

ADV

A DIFFERENT VIEW

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Editorial

Welcome to Issue 27 of A Different View

Felipe Nunes
Thomas Bobinger
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When we first decided upon the topic of “Challenges of the Czech EU Presidency” for our March issue of ADV, we did not anticipate the events that have unfolded over the last two days. On March 24, 2009, the Czech government lost a no-confidence vote leaving Europe without a strong leader in a time of turmoil. Switching the EU on auto-pilot, Topolanek - the Czech prime minister - is probably going to stay in office until July 1, when the Swedes take over the EU Presidency. Yet, the EU cannot afford to run on auto-pilot. Never was there a time when the EU needed a wide-awake confident captain more than now. The EU is facing a constitutional dilemma, struggling to ratify the Lisbon Treaty. The inability of the Czech Presidency to run things properly is the best example why this is needed. The EU is facing an economic downturn, comparable to the Great Depression, and thus needs an active, creative, and strong Presidency that is willing to deliver! Unfortunately, most of the neighbours and 'partners' of the EU have not yet entered into the postmodern sphere that Brussels likes to base its foreign policy reasoning on. Hence, in times of crisis it still counts whether the Presidency is held by a former world power (France) or a former Soviet satellite state - particularly when talking to Moscow about energy

and external relations issues. Lastly, there are European elections in June 2009. The picture that EU citizens have of the usefulness of the EU will depend very much on the accomplishments of the Czech Presidency. If the EU does not deliver, and does not prove to be of added value to national policies, people will not bother to vote, or even worse listen to nationalist rhetoric. Some people start to call Topolanek's behaviour selfish, nationalist and damaging to the EU. When he refused to hand his Presidency to France as Sarkozy suggested, he gambled with the European project, and now he lost. He knew he might not survive the Presidency politically, and yet he insisted on the formal procedure, in a time when the last thing the EU needed was a self-centered politician who only looks out for his country's glory and a meeting with president Obama in April. In such a controversial situation six authors have assessed the challenges of the Czech presidency quite differently:

The slogan of the Czech presidency of the EU reads 'Europe without barriers'. Behind it are three key priorities summarized as the three E's: economy, energy and external relations. In the opinion article section Gabor Beregszaszi starts out by giving us an outline of the main challenges of the Czech

presidency. He is followed by Christian Haas who further elaborates on the key challenges of EU relations with the Western Balkans. Our regular contributor Sven Brendel then addresses the first E (economy) more closely. Creating security, he holds, cannot only be achieved by 'arms and ammo' but much more so in a combination with solid economic policies. He therefore asks for international relations to incorporate more political-economic thinking in order to tackle challenges like the Gaza strip and Afghanistan. In the academic article section three articles deal with the third E (external relations): One key challenge for the EU's external policy is to coordinate the various immigration policies. The difficulties of so doing - particularly in the liberal states of the EU - are examined by Bennet Strang. Tobias Franke then takes a closer look at the Czech security strategy and seeks to demonstrate that it displays considerable signs of incoherency. These become evident when asking the four questions of security: what threats, whose security, who provides security, and with what means? Finally, Marcin Lapczynski analyses whether the Eastern Partnership Initiative is a chance or a burden for the Czech EU Presidency. Void of any big accomplishments so far, the Czech government needs a prestigious project that it can drive forward, but Member States are unwilling to allocate much money to the project due to the financial crisis. The second E (energy) will be incorporated in the upcoming issue of ADV which will focus specifically on the financial crisis, energy and climate change. Until then we hope you enjoy reading issue 27 of ADV.

Opinion Articles

“Czechs and balances”: the Czech Presidency of the European Union in a tight situation

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Under the motto 'A Europe without barriers', the Czech Republic as only the second new EU member state after Slovenia - assumed the rotating presidency of the EU from France on 1 January 2009. With Sweden, taking over the Presidency in the second half of 2009, these three countries have elaborated the 18-months triple presidency programme. All of this has been necessary in order to make the Presidency a success and achieve tangible results.

Despite of the Czech preparation for the Presidency, it is arguably a difficult time to run scheduled tasks for both the EU and the Czech Republic itself since the EU and the world economy are facing the most fearsome economic downturn ever. The EU is struggling to continue the ratification of the Lisbon Treaty after the Irish 'no' vote in the summer 2008. Likewise, it has to tackle the aftermath of another serious crisis that occurred between Russia and Georgia. Moreover, the new US president taking office puts the Czechs in the position of being the first to talk to Obama's administration.

Besides these, other tensions like the Gaza conflict and the crisis over the gas pipeline were testing the Czech Republic's abilities in crisis management and mediation in the very first days of its Presidency.

Thus, some take a stand on the challenges of the Czech Presidency like David Král, director of European Institute for European Policy (EIEP) in Prague who argues that:

„Following the hyperactive French Presidency, it is not unreasonable to wonder whether such a new and relatively small EU member state outside of the eurozone will be capable of tackling this formidable set of challenges'.”

If one is familiar with the internal politics of the Czech Republic, the argument of David Král can be confirmed in part. Indeed, given the large number of crises facing the Presidency, it is necessary to take a look at the Czech politics where the situation has calmed down after the Civic Democratic Party (ODS) Congress at the beginning of December 2008, when the party chairman and current Prime Minister Mirek Topolánek defended his position as party leader.

The victory of Topolánek at the party Congress confirmed the position of the pragmatic, realistic and more pro-European stream in the party while current Czech President Václav Klaus resigned from the position of honorary chairman and announced that he

would back a Eurosceptic party. This way, Václav Klaus opposes ratifying the Lisbon Treaty and has called the process to be brought to an end. This is all the more embarrassing, as the Czech Republic is presiding over the EU.

Focusing on the Lisbon Treaty whose ratification is a hot issue in the EU and the Czech Republic. However, the government still does not have a majority in the lower house, the EU's controversial Treaty has been approved by the lower house. Assuming the upper house passes the measure, that will leave Germany, Poland and Ireland as the only countries yet to ratify the Treaty.

The main priorities of the Czech Presidency can be summed up as "the 3 E's": economy, energy and external relations. **These are the three substantial issues that I am intending to present briefly.**

The global economic crisis is hitting the EU "hardest" during the Czech Presidency. But this is also a crisis that threatens the idea of one Europe. An article published by International Herald Tribune highlights the current economic situation in the EU:

„Within the larger European Union, fissures are growing between older members and newer ones, especially those that lived under the stifling yoke of Soviet socialism only 20 years ago. Some countries of Central Europe, like the Czech Republic and Poland, are doing relatively well. Others, like Hungary, Romania and the Baltic states, are in a state of near-meltdown².”

Thus, Topolánek elaborated a set of measures to deal with the financial crisis in an effective and reasonable way. The Czech PM pointed out that maintaining employment and creating new job opportunities at a time when we are hit by the financial and economic crisis is one of the key tasks of the European Union. The question is: how can they mediate as a small country?

The other two policy areas – energy and external relations – can put the Czech Presidency in a more visible light by building bridges with the *non-EU Eastern* European region, the Caucasus, Central Asia and the Western Balkans and cooperating with the US and the international organizations like NATO or UN.

Energy security is a hot issue on the agenda of the Czech Presidency due to the gas dispute between Russia and Ukraine. The Czech Republic is strongly in favour of developing a well-known European strategy for better energy security, and more generally, a common energy policy. That's why the Czechs are focusing on Russia, Ukraine and the Caspian region.

On external relations, the Presidency's main emphasis is on a "new beginning" for EU-US relations since new US President Barack Obama assumed office. The Czech Republic wants to build upon its

excellent relations with Washington which is planning a missile defence shield in the Czech Republic and Poland. This is substantiated by the fact that an EU-US summit will take place **on 5 April 2009 in Prague**. Regarding dialogue with Russia, it will continue, with an EU-Russia summit to be held in May with the topic of securing energy supply to the EU.

