



**Utrecht University**

# **NATO's Article 5: Performative or Practical?**

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## **Abstract**

The purpose of the North Atlantic Treaty Organisation (NATO) has appeared anything but indisputable since the collapse of the Soviet Union in 1991. While some scholars have argued that the Alliance needs to adapt to fit current global security issues, others have stated that it has become increasingly redundant. This thesis contributes to this discussion by revealing new perspectives on how Article 5 influences NATO's relevance. So far, the legal clause behind 'an attack against one is an attack against all' has only been invoked after the terrorist attacks on September 11, 2001 against the United States. The recent series of Islamic terrorist attacks in Europe since 2015 has not led to the same decision, despite their similarities. By using Securitisation Theory, this research compares the securitisation process after 9/11 to that of the 2015 terrorist attacks in Paris to identify four reasons that explain why this is the case for France. Based on the arguments brought forward, it can be concluded that Article 5 has predominantly been used as a performative symbol of deterrence rather than a practical device.

**Keywords:** NATO, Article 5, collective defence, terrorism, Securitisation Theory

# Contents

<b>Introduction</b> .....	<b>1</b>
Literature Review .....	3
Theoretical Framework .....	4
Case Selection .....	6
Sources .....	7
Structure .....	7
<b>Chapter 1: History of Article 5</b> .....	<b>8</b>
<b>Chapter 2: Article 5 as a Political Tool</b> .....	<b>13</b>
2.1. Precipitating Event .....	14
2.2. Securitising Move and Audience Response .....	15
2.3. Policy Outputs .....	18
<b>Chapter 3: Disuse of Article 5</b> .....	<b>21</b>
3.1. Precipitating Event .....	22
3.2. (Re)Securitising Move and Audience Response .....	23
3.3. Policy Outputs .....	26
3.3.1. Retaining Political Control .....	27
3.3.2. Political Legitimacy .....	27
3.3.3. Issues with Involving NATO .....	28
3.3.4. Undermining EU Defence Cooperation .....	29
<b>Conclusion</b> .....	<b>30</b>
<b>Reference List</b> .....	<b>34</b>
Primary Sources .....	34
Secondary Sources .....	41
<b>Appendix</b> .....	<b>46</b>

## **Introduction**

Almost ten years after the terrorist attacks on September 11, 2001, former Secretary General Lord George Robertson (2011) recalled the events of that day: “In my office, surrounded by senior diplomatic and military staff, we watched with the rest of the world the dramatic pictures from New York” (para. 5). At this moment, it was clear that “something fundamental had happened and that for the world a new chapter had opened... . I read out the endorsed statement to a packed press conference, realising only as I read it out the deep significance of the historic words I was using” (paras. 9-16). For the first and only time in its history, the North Atlantic Treaty Organisation (NATO) had decided to invoke Article 5. However, despite the Parties agreeing that “an armed attack against one or more of them in Europe or North America shall be considered an attack against them all” (The North Atlantic Treaty, 1949), the terrorist attacks by the Islamic State (IS) in Europe since 2015 never led to the same act of solidarity.

The attacks in Paris, Nice, Brussels, Berlin, Manchester, London, and Barcelona caused a total of over 300 deaths and many more injured. It is a pressing case, as more people have been killed by jihadi violence in Western Europe between 2014 and 2016 than all previous years combined, and some even speak of an ‘IS-effect’ (Nesser et al., 2016). Especially the two cases of attacks in Paris in 2015 were momentous. Then French President François Hollande not only declared that the storming of the *Charlie Hebdo* headquarters was a “strike at the heart of republican values” (Euronews, 2015, para. 8), but also insisted that the aggression in November later that year signified “an act of war” (Hollande, 2015a, para. 1).

Of course, one could argue that the 9/11 attacks were simply much larger in terms of damages and loss of lives, therefore calling for a proportionate response. Nevertheless, the number of casualties or amount of costs is not referred to in Article 5, nor was it referred to by the North Atlantic Council (NAC) at the time of the decision to invoke it. Instead, the Council agreed that “if it is determined that this was an attack directed from abroad against the United States, it shall be regarded as an action covered by Article 5” (NATO, 2001a, para. 1). This brings forth the following research question: Why was NATO’s Article 5 not invoked after the Paris terrorist attacks in 2015?

Throughout the Cold War, Article 5 was the cornerstone of the Alliance’s collective defence structure (NATO, 2022; Rupp, 2006). It was not designed to merely signal symbolic allied unity and invoking it was not a process taken lightly, as it meant the mobilisation of NATO for war (Rupp, 2006). Since 1949, NATO members had witnessed many armed conflicts and yet the Alliance not once decided to seriously debate activation of Article 5 until September

11, 2001 (p. 95). How can this specific event convey such a large turnaround in the Alliance's standpoint? Relatedly, can such an event ever occur again? Where is the so-called 'red-line', the crossing of which states (or organisations) act rigorously upon?

Previous work on this topic has focused on the aftermath of 9/11. For instance, Butt (2019) argues in agreement with many scholars that these events punctured a sense of American invulnerability and prestige. Thereby creating a feeling of insecurity that would dominate United States (US) foreign policy for years to come (pp. 19-20). On the European side of NATO, the European Union (EU) claims to have "strongly increased its counter-terrorism response since 9/11" (Council of the European Union, 2021). Nevertheless, Bures (2011) suggests that "the EU's counterterrorism policy is more of a paper tiger than it is an effective counterterrorism device" (p. 2). It is interesting to research then, how these different responses have repercussions on how NATO is viewed in its ability to provide security. While Rupp (2006) argues that NATO has been in continuing decline since the 1990s, Hallams (2009) claims that it has undergone a process of transformation that has reinvigorated the Alliance.

Moreover, previous research has focused on other cases of collective defence measures by NATO, e.g., in response to the situation in Syria (Paust, 2013), after the Russia-Ukraine crisis in 2014 (Sperling & Webber, 2016), and even 'enhanced' collective defence measures upon request by Turkey (Oğuzlu, 2013). In this regard, Kay (2012) argues that NATO is indeed able to organise around its core foundation of common security (p. 51). What these works do not show however, is why NATO did not opt to invoke Article 5 specifically.

This thesis aims to compare the process that led to the invoking of Article 5 in 2001, to the situation after the attacks in Paris. Given their relative similarity, how is it possible that such different measures were taken? What does this tell us about the current state of the Northern Atlantic's collective defence? What does it say about the role of the US in NATO, by far its largest net contributor? How does Article 5 compare to the EU's 'mutual defence clause'? Might Article 5 be more of a performative<sup>1</sup> symbol of deterrence than a practical device? The answer to these questions can be found by using Securitisation Theory (ST) as a guiding principle. ST assists in answering this line of questioning as it helps understand what is, and what is not a security issue. As explained later, the 9/11 attacks were presented as an 'existential threat' and led to the 'extraordinary measure' of invoking Article 5. For the attacks in Paris, this research aims to analyse how, and if, the attacks were framed as an existential threat and what/if extraordinary measures were taken in their aftermath.

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<sup>1</sup> Performative is used throughout this thesis to mean the strategic use of ritual features and symbolic action (Mälksoo, 2021).

## *Literature Review*

It has generally been argued that NATO was established as a militaristic organisation to protect Western Europe against the threat of an invasion by the Soviet Union (e.g., Goldgeier, 2010; Kaplan, 2010; NATO, 2017; Sayle, 2019). In 1991 however, the Soviet Union collapsed, and “almost overnight, NATO lost the threat and the purpose that had underpinned its existence” (Cottey, 2004, pp. 392-393). According to Hallams et al., (2013), the absence of the Soviet threat has led the Alliance’s member states to realise that they “do not really know what they want from NATO” (p. 12). As such, a debate has arisen over its relevance. While some have argued that the Alliance needs to adapt to address the new global challenges beyond Europe if it is to remain relevant, others say that it has become increasingly, if not completely, redundant (Cottey, 2004, pp. 391-392).

On the side that argues for NATO’s redundancy, Rupp (2006) claims that the Alliance has been in continuing decline since the early 1990s. He states that, since then, NATO has failed to identify a unifying set of priorities, partly due to fundamental differences dividing the US from Canada and most European members (Rupp, 2006). As a result, its days as a coherent, effectively functioning military alliance are fading (pp. 2-3). On the optimistic side of NATO’s present and future, Hallams (2009) claims that it has undergone a process of transformation that has reinvigorated the Alliance. Through its contributions in Afghanistan and Iraq, and its transformation agenda –visible since the collapse of the Soviet Union– she argues that NATO has shown that it can offer much on a whole spectrum of operations in Europe and beyond (p. 54). This research aims to contribute to this debate by providing new understandings on how Article 5 influences the relevance of NATO. If it turns out that Article 5 is left aside or not even considered in an applicable situation, this could indicate a large gap in NATO’s capabilities and consequently, its purpose and relevance.

There also exists a tremendous amount of research on the aftermath of the 9/11 attacks. Butt (2019), for one, explains that the US’ status as world hegemony was considerably damaged due to these attacks. Besides the material damages they caused, it was a significant shock that fewer than two dozen men “armed with box cutters” destroyed the symbols of American capitalism and military power (p. 20). After all, “how much of a superpower could America be if nearly 3,000 of its citizens, residents, and visitors had died in a single day?” (Krebs, 2015, p. 149). Less has been researched on the US’ push for activation of Article 5, beyond that NATO was largely brushed aside in the aftermath (e.g., Hallams, 2009; Sayle, 2019).

Of course, the shockwave of 9/11 also reached Europe. According to Den Boer and Wiegand (2015), the EU has been successful in its role as a counter-terrorism agency. After

9/11, all European states adopted legislative changes on which the EU, they argue, has had a converging influence thanks to its use of supranational instruments (p. 399). While this appears positive, the effectiveness of the EU's policies and actions in this field has been disputed. Consequently, most research on this topic concludes that the EU is lacking in its counter-terrorism policy (e.g., Bures, 2011; Jansson, 2018; Lequesne, 2016; Wiczorek, 2018).

