a success in this field. He is also right in pointing out that the case of capital punishment shows that the EU cares enough about normative issues to be willing to come up against actors who are usually strategic allies, such as the United States.⁸³ By itself, the above is not enough to clinch the argument. In order to irrevocably demonstrate the superior explanatory power of IPE, it ought also to explain the specific abolition case study more consistently than NPE – not merely ‘win by default’ because the two explanations are equally compelling in this case, but IPE has superior power in other cases.

This leads us to our second problem: the mechanisms for ‘norm diffusion’ that Manners identifies as being at work in the EU’s campaign for the abolition of the death penalty (three of his total six NPE mechanisms) seem to be *institutional* rather than *normative* in nature. Consider, for instance, what Manners terms ‘procedural diffusion’. He defines this, verbatim, as “the institutionalisation of a relationship between the EU and a third party, such as an inter-regional co-operation agreement, membership of an international organization or an enlargement of the EU itself.”⁸⁴ This ‘procedural diffusion’ is, according to NPE, a critical mechanism in achieving death penalty abolition, being observed specifically in the cases of

⁸² Council of the European Union, *European Union Annual Report on Human Rights*. 26/09/2000. P. 33.

⁸³ Manners, I. “Normative Power Europe” p. 253.

⁸⁴ Manners, I. “Normative Power Europe.” P.244.

Cyprus, Poland, Malta and Turkey (and more generally, in every EU-applicant state that was not already abolitionist).⁸⁵ IPE wholeheartedly agrees that this mechanism was at work in these cases. It questions, however, whether it is in fact a normative mechanism. After all it has no inherently normative element in it, but is only used for a normative goal. As observed in the previous chapter, power consists in means, not ends – it is the ability to influence the choices and behaviour of an actor, not the reason for doing so. Hence, we can concur with Manners's assessment that this mechanism is at work, but not with his characterisation of it – it would be more accurate to speak of institutional *power* being used for a normative *purpose*.

But the *coup de grâce* in the duel between IPE and NPE can be found in the third problem. Democratic support for abolition is not as strong as one might expect it to be, given Europe's insistent lobbying for it. Ian Manners makes this observation himself:

It is clearly inaccurate to argue that the pursuit of abolitionist norms in international relations is for the benefit of a domestic audience, or to serve national interests, as the Council recognises that in some Member States the political decision towards abolition was not taken with the support of the majority of public opinion.⁸⁶

Perhaps Manners did not realise just how damaging this observation can be to NPE. He uses it, of course, to deflect the criticism posited in chapter two of this thesis, that the pursuit of normative goals like death penalty abolition might be no more than an attempt at building legitimacy on the part of discrete EU institutions, so as to provide a basis for a further expansion of their influence.⁸⁷ But according to NPE, the EU's normative international role stems from its normative basis ('what it *is*'), which rests on five 'core' norms within the vast body of EU law and policy: *peace, liberty, human rights, democracy, and the rule of law*. If democracy is one of these core norms, then why is the EU campaigning so zealously for death penalty abolition while retention (or reintroduction) enjoys significant support?⁸⁸ Where do the norms of a polity that is at its core democratic come from, if not from popular will? In the same vein, *retention* of capital punishment would also be a normative policy that can be

⁸⁵ Ibidem. P. 248-252.

⁸⁶ Ibidem. P. 251. The Council opinion he refers to can be found in Council of the European Union, "EU Memorandum on the Death Penalty." Brussels, 25/02/2000, p. 2. (This document can also be found as an annex to the *EU Annual Report on Human Rights* of 2000, cited earlier). The observation is also verified by other sources, among them Hood, R. "Capital Punishment", p. 339, and Krause, A. "Life versus Death", p. 8.

⁸⁷ Rosamond, B. "The Uniting of Europe and the Foundation of EU studies." P. 249.

⁸⁸ At the time of Manners' writing, support levels were just over 60% in many Eastern European countries, as well as in the United Kingdom. France and Belgium also saw support levels just under 50%. See Krause, "Life versus Death" p. 8.

externalised (on the basis of *democracy*, say, or *the rule of law*): Martine Jacot actually warns about the “contagious effect” the USA’s retentionism is having on its Caribbean neighbours,⁸⁹ which is awfully reminiscent of Manners’s ‘contagion’ mechanism. In other words, there is nothing ‘more’ normative about abolition than about retention, and there is no unambiguous normative majority in democratic Europe. Yet it is an empirical fact that the EU actively pursued international abolition. Here NPE flounders, but IPE thrives. After all, IPE’s explanation does not require a ‘normative basis’ for policy – instead, the focus is on institutional processes, which have been clearly identified as being at work (both by IPE *and* by NPE). The abolition of the death penalty is an expression of institutional power – for instance, even in member states with a majority of the population in favour of the death penalty (such as the UK), membership of the EU has made abolition unavoidable. It is also in line with the EU’s ‘institutional basis’, being built on the institutionalisation of relations between states. We might even speculate that the institutionalisation of abolition through treaties and covenants serves to increase the power of international institutions worldwide (thus also providing an institutional end, above and beyond institutional means), as it limits the powers available to normally sovereign states – for whom criminal justice and retribution would normally be defining competences.⁹⁰

The case of death penalty abolition clearly shows the EU relying on institutional power on the international stage, rather than normative power. To begin with NPE might just overestimate the extent to which this case study is representative of EU foreign policy. But even if it is representative, the case still favours IPE. The mechanisms NPE identifies as being at work are in reality institutional: at best, death penalty abolition is a case of institutional *power* being used for normative *ends*. But more damningly, the lack of unambiguous democratic support for abolition combined with *democracy* being a core component of the EU’s supposed normative basis calls into question the whole reason why the EU would pursue abolition. IPE is not touched by this problem: it requires no normative basis for policy, but does possess an institutional one – with which the international institutionalisation of an aspect of policy that is normally a matter for the domestic discretion of a sovereign state is very much in line.

3.4. Summary

⁸⁹ Jacot, M. “The Death Penalty”. P. 38.

⁹⁰ Indeed, arguments of national sovereignty are often used in opposition to the international abolitionary effort. See Hood, R. “Capital Punishment” p. 340-341.

The past decades have shown a trend toward not only death penalty abolition internationally, but also toward the institutionalisation of abolition through the ECHR, the ICCPR and the various efforts of the EU. While the original European mover and shaker behind death penalty abolition was the Council of Europe, the EU increasingly took over this role from the 1990s onward, formulating specific guidelines on how to pursue abolition internationally. In this chapter, we held IPE and NPE up against the same empirical case study to see which seemed better poised to explain it. Death penalty abolition was a ‘most likely’ case for NPE, and thus formed a good first proving ground for IPE. A defining characteristic of the modern campaign for death penalty abolition is that it has been pursued through institutionalisation rather than by merely raising the issue raised as a matter of domestic politics. The EU exercised institutional power primarily through *institutionalisation of governance and regulation*; it aims to see, at the very least, minimum standards regarding death penalty use institutionalised. Furthermore, in accordance with neofunctionalism, the expectations of abolition-oriented actors have converged around international institutions, and the EU in particular – reflecting not only a relatively high level of institutionalised governance, but also the possibility of positive *institutional feedback* resulting from the success that institutionalisation has had in achieving abolition. The inclusion of human rights clauses in regular agreements arms Europe with added institutional power to pursue human rights in general and death penalty abolition specifically through a kind of *discretionary power* – the ability to cancel suspend an entire agreement if the EU consider human rights to have been violated. In short, IPE explains this case study well. Lastly, we compared IPE’s explanation to NPE’s and found that IPE’s seems superior. If the pursuit of death penalty abolition is not representative of the EU’s international role in general, NPE suffers, but IPE does not. Furthermore, the mechanisms identified in NPE’s explanation reveal a closet institutionalism: at most, they constitute institutional power being used for normative purposes, as power consists in means, not ends. Finally, the lack of unambiguous democratic support for abolition combined with *democracy* being a core component of the EU’s supposed normative basis calls into question the whole reason why the EU would pursue abolition. IPE demands no normative basis for policy, but its institutional one seems to be fall in nicely with the international institutionalisation of an aspect of policy that is normally a matter for the domestic discretion of a sovereign state. IPE, thus, is more suitable for explaining the EU’s international power generally and the abolitionary campaign specifically than NPE.