The Presidency fully supports the deepening of the European Neighbourhood Policy (ENP), and for this reason it will strive to strongly push forward for the introduction of the Eastern Partnership that will represent a new comprehensive and reinforced policy. The necessity of advocating regional cooperation and strengthening the EU's relations with its Eastern neighbours was sufficiently demonstrated by recent events in Georgia. The case of Croatia is to be mentioned and the country's 2011 target date for joining the EU is threatened by concerns about territorial disputes between Slovenia and Croatia. At the level of bilateral relations, the Presidency is striving to continue negotiations with Ukraine on a new, deeper agreement on mutual relations and to launch negotiations on a new agreement with Moldova.

In the area of cooperation with Mediterranean countries, the Czech Presidency will build on the steps taken by the French Presidency to prioritise mutual relations within the ENP. Though, the very active French Presidency is trying to play a leading role even after the end of its Presidency. Czech President Václav Klaus is himself among those who has accused France of planning to interfere in the Czech EU Presidency.

Concerning the European Security and Defence Policy (ESDP), the Presidency will follow up on the activities started by the French Presidency. France declared its key ambitions and reiterated its commitment to making progress in many aspects of the ESDP. Thus, the Czech Republic is promoting the development of the civil and military capabilities of the EU.

As regards the strategic level and the development of capabilities, it is needed to support the cooperation between the EU and NATO and their effective joint operations in crisis management. It is worthwhile to do so, since France will rejoin NATO's military command after 43 years in early April and Albania and Croatia are going to become full NATO members during the April summit.

In addition, the Presidency is harmonising the processes of defence planning. Within the context of EUUN relations, the Presidency intends to focus on the implementation of the joint declaration on the cooperation of both organisations in the field of crisis prevention and conflict management.

In conclusion, it is certain that the Czech Presidency is in a difficult situation due to the economic tensions that are aggravating the politics, economics and society of the EU. Certain eurosceptic

activities of the Czech president are also a cause for acrimony in Brussels. Notwithstanding numerous controversial statements, it has prompted the public to raise doubts about the suitability and capacity of the Czech Republic to lead the Union.

After the French Presidency, which can be seen as a fruit-bearing presidency with its plans and measures successfully carried out, it may be asked with what results the Czech Presidency will pass the rotating presidency to Sweden. How the Czechs can overcome bias against Central European EU member states often seen as vulnerable countries? How they can set an example for other post-communist EU member states, particularly for Hungary which will be presiding over the EU in the first half of 2011?

Notes

1. David Král (2009) What can be expected from the Czech EU Presidency? Available for free downloading from http://www.europeum.org/disp_article.php?aid=899&lang=en

2. Steven Erlanger and Stephen Castle (2009) Economic crisis threatens the idea of one Europe. Last seen on: <http://www.ihf.com/articles/2009/03/01/europe/union.php>

Opinion Articles

The Need to Revive EU Enlargement in the Western Balkans

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One of the stated priorities of the Czech presidency of the European Union during the first six months of 2009 are the Western Balkans. Comprising the states which over time originated from the former Socialist Federal Republic of Yugoslavia (Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia) plus Albania, the Western Balkans have long been at the forefront of the EU's foreign policy agenda. Through its enlargement regime, Europe sought to finally bring full-fledged democracy, stability and prosperity to this post-conflict region. For a long time, conventional wisdom among EU theorists and politicians held that only the prospect of membership is able to induce the target states' elites to adopt and implement necessary reforms and eventually transform the fragile states into functioning and stable liberal democracies. Today however, the sentiment of 'enlargement fatigue' is widespread among the member states' decision-makers and societies. The failure of the Dutch and French referenda to the Constitutional Treaty in 2006 as well as the Irish 'No' to the Lisbon Treaty in 2007 led more and more policymakers to promote 'deepening' instead of 'widening'. According to those voices, the EU needs to clarify its constitutional foundation as well as its objectives and self-conception prior to any

future enlargement rounds.

As a result, conservative and euro-sceptical politicians saw a window of opportunity for their cause and began to promote what they described as 'alternatives' to EU membership. Throughout the whole EU, more and more members of parliament, and in fact also those who are among the staunchest supporters of the Union, announce that they will not support a future enlargement until the constitutional deadlock is resolved. Thus, the enlargement process has become increasingly politicised and has turned from a largely technical process into a process that is being influenced by many side factors. It is crystal-clear that the Western Balkans enlargement round lacks the historic drive and motivation that characterised the 2004 enlargement to the Central and Eastern European countries.

In 2009, member states like Germany, France and the Netherlands are voicing increasing concern over a fast accession of the Western Balkan states to the EU. Barely nine years after the European Council of Feira has endorsed the European perspective of the region and termed the states 'potential candidate countries', the enlargement agenda of the respective Western Balkan countries appears to be at a standstill. Almost four years after *Macedonia* had been granted

candidate status, accession talks have still not started. The negotiations with *Croatia* are currently blocked because Slovenia refuses to open certain negotiation chapters due to a bilateral border dispute. *Montenegro* submitted its formal application for membership against the recommendation of some member states in December 2008. *Bosnia* is likely to follow in the coming months, *Albania* has declared it will do so after her parliamentary elections in June. The ratification of the *Stabilisation and Association Agreement* (SAA) between the EU and *Serbia* is being blocked by the Netherlands since months, not holding off Belgrade to announce it will also file a membership application this year. As a result, 2009 is a critical year for the Western Balkans.

The Czech Republic itself acceded to the EU only in 2004 and is indeed one of the firmest promoters of enlargement to the Western Balkans. Prime Minister and current president of the European Council Mirek Topolánek said that putting a halt to enlargement or introducing new barriers would be a 'road to hell'. He is right: Discouraging signals from the very inner circle of Europe have led to a decrease in the motivation of the Western Balkan elites to conduct necessary reforms. Policymakers as well as the societies of the region are disappointed that 'non-enlargement' issues like the Lisbon Treaty or the Slovenian claim to some of Croatia's territory hinder the advancement of the integration process. Nationalist and euro-sceptic voices sniff their chance and resort to an isolationist and xenophobic rhetoric which for so long has hampered the democratisation of the region. As we can see, sustainable democratisation promoted by external actors only works if the incentive in this case EU membership is credible and within reach. The 2004 enlargement to eight countries from Central and Eastern Europe proved only effective, because those states' elites were given a credible membership perspective. Yet what one is witnessing among the member states today is scepticism and hesitation concerning a firm commitment to the Western Balkans.

As a result, the Czech Presidency has the task to persuade its colleagues that only a strong confession to future enlargement will continue to consolidate democratisation and stability in the region. It has to make use of its leverage to gather the now rather invisible and reluctant supporters of enlargement, create a *fait accompli* and revive the enlargement process. One possibility of doing this would be to revitalise and put forward the respective enlargement processes with each country. Concerning *Serbia* for example, the member states have to put pressure on the Netherlands to abandon its blocking of the implementation of the SAA. The border dispute between Slovenia and *Croatia* can only be resolved through a verdict of a neutral, international commission that has to be accepted by both parties.

The forthcoming meeting of EU foreign ministers has to seriously consider *Montenegro's* bid for membership. Encouraging signals have to be sent to *Albania* and *Bosnia*, which are both on the right track. Another possibility of reviving the enlargement agenda in the Western Balkans is the steady continuation of the talks on visa-liberalisation. Today, citizens of all Western Balkan countries face serious difficulties in trying to obtain a visa to travel to the Schengen countries. In the former Yugoslavia, they could travel freely. Travelling to the rest of Europe without restrictions is indeed on the top list of the wishes of Western Balkan citizens. The negotiations on visa liberalisation have to be put forward; the resistance by ministers of the interior of many member states are pure populism. Here lies a real chance to show the societies of Western Balkans' states that Europe is eager to integrate them. Admittedly, in face of the above-mentioned opposition, all this will be a tough challenge yet one worth tackling.

Opinion Articles

Money, not bombs: What political-economy can teach international relations?

