

Dangerous Dysfunction?

Governing Integrated Military Force in Europe

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In this chapter we analyse the political governance of multinational forces, asking whether this has remained a national domain, subject to national control; or whether there is some degree of supra-national or international governance structure at work. We look at both *ad bellum* and *in bello* decision-making with a focus on the three international organisations (IOs) where Nordic military force is deployed, viz. NATO, the EU, and the UN. However, it is first necessary to analyse why it is so important to participate internationally in optional wars. Why not simply opt to retain maximum national control by remaining at home, preparing for attacks on one's own territory?

The Political Importance of International Deployment

Small states in particular seem to seek power within international organisations as they do not have the 'great power' option. The typology of power suggested by Barnett and Duvall (2005) is useful in this regard. Power can be *direct*: A makes B do something B would not otherwise do; but it can also be indirect, in the form of institutional rule-making. When A cannot compel B to do something, he can create conditions for B's freedom of action that set the agenda or preclude certain types of decisions.

This perspective on power permits an analysis of strategic action on the part of states *inside* international organisations. When *ad bellum* is to be decided, it is usually via a United Nations Security Council (UNSC) mandate or Art. 51 of the UN Charter by one or several states. When *in bello* is governed, it is almost always inside an IOs, the UN, the EU, or NATO, and states have power as a function of their military contribution. However, the actorness of the state is no less inside the IO than outside it, in the case of a direct power relationship to another actor.

Only if a state provides relevant military resources to NATO or to the EU can it expect to be included in the decisive inner group of states regarding decision-making. Small Nordic states must therefore maintain relevant national military resources in order to contribute to the international operations of the organisation in question, and in the case of NATO, to maintain a threshold level of defence at home. There is no choice between national and international contributions – states that are not willing to contribute internationally, do not count in either organisation.

Thus, being passive, keeping one's military tool statically deployed behind one's own borders is unimportant and counterproductive in both the NATO and the EU setting. The importance of being active within IOs in order to increase one's standing in them is what counts. For the post-modern European state, 'national control' is therefore only interesting as an analytical category when we speak about relative national importance *within* an international setting, be it in the IO or in the field.

In such an international setting, a plethora of questions arise: How can national control be retained when military contributions are deeply integrated, for example in an EU battle group? How can it be retained when troops are under another state's command? And how can non-state actors and private military and security companies be controlled, if at all?

Drivers of Internationalisation

Before we can assess the degree of political governance over military assets in international operation, we must discuss the driving forces of internationalisation and what this means in terms of the military tool. States opt for participation and the interdependencies that entails, as argued in the preceding section; because this is in their interest, as argued below. However, they are also compelled to respond to the increasing military integration that takes place because of shrinking military budgets. Military modernisation is so costly that no small or medium-size state in Europe, in an age of non-existential enemies, has the political will to pay for a so-called balanced defence structure on their own. The 'peace dividend' after the cold war resulted in 30 per cent decrease in national budgets on the average, and the downward trend continues while the increase in procurement and other costs rise by more than the average rate of inflation (Norwegian Defence Study FS07). Thus, military integration and/or privatisation is clearly necessary.

In addition to the cost factor (which necessitates cost-sharing) comes the political need for risk-sharing through participation in multilateral organisations and even the need to have an IO as a scapegoat. As Conor Cruise O'Brien remarked about the UN: It serves as a

“scapegoat for the follies and vanities of statesmen...it is a large part of its utility to state leaders.” (Cited in Berdal, 2006: 37).

In this section the cost drivers are initially discussed, followed by the political drivers of internationalisation:

Cost. The twin drivers of military internationalisation are threats and budgets, but one possibility is that “Europe only recognises as much threat as it can afford” (Lindley-French 2006). Even if the official version is that strategic considerations dictate budgets, European states on the average are below their own goal adopted by NATO of 2% GDP for defence. Cost is therefore a major driver of international integration of the military tool, be it in R&D, procurement, maintenance and deployment.

The threat picture after the cold war is often termed ‘diffuse’ Forsvarsdepartementet, 2004), and the lack of a clearly identifiable existential enemy leaves security policy in limbo. The traditional threat of invasion is obsolete in Europe, but territorial defence has nonetheless remained, and Article 5 has not been redefined. The ‘optional’ non-article 5 has usually been designated ‘out of area’, whereas the real threat, so to speak, is at home, ‘in area’. Franzten (2005, 182) has shown how NATO has been reluctant to adapt to another, more realistic threat picture for political reasons:

By 1999 ‘defence’ still had very much a territorial meaning in NATO. NATO could have adjusted defence conceptually by including it in the wider security agenda. This has not been done formally....too many allies were not willing to accept the consequences flowing from an expanded concept of defence.

Thus, while the NATO strategic concept continues to distinguish between ‘in area’ and ‘out-of area’, the reasons for this are not strategic; they are political.

If the territorial threat to European states, and between them, is a historical bygone it would make eminent sense to integrate European militaries and have a supra-national command and political governance system. This would save money and allow for optimal use of resources in deploying in international operations. However, we are still very far from this reality, and may never experience it – given how the states’ monopoly on the use of military power remains a central constituent of the states themselves. Most countries reluctance to abandon ‘balanced’ defence structures must be seen in this light. Yet the trend in military budgets is such that small and medium sized states cannot maintain a traditional

military structure for very much longer. The military integration that currently takes place is primarily driven by budgetary considerations but the process is nevertheless a very real one. In his annual briefing on the status of the Norwegian armed forces, chief of defence General Diesen (2006) made it clear that unless the budget line follows the real cost of procurement, up to 25% of Norwegian capacity will have to be discontinued in the near future, and the whole structure will disappear in the next 25–30 years. Yet the history of Norwegian defence budgets does not suggest that increases are likely, and this is not atypical of other nations in Europe.

