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SUMAR – CONTENTS – SOMMAIRE – INHALT

VASILE PUŞCAŞ

International and European Negotiations.....5

LECTURES

PHILIPPE BEKE

Economic Diplomacy, a Bilateral Tool in the Perspective of the
European Union's External Action and Common Commercial
Policy after the Lisbon Treaty.....15

GÜNTER VERHEUGEN

EU Enlargement Policies – Results and Challenges23

ALBERTO GASPARINI

Globalisation and Peace. Which Possible Compatibility43

INTERNATIONAL/EUROPEAN NEGOTIATIONS

PAUL MEERTS

The European Union as a Process of Negotiation.....85

MELANIA-GABRIELA CIOT

Idiosyncrasies in the Foreign Policy Decision-Making (II):
Emotional (Affective) Idiosyncrasies.....125

FLORENTINA CHIRODEA, LUMINIȚA ȘOPRONI Competences and Skills training for the European Negotiator Provided by Romanian Universities.....	145
-------------------------------------------------------------------------------------------------------------------------------------------------------	-----

ANDEVA MARINA, MARICHIKJ BOJAN Pre-accession Monitoring and Minority Protection in the Republic of Macedonia	163
---------------------------------------------------------------------------------------------------------------------------------	-----

BOOK REVIEWS

RADU ALBU-COMĂNESCU Melania-Gabriela Ciot, <i>Modelul negociatorului (Idiosincrazii în procesul decizional al politicii externe) [The Negotiator Model (Idiosyncrasies in the Foreign Affairs Decision-Making Process)],</i> Cluj-Napoca: EIKON Publishing, 2012.....	183
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

COLIN SWATRIDGE Carmen Andraș, Cornel Sigmirean, Corina Teodor (eds.), <i>Itineraries beyond Borders of Cultures, Identities and Disciplines</i> , Sibiu: Editura Astra Museum, 2012	187
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

NOEMI SZABO Loredana Nastasia Pop, <i>The State and the Global Interdependencies</i> , Cluj-Napoca: EIKON, 2013	193
------------------------------------------------------------------------------------------------------------------------------------	-----

LOREDANA ANASTASIA POP Noemi L. Szabo, <i>Power and Actors of the International Contemporary System</i> , Cluj-Napoca: EIKON, 2013.....	197
-------------------------------------------------------------------------------------------------------------------------------------------------------	-----

ALEXANDRA SABOU Emanuel Copilaș, <i>Genesis of Romantic Leninism. A theoretical Perspective over the international orientation of Romanian Communism: 1948-1989</i> , Iași: Institutul European, 2012	201
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

CIPRIAN NIȚU Cătălin Augustin Stoica, Vintilă Mihăilescu (ed.), <i>Iarna vrajbei noastre: protestele din România, ianuarie – februarie 2012 [The Winter of our Discontent: Protests in Romania, January-February 2012]</i> , București: Paideia, 2012.....	207
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

INTERNATIONAL AND EUROPEAN NEGOTIATIONS

Vasile Pușcaș*

Abstract

This article aims to offer a theoretical background about the framework of EU accession negotiations. Designed as a tool for the understanding and preparation of EU accession negotiations, this material is intended to support institutional players already involved or those who are about to begin new negotiation rounds, as well as political representatives, who wish to learn about the process of EU accession and about integration in the European Union.

Keywords: EU accession negotiations, integration, conditionalities, *aquis*, Chief Negotiator

1. The contemporary international system

After the fall of the Berlin Wall and the end of the “bipolar world”, the contemporary international system entered a prolonged transitional phase. Neither actors, nor international policies benefited, in the post-Cold War period, from widely accepted and applied principles and rules. And, certainly, the phenomenon of globalization itself is a contributor to the delay of clearly coding the characteristics of the current international system. It is certain that, over the last two decades, many quantitative and qualitative changes had been recorded at global scale, and that an intense, accelerated and diversified process of interactions and interdependences had been developed between societies, which suggests that a “new” international system will emerge only through the incorporation of the

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determinants of globalization.¹ Considering this increased complexity of today's world as a result of the contemporary history we are experiencing, we also state, like David Held, that we are facing a multi-level structure of international and transnational activities, that should be answered, from a global governance point of view, with a multi-centric system, based on multi-layered, multi-dimensional and multi-actor formations.²

An answer to globalism could be the integrative process, and this will progress only to a regional scale. Meanwhile, the actors (state or non-state) find themselves in the situation of adopting certain decisions in order to manage the effects of global interactions. This - although the criticism that the decision making process is largely restricted to elites continues to be present - develops almost exclusively through competition, rather than through representative, participatory or democratic means.³ Recognizing the reality of complex interdependence which determines specific behaviors,⁴ from an individual to an organizational level, the international actors have to face the challenges of all types of global interactions, developing a continuous international management. David Held admits that the institutionalization of global processes may be difficult, but he finds that the decision-makers could promote effective means of resolving global issues, such as the development of a set of criteria, norms, capacities and negotiation arenas.⁵ More, the evolution of the "international environment" will generate the professional and scientific concerns (including academic ones) for international management. According to Hodgetts and Luthens, international management imposed itself as an incentive to "think internationally" and to "manage cross-border". The two authors demonstrate that in all categories of interactions – conflict and/or cooperation – the negotiation is one of the most useful tools in the decision making process.⁶