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Political science is a divided field. There are those students of political science, like myself, who are engrossed in studying the interaction between markets and government. We are preoccupied with issues such as welfare state development, taxes and trade. Why is the American welfare state more reliant on the private sector than that of the United Kingdom? What steps should the White House take to shore up economic security and fight unemployment? What are the consequences of polarization for health care reform? These are the questions those of us in political economy entertain ourselves with. We are almost students of economics – we use its jargon and theory. Then, there is international relations. A political-economy student taking an international relations class will find him or herself in a different world – I have had the pleasure myself. True, both international relations and political-economy can be summed up as examining “who gets what when and why.” Yet, they are clearly two of a kind. The world is a complex place, of course. It, therefore, stands to reason that the solutions to world's complex problems are found by combining both approaches. Coming from the political-economy perspective, I am not equipped to comment on how my discipline might benefit from incorporating ideas and approaches from

the international relations perspective. I can, however, make the bold assertion that political-economy is essential in international affairs – that economic policy matters as much as military policy; that taxes, social welfare programs and income transfers are as powerful as tanks, aircraft carriers and military alliances when it comes to keeping the peace. In other words, when we combine the political-economy and international relations perspective we discover that liberty is the true anti-dote to disorder and war.

There is no free lunch. Stability is no exception. Police, soldiers and guns cost money. But for too many international relations analysts that is where the analysis stops. Social insurance programs, growth and jobs come *after* security has been established. First, order must be established and maintained through physical force or threat of it. Then, once the military mission has succeeded, so the common view says, the economic mission begins. Wrong. The real world is more complex, and prosperity is as much a requirement for peace as peace is a requirement for prosperity. Well, perhaps not quite. It is possible to keep a poor area in order through brute physical force – Kim Jung Ill can attest to that. North Korea would have fallen a long time ago if the threat of violence could not by itself suffice to maintain the

social order. But what if we do not want to create cruel police states? What if the social order is not an end in itself but only the means towards the greater end of enabling everyone to live a long fulfilling life? Then, prosperity becomes a requirement for peace. Jobs and opportunity are the humane way to create and maintain order, not “guns and ammo.”

Civil liberties too, help maintain order for the very same reason that prosperity does. To some that might sound contradictory. How is letting people say and do as they please going to strengthen, not weaken, the social order? It does in the same way that jobs do. The logic is quite simple. Give people the opportunity to realize their dreams, give them hope hope that they can move upwards in socio-economic terms, that their efforts will be rewarded fair and square, that they can be anything and anyone they want to be, and they will put down their guns and pick up notebooks and shovels. Create an order that gives people genuine liberty and they will cherish that order. A person who is able to speak her mind and feels as though she as realistic chance of attaining and maintaining a decent standard of living off seeing fair returns to her labor, is a person who will be loyal to the social order that maintains her freedoms. Liberty is the one universal good everyone enjoys precisely because there is no one-size-fits all lifestyle. Any social order that imposes itself on people that forces them to do what the group deems “right,” that suffocates individual initiative and liberty, is arbitrary and will foster resentment. Any government that can maintain control only through the threat of physical force is failure. A legitimate government is one whose “subjects” do not feel like subjects but like equals entitled to their pursuit of happiness. A good government needs to treat people as ends in themselves. It needs to give them the opportunity to live the life that they deem right for themselves. A government that does so is a legitimate government and it will command the respect of its citizens and the world without the use of force.

Developed and peaceful countries, such as my own: the United States, provide people with a realistic chance of carving out a dignified existence for themselves and move up the socio-economic ladder based mostly on merit, not connections. While the idea that anyone of us can become fabulously rich is mere fantasy, hard work is rewarded and will generally translate into a decent standard of living. No we are not a meritocracy and, contrary to popular myths, most Americans are not foolish enough to believe it. But we take equality seriously. Unlike in many countries, you do not need connections to get into a good university, graduate school or land a decent job. You do not need to know a government bureaucrat to get financial aid for your education. No, we believe in equality. Fill out a form and a bureaucrat will allocate funds to you based on nothing more than your academic records and personal finances. Yes, our government does less than

that of Sweden or Canada to help its citizens pursue and accomplish their goals (for one, we lack affordable universal health care). There is little doubt in my mind that these countries are actually more meritocratic than we are. Yet, we still offer our citizens a relatively fair shot. You can go to college, become a professional and buy a nice house in the suburbs if you cannot do so by yourself, your government will help you. When you are arrested, you will get a trial. Are your chances of being convicted higher if you are poor and cannot afford a good lawyer? Of course. But you will still have chance to get your side of the story heard. In sum, we are serious in pursuing the ideal of meritocracy and have come quite a ways in our efforts. Not surprisingly our social order is as solid as a rock the U.S. government must not fear of an even a minor popular uprising or struggle to maintain peace.

Other governments do, however. For them economic development needs to be the first and foremost priority. Take the Gaza strip as an example: unemployment is above 50%, much its GDP comes from foreign aid and poverty is rampant. Ditto for Afghanistan, Pakistan and Iraq. Unemployment and poverty are ubiquitous in all these nations, as is religious fundamentalism. What else are the impoverished, unemployed masses with little prospect of upward social mobility to do? They cannot gain self-esteem and gratification from their jobs. They cannot see how they can realistically break out of poverty under the current system. People without hope are desperate. And desperate people do desperate things like launching missiles into civilian settlements and imposing irrational rules on one another. These violent and oppressive acts provide at least some sense of order and decency. Fundamentalism in particular offers the impoverished masses something to cling to, something to take their minds off their current plight, something that promises a better tomorrow. The idea to kill oneself in the name of a holy war is a lot more appealing if you are trapped in poverty condemned to a life of crushed dreams. The way in which Israel has dealt with the threats from Palestine and Gaza illustrate the shortcomings of ignoring political-economy in foreign affairs. The Palestinian territories were poverty filled slums, ripe with extremism for the lack of economic opportunity. What did Israel do? It built a wall and sealed off what was already a small and poor economy. It drove the Palestinians deeper into poverty. Regardless of the military or diplomatic merits this policy may have had, pushing poor people further into poverty making the desperate more desperate, is not likely to produce peace.

Want peace in the Middle East? Give these people jobs and a more meritocratic economic system. Abolish the old-guys networks that allocate opportunities based on pedigree instead of merit and build a strong, vast middle class. People with good

jobs, health care and access to high quality education for themselves and their off-spring are people with something to lose. They have a stake in the maintenance of the social order. They pay taxes and obey the nation's laws because since their livelihood and freedom depend on the continued survival of their nation. Janis Joplin was wrong when she sung "freedom is but another word for nothing left to lose." In reality, it is the exact opposite. Freedom means having a lot of left to lose, since freedom means having opportunity. A free person can lose the opportunity to express his opinion, buy the goods he desires or pursue a fulfilling career. Free people are always stakeholders in their societies. Thus, the more freedom a nation offers its citizens, the more its citizens have to lose when the order breaks down. Furthermore, capitalism makes people dependent on one another. A contemporary American or Swede depends on thousands of people for even the most mundane actions. To make heating up Chinese leftovers in the microwave possible, for instance, thousands of people had to cooperate with one another. As Emile Durkheim, the founder of modern sociology, described, there is no need for a national religion or national culture. Interdependency having a stake in the survival of the one's nation even if only for the sake of pursuing one's own interests is enough of a social glue. It is really quite simple: there is nothing more dangerous than people with nothing left to lose. Liberty and prosperity are the anti-dote to desperation they give people a stake in society, something they would lose if the social order were to break down. Liberty, not brute physical force, is the way to have a peaceful order. Since liberty requires sound social welfare policy investments in education, health care and poverty relief programs economic policy is as important as military policy when it comes to maintaining the social and civil order. At least that is what we find when we include political-economy in our thinking on international affairs.

Academic Article

Explaining the Struggle of Liberal States to Control Immigration

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Are liberal states unable to effectively control immigration? This essay will argue that, yes, they are under certain conditions. The associated question, thus, is why and by whom they are constrained to do so. The answer is that assertive Court rulings in the field of immigration law and the self-perception of liberal states themselves prevent an effective control of immigration.

The argument will be substantiated in the following steps. In the first part, the relationship between the national liberal state and immigration will be analysed. Moreover, the liberal state will be delineated from the nation-state. The ensuing second part discusses the two common theories accounting for this relationship. The third part links and proposes two case studies, ie Germany and the UK, with a third explanatory view. Finally, a conclusion will be given.

