On the comprehensiveness and legitimacy of CSDP

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The evolution of the Common Security and Defence Policy (CSDP) denotes, despite limits, enormous progress in terms of both words and actions. In the last decades, the European Union (EU) has increased quantitatively and qualitatively its commitment in response to crises, enlarging both the geographical scope and the operational spectrum of CSDP. This has come as a result of the many challenges that have emerged, particularly in a post-Cold War context, where old and new problems surfaced in a changed political context, prompting a more active response from the EU. However, in the face of new threats and emerging crises the EU capacity to build a distinctive role as a global security actor remains problematic in many ways. Two of the most debated issues will be examined in this section of the paper: comprehensiveness and legitimacy of the EU's external action.

The rationale for what is commonly termed the "EU comprehensive approach" in security policy rests on the acknowledgement that today's threats do not pertain only to the restricted field of state security but cut across national and sectorial boundaries. International crisis become multifaceted thus requiring a multidimensional response. This is precisely the field of action where the EU is struggling to position itself as a global actor with an own way of providing peace and security.

In the discourse on "the European way" to security, the comprehensive approach is paramount. Far from consensual, however, are assessments on the state of the art and the prospects for future developments. Two different, though sometimes coexistent, arguments can be identified. The first one, promoted by the most enthusiastic analysts, officials and politicians, maintains that the comprehensive approach is *the defining character* of the CSDP. This line of argument comes to the fore whenever there is a need to stress the distinctive quality of the EU intervention for peace and security, its "differentia specifica" in comparison to other international actors (Merlingen and Ostrauskaitë, 2008). The following statement by Javier Solana (2009: 3) summarizes it well:

"The comprehensive approach underpinning ESDP is its value added. The logic underpinning ESDP – its distinctive civil-military approach to crisis management – was ahead of its time when conceived. That logic has proved its validity and has been adopted by others. It provides a sound basis on which to approach the coming ten years."

More critically oriented analysts and policy actors contend such argument. Drawing on the past record of ESDP/CSDP missions, they claim that a comprehensive approach is exactly what EU crisis management lacks, in conceptual, institutional and operational terms.

Indeed, the very term "comprehensive approach", as used in foreign and security policy, denotes a polysemic concept, whose definition and operational implications still lack broader acceptance. Its meaning can vary according to the organisational and operational context in which it is used (Feichtinger, Braumandl-Dujardin, Gauster, 2011). Within CSDP literature, it is sometimes evoked with regards to the coherence of institutions and policies within the EU system; other times it refers to the external coordination with other international actors. Sometimes comprehensive approach means using the full range of available instruments in response to crises; other times it means addressing a region as a whole. At times, it is an all-encompassing concept; more often, it is equalled to the narrower concepts of civil-military coordination or civil-military cooperation (Gross, 2008; Drent, 2011).

To be truly comprehensive, probably the EU approach would need to incorporate all the above-mentioned dimensions. For one, this would entail the *integration of ends* – conflict prevention, peacekeeping, mediation, peacebuilding, development and more – considering them as functionally complementary rather than chronologically sequential steps. Secondly, it would imply more *integration among actors*, both internal (EU bodies and structures, EU and national states) and external (other international and civil society organisations). Thirdly, it would require the *integration of means* – civilian and military – necessary to achieve those ends. Nonetheless, in the process of constructing the EU's comprehen-

sive approach, the three different dimensions have been unevenly developed, both at conceptual and operational level.

In Europe, the call for a broader approach in response to crises dates back to the mid-nineties as a backlash to the EU's shortcomings during the war in Bosnia. The failure to commit and to play a relevant role in crises following the dissolution of Yugoslavia, offered a big impetus to reorganise and reinforce EU's security and defence policy. At the time, though, the plea for a wider intervention capacity was intended mainly for the development of a European military force. As his main advocate, Javier Solana put it: "If Europe is to take its rightful place on the world stage it needs to have an ESDP […]. We need to be able to act. And that means having military capabilities" (Solana, 1999). Thus, progress on military aspects temporarily put the civilian ones on standby: civilian and military components were somehow "separated at birth" within ESDP (Missiroli, 2008). Concerns over civilian capabilities only arose at a later stage, under initial pressures from former neutral member states, but with time have grown to be the majority of EU led missions on the ground. Nevertheless, the building of a military power balancing, what was formerly considered a solely normative power, was probably the first attempt to adopt a comprehensive approach to crisis management.