Wiczorek (2018) outlines what has been, for multiple scholars, the main reason for this deficiency in the EU's capabilities. That is, "member states are still reluctant to cede their sovereignty to the EU in such a key area as internal security, particularly when several member states experience few, if any terrorism-related incidents each year" (p. 47). What is discussed less, is how the EU's counter-terrorism policy compares to that of NATO. Considering that this branch of EU security has generally been viewed as 'lacking', what prevents an EU member state to turn to NATO for its security guarantees? Analysing the French case of terrorist attacks can shed light onto this question, as ST highlights what extraordinary measures France decided on instead of activating Article 5.

ST has been applied on several relevant cases. By analysing its 'Strategic Concepts', Schlag (2015) concludes that NATO is more than a military alliance and represents a community of like-minded states which share important values worthy of protection (pp. 167-177). Furthermore, Sperling and Webber (2016) use the case of NATO and the 'resecuritisation' of Russia to expand on ST's concepts. They show that "collectives of states can be construed as both the actor and referent of security" (p. 18), and dub this 'collective securitisation'. Combining collective securitisation, the EU, and terrorism in one case, Kaunert and Léonard (2019) argue that, while counter-terrorism policy largely remains a matter of individual member states, the EU has had a significant role in combating terrorism (p. 273). Again, what it does not show, is NATO's counter-terrorism role compared to the EU.

What this literature review has shown therefore, is that no previous research has compared the terrorist cases of 9/11 and Paris in 2015 to analyse why NATO decided not to invoke Article 5 for the latter. Adding this comparison to the literature not only says something about NATO's relevance today, but also the role of the US within NATO, as well as about the Alliance's role in combating terrorism.

### ***Theoretical Framework***

According to Peoples and Vaughan-Williams (2010), the notion of 'securitisation' is "one of the most significant conceptual innovations to emerge out of debates over the nature of security in recent decades" (p. 75). Originating from the Copenhagen School, ST argues that

security issues do not exist ‘out there’, “rather, it is by referring to them as ‘security’ issues that they become security problems” (Eroukhmanoff, 2017, p. 104). Central to this thought is the use of so-called ‘speech acts’, the literal voicing of security-related terms (Peoples & Vaughan-Williams, 2010, p. 78). For example, referring to terrorism as a ‘threat to national security’ makes it a high priority issue that requires action. This action may be taken in the form of extraordinary political measures that go beyond ‘normal’ democratic practices (Peoples & Vaughan-Williams, 2010, p. 77). When a state is combating terrorism, it may take extraordinary measures such as monitoring citizens, increasing military presence in major cities, and retracting passports. These measures are often taken without the approval of the population in question, so it moves beyond ‘normal’ democratic standards.

When this happens, an issue becomes *securitised* and we treat it with the same degree of urgency as one would treat a military threat (Peoples & Vaughan-Williams, 2010, p. 77). The framing of a security issue as an ‘existential threat’ is done by a ‘securitising actor’, a person in some position of authority such as political leaders, governments, generals, or intelligence services (Buzan et al., 1998, p. 40). They use speech acts to convince an audience that taking extraordinary measures is necessary. To do this, the person uttering the speech act must draw attention, and perhaps magnify the urgency and level of the threat (Eroukhmanoff, 2017, p. 106). In this way, ST’s focus on linguistics explains how “suicide bomb attacks ... are a greater source of anxiety for some people today than they are for others. Yet we often hear suicide terrorism framed as a ‘global’ threat” (p. 105). This is of value to the case at hand, as it highlights how terrorism was framed as a concrete threat and what measures were taken in response. If one can explain why Article 5 was invoked after 9/11, this can also help explain why it was *not* invoked after the attacks in Paris.

Naturally, a securitisation move does not occur spontaneously. This is where the ‘precipitating event’ comes in, a relatively new addition to ST by Sperling and Webber (2016). According to them, a precipitating event is an incident of sufficient gravity to disrupt the security status quo and “prompt a perception by the securitising actor (and its audience) that the qualitative character of the external security environment has altered for the worse” (p. 265). In other words, it is a security-threatening event that has extensive consequences and motivates a securitising actor to make a securitising move to deal with the perceived threat. This concept is particularly useful for this thesis as the audience in question did not need much convincing by a securitising actor after witnessing the threat of terrorism first hand.



A final concept that needs to be defined is terrorism. As Stuurman (2019) explains: “The definition of terrorism is a difficult concept to map and has been the source of contention in academia and policy for a several years now” (para. 1). NATO (2016) defines terrorism as:

The unlawful use or threatened use of force or violence, instilling fear and terror, against individuals or property in an attempt to coerce or intimidate governments or societies, or to gain control over a population, to achieve political, religious or ideological objectives. (para. 7a)

This definition is used because it is of additional value to this research to use NATO’s own terminology. Namely, it indicates what specific language NATO uses to frame terrorism as a security issue. Furthermore, it appears to be more thorough than more commonly used definitions<sup>2</sup> as it includes the use of fear, terror, and intimidation, as well as the victims of terrorism (being either individuals or property).

### *Case Selection*

The choice to analyse the 9/11 terrorist attacks in relation to invoking Article 5 is rather straightforward. It has so far been the only occasion on which NATO decided to do so. The decision reinvigorated trans-Atlantic relations, which had been “strained by tensions over the Bush administration’s policies in areas ranging from missile defence to the environment” (Daley, 2001, para. 5). Furthermore, while NATO’s current relevance has been debated on, as shown in the literature review, scholars on both sides of the debate devote considerable attention to the events of 9/11. Rynning (2005) argues that NATO’s identity crisis from the 1990s passed, “spurred by the terrorist attacks of September 2001” (p. xii), while Rupp (2006) states that “the attacks presented a real opportunity for NATO and its members to demonstrate that the organisation had an effective and important role to play in global politics” (p. 93). Indeed, part of the discussion surrounding NATO’s purpose is related to the shockwave of these attacks and its overall policy towards combating terrorism since then.

The broader focus on terrorism in Europe between 2015 and 2017, instead of other forms of aggression against a NATO country, is selected primarily because of the similarities with 9/11. Both cases of attacks led to a high death toll, large damages, and a sense of insecurity (Bigo et al., 2015; Butt, 2019). Moreover, both were committed or influenced by Islamic

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<sup>2</sup> For further discussion on definitions of terrorism, see Schmid (2011).

extremist groups, being Al-Qaeda and IS. Finally, both cases led to measures being taken to combat terrorism beyond NATO, like the PATRIOT Act and the EU Counter-Terrorism Agenda. In addition, the IS attacks are selected as they occurred after 9/11, meaning that NATO had previous experience in activating Article 5.

Unfortunately, it is beyond the scope of this thesis to analyse in necessary detail the specificities of all eight attacks. That is why specifically the events in Paris of January and November 2015 are analysed. This is done for three reasons. First, they occurred in a relatively short time-period. This means that, while one attack can be considered ‘insufficient’ to invoke Article 5, two considerably damaging (both physically and psychologically) attacks could –by definition– lead to an intimidated government or society which turns to NATO for assistance. Second, the January attacks signified the precipitating event to the *resecuritisation* of terrorism in Europe, as discussed in Chapter 3. Third, while the sequence of attacks between 2015 and 2017 led to a fear of Islamic terrorism throughout Europe, the possibility of invoking Article 5 was only concretely discussed in the aftermath of the November attacks (e.g., Kelly, 2015).

### ***Sources***

The primary sources this thesis uses to identify speech acts and securitising actors consist of speeches by government officials, parliamentary discussions, newspaper articles, and memoirs. What is sought after is the presence of certain linguistics. What do heads of state, defence ministers, and other political leaders say in relation to terrorism, collective defence, and security, what words do they use and what audience is it aimed at? Newspaper articles are not selected from a specific news channel, but on this language. The decision-making process leading up to invoking Article 5 is analysed to investigate various positions of NATO member states. These positions can be compared to those after the Paris attacks to find possible similarities and/or differences. What was the language used there? And (how) did it differ from 2001? Although not cited directly, the conversation held with former Secretary General Jaap de Hoop Scheffer (personal communication, April 11, 2022) was also of significant help.

### ***Structure***

The thesis uses multiple chapters to answer the research question. Chapter 1 includes a brief history on the creation of Article 5 to better understand what it signified at the time of drafting and how this relates to its current usage, or lack thereof. In addition, it presents other measures NATO has taken on behalf of ‘collective defence’. In Chapter 2, the securitisation process of the US after 9/11 and the decision-making leading up to the activation of Article 5

are analysed. This, to discover the intricacies of invoking the collective defence clause and what this decision concretely leads to. Chapter 3 looks at the securitisation process of France after the January and November attacks in 2015 and compares this to 9/11 to investigate why Article 5 was not invoked. Finally, the conclusion answers the research question and provides a summary of all findings of this research.

## **Chapter 1: History of Article 5**

Many scholars, government leaders and officials today would agree with NATO's first Secretary General Lord Hastings Ismay (1954) when he stated that Article 5 is "the core" of the Alliance (p. 13). However, the formulation of Article 5 may be somewhat taken for granted from today's perspective, as demonstrated by the sensitive American position at the time of its drafting. Through this article, the US was abandoning its tradition of non-entanglement in European political and military affairs for the first time since the end of the Franco-American alliance in 1800 (Kaplan, 2004, p. 1). Hence, the Alliance's 'core' was not as straightforward as often considered. The following sheds some light on the historical and legal background of drafting Article 5, as well as highlight other measures taken on behalf of collective defence.

Despite the recurring argument that NATO was a product of an American imperial reach after World War II (e.g., Kolko, 1972), it was a European initiative that opened the way to NATO (Kaplan, 2019). While the Marshall Plan of 1947 was indeed meant to make Western European economies prosperous consumers of American manufacturers (pp. 11-12), their governments recognised that "progress in the economic field will not in itself suffice" (Bevin, as cited in Inverchapel, 1948, p. 5). To protect against communist subversion internally, and Soviet aggression externally, they needed "some form of [defensive] union in Western Europe ... backed by the Americas" (Bevin, as cited in Inverchapel, 1948, p. 5). Hence, led by Britain's Foreign Minister Ernest Bevin and France's Georges Bidault, Western European countries aimed to secure US military support by attempting to involve them in the Western Union.