¹ John Baylis, Steve Smith, *The Globalization of World Politics*, Second Edition, Oxford: Oxford University Press, 2001, p. 7

² David Held, *Governare la globalizzazione*, Bologna: Il Mulino, 2005, p. 112

³ John Baylis, Steve Smith, *op.cit.*, p. 30

⁴ Jeffery Jensen Arnett, *The Psychology of Globalization*, in "American Psychologist", vol. 57, No.10, 2002, pp. 774-783

⁵ David Held, *op.cit.*, p.137

⁶ Richard M. Hodgetts, Fred Luthans, *International Management*, Second Edition, New York: McGraw Hill, Inc., 1994, pp. 168 - 169

Thus, **international negotiation** become an almost daily concern of every international actor, one of the most efficient means of attaining optimal solutions for the increasingly complex problems that we are facing under the circumstances of the globalization phenomenon.

2. International Negotiation

The negotiation literature of recent years aims, more assertive, to demonstrate that negotiation become a necessity and a quotidian concern. Deborah Kolb and Judith Williams even claim that negotiation is a major component of our family life and work.⁷ But, if we accept negotiation as a part of our everyday life, it is because the decision making process today – in politics, business, probably also in family life – is carried out, increasingly, horizontally rather than traditionally hierarchical, and the aim of negotiation is not only the closing of a transaction, but - pursuing an economic model – **maximization, optimal solution, value added.**

Harvard Business Review on Negotiation and Conflict Resolution sees negotiation as an intergroup, inter-organizational, international “management of differences.”⁸ Only a few decades ago, international relations were analyzed through the Westphalian paradigm and the diplomatic negotiation was trying to regulate the state’s connections of common interests and conflicts. The term *international negotiation* was used to describe the international contextuality rather than the involvement in international processes.⁹ Another direction of research and practice of international negotiations was the extension of the one mentioned before, insisting - predominantly - on the international negotiation environment. Regardless of the fact that it was a question of political or economic (businesses) aspects, this formula insisted on the aspect of intercultural communication, seeking to connect a specific oriented negotiation (diplomatic, businesses etc.) to cultural and/or multicultural environmental

⁷ Deborah M. Kolb, Judith Williams, *Everyday Negotiation*, San Francisco: The Jossey-Bass, 2003, p. 340

⁸ *Harvard Business Review on Negotiation and Conflict Resolution*, Harvard Business School Press, 2000, p. 2

⁹ Center for the Study of Foreign Affairs, *International Negotiation. Art and Science*, Washington, D.C.: Foreign Service Institute – US Department of State, 1984, p. 38

specificities.¹⁰ As globalization has become more intense, international/global negotiations increased rapidly, becoming for many people and organizations norms, rather than “exotic” activities,¹¹ negotiation itself being seen as a social process taking place in a much larger context.

Thus, contextuality includes, in this case, the **international environment** (political and legal pluralism, international economy, bureaucracy, foreign governments, state of the actors, ideology, culture) – i.e. those “forces in the environment” which are free from parties control and which could influence the negotiation – as well as the **international context** (the relative power of negotiation, the levels of conflict/cooperation, the relations between negotiators, the expected results, the supporters/decidants) – factors over which negotiators may have a certain influence.

For Alain Plantey, the international relations openness to new fields has implied, not only the acknowledgment of the increased complexity of interactions, but also the readjustment of the classical models – Europeans and internationals – of diplomacy and negotiation. (“To negotiate is, therefore, the more useful as the international relations become complicated and their density increases, risking to further accentuate the contrasts, to multiply the disparities, to aggravate the disputes”).¹² Of course, the French author envisages the advancement of the characteristic processes of globalization, but also a European experience, from the second half of the last century. He especially asserts that the mutual influence of public and commercial affairs has extended the international negotiation area, becoming increasingly necessary for actors of all types to resort to it. Connecting the institutional negotiation to diplomatic negotiation, aside with predictive negotiation, Alain Plantey provided more complex and realist meanings to international negotiation, which he considers to be both

¹⁰ Jeanne M. Brett, *Negotiating Globally – How to Negotiate Deals, Resolve Disputes, and Make Decisions Across Cultural Boundaries*, San Francisco: The Jossey-Bass, 2001, p. XVII

¹¹ Roy J. Lewicki et al., *Essentials of Negotiations*, Third Edition, New York: McCraw-Hill, 2004, p. 201

¹² Alain Plantey, *La négociation internationale aux XXIe siècle*, Paris: CNRS Editions, 2002, p. 22

a “tool for displaying national potential (economic, technologic, cultural)” and also “a way to manage and govern the international society”.¹³

3. European Negotiation

European Union is the result of institutional, legal, political, economical and cultural construction that took place in the second half of the century. The *Schuman Declaration* (9 May 1950) is a short guide for the accomplishment of that construction, targeting “an organized and vital Europe.” The declaration marked the negotiation path, in order to establish “the basis for a broader and deeper community among people long divided by bloody conflicts.”¹⁴ The aim of these negotiations was the “construction of common basis.” From the very start of what we can refer to as **European negotiation**, Schuman suggests a multi-party formula (the invitation by the French and German parties of an arbitrator “appointed by common agreement”), and, in addition, the **international environment** characteristic (requesting evaluation from the UN).