IV. CASE STUDY 2: COMMON SECURITY AND DEFENCE POLICY

As alluded to in chapter two of this thesis, the toughest challenge to IPE may well come from the realist perspective, which we dubbed *State Power Europe* (SPE) in the introduction. SPE makes the face-off between IPE and NPE look like a bit of friendly sport – after all, the two perspectives are not irreconcilable and are united by the common assumption that the EU and its institutions are actual actors, willing and able to exercise real power on the international stage. As might be expected of a realist approach to the ‘Europe as a power’ debate, SPE questions this notion of actorhood.

There is no actual article titled *State Power Europe*, but the main advocate for this view in the ‘Europe as a power’ debate is Adrian Hyde-Price, whose ‘realist critique’ of *Normative Power Europe* is as ambitious as it is admirable in its attempt to formulate a realist alternative to NPE – actually engaging with NPE, rather than just attacking it. Like Manners, Hyde-Price relies on the study of a ‘most likely’ case to ground his theoretical perspective: the evolution of the European Security and Defence Policy, or ESDP (renamed *Common Security and Defence Policy* at Lisbon, which Hyde-Price’s work predates). Hyde-Price postulates that ESDP/CSDP is “clearly a ‘hard case’” for realism.⁹¹ Consequently, it is also a ‘least likely’ case for IPE (and as explained in the previous chapter, a ‘least likely’ case is far better poised to test a theory than a ‘most likely’ one). The first subsection of this chapter provides a general background to the development of ESDP/CSDP, as well mentioning, briefly, the chief contentions of SPE about them. The second section provides the alternative IPE explanation, testing our theory against this empirical case. The last section pits IPE and SPE against one another. The crucial problems guiding that confrontation are: to what extent is ESDP/CSDP (and, indeed, force projection in general) representative of how Europe asserts itself on the international stage? And do the actual policies generated truly match the preferences of powerful states, as SPE posits?

4.1 European Security and Defence: An Introduction

Integration in the areas of security and defence has a long history of elusiveness. The years following the end of the Second World War saw the creation first of the Western Union

⁹¹ Hyde-Price, A. “A Realist Critique”. P 219. He actually refers to “CFSP/ESDP”, but this is rather problematic, as CFSP (Common Foreign and Security Policy) covers a very broad range of initiatives and leaves far more room for supranationalism than do issues of security and defence. Hyde-Price never justifies the CFSP/ESDP conflation. IPE will forgive this oversight, and focus primarily on the ‘least likely’ ESDP/CSDP aspect (which is also happens to be the actual *de facto* focus of Hyde-Price’s work).

Defence Organisation (comprising France, the UK, the Benelux countries, and aimed at defending against a possible German threat) and subsequently the Western European Union (expanded to include Italy and West Germany, and directed primarily against the Soviet Union). These alliances were just that – *alliances*, firmly intergovernmental – and found themselves superseded largely by the North Atlantic Treaty Organisation (NATO). The only attempt at true defence integration, the European Defence Community (EDC), failed to be ratified by the French parliament and thus never became a reality. Security and defence touch on aspects of state sovereign commonly seen as sensitive and politically charged; these policies long seemed destined to remain a citadel of intergovernmentalism.⁹²

The WEU awoke from its dormancy in the 1980s – along with many other facets of European integration as Europe moved out of the ‘euroclerosis’ phase – and found itself becoming a platform for intergovernmental consultation between European foreign and defence ministers. In addition, the 70s and 80s saw a degree of foreign policy co-operation and consultation in the European Political Community (EPC), but looseness and intergovernmentalism afflicted also this platform. The Maastricht Treaty brought the WEU closer to the EU – envisaging it to become its ‘military branch’ – but the potential for overlap and conflict with NATO (a source of worry for Atlanticist EU members) constrained how much the WEU could actually do; it was given three degrees of membership within the EU and two sets of links with NATO, while this institutional convolutedness was compounded by a lack of loyalty and interest from its members.⁹³ Maastricht also saw the EPC replaced by the Common Foreign and Security Policy (CFSP), which represented a step up in institutionalisation⁹⁴ but still left much to be clarified and streamlined. In the end, Europe entered the 1990s with only nascent integration in the fields of security and defence (as well as in foreign policy more generally). This would prove problematic.

The 1990s were fraught with tests for European foreign, security, and defence policy – tests that really demanded far greater institutional coherence than the EU actually had in these fields, leading to some spectacular failures. The most famous and traumatic of these was the

⁹² Smith, M.E. *Europe's Foreign and Security Policy: The Institutionalization of Cooperation*. Cambridge: Cambridge University Press (2004). P. 209.

⁹³ Andréani, G. “Why Institutions Matter.” *Survival*. Vol. 42. Iss. 2 (2000): 81-95. P. 82.

⁹⁴ For instance, the TEU required that member states “*shall support the Unions's external and security policy and unreservedly in a spirit of mutual solidarity*”; furthermore, they “*shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations*.” (Article 23, paragraph 3, in the consolidated version of the treaty). By comparison, article 30.2(d) of the SEA read “The High Contracting Parties shall *endeavour* to avoid any action or position which impairs their effectiveness as cohesive force.” See also Smith, M.E. *Europe's Foreign and Security Policy*. P. 185. And TEU, In: Foster N. (Ed). *EU Treaties & Legislation 2012-2013*. P.11.

disintegration of Yugoslavia. Proclamations that this was “the hour of Europe” soon proved empty boasts, as Europe (and to be fair, the West in general) handled the crisis with exceptional ineptitude.⁹⁵ The Community position differed from that of some member states (as epitomised by Germany’s unilateral recognition of Croatia); it was unclear who represented the ‘European’ view; initial diplomatic pressures for market reforms worsened economic recession, contributing to the climate that would provide the stage for the eruption of the conflict; and, most significantly, European Community had no readily available military capacity to intervene when battle and carnage engulfed Bosnia (and, several years later, Kosovo). Susan Woodward, whose *Balkan Tragedy* provides a detailed and exhaustive analysis of ‘what went wrong’ in the early years of the crisis, writes:

The idea that Yugoslavia would be the test case of a more unified Europe and of new security institutions in the EC or CSCE arose *before* those institutions were well in place. Yugoslavia was to serve as vehicle to create those institutions and force that unity, not as its beneficiary.⁹⁶

Europe was, at the time of the onset of the crisis, in the midst of preparing the Maastricht Treaty; the international community at large was more concerned with that other breakup of 1991 – that of the Soviet Union. Simply put, the timing could not have been worse. Ultimately, putting the crisis down took NATO intervention and *ad hoc* co-ordination between states in ‘Contact Groups’ and saw Germany reasserting itself as more than a civilian power on the world stage. It also saw the American-led NATO bombing of Yugoslavia in response to events in Kosovo in 1999, which rather disturbed many Europeans, providing an impulse to further develop and crystallise integration in security and defence.⁹⁷

In the wake of these troubles, the late 90s saw a flurry of activity in the field of security and defence integration. The summit between the UK and France at St. Malo represented a breakthrough (the UK withdrawing its opposition to a role for the EU in security and defence); the European Councils at Cologne (June 1999), Helsinki (December 1999) and Santa Maria da Feira (June 2000), as well as the treaties of Amsterdam, Nice and Lisbon all saw significant steps toward this goal, primarily with the creation of first the ESDP (renamed

⁹⁵ Gow, J. *The Triumph of the Lack of Will: International Diplomacy and the Yugoslav war*. London: Hurst & Company (1997). P. 48-50.

⁹⁶ Woodward, S.L. *Balkan Tragedy: Chaos and Dissolution after the Cold War*. Washington, D.C: The Brookings Institution (1995). P. 162.

⁹⁷ Smith, M.E. *Europe’s Foreign and Security Policy*. P. 233. See also Hyde-Price, A. “A Realist Critique”. P. 227.