Ulriksen details how military integration now takes place also below the corps level after an initial period of creation of multinational corps like Eurocorps, the 1st German-Netherlands Corps and the Multinational Corps Northeast (Ulriksen, 2007). These corps have been deployed in several operations, especially in the International Stabilisation and Assistance Force (ISAF) and on rotation in Nato's Response Force (NFR). Ulriksen remarks that these two tasks have put concrete and heavy demands on the multinational corps of Europe, and this in turn means that they train together in a much more committed and well-defined way than hitherto. Multinational forces have moved away from the drawing board into the field. This makes for real integration in action, especially when we move to the lower level of battle groups.

The EU decision to form 13 battle groups and to rotate them two by two biannually was spearheaded by the UK and France, who also have lead nation roles. In addition comes Spain and Italy: 'One should note that the four states that provided national battle groups (in the EU) are also lead nations in NATO deployable corps,' Ulriksen points out. This implies that these states are able to dominate a military deployment and in a sense, to gain maximum influence in it. A lead nation role in command and control is not realistic unless one contributes significantly on the ground, as we saw in the case of command of UNIFIL II in Lebanon where France initially offered only a couple of hundred troops while wanting command of the mission. This was heavily criticised, and France had to 'increase the offer' tenfold in order to be lead nation.

The four states in question have clearly understood this principle, and as stated, are contributors in such a manner as to make lead nation status warranted. This means that the four enjoy a political lead nation role as well. Big states are therefore dominant in military integration schemes because they can offer HQs as well as entire units, like battle groups. But being on rotation also implies responsibility to act, and thus binds states within the EU and NATO. Ulriksen mentions the reluctance of Germany to lead the EU mission to DR

Congo for the election observation in June 2006: ‘Since a German battle group was on guard in the readiness rotation cycle, Germany was expected by its European allies to lead the operation’ (ibid, p. 10) But domestic resistance in the end required that both France and the UK assumed major responsibilities in the mission. Ulriksen’s assessment is that ‘influence depends upon contribution, competence, and credibility’ (Ibid). In conclusion, we see that even ‘bottom-up’ military integration initiated by states themselves has important implications in the form of ‘self-binding’. In addition come the attempts at ‘top-down’ military integration in both the EU and NATO. In the EU, the creation of the European Defence Agency (EDA) is intended to result in a rational process of common planning for both the R&D and the procurement as well as military modernisation phase, whereas the NATO process of setting up the NRF (Nato Response Force) and the defence modernisation process led by Allied Command Transformation (ACT) have the same purpose. By being on rotation, be it NRF or the battle group, state contributions must be interoperable and co-trained. This works to create real military integration as well as real political obligation to deploy, regardless of individual states’ national interests. Further, the driving force towards multinational cooperation and even integration in military procurement, training, and operations discussed above contributes to sovereignty pooling. The EDA in the EU and the NATO ‘transformation’ process are *loci* for directed change, and the usefulness of some kind of direction to multinational integration is obvious. European states are now on the verge of realizing this. The bottom-up process is dysfunctional, and EU states, especially small and medium-sized states, stand to lose if the bottom-up process continues.

In the EU, the European Defence Agency (EDA) has been set up to direct the process of rationalising military planning for research, procurement, and cooperation. There is a clear incentive to match the dominance of US actors in this field – the US exported weaponry to the value of 18.5 billion USD in 2005, while export sales in the three European states discussed in this article totalled 7.2 billion USD (*Berlingske Tidende* 2006). The EDA has proposed a common research fund ‘to give up the last remnant of national sovereignty in this field’ (ibid.) in order to counter the market dominance of the US. Although there are many obstacles to such a development, it is clear that both the weapons industry as well as military integration among two or more states is the way ahead for European states (Agrell 2005; Khol 2005; Matlary 2005; Sköns 2005).

Few if any European states can afford such monumental changes alone. They therefore seek multi-national cooperation and integration both in terms of use of equipment, maintenance, forces, and sometimes personnel. This process is a bottom-up, *ad hoc* process, spear-headed

by some states *in cooperation* with each other,¹ but encouraged by both the NATO transformation process and by the EU development of battle groups, the EDA, and capability building.

The battle groups of the EU illustrate the discrepancy between the military integration commitment and the intergovernmental nature of political decision-making. Although the EU council will decide on deployment by consensus, only those states that are military contributors are likely to matter in real terms. We know that the coalition of leaders regarding the use of force in the EU consists of France and the UK, with the support of Germany, but that no request for an EU deployment arises without prior consultation with troop-contributing states. In the case of Operation Artemis, the UN knew that France would bear the brunt of such deployment, and asked for troops once this was agreed (Ulriksen et al.). We can assume that the EU will remain vague on the question of ‘grand strategy’, and will be willing to deploy only on an *ad hoc* basis as in the case mentioned. Thus, the consensual character of the decision-making process will remain in formal terms, but the real decision-making will evolve around those states that are on rotation with a battle group, always involving the major states France and the UK. In the case of multinational battle groups, all contributing states are bound to deploy together even if the formal option of defecting exists. As Andersson points out in his study of the Nordic-Baltic battle group, even non-EU member Norway is formally ‘consulted’ on the decision to deploy (Andersson; 2006: 39). In theory, states can withdraw their contribution. In reality this will be a total blow to credibility for the battlegroup member state that does this.