What characterises a 'liberal state'? Liberal states display a strong commitment to the rule of law, universal human rights and "...shared humanity..." (Joppke, 2005, p. 48). They are inclusive, individualistic and non-discriminatory (Joppke, 2005). To 'effectively control' immigration is defined here as the state's sovereign ability to design and implement its immigration policy, whether restrictive or not, without externally imposed constraints. Money

(1997) described immigration control as "...state policies that define the permissible level of resident alien admissions" (p. 685). The term 'immigration' itself "...refers to the entry into a country of people who are seen as belonging to ethnic groups distinct from the native population and who remain in the receiving country for many years" (Karapin, 1999, p. 423).

"The transformation of Europe into a continent of immigration is one of the most important sociological developments and one of the most intriguing policy puzzles in postwar European politics" (Hansen, 2002, p. 259). How can it be explained? A proposed starting point is an analysis of the relationship between the nation-state and the liberal state. It helps to provide insights for a better contextual understanding of immigration policy. The liberal state is, first of all, based on the nation-state and extends from it (Joppke, 2005). The latter is, however, "...based on ethno-national principles'..." (Wimmer quoted in *ibid.*, p. 45). Citizenship is coupled to ethnicity and enjoyment of the nation-state's inclusiveness is conditional upon the possession of the respective national ethnicity.

The important tension between the nation and the liberal states results from their respectively

irreconcilable characteristics. While the former is inherently exclusive, the latter is essentially inclusive (Joppke, 2005). Yet, liberal states are also rooted in their history as nation-states. Both of them exhibit conflicting conditions for integration. The nation-state requires immigrants with its ethnicity, whereas the liberal state can only demand from the immigrant to respect its values (ibid.). Abraham (2006), accordingly, considers the liberal state to be deethnicized. Joppke (2005) refers to "...the dissociation of state and nation in the liberal state's membership policies" (p. 53). An associated implication is that citizenry and the nation are being decoupled, giving pre-eminence to the *jus soli* doctrine (Joppke, 2005).

These elaborations relate in so far to the capacity of the liberal state to effectively control immigration as they cannot legitimise the exclusion of any immigrant willing to abide by its values. No liberal state could deliberately prevent particular ethnicities from immigrating into its territory on the basis of ethno-cultural characteristics. If it did, it would betray the very values it is based upon. Thus, "...liberal democracies, can muster no philosophical principle to justify borders that keep well-intentioned people out" (Abraham, 2006, p. 1). Conversely, the protection of the rights of those who have least of them, ie immigrants, provides a liberal state with the opportunity to underline its genuine liberalism. "The only 'restrictiveness' that the liberal state has available today is a reduction of numbers" (Joppke, 2005, p. 50) by means of indirect ethnic discrimination (Abraham, 2006). Hence, the *theoretical* incapacity to control immigration is inherent in the liberal state. Its additional characteristics which also *practically* constrain this ability will now be gradually turned to.

Two theories, the 'globalisation thesis' and the 'embedded realist thesis', aim to account for the gap found in liberal states between continuing immigration in spite of opposing governmental policies, the so-called 'gap hypothesis' (Hansen, 2002). Sassen is a main proponent of the globalisation thesis arguing "...that international norms and institutions limit governments' ability to control migration..." (Hansen, 2002, p. 259). The transfer of policy competences in immigration matters to supranational actors and the constraining impact of authoritative international human rights law are in particular said to result in an inability to effectively control immigration (Joppke, 2001; Hansen, 2002). These explanatory accounts are not without their critics (Joppke, 1998).

More analytical emphasis and explanatory power will be put on and attributed to the embedded realist thesis. Its main proponents, Freeman and Joppke, argue that "...limits on state autonomy are domestic..." (Hansen, 2002, p. 259). While limiting immigration is said to be in the realist interest of liberal

states (Hansen, 2002), institutional characteristics ridicule those attempts (ibid.). Given that benefits from immigration are concentrated and costs diffuse, business has an interest in lobbying the government in favour of a less restrictive immigration policy during times of economic growth following the logic of client politics (ibid.; Karapin, 1999). Hence, "...a domestic political process under the sway of client politics is one reason why liberal states accept unwanted immigration" (Joppke, 1998, p. 270). Additional institutional characteristics are to be found in the liberal state's civil society. Joppke (2005), accordingly, identifies the Church, trade unions and NGOs as actors possibly taking a pro-immigration stance *vis-à-vis* the state.

The most important veto player which has prevented liberal states from effectively controlling immigration by far is the independent judiciary. It also plays a central role in the third explanatory account, Joppke's (2001) legal-domestic hypothesis. "Rights expansion originates in independent and activist courts, which mobilize domestic law (especially constitutional law) and domestic legitimacy discourses, often against restriction-minded, democratically accountable governments" (p. 339). Non-majoritarian actors such as courts are, hence, driving forward the development of immigrants' rights and, thereby, immigration against the political will of democratically elected state representatives (Hansen, 2002). Attention should be drawn to what extent this 'government by judges' is or should be subjected to question of legitimacy and accountability.

Joppke (2001) holds that the "...case of immigrant rights is part of a larger trend in liberal postwar societies in which activist courts have aggressively defended the rights of individuals against intrusive states" (p. 358). They could and can do so because courts were deliberately set up with the aim to create credible commitments with regard to neutral legal arbitration. Applying realist terminology, the benefits of an independent judiciary (rule of law) outweigh the liberal state's costs of subjecting its executive authority to authoritative judicial control. Thus, "[c]ourts are uniquely shielded from the populist pressures that democratically accountable governments face, and...have emerged more generally as champions of individual rights..." (p. 340).

Nonetheless, the implication for the immigration policy of the liberal state is that courts frequently interpreted "...domestic constitutions and domestic constitutional jurisprudence...[as containing] both a right to remain and a right to family reunification" (Hansen, 2002, p. 263)¹. Those interpretations effectively "...constrain the whims of the executive..." (Joppke, 2005, p. 51). They were, however, only possible because the liberal state had limited its sovereignty itself "...by a constitutional

commitment to the principles of equality and individual rights” (p. 44). Constraining court rulings would not have been legally possible without this liberal 'mission statement'. In a certain sense, courts are policing the liberal core foundations of the liberal state. Accordingly, it is only consistent that the latter is subject to severe judicial constraints in the exercise of an effective immigration policy. By having created a non-majoritarian institutional court system, the liberal state locked-in and credibilised its commitment to its liberal values.

In the following and last part, the degree to which Germany and the UK can effectively control immigration will be analysed. Although both are liberal states, the former is less able to carry out effective immigration control than the latter. Why? The reasons are to be found in a constitutional article, German history and an assertive *Bundesverfassungsgericht*. The fathers of the *Grundgesetz* drew the lesson from NS-totalitarianism by “...establish[ing] the primacy of the individual over the state in all policy domains” (Joppke, 2001, p. 348; Joppke, 1998). Art. 16 locked the liberal German immigration/ asylum policy in, as a supermajority was required to amend it with the result of a path-dependent liberal immigration policy (Hansen, 2002). Even if the law-maker had wanted it, “...effective restrictions [in the field of immigration policy] could not be implemented without a constitutional amendment...” (Karapin, 1999, p. 433). The *Grundgesetz*, thus, tied the hands of policy-makers as opposed to those of the judiciary.

The judges actively seized the possibility and “...interpreted [Art. 16] to include extensive rights to judicial review” (ibid.). Consequently, the door for assertive pro-immigration rulings was being opened. The *Bundesverfassungsgericht* “...actively work[ed] against and stall[ed] the government's no-immigration policy” (Joppke, 2001, p. 349). It acted as a traditional veto player, granting “...the most fundamental of these rights without respect to nationality...” (Joppke, 1998, p. 284). However, after Germany's political elites had finally managed to meet the supermajority hurdle, they amended Art. 16 in the sense that it undercut “...access to a fullfledged judicial appeals process for most asylum seekers...” (Karapin, 1999, p. 435). This suggests that a liberal state is able to check those forces, which constrain its ability to effectively control immigration after having overcome demanding obstacles.