CSDP at Lisbon) and through greater application of supranationalism in CFSP.⁹⁸ While the current CSDP still revolves around unanimity and consensus (intergovernmentalism, in other words), Lisbon did see the principle of *enhanced co-operation* extended to security and defence, making it easier in principle to form ‘coalitions of the willing’ between nine or more member states. So far, some 25 missions have flown the flag of ESDP/CSDP, most of which have been comparatively successful (though often limited in scope). They range widely, both in size and in nature: from the ten EU experts in the rule-of-law mission in Iraq to Operation Althea in Bosnia, involving up to 7000 soldiers. There have been autonomous missions (Artemis to the Democratic Republic of Congo in 2003; EUFOR Chad) and missions with NATO support under the ‘Berlin Plus’ arrangement (such as Concordia in Macedonia, and the aforementioned Althea).⁹⁹ They include monitoring missions (e.g. in Georgia and Indonesia), rule-of-law missions (Iraq), border missions, police missions (Bosnia, Macedonia), security sector reform missions (Guinea Bissau), and of course actual military operations (Artemis; Althea).¹⁰⁰ EU capabilities still fall somewhat short of the ambitious goals of Helsinki 1999 (60,000 troops, 100 ships and 400 aircraft to be deployable with sixty day notice and sustainable for one year); these goals have subsequently been downgraded.¹⁰¹ That said, an institutional infrastructure is slowly emerging: the European Defence Agency; the European Union Institute for Security Studies; the European Union External Action Service (which is primarily a diplomatic corps, but with intelligence capabilities); the Political and Security Committee, the EU Military Staff and the EU Military Committee; in addition, the Civilian Crisis Management Committee helps cover the civilian dimension.¹⁰² Institutionalisation is slow in this by tradition jealously-guarded policy area, but compared to the situation in the 1980s and 90s, there has been significant movement.¹⁰³

From a theoretical perspective, realism has been somewhat at odds with itself in its assessments of the pressures of the world system on European states: the assumption of the divisive force of international anarchy led some theorists to argue that security and defence

⁹⁸ For instance, through QMV voting in the Council in matters not relating directly to security and defence. See TEU, Article 31. In: Foster N. (Ed). *EU Treaties & Legislation 2012-2013*. P.13.

⁹⁹ Berlin Plus allows EU-led Crisis Management Operations to be carried with the use of NATO assets and capabilities.

¹⁰⁰ Bickerton, C.J., Irondelle, B., Menon, A. “Security Co-operation beyond the Nation-State: The EU’s Common Security and Defence Policy.” *Journal of Common Market Studies*. Vo. 49. No. 1 (2011): 1-21. P. 4.

¹⁰¹ International Crisis Group, *European Response Capability Revisited*. 17/01/2005. Available at <www.crisisgroup.org> accessed 2 June 2013. 1-58: p. 22-32. See also: Bickerton, C.J. *et al.* “Security Co-operation beyond the Nation-State”. P. 5.

¹⁰² Cross, M. “Co-operation by Committee: The EU Military Committee and the Committee on the Civilian Crisis Management”. *EU Institute for Security Studies Occasional Paper No. 82*. (2010).

¹⁰³ Smith, M.E. *Europe’s Foreign and Security Policy*. P. 263.

co-operation is unlikely, with European relations deteriorating as states confront post-Cold War rivalries and pressures,¹⁰⁴ while it has led others to predict that it will force Europeans to co-operate more closely to balance against the US (and other emerging superpowers).¹⁰⁵ While neither seems to have corresponded entirely to empirical reality,¹⁰⁶ the specific view of SPE falls more in the latter category. Hyde-Price writes that the ESDP is “the product of the conflux of two systemic pressures: global unipolarity and regional multipolarity” (i.e. the presence of one global superpower combined with the absence of a definite hegemon in Europe itself).¹⁰⁷ This in and of itself is not at odds with IPE, as for our purposes the reason for the institutionalisation of relations in Europe is not as important as the observation that this institutionalisation took place, and is at the basis of the EU as a polity; to IPE it makes little difference whether it was an ideational normative process, or domestic economic pressures, or the ‘shaping and shoving’ of the international system that started the process – as long as it does not challenge the institutional basis or the potential for institutions to exercise power. Yet the key contention of SPE is more problematic: it views the ESDP/CSDP as an instrument for the EU’s most powerful states (France, Germany and the UK are explicitly cast in these roles) to shape their external ‘milieu’ “using military coercion to back up diplomacy”; it is “a collective instrument for coalitional coercive diplomacy and military crisis management”.¹⁰⁸ In short, Europe’s power is *based* on state power and *exercised* through state power. In concrete empirical terms, this means two things: on the one hand, the shaping of the ESDP/CSDP should lie primarily in the hands of the most powerful states, thus reflecting the power of states on the European level. On the other hand, it should also mean that institutions – abstract or discrete – exercise little to no influence, as SPE provides for a distinct one-way street: states shape the behaviour of institutions, not the other way around.¹⁰⁹ We will challenge this view in the third section; for now, it serves merely to put it forward.

In sum, European security and defence has seen a marked development over the course of the past 60-odd years, progressing from the WEU to the current CSDP. Most of the activity took place from the 1980s onward, with particular progress made in response to the failures in handling the Balkan Crises of the 1990s. *State Power Europe* posits that Europe as

¹⁰⁴ Mearsheimer, J.J. “Back to the Future: Instability in Europe after the Cold War. *International Security*. Vol. 15. Iss. 2. (1990): 5-56.

¹⁰⁵ Art, R. “Striking the Balance”. *International Security*. Vol. 30. Iss. 3 (2005/6). 177-185. See also: Posen, B. “European Union Security and Defence Policy: Response to Unipolarity?” *Security Studies*, Vol. 15, No. 2 (2006): 149-186.

¹⁰⁶ Bickerton, C.J. *et al.* “Security Co-operation beyond the Nation-State”. P. 9.

¹⁰⁷ Hyde-Price, A. “A Realist Critique”. P. 228.

¹⁰⁸ *Ibidem*. P. 230-231.

¹⁰⁹ *Ibidem*. P. 221. See also Mearsheimer, J. J. “The False Promise of International Institutions.” p. 5-49

a power is based on (military) state power and is exercised through state power. The EU is no more than an instrument in the hands of its most powerful states, for which the largely intergovernmental CSDP is seen – by SPE, anyway – as a clear case. But is institutional power truly absent from this field, as SPE would have it?

4.2 Institutionalising Security and Defence

Even Adrian Hyde-Price concedes that “the EU has undoubtedly emerged as an important element of Europe’s security architecture, and [we] need account for such institutionalised multilateral co-operation.”¹¹⁰ Institutional Power Europe has – perhaps contrary to expectations – considerable explanatory power in the analysis of ESDP/CSDP (and also CFSP more broadly). In fact, most of the mechanisms described earlier can actually be found to be at work, in particular *feedback*, *discretionary power*, and the *institutionalisation of governance*.

Institutional feedback is perhaps the easiest mechanism to discern. In particular, the case of Yugoslavia and the subsequent impulse toward developing the ESDP and CFSP fit our conception of feedback like a glove. Hyde-Price himself actually remarks that “Events in the Balkans played a catalytic role in the launch of the ESDP” and that “The EDSP thus represents the EU’s response to the failures of ‘civilian power’ Europe in the Balkans.”¹¹¹ Christopher Hill famously wrote of a ‘capabilities-expectations gap’ regarding EU foreign policy,¹¹² and a mismatch between capabilities and expectations just so happens to provide fertile soil for the mechanisms described by Ernst Haas. In essence, the institutions available to the EU at the time of the crisis whose function it was to enable the EU to deal with such acute foreign problems proved to lack the capabilities required – in particular access rapidly deployable military power – to successfully complete the task they were expected to. Immediately after, in the latter half of the 1990s, we observe a flurry of activity (St. Malo, the Helsinki Headline Goals, the Petersberg tasks, the provisions of the Amsterdam Treaty, to name just a few). This has *institutional feedback* written all over it. For one thing, it closely resembles spill-over (‘the phenomenon whereby institutions receive responsibilities for accomplishing certain tasks, but then discover that success requires addressing related activities, hence necessitating an increase in the scope of that institutions competences’);¹¹³ it

¹¹⁰ Ibidem. P. 219.

¹¹¹ Ibidem. P. 228.

¹¹² Hill, C. “The Capabilities-Expectations Gap, or Conceptualising Europe’s International Role”. *Journal of Common Market Studies*. Vol. 31, No. 3 (1993): 305-328.