In sum, whether it is ‘bottom-up’ or ‘top-down’ military integration, *European states incur political obligations to deploy as they co-train and rotate in fixed military units like battle groups*. Such obligations are greater for small states than for major states for two reasons. First, small states integrate in the battle group itself, thus not having full battlegroups. They therefore depend both on partner states within the battle group as well as on the IO for which they rotate. Second, major states usually also field HQ capacities, thus commanding their own forces, e.g. their own battle group. Even if this is not the case, major states are much more likely than small states to be in lead positions.

Further, the rapidity of deployment in both battle groups and the Nato Response Force (NRF) implies that there is no time for the usual, slow political process. Crises that demand responses are not plugged into political cycles of intergovernmental decision-making. The

¹ Conversations with Norwegian, Dutch officers and staff at NATO Defence College, Spring 2005.

use of force may therefore come about with much more rapidity than anticipated when these organisations were designed.

Finally, since both the NRF and the battle group have a deployment time of only a few days, these units have to be on high readiness, meaning co-trained to a very high standard. This factor means real military integration, which in turn demands that politics follow military facts. Also, the fact of rotation means that specific states are under obligation to contribute at specific times. One cannot 'free ride' or opt out like before.

As states integrate in common R&D, procurement and maintenance schemes, they consolidate military integration for the longer run and commit to common deployments through such common capabilities and their interoperable systems. Military integration in Europe, driven by cost factors, will likely continue and deepen with regard to both these aspects. The political level continues to work on formal intergovernmental terms while the military tool is increasingly and rapidly integrated. Moreover, political sensitivities about sovereignty preclude any principled discussion about political integration in this field. These developments mean a loss of national control of own forces in the sense of olden days, but it is also the precondition for gaining influence, as argued above, albeit in a mode of interlocking interdependence.

Politics. Another driving force of internationalisation is *political*: the sharing of risk and the ability to have an IO as a place to direct blame if need be. Having a multilateral 'cover' becomes increasingly important and makes for a precarious balance between commitment in ongoing operations and domestic public opinion. Western elites increasingly lack the experience of war and a 'war ethic', and the same must be said for Western publics. When media report from the battle field, criticism mounts, and NGOs and media request detailed information on targets, weaponry, calibration, etc. (Frantzen, 2005). They demand the right to change views on deployment as fighting progresses, and are often easily swayed by day-to-day events in the field. Only in operations without much media coverage can one still maintain elite control – political and military. But almost all military operations today are highly 'medialised'. Media are often 'embedded' in operations themselves, and in general, operations must count on much media interest once military force is employed. Post-national security policy, as most policies, is still firmly vested in a national structure of democratic accountability and national power-plays. Nothing can 'back-fire' as quickly as deployment of one's own forces. What was heroic and acclaimed one day, is often the object of

devastating criticism the next. From the Iraq and Afghan wars there are reports of US² and Canadian politicians³ who try to cover against media coverage of own losses, and fierce debates about dangerous deployments.⁴ One's own losses are increasingly hard to accept for politicians seeking re-election. Both President Bush and PM Blair experience tremendous domestic problems over Iraq, to the extent that they staged a *mea culpa* press conference in Washington, DC in mid-May 2006 where errors were openly admitted. Kosovo was almost unbearably difficult for NATO governments because their publics demanded changes and recalls, detailed information on military choices and strategies, etc. (Clark, 2003).

Further, both NATO, the EU, and the UN ask for more troops, and there is a constant problem of procuring what is necessary for all three international organisations. As we have seen, governments want to participate more in order to keep NATO going, build the EU, and strengthen the UN – and they want to gain international power and prestige. The military tool is one which gives much status and influence, especially as the risks involved are such that many states shy away from commitment. Cimbala and Forster's study of NATO burden-sharing shows that all member states are keen to participate and willing to take risks despite the danger of national losses and domestic unpopularity: 'cheque-book' diplomacy is not accepted as a substitute, they point out (Cimbala and Forster, 2004).

What can a government do about this dilemma? It has to 'deliver' in two arenas; at home and internationally, where the demands are conflicting, even oppositional to each other. The reality of this dilemma is increasingly evident in European politics. Many states have withdrawn forces from Iraq after domestic opposition – Norway, Spain, Hungary, Italy – to mention some, and the debate about ongoing deployments in Iraq is very strong in Denmark. Former PM Berlusconi's statement that 'I am against the war' to the Italian newspaper *la Repubblica* on 31 October 2005 underlined the absurdity of the 'two-level' game elites may play in this regard. In order to become re-elected in 2006 and to appease a critical public opinion, Berlusconi suddenly turned against the war, but to please Washington, Italian forces were still present in Iraq with more than 2,500 troops as of April, 2006. Most state leaders cannot get away with this type of inconsistency. They have to make painful choices. The

² The restrictions on reports of American losses in Iraq in 2004 and 2005 are well known

³ Prime Minister Harper of Canada is accused to refusing to fly the flag at half-mast for the fallen in Afghanistan, 'Canada leader accused of trying to de-emphasize danger to troops', *International Herald Tribune*, 26 April 2006

⁴ Recently, these have taken place in the Netherlands and the UK regarding deployments to Afghanistan, and in Germany regarding deployments to DR Congo. All three cases are discussed below.