An ambitious step towards a conceptual and political framework for EU missions occurred with the publication of the European Security Strategy (ESS) in 2003. While the term comprehensiveness is not explicitly used in the document, a working definition of the concept is already in place. In fact, it firstly recognises that "In contrast to the massive visible threat in the Cold War, none of the new threats is purely military; nor can any be tackled by purely military means. Each requires a mixture of instruments". Then, it advocates for a more coherent effort by EU institutions, which would entail: 1) the "bringing together of the different instruments and capabilities"; 2) the harmonisation of EU instruments and external activities of individual member states, 3) the development of regional policies in conflict situations rather than interventions on a single country basis. Furthermore, the ESS states that EU objectives have to be pursued "both through multilateral cooperation in international organisations and through partnerships with key actors" (ESS, 2003).

Of all these concerns, the issue of enhancing the relationship between military and civilian instruments has probably been the one that has been more extensively codified in official documents. In particular, two twin - concepts seem to be at the core of CSDP: civil-military cooperation (CIMIC) and civil-military coordination (CMCO).

CIMIC is the oldest concept established within national military doctrines. In spite of considerable country variations, it is generally concerned with the use of civilian resources as a means to secure local support and thus, to support the military in pursuing the success of an operation. From this point of view, CIMIC is a military instrument to achieve military ends. Accordingly, CIMIC objectives and structures are fully integrated in the overall military planning and chain of command. At international level, even allowing for more horizontality among the actors, the military baseline of CIMIC remains unaltered. The UN doctrine states:

> "UN Civil Military Coordination (UN-CIMIC) is a military staff function in UN integrated missions that facilitates the interface between the military and civilian components of the mission, as well as with the humanitarian, development actors in the mission area, in order to support UN mission objectives (UN-DPKO, 2010)."

The recently reformed NATO doctrine states:

> "The coordination and cooperation, in support of the mission, between the NATO Commander and civil actors, including national population and local authorities, as well as international, national and non-governmental organizations and agencies (NATO, 2013)."

The EU's definition of CIMIC is more outspokenly concerned with humanitarian and reconstruction functions and in some way reaches beyond the internal military support function. It can be considered a broader notion, implying a possible use of various military and civilian instruments, thus incorporating the EU's comprehensive and coherent approach to crisis management (Malesic, 2011). However, as Pugh

warned after the military interventions in Somalia and in the Balkans, "the institutionalisation of CIMIC […] manifests a hegemonic approach to civil-military relations that subordinates humanitarian action to military necessity" (Pugh, 2001: 346).

In the direction of enhancing comprehensiveness and reaffirming the civilian political primacy, the EU put a special emphasis on the newer concept of civil-military coordination (CMCO). The affinity and interrelation of the terms coordination and cooperation allow for a certain ambiguity, thus requiring a clarification which is provided in relevant Council documents:

> "CIMIC covers the co-operation and coordination, as appropriate, between the EU military force and independent external civil organisations and actors (International Organisations (IOs), Non Governmental Organisations (NGOs), local authorities and populations). Throughout the text, the term "external" civil actors refers to actors not belonging to the EU institutions or MS. In contrast, CMCO covers internal EU co-ordination of the EU's own civil and military crisis management instruments, executed under the responsibility of the Council (Council of the EU, 2008)."

The two concepts differ regarding not only the internal/external dimension of the actors involved, but also regarding the strategic/tactical dimension. As various observers have highlighted, CIMIC is defined as cooperation at operational-tactical level while CMCO concerns the civilian-military interplay at political-strategic level (Kaldor et al., 2007; Drent, 2011; Malesic, 2011). In fact:

> "[…] rather than seeking to put too much emphasis on detailed structures or procedures […CMCO aims to be …] a culture to be "built into" the EU's response to a crisis at the earliest possible stage and for the whole duration of the operation, rather than being 'bolted on' at a later stage. This culture of co-ordination is based on continued co-operation and shared political objectives" (Council of the EU, 2003).