¹¹³ Though it is more modest than the classical spill-over: it did not (yet) involve supranational institutions.

involves the process of ‘learning’ – we see actors modifying their expectations and strategies based on institutional performance (consider the emphasis on *rapidly deployable* troops, such as in the Rapid Reaction Force and in the more recent 1,500-man Battlegroups initiative, deployable within 15 days to tackle acute crises, which may in its turn also be the result of ‘learning’ from the persistent difficulties in achieving the headline goal of 60,000 standing personnel¹¹⁴); and last but not least, it resulted from a kind of ‘good crisis’, as Phillippe Schmitter envisaged as being instrumental in driving integration forward by frustrating member states’ expectations.¹¹⁵ It seems *institutional feedback* was a critical mechanism in the development of ESDP/CSDP.¹¹⁶

But feedback is not the only institutional mechanism we can observe. The EU’s discrete institutions also exercise a degree of *discretionary power* over ESDP/CSDP (and certainly over CFSP – this is an area where Hyde-Price’s conflation of the two becomes acutely problematic). This discretionary power is tentative and frequently subtle, which may be why SPE-oriented scholars tend to overlook it; Hyde-Price is (to his credit) very open about his lack of concern for the “fine-grain” of policymaking, claiming instead to focus on the larger structural factors shaping it.¹¹⁷ That is well and good, but the (discretionary) power of institutions is often found exactly in the “fine-grain” of policy-making.¹¹⁸ To give just one example, any initiative that draws on the EU budget inevitably comes under review from the European Parliament, as it must approve EU budgets – which includes most CFSP initiatives,¹¹⁹ including, notably the budget of the EEAS.¹²⁰ Furthermore, the High

¹¹⁴ Bickerton, C.J. “Security Co-operation beyond the Nation-State” p. 5-6.

¹¹⁵ Schmitter, P.C. “A Way Forward?” p. 40. See also: Schmitter, P.C. “A Revised Theory of Regional Integration.” P. 836-868. The characterisation of Yugoslavia as a ‘good crisis’ refers only to its effect on European integration – there was nothing ‘good’ about the Bosnian War or the bombing of Kosovo.

¹¹⁶ And indeed, it is hard to miss the marked improvement in CSDP (and CFSP) performance in the 2000s as compared to the 1990s – and the 2000s also saw their fair share of crises. Wivel (2005) remarks in particular that the EU response to 9/11, while still lacking in military power, showed a level of unity and effectiveness in diplomatic support, intelligence sharing, and combating sources of terrorist funding that would have been entirely impossible in the institutional framework of the 1990s. See Wivel, A. “The Security Challenge of Small EU Member States: Interests, Identity and the Development of the EU as a Security Actor”. *Journal of Common Market Studies*. Vol. 43, No. 2 (2005): 393-412. P. 403.

¹¹⁷ Hyde-Price, A. P.218.

¹¹⁸ This is not to understate the potential explanatory power of (structural) realism, as Hyde-Price warns us against – he mentions that institutional accounts sometimes present structural realism in “highly jaundiced terms”, turning it into a strawman to “demonstrate the sophistication of other approaches” (p.219). IPE endeavours to avoid this. The criticism here, however, is that the choice for an analytical framework that explicitly excludes the area of study where institutional power is most likely to be found, *cannot* make for a convincing argument against institutional power. The discounting of institutions then arises not from the actual analysis, but from the framework chosen beforehand, in effect not giving institutions ‘a fair go’.

¹¹⁹ All of them, actually, except, unfortunately “operations having military or defence implications” – however, many operations (the majority, in fact) under the flag of CSDP/ESDP are actually civilian in character – EUJUST LEX, to name just one. See TEU, Article 41, paragraphs 1 and 2. *EU Treaties & Legislation 2012-2013*. P.15.

Representative for Foreign Affairs and Security Policy may make proposals to the Council for the adoption of CSDP decisions; she also has a considerable role in “coordination of the civilian and military aspects of such tasks,” placing the High Representative in a position to steer both the proposal phase and the implementation phase.¹²¹ Perhaps even more convincing is the role the Commission played in steering CSDP in the direction it went, especially in the 1990s. The aggressive campaigning of the Delors Commission in shaping the TEU, for instance, ensured it could no longer be excluded from a CFSP policy matter – *including* security and defence.¹²² Finally, the EU’s institutions seem themselves aware of the potential for increases in their influence in the security and defence field. “Transnational policy institutes themselves see militarisation as an opportunity to empower their political role,” writes our old fencing partner Ian Manners, “as well as achieving deeper security and political integration.”¹²³ In particular, the relatively infrequent state-based use of CSDP (likely a result of the constraints of intergovernmentalism) obscures the more subtle, non-state related influence of specific defence institutions on CSDP – for instance, institutions concerned not with policymaking but with research, technology and armaments co-operation, such as the European Defence Agency (with the backing of the Commission), that work ‘continuously’ behind the scenes, slowly centralising Europe’s military industry and pulling it to Brussels.¹²⁴

Indeed, particularly from the neofunctionalist perspective, the development of a ‘European’ military-industrial complex is rather interesting. A number of scholars have pointed to the role of defence industries in particular in lobbying to further integration as a means and a rationale for arms co-operation.¹²⁵ Manners, in fact, speaks not of a ‘complex’ but of a ‘simplex’ in the way that:

The military armaments lobby and the technology-industrial lobby have worked *at the EU level* to create a simple but compelling relationship between the need for forces capable of

¹²⁰ Smith, M.E. *Europe’s Foreign and Security Policy*. P. 225.

¹²¹ TEU Article 43, par. 3 and article 43 par. 2. *EU Treaties & Legislation 2012-2013*. P.16-17.

¹²² Smith, M.E. *Europe’s Foreign and Security Policy*. P. 187.

¹²³ Manners, I. “Normative Power Europe Reconsidered: Beyond the Crossroads.” *Journal of European Public Policy*. Vol 13. No. 2 (2006): 182-199. P.191.

¹²⁴ Manners, I. “Normative Power Europe Reconsidered.” P.191. Manners also points to the role of the Institute for Security Studies’s role in encouraging actors to see the potential of “inter-related security, economic, and political logics”.

¹²⁵ In particular the work of Mawdsley – consider Mawdsley, J. Martinelli, M. and Remacle E. (Eds), *Europe and the Global Armaments Agenda: Security, Trade and Accountability*. Baden-Baden: Nomos (2004). See also Mörrth, U. *Organizing European Cooperation. The Case of Armaments*, Lanham, MD: Rowman and Littlefield (2003). These and a range of others are cited in Manners, I. “Normative Power Reconsidered”, p. 193.

‘robust intervention’, the technological benefits of defence and aerospace research, (...) leading to the creation of the EDA in 2005.¹²⁶ (Emphasis added).

Policy documents from the EU seem to corroborate this observation:

The [European Defence] Agency will aim at developing defence capabilities in the field of crisis management, promoting and enhancing European armaments co-operation, strengthening the European defence industry and technological base and creating a competitive European defence equipment market.¹²⁷

It seems that transnational interest groups have found – once more – in the European level a new platform to pursue their interests, pushing integration and institutionalisation further, completely in line with neofunctionalist expectations and institutional feedback; the expectations of these actors are evidently converging around the institutional level. This reflects not only feedback, but also a trend toward institutionalisation that is powered by the interests of *other actors than states*.

The above points to the *institutionalisation of governance* as well. It is revealed when one stops focusing monolithically on force *projection* and simply looks at the force itself: the synchronisation between European militaries in policy, equipment, spending, and practices, reducing state autonomy *de facto* in the arrangement and composition of their military power. But even on the broader level, the commitment to European security and defence constrains states. The TEU states:

The Member States shall support the Union’s external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and shall comply with the Union’s action in this area.(...) [The Member States] shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations.¹²⁸

This makes unilateral action difficult for Member States and makes their recourse to the Union as the go-to platform for policymaking more likely; SPE might argue that compliance

¹²⁶ Manners, I. “Normative Power Reconsidered” p. 193, basing himself on the work of Mawdsley, cited above.

¹²⁷ Council of the European Union, “General Affairs and External Relations: External Relations Press Release.” 12-13/07/2004. (11105/04, Presse 216). P. 19. The tasks of the EDA are now also enshrined in TEU, article 42, par. 3. *EU Treaties and Legislation 2012-2013*. P. 16.