BBC reported from Kabul that both the UK and the Dutch force increases for the extended ISAF would be smaller than promised at NATO ministerial meetings.

In the model of ‘two-level’ games developed by Putnam (1988), governments want maximum autonomy not only abroad, but also vis-à-vis their publics. Participation and even integration in international organizations tends to *increase governments’ power over domestic actors*, and they may find the trade-off between domestic and international power in favour of strengthening their national hand through ‘self-binding’ or collusive delegation. It follows from this that a government which is weak domestically in an issue area will seek international ‘self-binding’. Such ‘tying of hands’ may make the government able to *change domestic agendas* and *marginalize various actors* in pointing out that international obligations narrow or even determine national freedom of choice. The need to transform domestically as a result of binding agreements within NATO and/or the EU is one example of such an international argument used in the Norwegian domestic debate where politicians use the NATO-argument extensively (Heier, 2005).

Returning to the initial issue of national control of the military tool, we see that the ‘Swiss option’ is only meaningful for states that have no security policy in terms of international commitments or needs for embeddedness in international structures. Given the interest in participating internationally, states invariably face constraints on their national control over the military, but they also stand to gain from collective political efforts. The following section looks at how small Nordic states fare with regard to *ad bellum* and *in bello* decisions in the relevant Organisations. I proceed with an analysis of these two decision-making situations for the three major IOs: the United Nations, the European Union, and NATO. I concentrate on general decision-making – on the role of state actors versus other actors – not on Nordic states in particular.

The UN

The UN is unique in bestowing legitimacy for the use of force – *ad bellum* – but faces severe problems in carrying out operations – *in bello* (Findlay, 2002; Matlary, 2006; Berdal, 2006). The brunt of military contributions comes from developing countries which have a net income from these, and the lack of Western troops means a lack of modern capabilities that are expensive such as air lift, helicopters, support functions, intelligence, etc. Thus, whereas the world’s states look to the UNSC for the *ad bellum* decision, they look away when the call for contributions is made.

In the following we look at the question of political governance of both decisions: do Nordic states retain any influence in these?

Ad bellum. Decision-making on the use of force is predominantly made at the UNSC, which has a unique mandate in this regard. However, it should be noted that also regional organisations, such as the EU, NATO, and the African Union can decide to use force without a UN mandate. There is no explicit text in any of these organisations' relevant documents that reserve the use of force to situations with an explicit UNSC mandate. The case of Kosovo comes to mind: NATO acted without a mandate. Further, the emergence of the so-called 'responsibility to protect norm' (R2P) at the same time as terrorism challenges the conventional interpretation of Article 51 combine to make reliance on a UNSC mandate less realistic (Matlary 2006).

However this may develop, it is clear that most decisions on the use of force take the form of a UNSC mandate. The number of such mandates under Chapter VII of the UN Pact and interventions have risen tremendously in the post-war period, making for a change away from traditional peace-keeping to militarily robust peace enforcement. The actual decision to use force is a political one which has almost nothing to do with legal canon or precedent. In fact, the interpretation of the pivotal phrase 'threat to international peace and security' of Chapter VII has by now become so stretched that almost any case can be argued to be covered by it (Matlary 2002). This in turn means that legal precedent in this regard is of scant importance. As Findlay (2002, p. 7) puts it, 'the drafting of such mandates is an intensely political process, driven by various considerations that are not relevant to the use of force issue'. In addition, the use of force is treated with great conservatism: it is much easier and cheaper to remain aloof than to implicate the UN in a war with unpredictable outcome and in addition, to have to supply troops. One must also add that the veto ensures that only cases where there is no forbidding great-power interest will come onto the agenda of the UNSC.

In sum, the UNSC makes supra-national decisions for the entire UN membership on the use of force (as all states are politically bound by its decisions), each of the P-5 wields a double veto – one to prevent agenda-setting on a conflict where one has national interest;⁵ one to stop a mandate once the agenda is set; non-permanent members only play a role when

⁵ Bachrach and Baratz' classical study of the power of non-agenda setting and non-decision, ref. It is well-known that Russia in this manner prevented a mandate on Kosovo and that China 'exchanges' its veto power with African states and possibly Iran. Having the veto is thus a source of power that is gaining in value the more the UNSC is seen as the world's 'legitiminator'.

neither veto has been exercised, and great power politics play the key role in making decisions on mandates. The Middle-East conflict is not on the UNSC agenda because of the US veto; and intervention for humanitarian purposes is always endangered by Russia and China, both wary of any weakening to the intervention norm.

Thus, *the key decision-maker in the world regarding the use of force is not democratic or even intergovernmental*, but is most accurately characterised as great power politics. As in most periods of history, the decision to use force is made by the great powers, according to their interests. Non-membership, the normal status of the Nordic states, has no influence on the *ad bellum* decision. The UNSC is a supra-national decision-maker, and national sovereignty has been transferred from states to the UN Pact.

In bello. Once a mandate, what happens next? In the cases where a coalition of states or so-called regional organisations such as NATO, the EU, the African Union (AU), etc. are assigned to the task, they command the military operation. But in the many cases of UN-led operations it is in fact the secretary-general who acts as commander-in-chief. This was a practice developed by Dag Hammarskiöld in Katanga, in the absence of the initially planned military structure of the UN itself. This practice, deficient as it may seem to an officer, has been wide-spread:

The organisation's operations in Somalia and Bosnia found the Secretary-General conducting himself as a commanding general and making final decisions having to do with the application of air power, the disposition of ground forces, and the dismissal of commanding officers (Findlay 2002, 10).