The UK, being also a liberal state, was more successful in effectively controlling immigration. Its case highlights that some conditions must be met in order for a liberal state not being able to do so. There is an “...absence of institutional constraints on the executive, a bill of rights, a weak legislature, and a timid judiciary ...” (Hansen, 2002, p. 265). No codified constitution, no legal review principle, an

executive-dominated system and the fact that Parliament can enact laws by simple majority results in a strong governmental grip on immigration policy (Joppke, 1998). Yet, even Britain was not able to totally control immigration post-1992. Hansen (2002) holds that path dependence and feedback effects from previously enacted immigration legislation created loopholes impairing an effective control of immigration.

Non-majoritarian veto players, assertive court rulings and liberal values are the reasons why liberal states such as Germany cannot effectively control immigration. After all, Joppke (1998) holds that “[o]nly liberal states are plagued by the problem of unwanted immigration” (p. 268). Finally, his legal-domestic hypothesis is the most convincing explanatory account of this phenomenon.

Notes

1. Hence, “...the legal rather than the political process explains why states accept unwanted (family) immigration” (Joppke, 1998, p. 271).

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Academic Article

The Czech Republic and its Security Strategy - Uncertain Answers to the Four Questions of Security -

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Introduction

Contributions to the scholarly debate on the Czech security policy after 1989 have usually tended to focus either on single specific aspects of security, for example the 'democratization of civil military relations', or on foreign policy as a whole, which only attributed a featured part to security (see Gow and Birch, 1997; Motková, 2003). Moreover, input concentrating on Czech security alone has lacked a model with which to assess it (see Khol, 2005). The importance for such a distinct model for security policy, however, has been underlined by Czech politicians and officials, like Winkler and Kurfürst, who state that "every entity in international relations should define its security environment, the threats it faces, and the means it needs to do so" (Winkler and Kurfürst, 2004, p. 34). Based on this, and inspired by Gardini's work, this paper proposes a model of four distinct questions, which ought to be asked in order to evaluate the strength of the Czech Republic (CR) as a security actor: Whose security, what threats, who provides security, with what means (Gardini, 2008)?

Thus, one must wonder to what extent the CR can answer these four questions of security? Due to the brevity of the paper, the Czech Security Strategy (CSS) is used as a benchmark against which to

measure the CR. Adopted in 1999, and last updated in 2003, the CSS is deemed to be "a fundamental document in the framework of the Czech Republic's security policy" (MZV, 2003, p. 1). Hence, the paper will argue that while at first sight the CR and its Security Strategy appear to be able to answer these four questions of security, a closer observation reveals increasing difficulties to do so.

For the purpose of this paper the central notion of security will be understood narrowly - in order to prevent overstretch - as "the condition of being protected from or not exposed to danger..." (Oxford English Dictionary, 2008). The paper will be divided into four parts, each addressing one of the four questions of security.

I. Whose Security?

The question of "whose security" is what Terriff calls the quest for 'the *object* of security'. He highlights that a security policy risks to lose meaning and hence credibility if it cannot clearly state who or what it seeks to secure (Terriff etc. al, 1999). Initially it appears that the CR, within the framework of the CSS, applies a traditional mixture of state and societal security. It highlights that the government is responsible for the security "of the Czech Republic

and its citizens” (MZV, 2003, p. 1). This approach is broadly reflected in the scholarly debate on Czech security, which underlines that the state, i.e. its territory and its institutions, are to be protected and are in charge of protecting society, i.e. the individual as such and its collective manifestation (IIR, 1997).

However, a more thorough reading of the CSS reflects two tendencies which cast into doubt the coherence of the Czech answer to this first question. Firstly, a contradictory process of both widening and narrowing of the previously described state-society approach is reflected. In the CSS, the protection of the market economy, the environment and the all encompassing notion of “other stated interests” is also brought into focus (MZV, 2003, p. 2). While these topics are in itself achievements which ought to be maintained and valued highly, they fit uneasily with the rather restricted notion of security applied by this paper. Securitizing any policy area or state interest bares the risk of overstressing the notion of security, turning it into a concept emptied of meaning. Walt fosters this point emphasizing that “broadening the concept of security threatens to destroy its intellectual coherence and make[s] it more difficult to devise solutions...” (Walt, 1991 in Terriff etc. al, 1999, p. 6). Nonetheless, the document also features a narrower approach, highlighting that “states remain the main actors in international politics” and hence in security considerations (MZV, 2003, p. 3). This points more to the state as the primary security object. Both Rauchhaus and Wrigglesworth have researched this phenomenon and concluded that the state-centred approach is more applicable in the CR's security (Rauchhaus, 2001 in Wrigglesworth, 2003). Such findings are partially substantiated by Khol who found that Czech security debates usually take place on the state level within the executive branch and tend to neglect societal streams of thought (Khol, 2005).

Secondly, the CSS is not testimony to the recent developments in Czech security. After the EU enlargement of 2004 and the entry into the Schengen zone in 2007 security considerations of the CR have been inherently linked to the security of other EU member states (MS). The paper is convinced that the CSS should reflect these changes. The security of Czech citizens, for example, could be amended to include all EU citizens on Czech territory. This would neither overstretch the notion, as it is still linked to the state-society approach, nor would it overburden the CR, as these commitments are naturally enshrined in the *acquis communautaire* as applied since 2004.

However, it appears that the strong Realist attitude of the governing ODS as well as the inherently nationally oriented former prime minister and current president Klaus will oppose such adaptations (Wrigglesworth, 2003). Moreover, Střítecký underlines that the CSS is old-fashioned and outdated concerning the two points mentioned above, mainly

due to the fact that any revision could not be tabled after 2003 as the coalition partners ODS and Greens were unwilling to endure the political costs of discussing an issue on which they share little common ground (Střítecký, 2008). Concluding this first part one can note that the CSS mirrors considerable shortcomings which impede a satisfactory answer to the question of 'whose security'.

II. What Threats?

Turning now to the question of what are the 'sources of threat to security', one can observe a similar pattern to the first question. While in the first pages of the CSS only a few key themes are mentioned, including terrorism and weapons of mass destruction, it continues to add more threats like infectious diseases, industrial accidents and corruption, increasing the number of threats to 18 (MZV, 2003; Stojar, 2005). Once more this threat perception is rather wide and fails to prioritize just a few key threats so as to indicate where scarce resources should be allocated to and on which area policy making should focus. An interdisciplinary approach, involving almost any Czech ministry, might lead to the fact that no one takes full responsibility for the security threats and places it on the end of the policy hierarchy. As scholars from the Institute of International Relations in Prague have observed “security risks and threats to the state are the decisive and key factors for the formulation of security policy” (IIR, 1997, p. 7). In this respect it seems not too far fetched to assume that a large number of threats potentially waters down the stringency of security policy. The CSS' rather wobbly notion of threat is, however, also connected to the first question of 'whose security', and thus demonstrates the interlinkage of the questions. Identifying a substantial amount of objects to be secured predetermines that there will be an increasing amount of threats to these numerous objects. Connected to this, Dalby stresses the danger of “extending the ambit of security without simultaneously investigating the formulation of what it is that is being rendered secure...” (Dalby, 1997, p. 5).

Furthermore, the issue of threat perception more clearly reflects the previously mentioned gap between the government's and the people's reading of security. Interestingly enough the CSS itself points to this shortcoming, demanding “an active contribution from the general public [...]. Therefore, the Government intends to continue its policy of encouraging the active involvement of the general public in the field of national security” (MZV, 2003, p. 2). However, so far the attempts of the CSS to involve the public, more clearly explained in its chapter on Public Information Policy, appear to have been of little success (MZV, 2003). Korba, for example, stresses that “civil society is not interested in security and defence issues, the media are not covering these areas

systematically, and there are few non-governmental organisations and independent experts working in these fields” (Korba, 2004, p. 3; Gow and Birch, 1997). This discrepancy is further underlined by Hybášková who also brings to the fore the lack of public oversight and transparency (Hybášková, 2008; Střítecký, 2008). Wrigglesworth further illuminates this point underlining that the government is not always in favour of NGO involvement and “has a tendency to keep media and the public 'in the dark' for some time on certain [security] policy courses”, e.g. the accession to NATO or the radar (Wrigglesworth, 2003, p. 28).