The Western Union originated from Article 2 of the Dunkirk Treaty of 1947 between France and the United Kingdom (UK). Here, both countries would "give all the military and other support and assistance in his power" (Treaty of Alliance and Mutual Assistance, 1947) in case of a German attack or failure by Germany to abide by its commitments (Tertrais, 2016). The Brussels Treaty of 1948 extended this mutual commitment to include the Benelux countries, thereby forming the Western Union (p. 1). In this treaty's Article 4, the previous military support guarantee was rephrased to exclude any specific reference to Germany and include the provisions of the United Nations (UN). It stated that:

If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power. (The Brussels Treaty, 1948)

What the members of the Western Union wanted from the US was clear; to “join a new western alliance that would deter the Soviets from further military pressure” (Kaplan, 2019, p. 12). For them, an American inclusion in such an alliance merely meant a geographical extension (Tertrais, 2016, p. 1). Nonetheless, despite Bevin and Bidault consciously modelling the Western Union along the lines the US had laid out in the Marshall Plan, the Truman Administration could not accept (Kaplan, 2004, p. 2).

Simply joining a European alliance appeared to be too drastic for the US, taking into account the nation’s history, reservations by the public and military establishment, and most of all, the belief that the UN was the key to a new world order (Kaplan, 2004). It would take more than a year of secret negotiations and considerable re-wording of the preceding Article 4 of the Brussels Treaty before Europe could satisfy the US’ requirements (p. 2). Considering the doubts of the creation of NATO vis-à-vis the UN, it is no coincidence that the North Atlantic Treaty of 1949 that established NATO –also dubbed ‘the Washington Treaty’– has references to the UN Charter in Articles 1,5,7, and 12. Concretely, it led to the phrasing of Article 5 in the following manner:

The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area. Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security. (The North Atlantic Treaty, 1949)

The specific references to the UN's Security Council and Article 51 were chosen to meet the US' concerns and portray the Alliance as a regional organisation under the supervision of the UN (Kaplan, 2004). Not only would NATO support the UN's aims, but also adhere to its restrictions (p. 2). As the UN's self-defence clause, Article 51 states that "nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations" (Charter of the United Nations, 1945). This reference within Article 5 was more symbolic than practical, nonetheless. This is the case because a regional organisation has an obligation to report its activities to the UN Security Council, where the Soviet Union held a seat and exercised veto power (Kaplan, 2004). Hence, legally identifying as a regional organisation would have meant that NATO lost its primary purpose as a defence structure that would not be subject to Soviet interference (p. 2). As Dutch Minister of Foreign Affairs Dirk Stikker (1949) subtly worded at the day of signing the North Atlantic Treaty: "The treaty we are about the sign marks the end of an illusion: the hope that the United Nations would, *by itself* [emphasis added], ensure international peace" (p. 1).

The most significant revision of Article 4 of the Brussels Treaty is the phrasing of specific support. While European countries pushed to keep "military and other aid" (The Brussels Treaty, 1948), the US pressed for a more permissive language. A compromise was found in "such action as it deems necessary, including the use of armed force" (The North Atlantic Treaty, 1949). Despite Article 5 being a compromise, the result "was a far-reaching defence commitment" (Tertrais, 2016, p. 2).

Concretely, Article 5 consists of two provisions; the first is 'one for all, and all for one', meaning that the Alliance treats aggression against one member as aggression against all. Here, Article 6 specifies that this must occur "on the territory of any of the Parties in Europe or North America" or their territories, forces, vessels or aircrafts provided they are located/stationed above the Tropic of Cancer (The North Atlantic Treaty, 1949). This brings across a strong message, as "an attack against Paris or London would be considered the equivalent of an attack against New York or Chicago" (Kaplan, 2004, p. 1). However, the reference to the Tropic of Cancer also meant that it could not be invoked after e.g., the Tonkin incident or the invasion of the Falkland Islands (Tertrais, 2016, p. 2).

The second provision is a commitment to act, as it forces each member state to "assist the Party or Parties so attacked" (The North Atlantic Treaty, 1949). Legally, an activation of Article 5 does not mean that NATO automatically gets involved in military action, as this is used to the extent that each individual member state "deems necessary" (The North Atlantic Treaty, 1949). What this assistance does look like is intentionally left to the discretion of each

Party, it is only required that they take some form of action. Moreover, as the only activation of Article 5 thus far proved, the victim of aggression is not obliged to act through NATO. This was made clear by Secretary General Lord Robertson after 9/11: “The country attacked has to make the decisions, it has to be the one that asks for help” (Daley, 2001, para. 8). Relatedly, it should be made clear that NATO itself does not invoke Article 5, as this is done by the party attacked. Nevertheless, since the NAC makes decisions based on consensus, it still has a large say in whether it will be activated, as also shown below.

What is also interesting to consider when discussing activation of Article 5, is the definition of an ‘armed attack’. Based on the Nicaragua Decision (1986) by the International Court of Justice, international law dictates that an armed attack includes “the sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries which carry out acts of armed force against another State” (p. 103). The question that arises here, is how applicable this definition is to today’s threats. Taking the example of the current war in Ukraine<sup>3</sup>, can Article 5 be called on if there is no armed attack, but instead, what Russia calls a “special military operation”? (Osborn & Nikolskaya, 2022, paras. 1-4).

Fedyszyn (2010) proposes a radical solution to this issue, namely the renunciation of Article 5. “The choice is simple” Fedyszyn (2010) argues, “be a model collective and cooperative security organisation with the option to expand globally or be frustrated in the current confusion caused by the maintenance of European territorial security guarantees” (p. 386). This proposal is in line with Walt (1997), as he believes that a collective defence agreement is not the core feature of an alliance (p. 158). According to these scholars, NATO is not defined by Article 5 and removing it does not mean an end to collective defence cooperation.

While this may be the case, it can be argued that Article 5 does indicate an essential aspect of NATO’s protection role. Not only does it urge member states to act even though they might prefer ‘not to get involved’, it also functions as a potent deterrent against threats from outside the Alliance. A more realistic answer to this issue is provided by Tertrais (2016), who explains that “ultimately, ... politics would almost certainly trump legalism: an armed attack would be what the NATO Council considers to be an armed attack” (p. 6). This ‘political willingness’ is confirmed by former Assistant Secretary General Edgar Buckley in the immediate aftermath of 9/11. Buckley (2006) recollected that it would be conclusive “if *the Allies* [emphasis added] were to determine that an attack met the criteria for a response under Article 5” (para.

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<sup>3</sup> Although this conflict is related to the current relevance of NATO, its unresolved nature only allows for assumptions or probabilistic arguments on this topic and will therefore not be discussed in more detail.

10). In such manner, it is of additional value to investigate measures NATO has taken instead of activating Article 5, to indicate how politically significant it found these cases.

According to NATO (2022) itself, it has previously put collective defence measures in place on several occasions. The Alliance claims to have implemented the biggest increase in collective defence since the Cold War due to Russia's annexation of Crimea, the situation in Syria, and the rise of security challenges through terrorist attacks across several continents. Specifically, it has tripled the size of the NATO Response Force (NRF), established a 5,000-strong Spearhead Force within the NRF, and deployed multinational battlegroups in Estonia, Latvia, Lithuania, Poland and Romania. Following the recent invasion of Ukraine, the NRF has also been deployed in a deterrence and defence role for the first time. Furthermore, NATO has increased its air policing over the Baltic and Black Sea areas and continues to develop key military capabilities such as Joint Intelligence, Surveillance and Reconnaissance (paras. 2-3).

Friis (2017) agreeingly argues that NATO was successful in returning collective defence to the centrepiece of the organisation due to Russia's militarily resurgence, unpredictable behaviour, and its overall challenge to the European security order. However, he also states that other threats –such as terrorism– did not shape the renewed agenda in the same way (p. 1). Moreover, a report by the Middle East Institute and Etana Syria (2020) argues that NATO has failed to take decisive action in response to the situation in Syria and that the Alliance needs to step up to stabilise the region. In addition, former Supreme Allied Commander Europe (SACEUR) Philip Breedlove (2017) asserts that NATO's European members need to improve their overall readiness and responsiveness (p. ii). What these points show is that NATO's willingness to effectively use collective defence measures in response to terrorism, at least when not supported by Article 5, appears to be lacking to some degree.

In addition to the previous, NATO has called upon 'enhanced' collective defence measures, all three of which were on the request of Turkey in 1991, 2003, and 2012. In their respective order, these measures were the deployment of Patriot missiles during the Gulf War, the agreement on a package of defensive measures and on conduct of Operation Display Deterrence during the crisis in Iraq, and a response to the situation in Syria, again with the deployment of Patriot missiles (NATO, 2022). Especially Turkey's decision to ask the Alliance to deploy Patriot missiles along the Syrian border is of "particular note" (Oğuzlu, 2013, p. 10). What this fails to explain however, is why NATO did not invoke Article 5.

According to Tertrais (2016), the Alliance has proven cautious when it comes to its defence clause (p. 4). After increasing tensions on its border, and the downing of a Turkish aircraft by Syria, the Turkish government intended to activate it in 2012 (RFE/RL, 2012). In

response, then Secretary General Anders Fogh Rasmussen (2012) declared that NATO would hold consultations on Turkish security, but that it had “no intention to intervene militarily” (para. 67). This indicates that NATO was not politically willing to consider this an armed attack by a force from abroad. Relatedly, NATO’s current Secretary General Jens Stoltenberg (2019) recently disclosed that “a serious cyberattack could trigger Article 5” (para. 4). Although this indicates a broadened and updated use of collective defence, the adoption of the word ‘serious’ makes it likely that the same political willingness is required, thus not assuring actual use. When could this be considered though? In other words, where is NATO’s so-called ‘red line’?