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The cultural aspect is a major matter of concern in multilateral crisis management. Since the nineties, research has shown that a lack of common culture in peace operations affects not only the political-strategic level, endangering a common perception of the missions' objective and mandate, but also the operational level. On the ground, the challenge is to manage cultural differences that cut across many coexisting cleavages (nationality, organisation, gender, language, etc.), preventing culturally based conflicts to jeopardise the effectiveness of the multinational force and, therefore, the achievement of the missions' goals (Elron at al., 2003).

In the case of the European missions, many have emphasised the need for a common strategic culture (Meyer, 2004). This is a challenging endeavour. As a combination of ideas, values and practices in the field of defence and security, strategic cultures are deeply rooted in national culture and defence traditions. They represent the "lenses" through which states analyse international threats and challenges and elaborate policy solutions (Katzenstein, 1996; Jepperson, Wendt, Katzenstein, 1996), but those lenses, in today's Europe, often lead to diverging and sometimes conflicting views. Member states manifest not only a different perception of threats but also a different attitude towards instruments to address them, putting more or less emphasis on military or on civilian means (Price and Santopinto, 2013).

It may be argued that a strategic EU culture is developing through practice. Some see the Petersberg Tasks, as a distinctive approach to humanitarian crises, with the protection of human rights and the promotion of law as the concepts at its core (Margaras, 2010). Others claim that a European approach to the use of military force, as opposed to the American one, has always existed. According to this perspective, the EU regards force as a tool of last resort and thus prefers peace support operations over war fighting and greatly values UN legitimation (Kagan, 2003; Lucarelli and Menotti, 2006; Battistelli, 2004). However, members attach nuanced importance to this alleged common vision. The difficulty in reaching common grounds among the EU member states becomes clear vis-à-vis the identification of common geopolitical interests or geographical spheres of responsibility. In consequence CSDP appears,

until today, based "on the premise of what is possible rather than what is needed" (Lindley-French, 2002). Similarly, it also seems to follow the agenda of the most powerful member states, allowing them to pursue those foreign policy objectives, which they find difficult to pursue at home (Bickerton, 2007).

Research and policy papers suggesting remedies for enhancing the European strategic culture proliferated in the last few years. According to Kaldor, Martin and Selchow (2007: 273) a strategic narrative could "provide an enduring and dynamic organizing frame for security action, a frame which European foreign policy texts and practices currently lack", thus paving the way for a more holistic and integrated approach. Whether this frame can be offered by "human security", as the Barcelona report suggested almost a decade ago (Study Group on Europe's Secure Capabilities, 2004), remains an open question. A recent report on a future European Global Strategy(2013) distances itself slightly from such a holistic concept of security, identifying more specific interests and strategic objectives for the EU. Yet, whereas great attention is placed on the features of the next forthcoming strategy, no comparable consideration is given to process of building a common view among members. A good starting point could be the following acknowledgement: "For the EU to claim its role as a global actor it will above all need to find ways to bolster the political will of its member states. One measure to further this aim would be to invest more in fostering a common view among them". Also, all should fully share the idea that "An agreement on the EU's overarching strategic goals therefore marks the beginning, not the end, of a process leading to a more strategic Europe" (EGS, 2013: 21). How to do this – granted that it is desirable and possible – is a question that remains open and claims further attention from scholars and policymakers alike.

In the debate on CSDP, a further matter requiring more in-depth consideration is the issue of legitimacy. As external policies in general and peace operations in particular are highly political and ideological in nature, as their objectives go far beyond the halting of violence or the management of open conflicts, they have to be legitimate. The notion of legitimacy has been differently operationalised in the literature. Two main

dimensions of the concept are particularly relevant here. The first covers the legal and normative aspects of legitimacy, which have been extensively documented in the research on peace operations. In the specific case of CSDP, the role of institutional settings or the normative and discursive foundations of legitimacy have been widely discussed (Wagner, 2005; Bono, 2006; Stie, 2010).