It is therefore not surprising that the state and the people frequently display different ideas of what constitutes a threat. While the government's rhetoric still features signs of Russia as a threat, most of the public does not regard any state as a threat and only about 10% name Moscow, while an increasing amount of Czech citizens see the US as a factor undermining security (Khol, 2004b; CVVM, 2007; Handl, 2008). In respect thereof, the CSS' threat perception also reflects the transatlantic attitude of the current government, which is not necessarily shared by the population. Khol argues that siding with the US “even at the cost of supporting controversial American actions, is seen [by the government] as crucial for the long-term security of the Czech Republic”, which will be further explored in the next part (Khol, 2005, p. 471). Summing up this second part, one can highlight that the CR encounters difficulties in answering this question concisely and in accordance with public debate.

III. Who Provides Security?

Despite the fact that the CSS refers to its professional army and a number of institutions and agencies for its security, there is a large scholarly consensus that the CR cannot guarantee for its security single-handedly (Motkova, 2003; Khol, 2005; Handl, 2008; Střítecký, 2008). This is also reflected in the CSS itself, which lists both CFSP/ESDP and NATO as cornerstones of security (MZV, 2003). Nonetheless, it does not fail to prioritize that NATO represents the core security organization and that “the pillar of collective defence is NATO” (MZV, 2003, p. 2). This fixation on NATO stems from numerous reasons: Firstly, the CR entered NATO in 1999, approximately five years before it entered the EU. Hence, NATO both socialized the CR's security policy-makers and conditioned the Czech approach towards ESDP (Khol, 2004a; Khol, 2005). Secondly, and underpinning the first point, Czech military staff has frequently received education in NATO structures or US facilities (Handl, 2008; Střítecký, 2008). Thirdly, and to be understood as a consequence of the second point, the staff's conservative Realist attitude regards NATO as a more viable security provider and mistrusts more supranational decision-making methods in the EU

(Cottey, 1995; IIR, 1997; Handl, 2008).

However, such a NATO-fixation carries certain risks for the CR, which the scholarly debate has neglected so far, and which might be interpreted as an indication for the CR to rethink its current position: Threats identified by the CSS and the CR might not be tackled effectively by NATO in the future. The governments' reserved attitude towards Russia is unlikely to be supported by NATO, which has declared that Russia does not constitute an adversary. Moreover, with an ever larger NATO, decisions will be harder to take, particularly since not all members of NATO are used to the EU MS negotiating and bargaining tradition. Furthermore, the CR's security might suffer as 'collective' assets of the Berlin Plus agreement turn out to be US assets which are already in use due to the American global agenda and whose deployment for Czech purposes might be vetoed by non-EU NATO MS like Turkey (Kohout, 2002; Wrigglesworth, 2003).

Additionally, with the EU still positioning itself vis-à-vis NATO and the US, the CR might soon find itself balancing between two stools which slide apart as the gap between the US and the EU widens (Sedivý and Motková, 2003). For the time being, the CSS has attempted to maintain equilibrium by advocating strong ties in the 'Euro-Atlantic area' a term which is not further specified in the strategy (MZV, 2003). Winkler and Kurfürst flesh out the notion and stipulate that by increasing ties between NATO and ESDP a Euro-Atlantic strategic culture ought to emerge (Winkler and Kurfürst, 2004). Yet, the probability for such a strategic culture to surface is questionable given the fundamentally different attitudes in the Iraq war (Motková, 2003; Stojar, 2005). Moreover, Kanet estimates the chances for such an identity to materialize as slim, highlighting that the divide between the US and Europe is “structural and permanent” (Kanet, 2005, p. 3). He sees the importance of NATO to the US declining and Kral of the Prague based think-tank Europeum emphasizes that for the CR “the importance of transatlantic links is often considerably overestimated as we will never play a key role in US strategic thinking [...] We will never build a privileged relationship with [the US], we will never have to choose Europe is our only option” (Kral, 2003 in Wrigglesworth, 2003).

This somewhat strong attitude, however, is met by some responsiveness in the public. 37% agreed that the EU should take decisions on security and defence while only 14% thought so of NATO (Wrigglesworth, 2003). Also, both the public and some governmental officials are looking for more independence from NATO and the US. In particular the Czech Ministry of Foreign Affairs (MFA) is more Europeanist and the traditionally pro-Atlanticist Ministry of Defence (MoD) displays signs of Europeanization (Handl, 2008; Střítecký, 2008). In conclusion of this third

part, one can note that despite an apparently clearly prioritized answer by the CSS to the question of 'who provides security', the Czech fixation on NATO bears certain risks which have the potential to impede the effectiveness of Czech security.

IV. With What Means?

The fourth and final part should be seen as an opportunity not only to describe the deficiencies that exist in the area of 'means' but also as a chance to highlight the interlinkage with the previous three questions. While the CSS points to the CR's armed forces as a means of guaranteeing security, there are three obstacles to its effective use (MZV, 2003).

Having observed in part one of the paper that in practice the answer to 'whose security' is narrowed down to a more state-centred Realist approach, it appears that one can observe the repercussions when it comes to means. Military structures are relatively isolated from the public and lacked inflow from society due to uncertain career perspectives (Khol, 2000; Handl, 2008). This in turn led to a relatively rooted thinking, which turned out to be hard to reform. Peterson Ulrich notes that even when reforms for the streamlining of means were planned, as in 2001, the MoD had considerable difficulties in subjecting the military General Staff to its undertakings, resulting in half-way reforms (Peterson Ulrich, 2005).

These shortcomings in means are aggravated by the previously outlined overambitious 'assembly' of threats. The CSS had to approach these threats with a considerable list of means, stressing that "the security policy is implemented by means of foreign, defence, economic, internal security and public information policies" (MZV, 2003, p. 2). However, overall budgets for security are shrinking. In particular the military budget, which after a radical cut from \$ 4.2 billion in 1989 to \$ 1.8 billion in 1991, suffered another decline right before reforms were to commence in 2003 (reducing it from 2.2% to 2.0% of GDP) (Cotter, 1995; Peterson Ulrich, 2005). With multiple targets but few means "inadequate budget resources are distributed in such a way that the beneficiary is compelled to seek half-baked or least costly solutions..." (IIR, 1997, p. 31). These tendencies also lead to the fact that the army has only few fully professionalized and internationally competitive units (e.g. the biochemical unit) and cannot invest into technology or know-how which is needed today (Khol, 2005; Hybášková, 2008).

Finally, the expected military reforms and improvements in military assets from membership in NATO, have yet to occur. Some authors even go as far as saying that NATO accession hindered reform as the ultimate goal of foreign policy has been achieved and as the military does not perceive change a necessity anymore once inside the structure (Khol, 2000; Peterson Ulrich, 2005). Hence the fixation on NATO as a security provider according to which strategies

and concepts are formulated, took a questionable turn for the CR (MZV, 2003). In view of that, loyal allegiance with NATO and the US in distant locations paired with duress of showing a European face to its Western neighbours resulted in overstretch of resources, finances and personnel, outlining the limitations of - and the dilemma of where to allocate - the scarce Czech means (Khol, 2004a; Střítecký, 2008). In sum, this fourth part has illustrated that the CR cannot answer this fourth question satisfactorily, which is to a great extent linked to the previous three questions.

Conclusion

The paper has proposed a distinct model with which to measure the strength of a security actor. The answering of these four questions of security, posed considerable problems to the CR when measured against the benchmark of the CSS. While the central theme in the issue of 'whose security' is the search for the appropriate object of security, the linchpin of the threat assessment is over-securitization of the potential risks. In the quest for a security provider the CR is caught in between NATO and EU, which is reflected in the anachronistic notion of 'Euro-Atlantic area' (MZV, 2003). The paper has demonstrated how these questions are interlinked, culminating in the search for the means to ensure security, which poses major obstacles to the CR.

The CR can thus be identified as a typical example of a post Cold War Central European state - and to a similar extent comparable to its Western neighbours - which is torn between contradictory processes. The resurrection of statehood is accompanied by external pressures which necessitate its circumvention, traditional Realist Atlantic thinking is confronted by Liberal-Institutionalist European views, and the widening of security agendas in post-modern states is restrained by decreasing public support for higher spending on security issues.