Analysing ‘red lines’ is part of studying deterrence: avoiding an action through the threat of retaliation (Tertrais, 2016, p. 8). This is something NATO has been highly successful at. Although the Alliance never engaged in actual armed conflict with the Soviet Union, few have doubted the credibility of NATO’s military commitment, which makes it “the most successful military alliance in history” to some (Rupp, 2006, p. 2). This indicates that it is unlikely that any NATO member will be attacked in a ‘traditional’ military manner, making terrorism and other means of ‘unconventional warfare’ a valid focus for the Alliance. In addition, the previously mentioned question of political willingness shows that it may not be entirely clear where NATO’s red line lies today. That is why the following chapter analyses NATO’s clearest indication of its crossing, the terrorist attacks on September 11, 2001.

## **Chapter 2: Article 5 as a Political Tool**

“Though over coming years terrorists would inflict many more casualties than the 2,977 victims who died in New York, Washington and Pennsylvania, no one incident would break so dramatically with previous examples of spectacular political or religious violence” (Burke, 2011, p. 29). Although terrorism was not invented with the September 11, 2001 attacks, they did signify an extraordinary single act of terrorism (Roach, 2011). Likewise, the international responses to these events were an “unprecedented global phenomenon” (p. 1). While the Canadian Prime Minister noted that “it is impossible to fully comprehend the evil that would have conjured up such a cowardly and depraved assault upon thousands of innocent people” (Fox News, 2015, para. 6), France and Greece declared days of national mourning, and Afghanistan rejected suggestions that Osama bin Laden, whom they were sheltering, could be behind the attacks (The New York Times, 2001, para. 5). Of noteworthy importance, NATO stated: “Our message to the people of the United States is that we are with you. Our message to those who perpetrated these unspeakable crimes is equally clear: you will not get away with it”



(NATO, 2001b, para. 2). The Alliance's most significant response, nonetheless, came with the activation of its collective defence principle enshrined in Article 5.

An analysis of the securitisation process after 9/11 not only indicates when it is deemed necessary to invoke Article 5, but also what this decision concretely leads to. Since it does not legally oblige any party to act militarily, might it after all only serve as a performative measure? The following analyses the securitisation process after the 9/11 attacks to explain the NAC's decision to invoke Article 5 and what it brought about.

### ***2.1. Precipitating Event***

Terrorist acts can certainly be viewed as a precipitating event. As Bjørgo and Jupskås (2021) show, "one of the defining criteria of terrorism is that the violence is intended by the perpetrators to have effects beyond the immediate targets of physical violence" (p. 2). There have been more than 200,000 terrorist attacks since 1970 (START, 2021), but beyond the pain, grief and tragedy suffered by those directly affected, some terrorist attacks have had long lasting impacts on a national, societal, and even global level (Bjørgo & Jupskås, 2021, p. 2). The 9/11 attacks specifically can be identified as a precipitating event, as they were a turning point in the fight against terrorism.

Two out of the four airplanes that were hijacked by terrorists associated with al-Qaeda were flown into the Twin Towers of the World Trade Centre in New York, whilst the third hit the Pentagon and the fourth crashed in a field in Pennsylvania (Kaunert & Léonard, 2019). Not only were the attacks large in scale, but also inspired a sense of dread in the US because it was visually memorable as well as tragic. Moreover, the broadcast of the plane crashing into the second of the Twin Towers and subsequent collapse of the buildings was watched live by millions around the world (p. 265). There was also quickly talk of 'a world before and after 9/11' with headlines such as "Nothing will ever be the same" (Philadelphia Citypaper, 2001). As such, "al-Qaeda ... disrupted the status quo in the field of counter-terrorism by confirming that the character of the terrorist threat was changing" (Kaunert & Léonard, 2019, p. 265).

The significance does not end there, as Goh (2003) argues that this realisation of vulnerability led to an American response characterised by bewilderment, anger, credibility concerns, and a desire to prove to the rest of the world the effectiveness of American power (p. 78). More concretely, 9/11 led to a structural redrawing of American policy vis-à-vis terrorism, national security, and international relations, also dubbed the 'War on Terror'. Indeed, Holloway (2008) labels 9/11 as the ideological basis for this global conflict on terrorism, federal legislation enacted in the name of 'homeland' defence, and as a justification for the wars the

US waged in Afghanistan and Iraq (p. 4). That is why this thesis considers the 9/11 attacks as the precipitating event to securitisation of terrorism in the US.

## ***2.2. Securitising Move and Audience Response***

The securitising actor most associated with the framing of terrorism, and specifically al-Qaeda, as an existential threat is US President George Bush. In an initial reaction on September 11, not yet completely aware of what had happened, Bush (2001a) referred to American resolve, stating to “hunt down and punish those responsible for these cowardly acts” and that “the resolve of our great nation is being tested. But make no mistake: We will show the world that we will pass this test” (paras. 1-5). In an official Address to the Nation later that day, Bush (2001b) noticeably framed these terrorist acts not just as an attack on American citizens or the destruction of landmarks, but also “our way of life, our very freedom” (para. 1). Furthermore, he widened the impact of the attacks by calling to “defend freedom and all that is good and just in our world” (para. 12) and already referred to a “war against terrorism” (para. 11). What is also noteworthy here, is that Bush (2001b) referred to the word ‘evil’ four times in his first response alone to indicate some sort of ‘other’ or greater threat against which the US and the wider world should unite.

In the days after, Bush only reaffirmed his strong wording, stating that “this will be a monumental struggle of good versus evil, but good will prevail” (Bush, 2001c, para. 25) and “our *war on terror* [emphasis added] begins with al-Qaeda, but it does not end there” (Bush, 2001d, para. 42). According to Kaunert and Léonard (2019), this securitising move was exceptional in character as it framed terrorism as an act of war, making a global response appropriate. In addition, the language used helped “justify a military (not simply a civilian) response, the roll-out of rendition and enhanced interrogation, an elevated sense of patriotism and a demonisation of al-Qaeda and its presumed accomplices” (p. 266). In this regard, Kellner (2007) analyses Bush’s linguistics and shows that it contains “continual repetition of simplistic slogans aimed to mobilise conservative support” (p. 640), which agrees with ST’s argument of a security actor framing (through magnification) something to be existentially threatened.

The American public accepted Bush’s linguistics and as mentioned above, responded with an increased sense of patriotism and a demonisation of al-Qaeda. It can be said however, that the audience in this case did not need a lot of convincing to begin with. US citizens had after all just witnessed the salience of the threat of terrorism (Mabee, 2007). As such, “the audience of securitisation, both in government and out, was not a hard case” and convinced people that “emergency measures certainly seemed appropriate in light of events” (p. 391). To

convince the international community of the threat of terrorism, Bush (2001e) used absolute language in statements such as: “You’re either with us or against us in the fight against terror” (para. 6). Since no country wanted to be part of what would later be called the “axis of evil” (Bush, 2002, para. 21), “it was imperative to join with the US and so to count as a ‘force of good’” (Kaunert & Léonard, 2019, p. 266). In this light, NATO decided to invoke Article 5.

On the day of the attacks itself, the NAC gathered to debate and formulate a response (Lansford, 2002). During this meeting, the American delegation made clear that it would seek the invocation of Article 5 if it could be proven that the attacks originated from outside the US. This position was strongly supported by France, Italy, Spain and the UK (pp. 73-74), visible in statements such as “Italy is at the side of the United States” (The Gazette, 2001, para. 20) and the famous headline by French newspaper *Le Monde* (2011): “*Nous sommes tous Américains*” (We are all Americans). Also noteworthy here, is that British Prime Minister Tony Blair used similar linguistics as Bush, stating that “this is not a battle between the United States and terrorism, but between the free and democratic world and terrorism” and “we, like them, will not rest until this *evil* [emphasis added] is driven from our world” (The Northern Echo, 2001, paras. 3-4). This indicates a common framing of terrorism as a global threat.

When mentioning the decision to activate its collective defence clause, official sources from NATO emphasise on the effectiveness, solidarity, and determination that lay behind it. Language like “*less than 24 hours after the attacks* [emphasis added], the Allies invoked the principle of Article 5” (NATO, 2022), “by invoking Article 5, NATO members showed their *solidarity* [emphasis added] toward the United States” (paras. 2-3), and “the United States’ NATO Allies *stand ready* [emphasis added] to provide the assistance that may be required as a consequence of these acts of barbarism” (NATO, 2001a, para. 4). As Tuschoff (2003) agrees, “no one expected the Alliance would take such a bold step without extensive debate among allies” and that it ‘only’ took “two meetings and a few hours to determine that the attack on the United States was an attack on all allies” (p. 101). However, the Alliance’s standpoint was not as united as often suggested.

Even after the largest terrorist attacks in history, some NATO member states were cautious about invoking Article 5. They worried that it would lead the organisation into uncharted waters (Rupp, 2006, p. 95). Specifically, Germany, the Netherlands, Belgium and Norway initially opposed the invocation (Lansford, 2002, p. 74). While Germany publicly expressed that the attacks were “a declaration of war against the entire civilised world” (Deutsche Presse-Agentur, 2001, para. 2), they followed up this statement with doubts over a US “overreaction” (Fitchett, 2001, para. 24). Similarly, Dutch Prime Minister Wim Kok

declared to the world that the attack on the US “obliges us to combat each form of terrorism – both nationally and internationally– with all force” (The Guardian, 2001, para. 10), but, together with Belgium and Norway, “sought to water down NATO’s decision” (Fitchett, 2001, para. 25) behind closed doors. Even Italy’s initial show of support did not go further than performativity, as its defence minister declared that “Italian soldiers will not go” (Bernard, 2001, para. 7). Furthermore, the countries that did send support later on were reluctant, as “many parliaments imposed heavy restrictions ... on what their troops were permitted to do” (Bush, 2010, p. 200).

The uncertainty surrounding the invocation partly had to do with the different context for which Article 5 was meant. Instead of a ‘traditional’ invasion or aggression by another country, NATO now had to deal with a terrorist organisation that used unconventional tactics. As the NAC explained at the time, “the commitment to collective self-defence embodied in the Washington Treaty was first entered into in circumstances very different from those that exist now” (NATO, 2001a, para. 3). Moreover, Assistant Secretary General Buckley (2006) recalled that “there was no clear policy ... on the use of NATO assets in response to terrorist attacks” (para. 7). Because of this, even the more vocal supporters of the US’ position to invoke Article 5 showed “signs of nervousness” (Dempsey, 2001a). The French Foreign Minister quickly asserted that “Article 5 does not abolish the freedom of action of each ally” (paras. 9-10). This is not the only evidence that the decision was not as easily made as NATO claims, as the question of the Alliance’s role in combating terrorism goes back to the late 1990s.