Activist secretary-generals have meddled in military affairs in this manner, whereas those with less inclination in this direction have appointed a deputy secretary-general (SGRC) to act as superior to an in-theatre force commander from one of the contributing states. The lack of command and control at UN HQ has not impeded this practise, and the story of unprofessionalism, failure, scandal, and bitterly 'learned lessons' is a long one. After a thorough analysis of all UN operations up to 2002, Findlay (2002, p. 351) concludes: On the whole, the way in which the UN has dealt with the use-of-force issue has been unimpressive. Neither the UNSC, successive secretary-generals, nor indeed peace-keepers themselves can be given high marks ... in general the use of force by UN peacekeepers has been marked by political controversy, doctrinal vacuousness, conceptual confusion and failure in the field.

In sum, Norway and the other Nordic states are thus without influence on the *ad bellum* decision unless they happen to be non-permanent members of the UNSC in a situation where no veto has been used. As regards the *in bello*, they have influence to the extent that they offer relevant military contributions. Generally, the lead nation of a UN operation will be a major power which is willing and able to offer the largest contribution.. However multinational the force, the main rule is that a small Nordic state's contribution will be under the command of an American, British, French, or German general,⁶ if the operation is run by a regional organisation, i.e. NATO or the EU. In the cases where these capacities are integrated to begin with, such as the Norwegian Telemark Battalion in the 2. Dutch-German corps, the commander will be either German or Dutch. In the case of the Nordic battle group in the EU, the commander will be Swedish, as Sweden is lead nation for this particular battle group. In an operation run by the UN itself, the chances of assuming leading roles in command and control functions depends on Nordic contributions, as is the main rule for all operations.

Nordic states may be given key posts in HQs and even influence at a strategic level when they make relevant and desired military contributions. In his doctoral study, Heier found that the special forces that Norway contributed to Operation Enduring Freedom in 2003 provided it with direct access and even influence at the strategic level in the Pentagon (Heier 2006), and that this influence vanished the moment these troops were withdrawn.

In a situation where 'sovereignty is status', even a small state may increase its power through contributions in the field. The willingness to assume risk while offering relevant contributions is particularly valued in NATO, according to Forster and Cimbala's study (2004); and it gives one-to-one influence. The less risk-willing states are, the more power that accrues to those states that do contribute.

The European Union

The EU has developed its security policy role over the last ten years, and at a brisk pace. The capacities for planning and commanding operations are miniscule compared to NATO, but the EU has nonetheless a rudimentary planning capacity at the politico-strategic level in the military staff of about 200 officers. It also has an growing experience in running operations, and commands a host of civilian tools that NATO lacks. These tools are of increasing

⁶ An exception is the Norwegian general Skiaker who commanded KFOR xx in 200x

relevance in modern wars that concern stabilisation and democratisation as the main security strategy.

Decision-making for using force – *ad bellum* – is potentially also an EU matter, although the EU has never made such a decision on its own. It has always acted on UN mandates. However, in the European Security Strategy (ESS), which is the EU strategic plan, there is no explicit condition for such a mandate. In a given situation the EU can decide to use force autonomously, as NATO did in the Kosovo case.

Ad bellum. The EU has launched four peace-keeping and peace enforcement operations, two using the command and control assets of NATO ('Berlin plus') – two using national HQs. All of these have had UN mandates.

In bello. Formally, the EU has an intergovernmental decision-making structure in security and defence policy, which is limited to robust peace enforcement. However, in practise the system is one of differentiated integration whereby some lead states decide on deployment after a formal request from the UN (or some other IO). Such a request is only forthcoming when there is a genuine will to respond favourably, as was the case with Operation Artemis in the Bunia province of DR Congo. Thus, the real decision-making on *in bello* is made by the contributing states.

The formal decision-making procedure proposed in the text of the constitutional treaty is named 'permanent structured cooperation' (Article III 213) which allows for 'avant-garde' groups in this area. This text is not adopted, pending the future of the treaty itself, but it should be noted that the EU battle groups were adopted under this rule, initially by France and the UK, and by including Germany as the third state when the modalities were already decided by these two states. This is important to note because the possibility of avant-gardism does not rely on a treaty rule, but can be the result of an agreement between two or more states to go forward. It is then up to the others to associate themselves with these proposals, and although the possibility of the veto exists under the formal intergovernmental scheme, it is rarely used, if ever. This is in line with the general foreign policy logic of the EU whereby some states suggest policy, and those that resist, usually abstain:

Collective decision-making remains subject to the national veto, but there is at the same time a preference for constructive abstention in which governments do nothing to undermine a collective policy if it is agreed by a majority of EU states (Forster 2006, p. 141).

However, there is no strategic consensus among EU states on which missions to undertake or how to develop in the security and defence area. Whereas France and the UK are able to conduct coercive diplomacy with global power projection, smaller and medium-sized states prefer non-military EU foreign policy, among these particularly the formerly neutral states. This concern revolves around the risk of being involved in war-fighting at the high end of the spectrum, and when the battle groups were agreed in 2004, the possibility of an opt-out for states was important to reaching an agreement. The question is whether the possibility of *avant-gardism* will be impeded by these states or not. The French model of an independent EU security policy is pitted against the UK model of NATO–EU complementarity. However, the willingness on the part of other EU states to develop coercive diplomacy is dubious. This means that in the areas where there may be UK-French agreement to launch a mission, the support of the remaining member states is not automatic.