In consequence, the CR must overcome its political stalemate and update its security agenda in line with recent developments in security. The challenge remains in finding answers to the four questions which are acceptable to the public, the government and the international commitments of the CR. Nonetheless, pleasing everyone will not be possible - decisions must be made and enforced. Question by question must be approached. Their interconnectedness will facilitate the process once it has been started. In so doing, the paper is convinced that the Czech path ought to run closer to Europe in the future.

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Academic Article

Eastern Partnership Initiative - A chance or a burden for the Czech Presidency?

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Four years have passed since the official inauguration of the European Neighbourhood Policy that was tailored to provide assistance to the European Union's near abroad during the period of transition and reforms, to promote key European values and to ensure security, stability and prosperity in a wider Europe. The ENP has not met everybody's expectations. France proposed a further implementation of the Mediterranean Union project with a special emphasis on the Southern flank of the Union, and Polish-Swedish tandem proposed the Eastern Partnership Initiative (EaP) that is focusing more on the Eastern flank.

Eastern Partnership has been approved by the European Council, and the European Commission officially presented its proposal on December 3rd, 2008. The Polish-Swedish initiative, now the official policy of the European Union, has become one of the priorities of the Czech Republic Presidency in the first half of 2009.

Unfortunately the Czech enthusiasm and plans to foster the project have met unexpected problems, such as the financial crisis. It is not sure if the project will be implemented in a full capacity and if the planned high-level summit in Prague in May, 2009 will become a real success. Is the Eastern Partnership

Initiative a real chance for the not very active Czech Presidency or is it a real burden?

Eastern Partnership Initiative a significant step forward?

The European Neighbourhood Policy launched in 2004, although being a “historically significant step [that] came through a strong awareness of the need to do 'something more', [-] it is not a perfect set-up” (Yrjölä, 2007, p. 15). Since the beginning, the ENP has found itself under harsh critique. One of the main points raised by experts and politicians was that it is not possible and desirable to equally treat the Southern and Eastern neighbours as there is an obvious strong geographical and identity-based difference between them. African or Middle Eastern countries are completely different from those in Eastern Europe. The EU itself throughout the last few years has proposed its Eastern neighbours certain offers, such as the promise to establish a visa-free regime in a longer perspective or possibility to enter the Energy Community established for Western Balkan countries. Southern members have not received such a promise and it is unlikely they will in the nearest future (Gromadzki, 2008, p. 3).

Second, the European Neighbourhood Policy

is not the only policy towards neighbours that the EU has. Apart from ENP there are certain policies towards EFTA/EEA countries (Iceland, Switzerland, Norway, Liechtenstein) that are not focused on a membership but rather on a close co-operation; enlargement policy towards the Western Balkans (Albania, Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia) and Turkey; or the strategic partnership with Russia, which does not seek a membership in the EU. ENP countries have not received a promise of membership, although it is possible that in the near future some of them would join the Union.

The Eastern Partnership Initiative was officially presented for the first time on May 26th, 2008 by Polish and Swedish ministers of foreign affairs Radosław Sikorski and Carl Bildt during the General Affairs and External Relations Council in Brussels. One month later, on the 20th of June, the European Council had expressed its support for this joint initiative and asked the European Commission to prepare proposals for concrete measures and steps for further bilateral and multilateral co-operation. According to Sikorski there is a significant difference that the Union has to take into account while creating its policy towards the neighbourhood: “(...) To the South, we have neighbours of Europe. To the East, we have European neighbours [...]. They all have the right one day to apply [for EU membership]” (Goldirova, 2008, May 27). The Polish minister's statement was perceived as a clear line that distinguishes the Eastern Partnership Initiative from Mediterranean Union proposed by the French president Nicolas Sarkozy. Poland and Sweden stand on a position that if the European Union is going to strengthen its co-operation and support in the Southern dimension, there is a strong need to balance these steps by emphasizing also the Eastern dimension.

In the opinion of both ministers, the proposal should practically and ideologically strengthen the existing policy towards countries that have some prospects for membership in the EU, but face the problem of “enlargement fatigue” which is emphasized by some European countries, such as France or Germany. According to Sikorski, the initiative is not directed against Russia. Moreover, he suggested that “(...) these are very practical things that Russia will also be able to profit from...” (Pawlicki, 2008, May 21)

New proposals and new chances

The new Initiative, backed by the European Council, is focused on Armenia, Azerbaijan, Georgia, Moldova and Ukraine and aimed on enhancing the European Union's bilateral relations with these countries that would move beyond the existing European Neighbourhood Policy, as well as on creating a permanent formula for multilateral co-operation with the region. The primary focus is put on

Ukraine, and the other countries “would follow according to ambition and performance¹”. Belarus would initially be involved only at technical and experts level with the possibility for future enhancement when conditions allow. Projects realised within the EaP could also be extended on Russia. Therefore, the whole project involves 27 existing EU members and 5+1 countries in the Eastern Neighbourhood.

The enhanced bilateral co-operation with these countries would include: co-operation on migration issues with the possibility to introduce a visa-free regime in a long-term perspective and visa-facilitating processes in a short-term perspective; creation of a Free Trade Area based on free-trade agreements with particular countries and the EU; drafting and signing a new generation of Action Plans with each country that could include “clear benchmarks and linkage to the alignment towards EU legislation, standards and norms”, and finally ensuring a distribution of assistance funds to the partner countries to encourage them to conduct necessary reforms.

The multilateral co-operation would be based on the implementation of concrete projects. The involvement in such projects would be voluntary and dependent on the interest of states in realising them. The aim of the initiative is to become a complementary project with already existing initiatives Black Sea Synergy and the Northern Dimension. Possible projects are divided into 5 sub-categories: political and security, borders and trans-border movement, economic and financial, environment and social.

The added value of the Eastern Partnership Initiative, according to the authors of the proposal, would be a multilateral co-operation that would foster regional links between participants of the initiative and which would be able to address issues that go much further than issues concerning Black Sea and Baltic Sea regions. The second value would be an offer for Belarus, which has not been included into any EU multilateral initiatives yet, and would create an opportunity for inclusion of various social groups, e.g. the youth, media and junior officials in the co-operation with the European Union.

The reactions and launching of the proposal

The idea was generally met positively. Foreign minister of Germany, Frank Walter-Steinmeier, called the proposal an “example of how, working together, we can take Europe forward” and expressed his will to work towards linking the European Neighbourhood Policy, Eastern Partnership Initiative and Black Sea Synergy in order to enhance stability in the region (Steinmeier, 2008, December 5). Also France, which held the EU presidency in the second half of 2008, expressed its interests in the initiative. Bernard Kouchner said that “it is no sin to go East and South at the same time” (Lobjakas, 2008, May 30).

The potential partner states, such as Armenia, Azerbaijan, Georgia, Moldova, Ukraine and Belarus have expressed their interest and rather warmly welcomed the new initiative (Bigg, 2008, December 4). Ukraine, which was “carefully following” the debate believes, that the initiative “(...) should envisage a clear EU membership perspective to those European neighbours of the EU who can demonstrate seriousness of their European ambitions through concrete actions and tangible achievements” (Ukrainian MFA, 2008, May 26). Belarus perceives the initiative as “(...) another step to boost pragmatic co-operation with the countries in the European Union's immediate neighbourhood”. The foreign ministry expressed its will to work “(...) in conjunction with the European Commission to mould the Eastern Partnership (...) along a number of mutually beneficial directions including trading, energy, transport, cross-border crime, environment, and agriculture...” (Belarusian MFA, 2008, December 3)

On the December 3rd, 2008, the European Commission following the consultations with EU Eastern partners officially presented the Eastern Partnership Initiative to the public. During the presentation in Brussels Benita Ferrero-Waldner, Commissioner for External Relations and European Neighbourhood Policy stated: “The time is ripe to open a new chapter in relations with our Eastern neighbours... Building on the progress of the last years we have prepared an ambitious and at the same time well-balanced offer. The security and stability of the EU is affected by events taking place in Eastern Europe and in the Southern Caucasus. Our policy towards these countries should be strong, proactive and unequivocal. The EU will continue with the successful approach of tailor-made programmes on a new scale and add a strong multilateral dimension...” (EU Press Release, 2008, December 3).