NATO (2022) contends that the Alliance’s 1999 Strategic Concept had already identified terrorism as one of the risks affecting NATO’s security (para. 1). While this is the case, it merely stated that “security interests can be affected by other risks of a wider nature, including acts of terrorism, sabotage and organised crime” (NATO, 1999, para. 24). As Rupp (2006) explains, this role could have been much larger, but NATO chose not to adopt specific policy guidelines regarding terrorism. During the 1999 Washington summit, the US encouraged the Alliance to identify terrorism as a major common threat and urged its allies to equip NATO with strategies and tactics to combat future acts of terrorism (p. 95). The US specifically wanted to broaden Article 5 to ensure the definition of an ‘armed attack’ included terrorism, sabotage and organised crime (Dempsey, 2001b, para. 4). Nevertheless, European governments opposed the initiative “because they feared that it would transform NATO into a European police force instead of a military alliance” (Bensahel, 2003, p. 24). In the end, the US failed, and the result led to the ambiguousness surrounding the invocation of Article 5.

Despite the doubts raised by some member states, they were eventually convinced by several factors. The first was that the US assured them that military action would only be one

component of the campaign against terrorism (Lansford, 2002). Armed attacks would be supplemented with diplomatic efforts and a campaign against the financial assets of terrorists. Second, American officials stressed the importance of cooperation with Russia and the possibility of a closer relationship through a collective fight against international terrorism (p. 74). Third, the hesitant allies received the assurance that for future cases, the NAC would be able to better define threshold levels for invoking Article 5 based on an individual basis (Dempsey, 2001b, para. 10). Most importantly however, securitising actor and NATO's Secretary General Lord Robertson argued that one of the most overriding concerns of the Alliance was to maintain its unity (Lansford, 2002). Indeed, disagreement within NATO could lead the US to bypass the Alliance completely, permanently marginalising it (p. 74). This agrees with statements from former members of the US National Security Council, Antony Blinken and Philip Gordon (2001), who claimed that "while the form of possible retaliation can and should be debated, neutrality is not an option" (para. 2).

The argument that Lord Robertson was indeed a significant securitising actor is also visible in initial statements such as: "These *barbaric* [emphasis added] acts constitute intolerable aggression against *democracy* [emphasis added] and underline the need for the *international community and the members of the Alliance* [emphasis added] to unite their forces in fighting the scourge of terrorism" (Lord Robertson, 2001a, para. 1) again, showing similarities with Bush's widened rhetoric. Furthermore, he actively tried to convince NATO allies by insisting that "Article 5 was relevant and was the ultimate act of solidarity with the people of the US. What had the self-defence clause meant if it was not valid at this dramatic moment of aggression?" (Lord Robertson, 2011, para. 12). Moreover, he had "fraught, nerve-racking telephone conversations with Prime Ministers, Foreign Ministers and in one case, through the Foreign Minister's mobile phone, with a whole Cabinet meeting" (para. 14). In the end, all of NATO's members were persuaded and the NAC decided "to treat the terrorist assault as an armed attack on the whole alliance, but only if Washington determined that the terrorist attack had originated abroad" (Fitchett, 2001, para. 25). The first step towards NATO's policy outputs then, depended on the US' delivery of this proof.

### **2.3. Policy Outputs**

In response to the request by NATO, the Bush Administration declared on several occasions that "the world would be given clear and irrefutable proof that Bin Laden and Al Qaeda were responsible for the attacks" (Lansford, 2002, p. 75). A public display of this proof was important to many NATO member states with Muslim minorities to make clear that they

were not going to war against Islam (Lansford, 2002). This was meant to prevent campaigns of Islamic-based terrorism in Europe, as had previously occurred in some of these countries. Furthermore, NATO did not want to alienate Turkey, the only member state with a predominantly Muslim population. In the weeks that followed however, the US became reluctant to make its information on al-Qaeda public over concerns of national security. What it did share was general and many NATO ministers were disappointed with the materials presented (pp. 75-77).

Again, Lord Robertson was the person to swing the Alliance into action, as he suddenly questioned the necessity of “an ally to produce evidence” (Dao & Tyler, 2001, para. 16). After numerous failed requests to provide more concrete proof, NAC representatives realised that it was politically damaging to NATO and relations with the US to reject the Article 5 request (Lansford, 2002, pp. 77-78), in accordance with the aforementioned political willingness. Consequently, Lord Robertson (2001b) declared after a meeting on the 2<sup>nd</sup> of October 2001: “It has now been determined that the attack against the United States on 11 September was directed from abroad and shall therefore be regarded as an action covered by Article 5” (para. 8).

Thus, NATO decided to act. On the request of the US –Lord Robertson made clear that “the country attacked ... has to be the one that asks for help” (Daley, 2001, para. 8)– NATO launched Operation Eagle Assist, NATO’s first anti-terrorism operation (NATO, 2022). This consisted of seven NATO radar aircrafts that helped patrol the skies over the US, with a total of 830 crew members from thirteen NATO countries. Not much later, it launched its second counter-terrorism operation, Active Endeavour, where NATO’s Standing Naval Forces were sent to patrol the Eastern Mediterranean. They monitored shipping to detect and deter terrorist activity along with illegal trafficking. Finally, NATO adopted eight measures to support the US, including –but not limited to– intelligence-sharing, aiding allies and other countries, increasing security, providing flight clearances for allied aircrafts, and *readiness* to deploy naval and air forces (paras. 6-9). For the most part however, the US brushed NATO aside.

In the weeks after the attacks, Bush gathered his senior military and foreign advisors and considered the US’ options (Rupp, 2006). Although the decisions made would not only affect the US and its enemies but also its NATO allies, none of them were a part of the deliberations (p. 97). Afterwards, Bush declared that “we will direct *every resource at our command* [emphasis added] –every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war– to the destruction ... of the global terror network” (Bush, 2001d, para. 51). Following this, the Bush Administration devised a war plan labelled Operation Enduring Freedom, which required

few allies (Rupp, 2006). What the US did need, it received from foreign nations which could best facilitate specific operations such as the UK, but also regional players like Russia, Tajikistan, Uzbekistan, Turkmenistan and Pakistan (p. 97). Simply put, Operation Enduring Freedom was meant to both capture or eliminate al-Qaeda and to depose the Taliban (Burke, 2011, p. 50). Besides Operation Enduring Freedom, the US took extraordinary measures such as creating the Office of Homeland Security and signing the PATRIOT Act which provided for new possibilities for surveillance actions.

At first sight, the decision by the Bush Administration to largely dismiss NATO can be viewed as curious, considering Bush himself attempted through NATO “to unite oft-disagreeing nations behind a war against terrorism” (Fournier, 2001, para. 1). Nevertheless, this decision can be explained by several factors. First, the war the US was waging in Afghanistan was quite unlike that which NATO had undertaken in Kosovo a few years prior (Hallams, 2009). Instead of forcing the enemy to negotiate, the US employed decisive and overwhelming force to destroy al-Qaeda’s ability to operate within Afghanistan and bring about the downfall of the Taliban regime (p. 47). As Bush (2001d) already emphasised when announcing the war, it would “not look like the air war above Kosovo two years ago, where no ground troops were used and not a single American was lost in combat” (para. 52).

Second, because of the considerable threat that 9/11 posed to US national interest, security and credibility, saving that of NATO was not of paramount importance to the Bush Administration (Hallams, 2009). The US sought to defend their interests with maximum efficiency and bypassing the Alliance gave them the ability to generate a quick and efficient response (p. 47). As the Pentagon’s Director of NATO Policy, Colonel Mark Sullivan noted: “When a nation acts in an autonomous sort of way outside of the Alliance it can act much more swiftly, it’s not just the decision-making, it’s the ability to bring resources to bear” (Sullivan, as cited in Hallams, 2009, p. 47).

Third, and most important, the US’ push for invocation of Article 5 was never about any concrete action, but a bid for a political signal. While NATO prefers to highlight the above-mentioned decisiveness to take practical measures, newspaper articles at the time painted a different picture. When discussing the doubts surrounding the activation of Article 5, one NATO diplomat noted that “even if the NAC is satisfied and the US asks them to invoke article 5, I am not sure the US will take up NATO’s offer of assistance. What the US wants is the political support, the solidarity” (Dempsey, 2001c, para. 6). Since the US could act alone if it wanted to –using the UN’s Article 51– it was crucial for NATO to be on the supporting side of the US, even if it did not lead to any concrete action.

Other NATO officials stated that “realistically, ... the United States needs mainly symbolic help from its European allies” (Fitchett, 2001, para. 5) and that “political solidarity with the US took precedence over legality. The Europeans could not be seen to be wavering” (Dempsey, 2001b, para. 9). Similarly, National Security Council members Blinken and Gordon (2001) explained that “NATO’s action is an important declaration of political solidarity” (para. 2). Indeed, even Lord Robertson (2019) later emphasised on the importance of symbolism, rather than tangible NATO measures:

Around the world, it was a *signal* [emphasis added] to the American people that this alliance was standing by them at a time when they were under attack. It was a *signal* [emphasis added] to the Europeans, that they were on the side of America, that they were on the side of the free, ordered world, and that NATO meant business. And it was [sic] more important than all of that probably, it was a *signal* [emphasis added] to the criminal killers in the caves of the Tora Bora mountains in Afghanistan that NATO was alive and was well. (9:10)

Thus, what Bush wanted from NATO was not its resources, but its political weight. Specifically, the political legitimacy needed to go to war against al-Qaeda. Refusing to invoke Article 5 appeared undesirable for European members, fearing the negative repercussions that would have followed. To a certain extent, it can even be argued that the allies had no choice, as “failure to invoke Article 5 would have rendered NATO obsolete” (Atlamazoglou, 2021, para.8). What NATO’s only activation of Article 5 has shown therefore, is that it was not as unanimously decided as often believed and that the Alliance’s most powerful legal clause has so far only been used as a political tool. If this is the case however, why did the attacks in Paris not lead to the same act of solidarity?