¹²⁸ TEU, Article 24, par. 3. *EU Treaties & Legislation 2012-2013*. P.11.

with this rule depends on the balancing power of other European states (regional multipolarity, in Hyde-Price's terms), but from an institutional perspective, one wonders. Smith, for instance, argues that EU states are embedded in such a dense network of common norms that the risk of disrupting trust and cohesion in the wider EU makes a refusal to comply with these rules unlikely: the repercussions might extend to the willingness to co-operate in other policy areas, including the wider CFSP.¹²⁹ This reflects institutionalised governance – the EU's institutions shaping the way states interact with one another, in this case by restraining them, through their deep entrenchment in the EU's institutional architecture.¹³⁰

In summary, Institutional Power Europe has considerable explanatory power in the analysis of ESDP/CSDP (and also CFSP more broadly). The flurry of activity in the late 90s toward the streamlining and expanding of European security and defence points with textbook perfection to the mechanism of *institutional feedback*, particularly in light of the crisis in the Balkans. The EU's discrete institutions have also exercised and continue to exercise *discretionary power*, especially institutions concerned not with policymaking but with research, technology and armaments co-operation. This leads to the observation of the emerging *European* military-industrial complex working through the EU level to pursue its interests, pushing integration and institutionalisation further, completely in line with neofunctionalist expectations and institutional feedback; the expectations of these actors are evidently converging around the institutional level. This also reflects a trend toward institutionalisation that is driven by the interests of *other actors than states*. This is observed most clearly when focusing not on force projection but on force composition, the synchronisation of policy, equipment, and practices reducing state's autonomy *de facto* over their military power. IPE thus accounts quite well for ESDP/CSDP. But between IPE and SPE, which explanation is the more convincing?

4.3 Explaining CSDP: IPE versus SPE

The remaining step is to pit the explanations of IPE and SPE against one another, and see which one is preferable. In essence, our contention is the same as it was in the comparison to NPE: that IPE is more suitable to explaining the EU's international power general and the

¹²⁹ Smith, M.E. *Europe's Foreign and Security Policy*. P. 238.

¹³⁰ It would be stating the obvious to add that inter-state warfare *within* the EU is also now all but unthinkable – even in the post-Cold War era that Mearsheimer was so worried about. The EU states seem to have a truly common border (and with that, common security), as also evidenced by the solidarity and mutual defence clauses in the Lisbon Treaty. (such as Article 42, paragraph 7, which obliges member states to come the aid to a member state under attack by all means in their power) – even those who are not already NATO members.

case of CSDP specifically. There are two problems powering that argument: first, the primacy of security and defence in the way the Europe asserts itself on the international stage, and second, the observation that the actual content of CSDP might not match closely enough the preferences of the most powerful EU states.

Questioning the primacy of security and defence in the EU's international behaviour is rather ironic, as one of Hyde-Price's criticisms about the work of Ian Manners is that normative power dealt only with 'second-order concerns', such as death penalty abolition.¹³¹ states at the top of the proverbial Maslow's Pyramid – having all their basic security and welfare needs met – are free to indulge in such frivolities as the pursuit of human rights, but these would always be sacrificed when 'first-order concerns' of national survival were at stake. In essence, Hyde-Price posits a criticism similar to the one in this thesis, that the death penalty abolition case is not representative of Europe's international behaviour (though his observation seems to be based more on the general principle of 'second-order concerns' than on empirical observations about the EU's actual actions, as ours was).¹³² Yet it seems this might be a case of the pot calling the kettle black: how important are security and defence – *military* matters, in particular – really to the EU as a power? When looking at Europe actually *does* on the international stage, the focus seems to be on normative and perhaps above all economic issues.¹³³ Even within the CFSP, most joint actions and common strategies throughout the 1990s and 2000s had little to do with security and defence – the more one studies what the EU actually did in this period, the more one develops the idea that ESDP/CSDP is only a small part of CFSP,¹³⁴ which creates the impression that Hyde-Price's case study may at all not be representative of Europe's primary role on the international stage. Even within the CSDP, there are problems: all told, some 25 missions have carried the

¹³¹ Hyde-Price, A. "A Realist Critique", p. 222-223.

¹³² Hyde-Price makes a brief reference to economic dealings with Russia and China, but does not go in depth. Hubert Zimmermann (2007) does go in depth about these, arguing that indeed, they represent a more cynical 'realist' approach than NPE allows. However, Zimmermann *also* explicitly expounds on the role of the Commission in these cases, attributing to it significant discretionary power. In fact, the whole of his article strongly supports IPE, as IPE does not require EU policy to be normative, as long it exhibits the use of institutional power, the mechanisms of which Zimmermann implicitly stresses. See Zimmermann, "Realist Power Europe? The EU and Negotiations about China and Russia's WTO Accession." *Journal of Common Market Studies*, Vol. 45, No. 4 (2007): 813-832.

¹³³ Damro, C. "Market Power Europe."; Zimmermann, H. "Realist Power Europe? The EU and Negotiations about China and Russia's WTO Accession."

¹³⁴ Smith gives an excellent overview. Particularly interesting is his description of the EU's common position toward South-Africa, which was shedding the apartheid regime in the early 90s, and the help the EU offered in rehabilitating what had long been a pariah state into the international community. What makes it interesting is the contrast it offers to the bungling in the Balkans, which was happening in a similar timeframe; it is also interesting because of the strong role the Commission played in shaping these policies, "fulfilling the role of at least *primus inter pares*." (p. 198). See Smith, M.E. *Europe's Foreign and Security Policy*. P. 197-203.

standard of CSDP, but of those, only six were military operations (Althea, Atalanta, Concordia, Artemis, EUFOR Chad, EUFOR RD Congo).¹³⁵ This is observation is an important one, as it is primarily military power that – supposedly – gives states greater or lesser influence in shaping CSDP.¹³⁶ Moreover, as Smith concludes, patient efforts involving market development, legal systems, democratisation, and state-civil society may well be as valuable as military intervention in the long run, particularly as the US is not always willing (or able) to engage in costly ‘nation-building’ exercises, but are better suited to an institutional power. And as it happens, the EU has been more ambitious and active in these efforts.¹³⁷ If ESDP/CSDP are ‘not that important’, SPE loses the case most likely to support it; IPE is much better suited to explain a Europe not primarily concerned with security and defence. It should be noted that IPE does not necessarily *depend on* inactivity in this policy area (far from it, as the preceding section showed), and that the analysis here is not driven by any normative opposition to military power: it is an empirical observation about what Europe does in the international arena, rather than about what it should be doing.¹³⁸

Yet even if we disregard this rather serious problem and focus purely on the internal dynamics of CSDP on SPE’s own terms, we find problems. In particular, SPE posits that it is Europe’s most powerful states that would in large part shape CSDP, as they have the greatest military capacity and thus the strongest basis for influence. This way, (differences in) state power is reflected on the European level. Indeed, SPE sees institutions as having little to no independent impact; they matter ‘only on the margins’ and are designed to be vehicles for the interests of powerful states.¹³⁹ In practical terms, then, CSDP policies should match the preferences of such states, which Hyde-Price identifies as the triumvirate of the UK, France and Germany. Other SPE-oriented authors are more cautious about Germany (bearing in mind the historical role ‘shackling Germany’ had in driving European integration and the caution with which Germany approaches military assertiveness in light of uncomfortable historical precedents)¹⁴⁰ but consistently agree on the UK and France, who they argue have expressed a

¹³⁵ Not counting training missions (of which there are two).

¹³⁶ Hyde-Price, A. “A Realist Critique” p. 230-231.

¹³⁷ Smith, M.E. *Europe’s Foreign and Security Policy*. P. 197

¹³⁸ Turning the old realist complaint about institutionalist accounts being driven by ideas about what *should be* rather than a dispassionate ‘what *is*’ on its head: it is not uncommon for realists to bemoan Europe’s relative military weakness as being naïve in the face of the perils of international anarchy. See for instance Bull, H. “Civilian Power Europe: A Contradiction in Terms?” and to a lesser extent Hyde-Price as well, p. 217 and 230-231.

¹³⁹ Hyde-Price, A. P. 221. See also Mearsheimer, J. J. “The False Promise of International Institutions.” p. 5-49.