In a “Communication from the Commission to the European Parliament and the Council²”, the Commission presented a detailed scheme of bilateral co-operation, framework of multilateral co-operation and provided details on resources and founding of the new Eastern Partnership Initiative based on a joint Polish-Swedish proposal. The main proposals of the Commission include, i.e.: new individual and tailor-made Association Agreements with willing partners that are ready to make far-reaching commitments to the European Union; developing a *Comprehensive Institution Building Programme (CIB)* that would help partner countries to meet all conditions settled by the EU by improving administrative capacities in all sectors of co-operation; gradual integration in the EU economy through a creation of a network of bilateral agreements leading to the creation of a “*Neighbourhood Economic Community*”; offering partner countries tailor-made “*Mobility and Security*

pacts” covering illegal migrations, asylum issues, fighting corruption, new visa policy etc.

The plan covers also issues related to the energy security, such as plans to include “*Energy interdependence*” provisions in the Association Agreements, completion of negotiations on Ukraine's and Moldova's membership in the Energy Community, conclusion of *Memoranda of Understanding* on energy issues with Moldova, Georgia and Armenia, support for full integration of Ukraine's energy market with EU's market, enhancing political engagement with Azerbaijan, which is the only one gas producing country in the EaP, finalisation of EU Commission-Belarus declaration on energy, and finally, encouraging all partners to participate in the Intelligent Energy Europe Programme. These issues are of the high importance for the Czech Presidency.

The Czech Presidency plans and steps taken

The Polish-Swedish project was especially warmly welcomed by the Czech Republic, which is holding the EU Council presidency in the first half of 2009 under the motto “Europe without Barriers”. The motto has a symbolic meaning that could also be a good motto for the Eastern Partnership Initiative itself.

The Eastern Partnership Initiative has officially become one of the priorities of the Czech Presidency, which plans to organise a so-called “Eastern Summit” in Spring 2009 with the participation of representatives of the EU27 and 5 or 6 (depending on Belarus will to participate) countries from the Eastern neighbourhood (Vondra, 2008, December 2). The Czech Presidency perceives the creation and implementation of the Eastern Partnership as a way to ensure the balance between individual partnerships of the Union. The Czech leaders believe also that after the war in Georgia there is a necessity of advocating a regional cooperation leading to a strengthening of the Union's relations with its Eastern neighbours. The key topics on the Czech agenda connected with the EaP are: “(...) deepening of energy, economic, trade and environmental partnerships; respect for fundamental rights and freedoms; support for democratisation and transformation processes; facilitating mobility and management of migration; supporting mutual contacts on various levels; and political and security cooperation³”.

The first controversial issue that the Czech Presidency has to deal with is the involvement of the authoritarian regime of Alyaksandr Lukashenka of Belarus. Much critique has been observed when it comes to the possible strengthening of the co-operation with Belarus which is the only post-Soviet state that does not have any contractual relationship with the European Union (Klinke, 2006, p. 25). The critique is a part of a wider debate on what the EU should do for Belarus and on how to deal with

Lukashenka and his administration. As in many other cases, there is a sharp division between member states on what should be done. It could be seen clearly in 2006, when some countries such as Poland, Lithuania, Czech Republic or Slovakia opted for stronger actions than freezing the accounts of regime's officials and impose a ban on entry to the EU. Some countries, such as Germany opted for more mild sanctions (Gromadzki, 2006, pp. 39-41).

The situation repeats itself now. Some countries are clearly against setting any contacts with Belarus, some show some interest in providing Belarus with help and assistance but only when there are democratic changes and will to co-operate. The Polish-Swedish proposal seems to be a compromise. First steps to engage the Belarusian authorities into the implementation of the project and to mild the regime have already been taken. On the 19th of February the EU High Representative for CSFP Javier Solana visited Minsk and met with Lukashenka. This visit was followed by several others, including the prime minister of Latvia Godmanis or Polish vice-prime minister Pawlak. These steps were perceived as the beginning of liberalisation of the regime and at the same time as a overlooking by the EU the "issues of human rights and democracy in the interests of deeper engagement" (Marlpes, 2009, March 3). Belarusian leader announced surprisingly that "(...) Europe does not see its future without Belarus..." (Lukashenka, 2009, February 24). But it is very likely that Belarus will become an official partner of the EU within the Eastern Partnership Initiative and that Lukashenka will be invited to Prague for a launching summit.

The second problem for a successful implementation of the Eastern Partnership Initiative and one that the Czech Presidency would probably not solve before the end of its presidency term in June is the financial crisis and problems with financing the project. Initially the European Commission proposed to allocate 600 million Euro for the years 2010-2013. With the economic crisis the situation has become unclear and there are more doubts whether the EU could afford spending money on a new project. A high ranked Czech diplomat told *Gazeta Wyborcza*, the biggest daily newspaper in Poland, that some of the supporters of the EaP have already agreed to reduce the funds and what is needed is the political impulse to start the project (Pszczółkowska, 2009, February 21). The scepticism towards the EaP is rising, especially among Mediterranean member states like Spain, Portugal or France which are afraid of spending too much funds on the East instead of supporting the Mediterranean Union. Germany and the Netherlands are afraid that it would not be reasonable to spend money during the crisis.

Tomas Valasek from the Centre for European Reform argues that "the EU's overall policy for Eastern Europe will suffer unless the EU takes more

visible steps to assist its neighbours through the economic crisis" (Valasek, 2009, March 10). The author provides an argument that most of the Eastern neighbours do not perceive the EU as an organization that could provide them with significant help in the times of crisis. Valasek writes that that "if the EU's Eastern partners think that the EU is failing them at the time of their greatest need, most of the goals of the Eastern Partnership will come to naught." Therefore the promising Eastern Partnership Initiative may occur to be a great failure at the same time.

Recommendations

The Eastern Partnership Initiative, initially proposed by Poland and Sweden, could become a great success of the Czech Presidency. The project is important both for the member states and the Eastern neighbours of the EU. The Czechs shall do everything that is possible to avoid a drastic change from a great chance to a burden, and therefore a great failure.

All EU member states shall support Czech and Swedish presidencies throughout the 2009 in their efforts to create a stable and effective framework of cooperation with Eastern Neighbourhood. The Initiative should bring a united and clear "political message of solidarity with additional, tangible support for democratic and market-oriented reforms and the consolidation of partners' statehood and territorial integrity" (Ferrero-Waldner, 2008, November 27), as Benita Ferrero-Waldner said. It is also necessary to ensure that there will be an equal treatment and support for both Southern and Eastern neighbours.

The role of the Czech presidency is crucial for the successful inauguration and implementation of the project. The EU should emphasize the role and support for Belarus in democratic changes. Member states should establish a set of rules that would make the cooperation with Belarusian regime possible, such as to ensure the right of people to independent information, elections; to respect rights and freedoms including the freedom of expression; to make a good use of the offer provided by the OSCE and other organisations.

The asset of the Czech Presidency is the Prague Summit in May, 2009 and the will of Lukashenka to participate in this meeting and to (re)establish economic ties with the EU. The EU presidency could use the Summit as a bargaining chip in order to put a pressure on Belarus for a gradual democratisation. The Czech government should also stress that the new initiative is not directed against Russia and ensure that maintenance of good relations with this country is Union's priority. Finally, the Eastern Partnership Initiative could be the most important achievement of somehow passive Czech Presidency.

Notes

1. Full text of the initiative can be found under: *Polish-Swedish Proposal: Eastern Partnership*, Ministry of Foreign Affairs of Poland, June 2008, <http://www.msz.gov.pl/Polish->

Swedish,Proposal,19911.html (20.03.2008).

2. The full text of the Communication can be found here: *Eastern partnership: Communication from the European Commission to the European Parliament and the Council*, COM(2008) 823, 3.12.2008, http://ec.europa.eu/external_relations/eastern/docs/com08_823_en.pdf

3. Work Programme of the Czech Presidency, <http://www.eu2009.cz/scripts/file.php?id=6226&down=yes>

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