With the deployment of the new EU battle groups, the decision-making will be more critical, as these groups are in a formal system of rotation and involve military contributions from many EU states. For the EU member states, it will no longer be a question of accepting a British or French operation with high risk (the concept of the battle group is rapid intervention in an on-going crisis), but of deploying one's own forces. We can safely assume that the EU member states contributing to the battle groups on rotation will take a close interest in their deployment. Research on the relationship between political vulnerability and own casualties shows that vulnerability increases inversely with the political interest in the mission: *the less existential the threat, the more vulnerable a government becomes* (Arreguin-Toft 2005). This is not unexpected, but provides a good prediction about EU missions, which are all of a non-existential character: they will tend to be deployed for less dangerous operations. This also fits with the traditional main thrust of EU foreign policy, which is 'civilian' (Duchene, 1972, others). The intention on the part of the EU to engage in coercive diplomacy when moving beyond its borders (Cooper 2004) is factually correct, but not likely to play the role it ought to.

Among the Nordic states in the EU, Sweden has been an eager participant in EU missions. Denmark has a national caveat which prohibits such participation due to the national compromise over the Treaty of Political Union dating from 1993, and Finland has few forces for international deployment. The case of Sweden illustrates the strategic possibility for a medium-sized state in gaining international power and standing in this issue-area: It volunteered to play an active role in EU security policy from the very beginning of its membership in the organisation in the logic that participation equals influence (Matlary

2004; Utrikesdepartementet 1996). Moreover, one wanted to show that Sweden not only took an interest in Northern Europe where it is likely to have national interests, but also in areas that are important to the EU as a whole. To be a 'constructive EU citizen' is extremely important within an organisation that calls itself a union and which relies on a high degree of commonality. To pursue one's own national interests too often and too openly is scorned upon in this political culture. Instead, the key to legitimacy and trust is to be in the 'inner core' of the EU, and the way to such status is through general commitment to EU goals. Using this logic, Sweden and Finland have both consistently pursued policies to land them in this 'inner core', with Finland picking some few areas where they excel in common expertise and problem-solving ability, such as Russian affairs, and with Sweden being active in the Euromed-strategy and peace enforcement in Africa, such as in the Democratic Republic of the Congo in 2003 and 2006. This is both geographically and functionally far beyond the traditional area of Swedish national interests.

Both Finnish and Swedish elites have worked hard to ensure that something akin to an 'Article 5' does not develop in the EU. This would have made them into 'second class'-members in the organisation. On the definition of the security policy of the EU, these two states therefore made a major, common effort (Bailes et al. 2006, p. 12). Also in the area of effecting domestic change that these governments otherwise could not have, they both sought to redefine 'neutrality' through making it compatible with all EU security policy. The impact of the EU on domestic Swedish and Finnish security policy is very well documented in recent scholarship (Miles 2006; Rieker 2006). As for Norway, this nation remains wholly on the outside of *ad bellum* decisions in the EU, but has ensured that Sweden will keep it informed of all details on this with a gloss of decision-making power, as Sweden will 'consult' with Norway on all aspects of battle-group decision-making in the EU and ensure that Norway also agrees to decisions about deployment (Andreassen 2006). However, the Norwegian say in the matter is bound to be illusory, as one 'defection' from an actual deployment means that Norway will not be trusted in the future. Credibility is a major asset in defence policy. However, when we look at the impact of EU policy on defence modernisation, there is little evidence of any influence from EU institutions themselves, apart from the recent policy proposals from the EDA on R&D, procurement and common projects. The potential of the EDA to direct military integration is a major one, but it is too early to tell whether states will opt for pooling in this field. So far the EDA meets considerable British scepticism about common projects, and there seems to be a fear that it is

designed on a French model of supra-national EU security policy (interviews, Brussels, 11.12.06).

NATO

The CPG (Comprehensive Political Guidance) adopted at the Riga summit in November 2006 makes interesting reading for those who still think that Article 5 operations are restricted to NATO territory. The main threats listed as facing NATO in the next 10–15 years are de-territorialised threats: ‘terrorism, increasingly global in scope and lethal in results, and the spread of weapons of mass destruction are likely to be the principal threat to the alliance’ (ibid. p. 1). These threats ‘hibernate’ in failed states and are to be met where they originate. This implies that Article 5 changes in terms of substance since the alliance is tasked to defend citizens, territory and values. The CPG explicitly states that Article 5 today has a new de-territorialised meaning: ‘The character of Article 5 is continuing to evolve. Large-scale conventional aggression against the alliance will continue to be highly unlikely, however, as shown by the terrorist attacks on the US in 2001 following which NATO invoked Article 5 for the first time. Future attacks may originate from outside the Euro-Atlantic area and may involve unconventional forms of armed assault’ (op.cit. p. 2). This text clearly states that defence of the allies now means global ‘out-of-area’ defence against terrorism. Whereas non-Article 5 operations remain those of crisis management and by now uncontroversial, the core task of NATO, Article 5 has been redefined in terms of threats, response, and geographical scope. The declaration of Article 5 in the case of 9/11 is a Copernican point in this regard; this major change has not been debated much politically and may even go unrecognised. As is always the case when ‘stuff happens’, to quote former Secretary of Defence Donald Rumsfeld, major change may simply result without much further ado.