¹⁴⁰ Which, incidentally, one SPE-oriented author (Seth Jones) mentions as an example of how the dynamics of state power influenced the progress of ESDP – recommitting Germany, its military role revived in the wake of Yugoslavia, to Europe – apparently overlooking that ‘binding’ Germany is only possible if one allows for

preference for seeing ESDP/CSDP as a means for improving European military intervention capabilities.¹⁴¹ And yet these capabilities have remained limited, falling short of targets set at such conferences as Helsinki in 1999 – and as observed, the vast majority of ESDP/CSDP operations are in fact *not* military in nature. This is clearly problematic for the notion of state power driving ESDP/CSDP. Fortunately, institutional power can step into the breach. Interactions within institutional frameworks reduce the importance of power asymmetries between states; they “reduce the returns on power” by “cushioning the effects of anarchy.”¹⁴² This means in practice that states that in ‘conventional diplomatic channels’ might not be able to exercise much influence, have much greater opportunities to voice their views in European policymaking *thanks to* the EU’s institutional framework.¹⁴³ As a result, the Nordic countries, for instance, were able to help steer the CSDP toward its greater emphasis on civilian intervention – exercising considerable influence over CSDP in spite of their lack of hard state power vis-à-vis France and the UK; the same applies to the ‘neutral states’ of Sweden, Finland, Austria and Ireland, who are part of CSDP but not of NATO and naturally cautious about military operations.¹⁴⁴ None of this is to say that France or the UK do not exercise considerable influence on the development and direction of ESDP/CSDP – however, their influence compared to their ‘weaker’ counterparts has not been as decisive as state power would lead one to believe, and the reason for this disparity can be found in institutional power (in this case, a result of institutionalised governance), as it ‘reduced the returns’ on raw state power.

In short, it seems SPE suffers from two serious problems that IPE can successfully explain. On one hand, its most likely case of ESDP/CSDP does not seem at all representative of Europe as an actor in international affairs; certainly the emphasis on military power seems inappropriate for an actor doing so little in the way of force projection. There is no normative judgement on the use of force; its relative absence simply seems problematic for SPE, while bolstering the view that the EU acts primarily through other kinds of power, like institutional power. Moreover, even with the narrow confines of ESDP/CSDP we do not observe as

institutional power: how else would it have been possible to ‘bind’ a state, if not through the institutionalisation of relations and institutions’ ordering effect on the actions of states? See Menon, A. “Security Policy and the Logic of Leaderlessness”. In: Hayward, J. (Ed), *Leaderless Europe*. Oxford: Oxford University Press (2008). P. 1080-1081. And Jones, S.G. *The Rise of European Security Co-Operation*. Cambridge: Cambridge University Press (2007).

¹⁴¹ Art, R. “Striking the Balance”; 177-185; supported by Jones, S.G. *The Rise of European Security Co-Operation*.

¹⁴² Menon, A. “Power, Institutions, and the CSDP: The Promise of Institutional Theory.” *Journal of Common Market Studies*. Vol. 49, No. 1 (2011): 83-100. P. 91.

¹⁴³ Wivel, A. “The Security Challenge of Small EU Member States” p. 399.

¹⁴⁴ Ibidem. P. 397-399

unambiguously the reflection of state power as SPE would lead us to believe. Instead, we observe a disproportionate influence of less powerful states on the development and direction of ESDP/CSDP, which clashes with state power but makes perfect sense from the institutional power vantage point: the institutionalisation of relations in Europe reduced power asymmetries that would have been present in conventional diplomatic settings, thus explaining the mismatch between CSDP and the pure preferences of Europe's most powerful states.

4.4 Summary

Integration in the areas of security and defence has a long history of elusiveness. The years following the end of the Second World War saw the creation first of the Western European Union and NATO, as well as the failure of the EDC. Integration in this field only made real progress from the 1990s onward, with the creation of ESDP/CSDP, but even then the going was slow. Security and defence touch on aspects of state sovereign commonly seen as sensitive and politically charged; these policy areas long seemed destined to remain the decisive stronghold of intergovernmentalism at best. In this chapter, we held up the perspectives of IPE and SPE against the empirical case study of ESDP/CSDP to see which held greater explanatory power. ESDP/CSDP was a 'most likely' case for SPE and consequently a 'least likely' case for IPE. As such, SPE was on home ground, meaning that any losses on the part of SPE and any victories on the part of IPE would hit that much harder. We found that contrary to realist expectations, IPE proved more than capable of explaining the development of ESDP/CSDP on the basis of institutional power. The flurry of activity in the 90s toward the streamlining and expanding of European security and defence points fitted well with mechanism of *institutional feedback*, particularly in light of the crisis of Yugoslavia's disintegration. The EU's discrete institutions have also exercised and continue to exercise *discretionary power*, especially institutions concerned not with policymaking but with research, technology and armaments co-operation. This led us to observe emergence of a European military-industrial complex working through the EU level to pursue its interests, pushing integration and institutionalisation further, in line with neofunctionalist expectations and institutional feedback; the expectations of these actors are evidently converging around the institutional level. This also reveals a trend toward institutionalisation that is driven by the interests of *other actors than states*. This is observed most clearly when focusing not on force projection but on the composition of the force one seeks to project: the synchronisation of policy, equipment, spending and practices reducing state's autonomy de facto over their

military resources. Lastly, the *institutionalised governance* is also reflected in the treaty-based commitment to the Union's interests. The final step was to compare the perspectives of IPE and SPE, which led to the conclusion that IPE's might well be superior, as it resolves two major empirical problems in SPE's account. First, its 'most likely' case of ESDP/CSDP does not seem at all representative of the Europe as an actor in international affairs; certainly the emphasis on military power seems inappropriate for an actor doing so little in the way of force projection. This bolsters the view that the EU acts primarily through other kinds of power, for which institutional power has so far proven itself a prime candidate. Second, we fail to observe as unambiguously the reflection of state power as SPE would lead us to believe. Instead, there appears to have been a disproportionate influence of less powerful states on the development and direction of ESDP/CSDP, which clashes with state power but makes perfect sense from IPE's point of view. The institutionalisation of relations in Europe cushioned power asymmetries that would have been present in conventional diplomatic settings, thus explaining the disparity between CSDP and the pure preferences of Europe's most powerful states. In short, IPE has more than stood its ground in this 'least likely' case, proving itself at least as well – if not better – suited than SPE to explain Europe as a power generally and the case of ESDP/CSDP specifically.

V. CONCLUSION – A COMPREHENSIVE CONCEPTUALISATION?

For centuries, the most important – if not the only – actor on the international stage was the state. Developments in world politics over the course of the past century, however, have put a challenge to the primacy of the state. Spearheading this challenge has been the EU, an 'unidentified political object' whose activities and far-reaching competences in such fields as – to name just few – development aid, foreign trade, human rights, financial regulation and climate policy have led it to become a power to reckoned with in international politics. But if not a traditional state or a traditional intergovernmental organisation, what *kind* of power is the EU? This question is subject to extensive debate, from Duchêne's *civilian power* through Bull's insistence on the irreplaceability of *military power* to Ian Manners's celebrated but controversial *Normative Power Europe* and the competing views of *State Power Europe* and *Market Power Europe*. This study has asserted that the common denominator among most of these views is in fact *institutional power* as the primary means through which the EU exercises influence on the international theatre. While the ends the EU pursues might differ – they might be economic, normative, geopolitical, or something entirely different – they are all

pursued through the same means, namely *institutional power*. Ought we not, then, conceive of Europe as *Institutional Power Europe*?

At the abstract level, institutions are sets of rules and norms that govern the ways in which actors interact with one another; these abstract institutions often translate into what we might call *discrete institutions* – that is actual, physical organisations that usually possess offices, bureaucratic staff, and the like. Institutional power is the ability of abstract and discrete institutions to influence the choices and behaviour of actors on the international stage. It covers the extent to which abstract institutions shape the preferences, behaviour and power of the actors that constructed them, as well as the more tangible influence that discrete institutions wield through whatever mandates they have – as well as the way discrete institutions may use these to increase the scope of their influence. The concrete mechanisms through which Europe exercises institutional power are *institutionalisation of governance*, *institutional feedback*, *discretionary power*, and *regulation*. The EU's institutional power comes from its essentially institutional basis, built as it is on institutionalising relations between member states, both intergovernmentally and supranationally, for a wide variety of motivations that have in common that they were all pursued the creation of institutions or the alteration of existing ones. In short, what the EU does and what it says might be well be normative or market-oriented, but what the EU *is* is a dynamic set of abstract and discrete institutions.