### **Chapter 3: Disuse of Article 5**

Terrorist acts in Europe have mostly originated from jihadi violence in recent years. In the early 2000s, al-Qaeda emerged with a jihad offensive in European countries aimed at Jewish and American targets (Nesser, 2018). However, despite the attempt to prevent it, these attacks increasingly aimed to deter and avenge European contributions to the War on Terror (p. 2). On the 7<sup>th</sup> of July 2005, four coordinated suicide attacks by al-Qaeda targeted the London public transport system, killing 56 people and injuring hundreds. One year prior, the same terrorist



organisation had attacked the Madrid train system, killing 193 people and injuring over 2,000. It remains the deadliest terrorist attack in modern European history.

Following a period of relative quiet, Islamic terrorism again flared up since 2015 (Herrington, 2021, p. 1). First, on the 7<sup>th</sup> of January, with the storming of the headquarters of *Charlie Hebdo* in Paris, followed by a second attack in Paris in November of the same year. In 2016, terrorist acts occurred in Brussels, Nice, and Berlin using bombings and even trucks to cause ruin. This series of attacks ended with the Manchester Arena bombing, London Bridge attack and Barcelona attacks in 2017. In total, 351 people lost their lives and almost 2,000 people were injured. What all these attacks had in common, is that they were committed, or at least influenced, by IS.

This chapter aims to analyse how, and if, these IS attacks were framed as an existential threat and what/if extraordinary measures were taken in their aftermath. Particularly the cases of France in January and November 2015 are selected, as explained in the introduction. An analysis of the securitisation process that followed these events not only indicates what measures France took, but specifically why it decided not to invoke Article 5. Given the relative similarity to 9/11, why were such different measures taken? The analysis shows the drawbacks that come with involving NATO in a national security matter and highlights the disuse of Article 5 relative to the EU's 'mutual defence clause'.

### ***3.1. Precipitating Event***

As Bures and Bätz (2020) indicate, the EU seized the counter-terrorism dynamics in the aftermath of 9/11 as both an opportunity and proof to reinforce its fight against terrorism (p. 77). However, the aforementioned relative quiet for Islamic terrorism in Europe caused a period of slow down and inertia in EU counter-terrorism policy (Argomaniz, 2009, pp. 153- 154). The attacks since 2015 on the other hand, saw terrorism return to the top 'major concerns' for citizens in many EU countries (European Commission, 2017). As a result, Martins and Ziegler (2018) show that the "new surge in terrorist attacks since 2015 has brought terrorism *back* [emphasis added] onto the political agenda" (p. 321). What these arguments demonstrate, is that the EU's counter-terrorism policy became a lower priority before 2015.

In this regard, ST shows that issues can become 'desecuritized' and move from the realm of 'security' back to the realm of 'normal' politics (Peoples & Vaughan-Williams, 2010, p. 83). During this time, other issues may have taken the foreground, such as the 2008 financial crisis and the 2011 refugee crisis. In response to *desecuritisation*, a securitising actor can decide to initiate a *resecuritisation* move. This means that an issue that has been desecuritized can return

to the realm of ‘security’ once again. The process of resecuritisation is distinct from ‘regular’ securitisation as it becomes easier for a securitising actor to declare an existential threat due to the existence of ready-made security linguistics (Sperling & Webber, 2016, p. 10).

Being the first of the wave of terrorist acts since 2015, the Paris attacks in January served as a dramatic wake-up call that the threat of Islamic terrorism had not disappeared. The shock generated “a discussion on new jihadist threats and possible counter-terrorism measures in Europe” (Jacobs & Samaan, 2015, p. 1). The attacks were mainly targeted against the office of satiric magazine *Charlie Hebdo* for publishing mocking caricatures of the Islamic Prophet Muhammad. In response, thousands of people in France and Europe marched on the streets holding up signs reading *Je suis Charlie* (I am Charlie), which became a slogan for freedom of speech and resistance to armed threats. As Eroukhmanoff (2019) explains, this phrase did not emerge out of nowhere and refers to several linguistic and visual emblems that were used before, such as ‘*Nous sommes tous Américains*’ (p. 172). Similar to 9/11, the audience did not need much convincing by a securitising actor as the attack inspired a sense of dread, was visually memorable, and led to a realisation of vulnerability (Vasilopoulos et al., 2017). These reasons are why this thesis considers the IS attacks in France on the 7<sup>th</sup> of January 2015 the precipitating event to the *resecuritisation* of terrorism in Europe.

### **3.2. (Re)Securitising Move and Audience Response**

Secretary General Stoltenberg used similar wording as other world leaders in response to the January attacks. More than an attack on people, this was “an outrageous attack on *press freedom* [emphasis added]” (Stoltenberg, 2015a, para. 2). The mentioning of response measures like his predecessor Lord Robertson was largely absent, nonetheless. While Stoltenberg (2015a) did state that “all NATO Allies stand together in the fight against terrorism” (para. 5), NATO’s priorities were on Russia’s annexation of Crimea (Sperling & Webber, 2016, p. 13). During a joint press point with French President Hollande two months later, Stoltenberg briefly commented on the way France handled the situation on its own, declaring: “I would like to commend *you and the people of France* [emphasis added] for the way *you* [emphasis added] handled that very serious attack on *your* [emphasis added] open society” (European Union News, 2015, para. 4), before turning to the situation in Ukraine.

Despite claiming that one of NATO’s core values was struck (Stoltenberg, 2015a), invoking Article 5 was never considered. Indeed, while the January attacks “triggered an unprecedented political mobilisation all over Europe” (Jacobs & Samaan, 2015), it was expected that “NATO itself is unlikely to play a direct role in this” (p. 4). In short, the 2015

terrorist attacks on *Charlie Hebdo* led to an initial discussion on increasing (EU) counter-terrorism policy, but it were the terrorist acts in November that concretely referred to a possible French invocation of Article 5.

On the 13<sup>th</sup> of November 2015, three suicide bombers struck outside the *Stade de France* (a stadium) after failing to gain entry. Not much later, another group of attackers fired on crowded cafés and restaurants, and one of them detonated an explosive vest. A third group carried out mass shootings and took hostages at a rock concert in the Bataclan theatre, leading to a violent stand-off with the police. A total of 137 people lost their lives, with over 400 injured. Responsibility was claimed by IS in response to French airstrikes against its militants in Syria (The Guardian, 2015). The attacks were the deadliest in France since World War II and deadliest in Europe since the 2004 Madrid bombings.

From the outset, the language used showed considerable difference to that of January. Instead of saying that the perpetrators would be “arrested and face justice for their crime” (Euronews, 2015, para. 5), President Hollande declared that the November attacks represented “an act of war” (Hollande, 2015a, para. 1). Like Bush after 9/11, Hollande used this type of language to argue that the country was at war against a “terrorist army” (para. 1). France would act “with *every means appropriate* [emphasis added] and in every theatre, both domestic and external (Hollande, 2015b, para. 2). Furthermore, like 9/11, these attacks did not just harm civilians, but were “an act of aggression against our country, against its values, against its young people, and against its *way of life* [emphasis added]” (Hollande, 2015a, para. 1). Identical to the US, France’s resolve would thrive, as “even though it may be wounded it always gets back up, and nothing will be able to hurt it, even if we are plunged in grief” (Hollande, 2015b, para. 2). The similarities do not end there, as, instead of ‘evil’, Hollande referred to the terrorists as ‘barbaric’ multiple times in his first reaction alone.

Interestingly, the international community did not go along with the war linguistics used by President Hollande, unlike with Bush’s statements after 9/11. Instead, most conveyed a message of grief and empathy. German Chancellor Angela Merkel said that “we, your German friends, we feel so close to you. We are crying with you” (DW, 2015, para. 2). Similarly, Turkish President Recep Tayyip Erdoğan responded: “We are sharing the pain of both President Hollande and the French people” (Daily News, 2015, para. 2) Indeed, the attacks would not be followed up with declarations of war, but with “calm and restraint” (Xinhua General News Service, 2015, para. 5), as expressed by the Icelandic Foreign Minister. This shows that NATO countries outside of France were not eager to declare war on IS, possibly because of fear of retaliation or to avoid the negative experiences the US had with its wars in Afghanistan and

Iraq. What was repeatedly mentioned, was that these attacks were “not only against France, but also against the *whole of the civilised world and democracy itself* [emphasis added]” (Hellenic Republic, 2015, para. 1), and “our common values” (Republic of Estonia, 2015, para. 1), as stated by Greece and Estonia, respectively. NATO responded in a similar fashion.

In an initial reply, Stoltenberg (2015b) again drew upon a larger theme, as “terrorism will never defeat *democracy* [emphasis added]” but also showed determination, since “we stand *strong and united* [emphasis added] in the fight against terrorism” (para. 1). A few days later, the NAC published in a comparable statement that this was “an attack on our core values of *freedom, democracy and human rights* [emphasis added]” (NATO, 2015), and that NATO stands “in strong solidarity with the government and the people of France in *their* [emphasis added] unwavering determination to deal with the terrorist threat. We are all more than ever *determined to counter and defeat* [emphasis added] the threat of terrorism and extremism” (paras. 1-2). The language used in both statements indicate that the November attacks did more harm than physical, while also implying that NATO was *prepared* to help France in *their* fight against terrorism. Instead of a referral to Article 5 however, the NAC merely expressed that “a number of Allies are already working with France on their ongoing operations and investigations in the wake of the attacks” (NATO, 2015, para. 2). Indeed, although the attacks in November were the sole case of terrorism in Europe between 2015 and 2017 where possibly invoking Article 5 was mentioned, even here the sources are quite thin.

“Should NATO invoke Article 5?” (Daalder, 2015) was the Financial Times’ headline shortly after the attacks. Combining Hollande’s ‘act of war’ statement and the fact that the attacks were committed by IS, the article stated that “there is little doubt that NATO has the legal right to invoke the collective defence provision of Article 5” (Daalder, 2015, para. 3). However, this was followed by “France has not asked NATO to invoke this provision, nor is the Alliance currently considering whether to do so” (para. 3). According to Daalder (2015), this was not on the table because of a lack of willingness by multiple members to extend their involvement in the American-led bombing campaign against IS targets in Syria (para. 5). This is visible by the lack of international support for Hollande’s war-rhetoric, while also drawing parallels with the cautiousness surrounding Article 5 from the previous chapters.