The ‘new’ and global Article 5 implies further military integration in NATO, both in terms of rapidity, capacity, and versatility. One must be able to ‘respond quickly to unforeseen circumstances’ and to meet challenges ‘from wherever they may come’ (ibid. p. 3). To this end, forces must continue transformation ‘including conceptual and organisational agility, and the development of robust capacities that are deployable, sustainable, interoperable, and usable’ (ibid.). In sum, this means increased cost, increased common training, continuous stress on readiness, agility, global deployability, etc. Small and medium-sized states have no choice but going further along the path of military integration.

Today, NATO struggles with the gap between ambition and troop contributions,

especially in Afghanistan, which is the major deployment. All in all about 50,000 NATO soldiers are deployed in five missions, and these are all ‘out of area’ in terms of NATO’s territory.

The NAC (North Atlantic Council) makes *ad bellum* decisions, which always entails *in bello* decisions as well. It does not make sense to distinguish between these in a military alliance. The formal procedure is consensual, but it is a well-known fact that there are three groups of states in NATO: the power projection states comprising the US, the UK, and France; the peace-keeping states led by Germany, and the protected states of the former Soviet bloc which want to retain ‘old NATO’ and try to develop American good-will for this through international deployments (Lindley-French, 2006). The Nordic member states are active in the ‘Atlanticist’ camp where Denmark is closer to US policy than Norway with regard to both Iraq and to deployments in the South of Afghanistan.

Ad bellum. The *ad bellum* decision in NATO is consensual and taken by the North Atlantic Council (NAC), which consists of the member states. To date, only two such decisions have been made – apart from undertaking regional operational roles under UN mandates – viz. the attack on Kosovo and the decision to define the terrorist attacks of September 11, 2001, to be an attack under Article 5 of the Washington treaty. The US did not want to avail itself of NATO in this case, however. In the Kosovo case, the US was the main actor driving the process, whereas in the 9/11-case, European states headed by NATO’s secretary-general sought to define a role for NATO (Lindley-French, 2007).

NATO policy in terms of deterrence – the main activity in the cold war – has however always been dominated by the US, which undoubtedly is more than *primus inter pares*. There are legion transatlantic crises in NATO’s history for this very reason, so much so that crisis must be termed the normal condition for the alliance. But only after the cold war has NATO faced *in bello*-decisions

In bello. The case of Kosovo is very important in this respect and illustrates how European allies were ignored in target selection and military choices, but also how these allies are unable to operate with the US. Henriksen (2006) gives evidence of how the NAC was ‘tricked’ into phase three of the military operation because it was clear that domestic opposition to the bombing campaign was mounting in several European states:

General Naumann explains that both he and secretary-general Solana understood that NATO would never formally endorse stage 3 of the campaign ... Naumann admits to being the architect behind the 'Phase two Plus trick (Henriksen 2006, 15).⁷

This was a way to ensure 'mission creep' into the third phase of bombing, which included controversial dual-use targets without making this transition entirely clear to the NAC. The method was simple enough, to let Solana sum up a very long meeting, adding to his summary that he would himself examine and authorize such targets. This worked, and as the British evaluation of the campaign concluded: '... the formal decision to move to strategic bombing of Serbia (Phase Three) was never put directly, in quite those terms, to the NAC' (ibid.).

This rare glimpse into the real decision-making in NATO illustrates two factors: first, that the US is the dominant actor, and secondly, *in bello* decision cannot be too intergovernmental and protracted. Decision-making on targets would seem to belong to the military professional, but as publics and press are very engaged via modern communication, this is no longer the case. The political desire during this campaign was to end it much sooner than it actually did, and pressure in this direction was formidable. Moreover, even the UK was extremely annoyed at American dominance of the decision-making, and as Wesley Clark (2003) shows, the irritation went both ways: The American swore never again with regard to 'war by committee' whereas the Europeans decided that they had to do more in the military field in order to avoid such American dominance again.

The *in bello* decision-making was a reflection of the influence-contribution function. With such military superiority, the US reckoned that political clout was implied. This one-to-one relationship between power and contribution is also illustrated by the European reaction that one must be able to contribute more and better.

The style of decision-making in NATO is the so-called 'silent procedure'. It means that a decision is taken unless one or more states object within a set time-frame, usually 24 hours. In rare cases is there open disagreement, although the history of NATO is replete with crises, as Lindley-French (2006) points out. In the case of Turkey's request for Article 4 preparations on the eve of the attack on Iraq in 2003, this was opposed by France; Germany, Belgium, and Luxembourg. According to one diplomat, this was a 'near-death' experience for the alliance, and the crisis was also recognised by then secretary-general, George

⁷ My translation of Henriksen's article in Norwegian. The article is based on Henriksen's PhD thesis *Operation Allied Force: A Product of Military Theory or Political Pragmatism?*, Luftkrigsskolen, Trondheim.