Two case studies helped test IPE. The first was the EU's campaign for death penalty abolition, a case drawn directly from Manners's *Normative Power Europe* conceptualisation. A 'most likely' case for NPE but 'less likely' for IPE, it formed a good first test. The past decades have shown a trend toward not only death penalty abolition internationally, but also toward the institutionalisation of abolition through the ECHR, the ICCPR and the various efforts of the EU; this strategy of international institutionalisation is in fact a defining characteristic of the modern campaign for death penalty abolition. The EU exercised institutional power primarily through *institutionalisation of governance* and *regulation*; it aims to see, at the very least, minimum standards regarding death penalty use institutionalised. Furthermore, the expectations of abolition-oriented actors have converged around international institutions, and the EU in particular – reflecting not only a relatively high level of institutionalised governance, but also the possibility of positive *institutional feedback* resulting from the success that institutionalisation has had in achieving abolition. The inclusion of human rights clauses in regular agreements arms Europe with added institutional power to pursue human rights in general and death penalty abolition specifically

through a kind of *discretionary power* – the ability to cancel suspend an entire agreement if the EU consider human rights to have been violated.

But not only does IPE explain the death penalty case well, it also does so better than NPE. If the pursuit of death penalty abolition is not representative of the EU's international role in general, NPE struggles, but IPE does not. Moreover, the mechanisms identified in NPE's explanation reveal a 'closet' institutionalism: at most, they constitute institutional power being used for normative purposes, as power consists in means, not ends. Finally, the lack of unambiguous democratic support for abolition combined with *democracy* being a core component of the EU's supposed normative basis calls into question the whole reason why the EU would pursue abolition. IPE demands no normative basis for policy, but its institutional one seems to be fall in nicely with the international institutionalisation of an aspect of policy that is normally a matter for the domestic discretion of a sovereign state. IPE, thus, is more suitable for explaining the EU's international power generally and the abolitionary campaign specifically than NPE.

Yet in the big scheme of things, the showdown between NPE and IPE seems no more than a friendly bit of sport between natural allies. The two views are not irreconcilable, after all, differing only in how they conceive of the EU's basis and the scope of their explanatory power – with NPE focusing more on *purposes* and IPE focusing more on *means*. The realist view of *State Power Europe* offers a far more fundamental challenge, questioning the whole notion that the EU is true actor on the international stage, and certainly denying that institutions can have significant influence on states – questioning, in other words, the whole existence of such a thing as 'institutional power.' Given the deeply-rooted tension between IPE and SPE, it is not strange that a 'most likely' case for state power should be a 'least likely' case for the institutional approach. Such a case study is the development of the Common Security and Defence Policy (CSDP), as put forward by SPE-advocate Adrian Hyde-Price. Integration in the areas of security and defence has a long history of elusiveness: they touch on aspects of state sovereign commonly seen as sensitive and politically charged; these policy long seemed destined to remain an impregnable citadel of intergovernmentalism.

Contrary to realist expectations, however, IPE proved more than capable of explaining the development of ESDP/CSDP on the basis of institutional power. The bustle of activity in the 90s toward the streamlining and expanding of European security and defence points was a textbook example of *institutional feedback*, particularly in light of the crisis in the Balkans. The EU's discrete institutions have also exercised and continue to exercise *discretionary power*, especially institutions concerned not with policymaking but with research, technology

and armaments co-operation. Indeed, we observed the emergence of a European military-industrial complex working through the EU level to pursue its interests, pushing integration and institutionalisation further, in line with neofunctionalist expectations of institutional feedback. The expectations of these actors are evidently converging around the institutional level, revealing a trend toward institutionalisation that is driven by the interests of *other actors than states*. This is observed most clearly when focusing not on force projection but on the composition of force itself: the synchronisation of policy, equipment, spending and practices reducing state's autonomy de facto over their military resources. Finally, *institutionalised governance* is also reflected in the treaty-based commitment to the Union's interests.

But again we went a step further, arguing that between the rivalling explanations IPE and SPE, IPE's might well be superior. After all, it resolves two empirical problems in SPE's account. First, its 'most likely' case of ESDP/CSDP might be not be representative of the Europe as an actor in international affairs; certainly the emphasis on military power seems inappropriate for an actor doing so little in the way of force projection. This bolsters the view that the EU acts primarily through other kinds of power, for which institutional power has proven itself a prime candidate. Secondly, we fail to observe as unambiguously the reflection of state power at the institutional level as SPE would lead us to believe. Instead, there appears to have been a disproportionate influence of less powerful states on the development and direction of ESDP/CSDP, which clashes with the predictions of state power but makes perfect sense from IPE's vantage point. The institutionalisation of relations in Europe cushioned power asymmetries that would have been present in conventional diplomatic settings, thus explaining the disparity between CSDP and the preferences of Europe's most powerful states. It seems IPE has held its own in this 'least likely' case, proving itself better suited than SPE to explain Europe as a power generally and the case of ESDP/CSDP specifically.

All in all, it seems Institutional Power Europe has a serious claim to being the most precise characterisation of Europe as a power. Not only was it able to withstand 'least likely' cases as empirical tests, it also proved itself to have a *broad* explanatory power by being able to explain Europe's behaviour in a variety of policy areas, from human rights issues like death penalty abolition to the tricky fields of security and defence. This study suggests that IPE can provide a fairly comprehensive answer to the question of *how* Europe exercises its power and where that power is drawn from. But there is plenty of room for further research to further substantiate this perspective on the 'EU as a power' debate. For one thing, it would be interesting to see how well IPE compares to Damro's *market power* approach: Damro himself

did not yet provide a case study to support his perspective – giving us only a preliminary theoretical framework – but as the research on that point develops, IPE should be tested against it. Furthermore, the theoretical framework of IPE can be applied to other case studies – ideally unlikely ones – to further support (or falsify) the claims made in this thesis. Finally, it would also be worthwhile to take a look at some ‘most likely’ cases for IPE (the supranational jurisprudence of the European Court of Justice, for instance), not only because explaining those cases is something IPE *must* be able to do, but also to give NPE and SPE a chance to problematize IPE in their turn – and thus move the debate forward. After all, if there is one general epistemological point this thesis has illustrated, it is how fruitful it is for the various perspectives to be tested against the *same* case studies – as opposed to the current trend in the debate of constantly presenting new and separate case studies, which results in one merely presenting an alternative without imbuing that alternative with great scholarly urgency. This could cause the debate to stall and potentially to stale. At the very least, theories of Europe as a power should rely on ‘least likely’ cases for empirical evidence, as ‘least likely’ case studies form much more trying – and thus more convincing – tests than the currently favoured ‘most likely’ ones.

Beyond this, to create a full and comprehensive overview of Europe as an actor, we might also explicitly explore the question of *why* – what does Europe primarily use its (institutional) power for? NPE might well find a new lease on life here, in the form of ‘*Normative Purpose Europe*.’ A Damro-inspired ‘*Market Purpose*’ approach might also be a serious contender. Perhaps the reason why IPE does not immediately suggest a purpose of its own is because of its neofunctionalist heritage: in neofunctionalism, there is no single overarching consciously-directed purpose to integration, no single grand design – this is sort of the point of the theory.¹⁴⁵ Scholars interested in IPE might search for something of an institutional purpose, but should also consider exploring what the lack of a single overarching, unified purpose would mean for Europe as an actor.

But for the moment, on the question of *power*, on the question of *means* – as has up to this point been the focus of the ‘Europe as an actor’ debate – this study has gone a long way toward establishing that, in conceptualising Europe’s approach to international affairs, *institutional power* cannot be ignored.

¹⁴⁵ While neofunctionalism suggests a movement toward federation, this movement is incremental and functional, not ideological or the result of one conscious decision.

References

- Amnesty International, "Facts and Figures on the Death Penalty". <<http://www.amnesty.org/>> accessed 25 May 2013.
- Andréani, G. "Why Institutions Matter." *Survival*. Vol. 42. Iss. 2 (2000): 81-95.
- Art, R. "Striking the Balance". *International Security*. Vol. 30. Iss. 3 (2005/6). 177-185
- Bach, D; Newman, L. "The European regulatory state and global public policy: micro-institutions, macro-influence". *International Affairs*. Vol. 84, Iss. 1 (2007): 827-846.
- Bickerton, C.J., Irondelle, B., Menon, A. "Security Co-operation beyond the Nation-State: The EU's Common Security and Defence Policy." *Journal of Common Market Studies*. Vo. 49. No. 1 (2011): 1-21.
- Bull, H. "Civilian Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies*. Vo.1 21, No 2. (1982). 149-164.
- Burley, A.; Mattli, W. "Europe Before the Court." *International Organization*. Vol. 47, No. 1 (1993): 41-76.
- Commission of the European Communities, "Observance of Human Rights in the European Union". *Bulletin of the EU*, No. 4. (1997). 1.2.11.
- Commission of the European Communities. "European Governance: A White Paper." Brussels, 25/07/2001. COM (2001) 428 Final. 1-35
- Council of Europe, "Parliamentary Assembly Resolution 1097". 28/06/1996.
- Council of the European Union, "Guidelines to EU Policy toward Third Countries on the Death Penalty". 29/06/1998. Available at <<http://www.refworld.org/docid/4705f3d12.html>> accessed 25 May 2013.
- Council of the European Union, *European Union Annual Report on Human Rights*. Brussels, 1/10/1999. 11350/99.
- Council of the European Union, *European Union Annual Report on Human Rights*. Brussels, 26/09/2000. 11317/00.
- Council of the European Union, "EU Memorandum on the Death Penalty." Brussels, 25/02/2000
- Council of the European Union, "General Affairs and External Relations: External Relations Press Release." 12-13/07/2004. (11105/04, Presse 216).
- Cross, M. "Co-operation by Committee: The EU Military Committee and the Committee on the Civilian Crisis Management". *EU Institute for Security Studies Occasional Paper No. 82*. (2010).