One option for NATO could have been to take command of the bombing campaign, “but given that the US is already leading an effective coalition in the air, it is not clear what such a decision would gain” (Daalder, 2015, para. 7). Another would have been to add significant ground forces to the fight, but, besides Turkey, no member state talked about such action (Daalder, 2015, para. 7). Nevertheless, this does not take away from the political solidarity

with which the US was supported by invoking Article 5 in 2001, as “doing so today would clearly do the same for France” (Daalder, 2015, para. 8). In addition, the lack of willingness to discuss sending ground troops before Article 5’s activation does not detract from the possibility to do so afterwards. Despite having the legal right and Hollande (2015a) declaring that IS “must be destroyed” (para. 17), France did not opt to invoke Article 5. Why? And what extraordinary measures were adopted instead?

### ***3.3. Policy Outputs***

Before turning to why France decided not to invoke Article 5, it is first necessary to discuss what other measures were taken, starting nationally. While the hostage situation in the Bataclan theatre was ongoing, Hollande declared a state of emergency and closed its borders (The Telegraph, 2015), indicating a move beyond ‘normal’ democratic practices. Furthermore, all emergency services were mobilised, police leave was cancelled, and hospitals recalled staff to cope with the casualties (paras. 4-6). The state of emergency was extended several times until November 2017, when it was replaced by an anti-terrorism law. This new law permanently legalised several aspects of the state of emergency and “marked a turning point in French anti-terror legislation” (Mazoue, 2021, paras. 1-3). On the international level, France decided to invoke the EU’s mutual defence clause for the first time ever.

The EU’s Article 42, paragraph 7 states that “if a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power” (Consolidated version of the Treaty on European Union, 2012). How does this compare to Article 5? Legally, there is not much difference, as “Article 42.7 provides the legal basis for a collective defence role for the EU, much like Article 5 does for NATO” (Bakker et al., 2016, p. 25). The clause even refers to NATO as well as the UN (Consolidated version of the Treaty on European Union, 2012). However, there is a considerable difference in the military resources that come with it (Bakker et al., 2016). Unlike the EU, NATO can fall back on force planning capabilities, training exercises, and an extensive military headquarter capability (p. 25). This is beyond the fact that the US alone spends more than twice as much on its military than all the EU’s member states combined (Roser et al., 2022). Despite this lack of resources, France decided not to invoke Article 5, which can be explained by the following.

### **3.3.1. Retaining Political Control**

As a starting point, France wanted to retain political control in response to the attacks. While the French government decided to invoke the EU's mutual defence clause, providing the EU's institutions with an influential role was not a preferred course of action. This is explained by Lequesne (2016), who described that after the November attacks, "the French government clearly lacked trust vis-à-vis the capacity of the European institutions ... to solve security issues" (p. 310). Although France wanted a united European response –"the enemy is not just France's enemy, it is Europe's enemy" (Hollande, 2015a, para. 21)– it did not want this to go through the EU itself. This is also demonstrated by France's choice not to activate the EU's Article 222, which stipulates that "the Union and its Member States shall act jointly in a spirit of solidarity if a Member State is the object of a *terrorist attack* [emphasis added]" (Consolidated version of the Treaty on the Functioning of the European Union, 2016). While this appears as a logical provision to invoke, this 'Solidarity clause' would have given "a major role to the European Commission, which Paris has opted to avoid" (Traynor, 2015, para. 10).

Other newspaper articles from then also bring forth this argument, as Heffer (2015) explains that France invoked Article 42.7 instead of Article 222 to "avoid having to go through the EU institutions and instead ... negotiate on an individual basis" (para. 26). This intention was already visible five days after the attack, as Hollande announced to "appeal to world leaders ... to form a wider coalition to go after the group [IS]" (Melvin, 2015, para. 12). Resorting to Article 222 would also have meant that France had to hand over political coordination to the Presidency of the Council of the EU, which was Luxembourg at the time. In other words, President Hollande was "trying to take the diplomatic initiative" (Erlanger & Baker, 2015, para. 13), thus allowing France to maintain control.

### **3.3.2. Political Legitimacy**

In line with the previous, France invoked Article 42.7 because it aimed to receive political legitimacy, like the US after 9/11. Although member states unanimously supported the French invocation, the reactions to Hollande's securitising move indicate that the international community did not go along with his war declaration. Internationally, Hollande failed to frame terrorism as an act of war, thereby unable to recreate Bush's securitising move. As a result, "many did not feel obliged to aid and assist *beyond political support* [emphasis added]" (Bakker et al., 2016, p. 24). Nevertheless, this was all France needed.

Although some claimed that "Hollande would not have the spine to go at it alone in Iraq and Syria without the US" (Weinthal, 2015, para. 12), there is evidence to prove otherwise. For

one, Jean-Yves Le Drian's memoirs –French Minister of Defence at the time– describe how France unilaterally launched a ground operation to fight radical Islamists in Mali, was a proponent of launching missiles at Assad in Damascus, and how it sought to secure the most concessions among the West from Iran during the nuclear talks (Coudurier, 2017). Furthermore, France was the only European country bombing IS targets in Syria and Iraq despite lacking a UN Security Council resolution (Erlanger, 2015). This shows that “no other European country has been willing to confront Islamist radicalism like the French” (para. 16). Given that this lack of resolution was met with international criticism (Stavridis, 2016), what was mostly sought after was ‘finding political and diplomatic solutions to reach international settlements’, as mentioned by French Prime Minister Manuel Valls during a national parliamentary discussion (Assemblée nationale, 2015a).

Alternatively to a collective response by all member states, France approached each bilaterally. Some EU officials even believed that “the article's invocation will have little substantive impact” (Spiegel & Brunsden, 2015) because “unlike the collective defence clause in the North Atlantic Treaty ... the EU measure taps into no common defence infrastructure” (para. 5). This is not to say that European countries did not add significant contributions, for Germany and the UK certainly did (Bakker et al., 2016, p. 24). Nonetheless, invoking Article 42.7 was a political signal, like Article 5 was to the US. This is also confirmed by the EU's foreign and security policy coordinator Mogherini, who declared that invoking Article 42.7 was a “*political act, a political message* [emphasis added]” (Traynor, 2015, para. 20). Even Le Drian admitted that it was ‘*a large-scale political act*’ above all (République Française, 2015).

### ***3.3.3. Issues with Involving NATO***

If Paris wanted international recognition while also retaining political control, why not use NATO for its political weight instead of its resources, paralleling the US? After all, “the country attacked has to make the decisions, it has to be the one that asks for help” (Lord Robertson, as cited in Daley, 2001, para. 8). First, going through NATO would have forced France in a supporting role.

As described at the time, using the Alliance would have meant involving the US and Turkey, thereby complicating the decision-making process (Tran, 2015). The difficulty with involving the US was, and still is, its dominant position within NATO. While all member states are officially treated equal, the “clear and undisputed leadership in NATO lies with the United States” (Howorth, 2018, p. 526). This is –among other things– based on the considerable difference in defence spending, that the person responsible for the conduct of all NATO

operations (SACEUR) has always been an American officer, and on Bush's ability to largely bypass NATO after activating Article 5. Case and point, several members of the US House of Representatives noted during a discussion on Article 5 that "President Obama has an opportunity to take a *leadership seat* [emphasis added] at the table and coordinate a coalition-based military offensive to defeat ISIS" (States News Service, 2015, paras. 3-4).

Turkey is mentioned here because of its tensions with Syria, the country that would be targeted by a NATO military operation because of IS' stationing there. As mentioned in Chapter 1, Turkey was close to invoking Article 5 itself because of the downing of a Turkish aircraft by Syria. This, combined with the fact that Turkey and Syria are neighbouring countries and that Turkey is one of the major contributors to NATO, makes it highly likely that it would have pressed for a strong influence in any retaliation mission.

Second, using NATO would have increased the already high tensions with Russia (Erlanger, 2015), which was also militarily present in the area. In his memoirs, Hollande (2018) describes criticising Russia's policy of vetoing any solution to the situation in Syria during UN Security Council meetings (p. 50), indicating this friction. Furthermore, the French ambassador to Washington noted that France did not invoke Article 5 to maintain "the dialogue with Russia" (Araud, 2015). Hence, to keep the US and Turkey from taking over and tensions with Russia from escalating, France preferred to have the aforementioned bilateral consultations through Article 42.7 instead of Article 5.

#### ***3.3.4. Undermining EU Defence Cooperation***

Another reason that France did not involve NATO is that it has been a major proponent of increasing the EU's defence capabilities and cooperation. Turning to NATO instead of the EU would have undermined this position. Over the last 35 years, Paris has tried to make European defence a key political objective (Maulny, 2012). According to the French, the logical evolution of the EU would encompass a common foreign policy including a defence pillar, which it received with the creation of the Common Security and Defence Policy in 2009. Even more, it was France itself –together with Germany– that proposed the creation of Article 42.7 in the first place (pp. 9-22). Before the attacks even occurred, France was seen as the only European country that offered the means to accommodate for greater European cooperation in the field of foreign, security, and defence policy (Simón, 2013). It had the belief that military force remained a central element of foreign policy, even dubbed 'the French way' (p. 38). What would this conviction be worth if NATO was preferred over the EU, especially for as little as a political signal?



Choosing NATO over the EU would have dealt a similar blow to the EU's credibility as when the US largely bypassed NATO in 2001. As one NATO ambassador commented at the time: "By declaring a situation of collective defence and failing to follow up ... I think that NATO has suffered as an alliance" (Kitfield, as cited in Bensahel, 2003, p. 17). A similar scenario for the EU was not an option for France, as this would have greatly unravelled all the work it had done for European security for decades. On the contrary, it was even said that Article 42.7's activation led to a "huge leap forward" (Holehouse, 2015) in terms of EU defence cooperation and a renewed discussion on "the whole issue of a European defence force" (Heffer, 2015, para. 14).