Robertson. France dares opposition within the alliance because it has a European strategy for strengthening the EU in security policy and therefore seeks to limit the role of NATO to its traditional military alliance role. France opposes the development of NATO in the direction of military-civilian standardisation as debated at the Riga summit, and also that it should become too much attuned to American security interests on a global scale. Since France rejoined the alliance structures from 1996, there has been a tension between this European model of the EU/NATO relationship, and the atlanticists where France has been willing to field strong opposition – to the point of obstruction – in meetings, even up to the eve of the Riga summit (interviews, Brussels, December, 2006). However, the new CPA (Comprehensive Political Guidance) emphasises that NATO must develop towards global partners and in global roles, and moves far in the direction of embracing terrorism as a main threat to be countered.

In the actual operations, states that do not have lead nation status, are subsumed under the command of another state, but as seen in the case of ISAF, national caveats abound when the risk is a major one. In Afghanistan, the various states have their own ‘turf’ in the country where they are responsible, with their own logistics and support. Multinationality exists in terms of cooperative agreements about sharing capacities such as air power; and in emergencies, the commander may actually command all forces without prior acceptance in national capitals. However, the realism of this remains to be seen. ISAF strikes one as a good case of underlining how limited military and political integration actually is. The co-training in battle groups in the EU and in the RRF is much more integrative than the national deployments of ISAF.

In sum, in NATO decision-making all states have the veto in NAC, but using it has a clear cost, as in the EU. France is the most exceptional state in NATO, opting many times to disagree with the atlanticists. NATO has taken *ad bellum* decisions twice: in the case of Kosovo as well as in the case of 10.11, the day after the attack on the Twin Towers, where it declared the latter to be an Article 5 operation. In terms of operations, the contributors decide according to contribution, and relevant military capacities that are in demand wield proportionately more influence than standard contributions. Heier found that the Norwegian special forces which were used in Operation Enduring Freedom in 2003 gave much influence for Norway in Washington (Heier, 2005), a finding consistent with the general literature on this topic (Cimbala and Forster, 2005).

In NATO, as in the EU and the UN, small states have limited influence, but can increase this through relevant and sought-after military contributions. Only in the EU and NATO do these states influence *ad bellum* decisions, but which are, however, rare.

Conclusions

In conclusion, small states remain rather powerless in all multinational settings, despite the formal influence on the *ad bellum* decision in both NATO and the EU for members. But the political cost of vetoing such a decision in either organisation is forbidding, especially for a small state. The ‘shadow of the future’ implies that one may be severely punished for this in later negotiations. Further, the importance of achieving ‘standing’ and status through active participation is much greater now than in the cold war security policy picture, as argued above: passivity is not a good strategy.

As regards *in bello* governance, states influence according to their contribution, although it remains true that small states very seldom come into commanding positions. The prevalence of national caveats is indicative of a strong urge to control national contributions, and one may assume that this imperative increases with risk of own losses. The political logic of multinational operations is dysfunctional: it works against multi-nationality when the going gets rough. This is amply evidenced in ISAF, and is not surprising. Here we see a tension between the state’s desire to play two-level games – i.e. share cost and risk at the level of the IO, and the desire to avoid risk. The fact that small states play a role at all in the *in bello* phase is, however, historically recent. In international law prior to the UN Pact, great powers could use force as a normal tool of foreign policy. Even the League of Nations did not outlaw force, its Covenant proposed arbitration as an alternative as well as a mandatory ‘cooling-off’ period of three months. Small states used to have only one legal ‘opt-out’, viz. neutrality, which had to be granted and guaranteed by the great powers.

In the light of this it is an improvement in terms of small states power that they now can exert influence in the operational phase, largely in proportion to their contribution, and that they can periodically wield some influence as a member of the UNSC. But as we have argued, the option of neutrality or ‘passive membership’ in security policy is much less attractive than it used to be. Today, a state uses military force as a *general foreign* policy tool in order to enhance its status and standing. Whereas the success of a mission remains vital, ‘showing the flag’ remains at least as important to any one state, and this is where dysfunction enters between military and political interests. The state desires to satisfy domestic political needs and to achieve international power simultaneously: ideally no risk,

no losses, and no integration of the military tool. Military requirements demand interoperability, real multinational command, and even integration of small states contributions. The drivers towards military integration are at work, but there is much less political incentive to follow suit. The result is ubiquitous ‘muddling-through’ – intergovernmentalism remains the decision rule formally, but the exigencies of the situation demand few and assertive actors once an operation is ongoing. In reality, few regretted general Naumann’s ‘trick’ at the NAC in 1999.

However, the lack of coercive political ability in both NATO, the EU, and the UNSC makes sophisticated security policy impossible to achieve in a multinational setting. As long as least-common-denominator logic dictates *ad bellum* decisions, only unitary, strong states will be able to undertake coercive strategic diplomacy, which is the essence of security policy. The multinational setting for current security policy serves to provide risk, cost and blame-sharing to national governments, but also makes strategic action near to impossible. In addition, only when ‘stuff happens’ to an extreme degree – when crises are so bad that they must be dealt with – will multilateral action be forthcoming. As Ulriksen’s chapter shows, military integration happens by default. In theatre, when wars turn hot, national caveats can always be imposed. The conclusion is that the state retains all its national control over its own contributions if it insists, but that these ‘brakes’ impede effective outcomes and thereby, ultimately, the success of IOs like NATO and the EU. This is nothing less than the classical free-riding dilemma where free-riding is a rational choice only up to a point.

There is a political tension between the need to satisfy the domestic, democratic need for accountability, and the military need for functional integration in the field. There is also a tension between the intergovernmental character of the decision-making procedures in the IOs here discussed, and the need for rapid deployment and rapid shift of tactics and even strategy.

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