Less extensive is research on the more political and sociological concept of legitimacy (Battistelli, 2011), which is related to the democratic process of legitimization (or input legitimacy) of policies. In representative democracies, elected Parliaments represent the major actors in this process and most literature is indeed focused on increasing parliamentary accountability. But citizens, as the ultimate forum where governments have to justify and account for their course of action, retain a direct role which is becoming more and more relevant in Europe, due to the crisis of traditional institutions of representation and to the mounting demand for more citizens' participation.

Consensus over the need for public legitimacy in foreign policy is not unanimous. Many observers, evoking the arguments known in the literature as the Almond-Lippman consensus (Holsti, 2004), maintain that foreign and security policy decisions are too important to take into account the demands of a volatile and irrational public. In fact, at national level, democratic procedures are often circumvented and executives detain a high degree of discretion in foreign and defence policy. Hence, has been claimed, when it comes to the EU "the relative neglect of democratic standards is highly surprising […] The ESDP simply mirrors domestic practices" (Kurowska, 2008). Birkenton (2007: 25) well expresses this idea: "Conjoining the term legitimacy with both the EU and foreign policy may appear quixotic: the EU is beset with a series of legitimacy problems that go under the title 'democratic deficit', and foreign policy is traditionally a prerogative power of the executive, thus limiting its need for legitimacy".

There are at least two good reasons why public legitimacy is relevant for EU security policy: first, the normative belief that democratic political decisions have to be somehow responsive to the people, even in foreign

and security policy; second, the practical conviction that public legitimation is a crucial requirement for any successful politico-military strategy. In other words, what an actor is able to do in the world depends in part upon its ability to legitimize his actions (Isernia and Everts, 2006).

Undeniably, foreign policy decisions are increasingly de facto removed from parliamentary scrutiny, even in systems that formally require it. At the same time, however, decisions at international level can determine success or failure in the electoral booths, thus rendering political leaders highly aware of public consensus over their foreign policy decisions. In many instances, this represents merely an ex-post concern aimed at rendering already made decisions more palatable to public opinion (Jacobs and Shapiro, 2000; Galantino, 2010). In any case, public legitimacy over foreign and security policy does play a crucial role at national level.

The same cannot be said for the European level. For years the EU enjoyed extraordinary public support for the aspiration to common policies in the sector of foreign and, to a slightly lesser extent, defence policy. As many have pointed out, though, this support mainly derived from dissatisfaction with national policymaking, a sort of wishful thinking that the EU could do more and better in the world. Very little of this support had to do with the actual content of on-going EU policies, which remained far from any public scrutiny or popular involvement. In the last decade, the opportunity to sustain and substantiate this consensus was somehow overlooked. The development of CSDP in terms of structures, institutions and implementation on the ground have hardly been coupled with public outreach strategies supporting them. Not much of what happens in Brussels reaches the public debate in European countries, very little of what the EU does at international level is known to the European publics, almost nothing is known about EU missions in the world outside of the circles of experts and officials, who are in one way or another directly concerned with them.

The 2013 agenda for CSDP raises high expectations. In December, the Council will review progress, assess the situation and provide guidelines and timelines for the future of CSDP. Some of the questions analysed in this paper will probably be addressed. The broadly announced

EEAS/Commission Joint Communication on the Comprehensive Approach, due to be published within the year, will probably offer clarifications and guidelines regarding the comprehensiveness the EU aspires. Less clear is the path the discussion on legitimacy will take. In response to critics stemming from the democratic deficit debate in the field of CSDP, the official discourse has revitalised the notion of performance legitimacy or "legitimacy through action". It is still unclear if this is going to provide a firm ground for building the future of CSDP. Certainly, such future cannot be constructed without the European people. In a context of a serious economic and financial crisis, where the legitimacy of the EU as a whole is at stake, the project of a common EU security policy requires support from both European leaders and citizens, so as to not be overshadowed by what are perceived as more urgent and legitimate concerns.