Thus, France did not invoke NATO's Article 5 to retain control over its fight against terrorism. Similar to the US pushing for the Alliance's political weight to declare war on al-Qaeda, France used the EU to declare war on IS. This can be explained by France's choice to activate Article 42.7, as well as by the decision-making complication that involving NATO would have brought. In addition, using the EU's mutual defence clause allowed the French to avoid the undermining of its position on increased EU defence cooperation. *Opération Chammal*—a military operation under French command which was extended in 2015 to include Syria—is a testament that these policy choices indeed led to the significant counter-terrorism role that France desired. Or, as Prime Minister Valls accurately put it: 'France will take the initiative, and Europe will follow' (Assemblée nationale, 2015b).

## **Conclusion**

This thesis aimed to answer why NATO's Article 5 was not invoked after the Paris terrorist attacks in 2015. The analysis of the securitisation process of France after these events provided four reasons as to why this was the case. First, France wanted to retain political control to determine its own course of action in response to the attacks. Second, France intended to obtain the political legitimacy to go to war against IS through the EU instead of NATO. Third, the French government did not invoke Article 5 due to the drawbacks of involving NATO in a national security matter. Fourth, by invoking Article 42.7 instead of Article 5, the French were able to maintain their principle of advocating for increased EU defence cooperation. Based on the arguments brought forward throughout this thesis, it can be concluded that Article 5 has predominantly been used as a performative symbol of deterrence rather than a practical device.

By using ST as a guiding principle, the thesis was able to explain why Article 5 was invoked after 9/11 and consequently, why it was *not* invoked after the attacks in Paris. ST focus on linguistics allowed this research to identify similarities in the framing of terrorism as an

existential threat after both 9/11 and Paris 2015. Although the international reactions to Hollande's war-rhetoric indicate that he was unable to recreate the US' securitisation process to the same extent, the exceptionality of Bush's securitising move should not be overestimated. This thesis showed how invoking Article 5 was not as easily decided as often believed. Much of the international community's public declarations of support for military action was watered down behind closed doors. Furthermore, Lord Robertson served as an additional securitising actor to sway the Alliance into action, something that was done less, if at all, by Stoltenberg. The question this raises, is how much influence the Secretary General exercises on the formulation of NATO's policy. Taking into account that political, military and strategic decisions reside with the member states, what do Lord Robertson and Stoltenberg's aforementioned roles say about the objectivity of NATO's chief civil servant?

The broader focus of this thesis addressed terrorism in Europe between 2015 and 2017. As mentioned, the scope did not allow for an analysis of all eight terrorist attacks in this time-period. To better understand the implications of this research's results, further studies could investigate if other European countries provided similar reasons as to why Article 5 was not invoked. What are the differences or similarities in (inter)national extraordinary measures taken by Belgium, Germany, Spain, and the UK? How does Germany's similar position as France on the topic of stronger EU defence capabilities relate to its response to the attacks in Berlin? What is transferable to these other European cases, is the mentioned drawbacks of involving NATO in a national security matter.

Like any research, the thesis also comes with its limitations. Originally, it was intended to analyse the documentation of proceedings of the NAC surrounding invocation of Article 5 in 2001. To bypass the classified nature of these documents, an official ad-hoc request for declassification and public disclosure addressed to the NATO Archivist (AC/324-D(2014)0010-REV2) was sent. However, this request was answered with the notice that receiving clearance often takes up around a year and has therefore not yet received approval. Since (most of) these documents will be made public thirty years after the fact (C-M(2008)0116-REV1), future research could access them to verify this thesis' findings. In addition to the other primary sources this research relied on instead, the conversation held with former Secretary General de Hoop Scheffer (personal communication, April 11, 2022) was of great value. More than the insights that were provided on the political use of Article 5, the discussion on the absence of 'traditional' military invasions being a testament of NATO's deterrence function served as an inspiration.

Despite its limitations, this thesis was able to add to the existing literature through a comparison of the securitisation processes after the terrorist attacks of 9/11 and Paris 2015. By doing so, it provided new understandings on how Article 5 influences the relevance of NATO. The historical background of Article 5's drafting revealed that its formulation produced notable obstacles and that NATO has been cautious to invoke its most powerful legal clause. On the other hand, it also presented that Article 5 serves as a significant deterrent against traditional military threats from outside the Alliance, regardless of whether it is actually used or not. The analysis of the securitisation process of the US and subsequent activation of Article 5 again showed the Alliance's cautiousness, as well as that its collective defence clause was merely used performatively. For the US, the activation meant nothing more than a means to obtain international recognition for its War on Terror. Considering the dominant position the US still has in NATO today, this is unlikely to have changed much. This can be regarded as a blow to the Alliance's purpose and consequently, its relevance.

The case of France added to the literature by highlighting why Article 5 was not invoked in a comparable situation to that of 9/11. The activation of the EU's Article 42.7 allowed Paris to receive the European response it desired, without decreasing its influence over national defence capabilities. What this shows is that France remains a supporter of a common security structure in Europe outside that of NATO. While this can be regarded as negatively affecting NATO's purpose, the uneasiness that many countries show regarding an increase in the EU's institutional capabilities in this area makes that this point should not be overstated.

The cases brought forward in this thesis also indicate some power imbalance within NATO. The US' ability to largely sideline the Alliance after 9/11 is something that would have been practically unattainable for France in 2015. This work has revealed that this leading American role prevents the Alliance to play a significant part in the fight against terrorism, as a 'smaller' country does not turn to NATO for assistance. As shown, NATO already refused to be a counter-terrorism agency in the 1990s, a part that France has attempted to provide the EU with and to which the Union responded with its invocation of Article 42.7. The argument that the allies have to be politically willing to deem something an 'armed attack from abroad' makes this power imbalance all the more interesting to consider. Another drawback of including NATO was increasing the high tensions with Russia, a factor which is even more present today.

Overall, NATO's purpose has appeared anything but indisputable. Nonetheless, this does not mean that the Alliance has become irrelevant. Despite Article 5 being used performatively rather than practically, its greatest value lies with deterrence. No force outside of the Alliance has dared to invade one of its member states, as was the original purpose of its

creation in 1949. The reluctance of NATO to become a specialised security organisation systematically responding to threats such as terrorism, cyber attacks, and disputes between countries is not an indication that the organisation has become dated. Contrarily, it only demonstrates that Lord Ismay was right when he stated that Article 5 is the core of the Alliance. Instead of a renunciation of the collective defence clause or NATO adapting to address new global challenges, it should make Article 5 the focal point of its existence. Considering Russia's current actions to return the European security order to the post-World War II era, this purpose makes NATO more relevant than ever before.

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## Appendix



Universiteit Utrecht

Faculty of Humanities

*Version September 2014*

### PLAGIARISM RULES AWARENESS STATEMENT

#### **Fraud and Plagiarism**

Scientific integrity is the foundation of academic life. Utrecht University considers any form of scientific deception to be an extremely serious infraction. Utrecht University therefore expects every student to be aware of, and to abide by, the norms and values regarding scientific integrity.

The most important forms of deception that affect this integrity are fraud and plagiarism. Plagiarism is the copying of another person's work without proper acknowledgement, and it is a form of fraud. The following is a detailed explanation of what is considered to be fraud and plagiarism, with a few concrete examples. Please note that this is not a comprehensive list!

If fraud or plagiarism is detected, the study programme's Examination Committee may decide to impose sanctions. The most serious sanction that the committee can impose is to submit a request to the Executive Board of the University to expel the student from the study programme.

#### **Plagiarism**

Plagiarism is the copying of another person's documents, ideas or lines of thought and presenting it as one's own work. You must always accurately indicate from whom you obtained ideas and insights, and you must constantly be aware of the difference between citing, paraphrasing and plagiarising. Students and staff must be very careful in citing sources; this concerns not only printed sources, but also information obtained from the Internet.

The following issues will always be considered to be plagiarism:

- cutting and pasting text from digital sources, such as an encyclopaedia or digital periodicals, without quotation marks and footnotes;
- cutting and pasting text from the Internet without quotation marks and footnotes;
- copying printed materials, such as books, magazines or encyclopaedias, without quotation marks or footnotes;
- including a translation of one of the sources named above without quotation marks or footnotes;


- paraphrasing (parts of) the texts listed above without proper references: paraphrasing must be marked as such, by expressly mentioning the original author in the text or in a footnote, so that you do not give the impression that it is your own idea;
- copying sound, video or test materials from others without references, and presenting it as one's own work;
- submitting work done previously by the student without reference to the original paper, and presenting it as original work done in the context of the course, without the express permission of the course lecturer;
- copying the work of another student and presenting it as one's own work. If this is done with the consent of the other student, then he or she is also complicit in the plagiarism;
- when one of the authors of a group paper commits plagiarism, then the other co-authors are also complicit in plagiarism if they could or should have known that the person was committing plagiarism;
- submitting papers acquired from a commercial institution, such as an Internet site with summaries or papers, that were written by another person, whether or not that other person received payment for the work.

The rules for plagiarism also apply to rough drafts of papers or (parts of) theses sent to a lecturer for feedback, to the extent that submitting rough drafts for feedback is mentioned in the course handbook or the thesis regulations.

The Education and Examination Regulations (Article 5.15) describe the formal procedure in case of suspicion of fraud and/or plagiarism, and the sanctions that can be imposed.

Ignorance of these rules is not an excuse. Each individual is responsible for their own behaviour.

Utrecht University assumes that each student or staff member knows what fraud and plagiarism entail. For its part, Utrecht University works to ensure that students are informed of the principles of scientific practice, which are taught as early as possible in the curriculum, and that students are informed of the institution's criteria for fraud and plagiarism, so that every student knows which norms they must abide by.

I hereby declare that I have read and understood the above.
Name: Yannick Honné  Student number: 4982363
Date and signature: 15/06/2022  

Submit this form to your supervisor when you begin writing your Bachelor's final paper or your Master's thesis. Failure to submit or sign this form does not mean that no sanctions can be imposed if it appears that plagiarism has been committed in the paper.