- Delors, J. "Speech at the First Intergovernmental Conference." 9/9/1985. *Bulletin of the European of the European Communities*. No. 9.
- Damro, C. "Market Power Europe". *Journal of European Public Policy*. Vol. 19, No. 5. (2012). 682-699.
- Duchêne, F. "Europe's Role in World Peace". In: R. Main (Ed.), *Sixteen Europeans Look ahead*. London: Fontana 1972. 32-47.
- Eckstein, H. "Case study and theory in political science." In: Gomm, R., Hammersley, M. and Foster, P. (Eds), *Case Study Method*. London: Sage Publications (2000). 119-164.
- Foster N. (Ed). *EU Treaties & Legislation 2012-2013*. Oxford: Oxford University Press (2012).
- Gow, J. *The Triumph of the Lack of Will: International Diplomacy and the Yugoslav war*. London: Hurst & Company (1997).
- Haas, E.B. "The Challenge of Regionalism." *International Organization*, Vol. 12, No. 4 (1958): 440-458.
- Haas, E.B. *Beyond the Nation State. Functionalism and International Organisation*. Stanford, CA: Stanford University Press (1964).
- Haas, E.B. *The Uniting of Europe*. Stanford, CA: Stanford University Press (1968) [1958].
- Hill, C. "The Capabilities-Expectations Gap, or Conceptualising Europe's International Role". *Journal of Common Market Studies*. Vol. 31, No. 3 (1993): 305-328.
- Hood, R. "Capital Punishment: A Global Perspective". *Punishment & Society*. Vol. 3., No. 3 (2001): 331-353. P. 337.
- Hyde-Price, A. "'Normative' Power Europe: a realist critique". *Journal of European Public Policy*. Vol. 13, No. 2. (Maart 2006). 217-234.
- International Crisis Group, *European Response Capability Revisited*. 17/01/2005. Available at <www.crisisgroup.org.> accessed 2 June 2013. 1-58
- Jacot, M. "The Death Penalty: Abolition Gains Ground". *UNESCO Courier*. Vol. 52, Iss. 10 (1999). 37-38.
- Jones, S.G. *The Rise of European Security Co-Operation*. Cambridge: Cambridge University Press (2007).
- Keohane, R.O. "International Institutions: Two Approaches." *International Studies Quarterly*. Vol. 32, No. 4 (1988).379-396,
- Kratochwil, F., Ruggie, J.G. "International Organization: A State of the Art and an Art of the State." *International Organization*. Vol. 40: 753-776.
- Krause, A. "Life versus Death: A Worldwide Plea for Abolition of the Death Penalty."

- Europe*, No. 401. 6-9.
- March, J., Olson, J. "The New Institutionalism: *Organizational Factors in Political Life*." *American Political Science Review*. Vol. 79. (1984): 734-779.
- Majone, G. "The rise of regulatory state in Europe". *West European Politics*. Vol. 17, No. 13 (1994). 77-101.
- Majone, G. "From the positive to the regulatory state." *Journal of Public Policy*. Vol. 17, Iss. 2 (1997): 139-167.
- Manners, I. "Normative Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies*. Vol. 40, No 2. (2002). 235-258.
- Manners, I. "Normative Power Europe Reconsidered: Beyond the Crossroads." *Journal of European Public Policy*. Vol 13. No. 2 (2006): 182-199.
- Mawdsley, J. Martinelli, M. and Remacle E. (Eds), *Europe and the Global Armaments Agenda: Security, Trade and Accountability*. Baden-Baden: Nomos (2004).
- Mearsheimer, J.J. "Back to the Future: Instability in Europe after the Cold War. *International Security*. Vol. 15. Iss. 2. (1990): 5-56.
- Mearsheimer, J.J. "The False Promise of International Institutions." *International Security*. Vol. 19, No. 3. (1995): 5-49
- Mearsheimer, J.J. *The Tragedy of Great Power Politics*. New York: W.W. Norton & Co (2001).
- Menon, A. "Security Policy and the Logic of Leaderlessness". In: Hayward, J. (Ed), *Leaderless Europe*. Oxford: Oxford University Press (2008).
- Menon, A. "Power, Institutions, and the CSDP: The Promise of Institutional Theory." *Journal of Common Market Studies*. Vol. 49, No. 1 (2011): 83-100.
- Mörth, U. *Organizing European Cooperation. The Case of Armaments*, Lanham, MD: Rowman and Littlefield (2003).
- Parsons, C. "Showing Ideas as Causes: The Origins of the European Union." *International Organisation*. Vol. 56, No. 1. (2002): 47-84.
- Posen, B. "European Union Security and Defence Policy: Response to Unipolarity?" *Security Studies*, Vol. 15, No. 2 (2006): 149-186.
- Rosamond, B. "The Uniting of Europe and the Foundation of EU studies: Revisiting the neofunctionalism of Ernst B. Haas." *Journal of European Public Policy*. Vol. 12, No. 2. (2005): 237-254.
- Ruggie, J.G. "The False Premise of Realism." *International Security*. Vol. 20. No. 1. (1995): 62-70.

- Ruggie, J.G, Katzenstein, P., Keohane, R.O, and Schmitter, P.C, “Transformations in World Politics: The Intellectual Contributions of Ernst. B Haas”. *Annual Review of Political Science*. Vol. 8 (2005): 271-296.
- Saeter, M. “Democracy, Sovereignty, and Supranationality: Institution-Building and European Union in a Neofunctionalist Perspective”. *Working Paper 497, Norwegian Institute of International Affairs*. 1-31.
- Schmitter, P. C. “ A Revised Theory of Regional Integration”. *International Organization*. Vol. 24 (1970): 836-868.
- Schmitter, P.C. “Democracy in Europe and Europe’s Democratization.” *Journal of Democracy*.. Vol. 14: No. 2. (2003): 71-85.
- Schmitter, P.C. “A Way Forward?” *Journal of Democracy*. Vol. 23, No. 24. (2012): 39-46.
- Smith, K. “The Use of Political Conditionality in the EU’s Relations with Third Countries: How Effective?” *European Foreign Affairs Review*. Vol. 3, No. 2 (1998): 253-274.
- Smith, M.E. *Europe’s Foreign and Security Policy: The Institutionalization of Cooperation*. Cambridge: Cambridge University Press (2004).
- Stone Sweet, A.; Sandholtz, W. “European Integration and Supranational Governance.” *Journal of European Public Policy*. Vol. 3 (1997): 297-317
- Tsebelis G.; Garrett, G. , “The Institutional Foundations of Intergovernmentalism and Supranationalism in the European Union.” *International Organisation*. Vol. 55, No. 2. (2001): 357-390.
- Wivel, A. “The Security Challenge of Small EU Member States: Interests, Identity and the Development of the EU as a Security Actor”. *Journal of Common Market Studies*. Vol. 43, No. 2 (2005): 393-412.
- Wohlwend, R. “The efforts of the Parliamentary Assembly of the Council of Europe”. *The death penalty: Abolition in Europe*. Strasbourg: Council of Europe (1999). 55-67.
- Woodward, S.L . *Balkan Tragedy: Chaos and Dissolution after the Cold War*. Washington, D.C: The Brookings Institution (1995).
- Zimmermann, H. “Realist Power Europe? The EU and Negotiations about China and Russia’s WTO Accession.” *Journal of Common Market Studies*, Vol. 45, No. 4 (2007): 813-832.