Professor Paul Meerts noted that today’s European Union is “an enormous international negotiation process”, within a multilateral framework.¹⁵ This **negotiation process** has kept until today the groundwork of Schuman’s scheme.

Thus, at the European Institute of Public Administration in Maastricht, negotiation is defined as “a process in which two or more parties try to obtain a solution on matters of common interest, in the situation where the parties are in an actual or potential disagreement or conflict”.¹⁶ Before considering European negotiation as an expression of exceptionalism, we will mention that Fred Charles Iklé, in his famous work *How Nations Negotiate*, was asserting a similar meaning when referring to negotiation in general terms (“a process in which clear proposals are made in order to reach an agreement, through an exchange or through the

¹³ *Ibidem*, p. 24

¹⁴ *The Declaration made on 9 May 1950 in the Salon de l’Horloge of the Quai d’Orsay by the French Minister, Robert Schuman*, in “Selection of texts concerning institutional matters of the Community from 1950 to 1982”, Luxembourg: European Parliament – Committee on Institutional Affairs, 1982, pp. 47 – 48.

¹⁵ Vasile Pușcaș, *Negociind cu Uniunea Europeană*, vol. 4, Ed. Economică, București, 2003, p.11

¹⁶ Frank Lavedoux et al., *Handbook for the European Negotiator*, EIPA –Maastricht, 2004, p. 123

achievement of the common interest, in situations where conflicting interests are present").¹⁷ What will sustain is the validity of the assertion that the negotiation for European construction has developed some unique characteristics, of course in a multilateral framework, and even though we can't talk about an European style of negotiation, as the most prestigious national schools of negotiation achieved, we believe that a certain specificity, individuality of European negotiation can be sustained.

The literature on European negotiation has been enriched especially since the last decade of the past century. Certainly, the end of the Cold War, the major challenges of globalization and the progressively more visible tendencies of European Union of imposing its legal recognition within the international system have stimulated theoretical and casuistic debates regarding European negotiation. Without any doubt, the most applied academic and political discussion on the subject of European negotiation was due to the internal reforming tendencies (institutional and political) of the European Union, as well as the project of its extension in Central and Eastern Europe. In 2000, the *Journal of European Public Policy* dedicated a special issue to European negotiations, the authors making interesting contributions to the theory of negotiation and proposing negotiation analyses for the most important aspects of the European policies. Paul Meerts and his contributions went even further, and created, in 2004, a systematic and comparative analysis on European negotiation.¹⁸ Ole Elgström and Christer Jönsson approached the concept and the practices of European negotiation from a procedural perspective, of networks and institutions (2005).¹⁹ In recent years, the focus was on the descriptive and procedural analysis of European negotiations, such as the intergovernmental conferences and treaties²⁰ or on the power aspects and leadership in European negotiations.²¹ Finally, the training centers of

¹⁷ Fred Charles Iklé, *How Nations Negotiate*, Harper of Row, Publishers, New York, 1987, pp. 3-4

¹⁸ Paul Meerts and Franc Cede, *Negotiating European Union*, Basingstoke: Palgrave Macmillan, 2004

¹⁹ Ole Elgström and Christer Jönsson (Eds.), *European Union Negotiations*, London and New York: Routledge, , 2005

²⁰ Derek Beach, *The Dynamics of European Integration*, New York: Palgrave Macmillan, 2005

²¹ Johan Tallberg, *Leadership and Negotiation in the European Union*, Cambridge University Press, 2006

European negotiators have proliferated (Brussels, Vienna, Maastricht etc.) and EIPA even published, in 2004, a "Handbook for the European Negotiator."²² And, of course, the enumeration may continue.

Conclusions

Mentioning this recent debate on European negotiation, we must point out that it reflects what the authors call a new "era of negotiations", which means a very different world from the one in which H. Kissinger used the term for the first time (in the '70s). To the new international context, it is mandatory to add the "three worlds" that compose the European arena of negotiations: (a) borders (spaces and territories); (b) layers (different objectives and various authorities); (c) networks (connections, communications). All these represent, according to Michael Smith, "the new European space of negotiation".²³ Consequently, the same author asserts that European negotiation must not be regarded only as a *process*, but also as a *system* of negotiation. For such a perspective, as M. Smith claims, European negotiation is not only international, but also strongly conservative.²⁴ And, because we mentioned European negotiation as a *process*, we will add that Elgström and Smith align with the authors who perceive European negotiation as a continuous activity, permanent, a multilateral marathon inter-bureaucratically and political. But the procedural character is given also by the fact that European negotiation is "a process of communication where the actors transmit signals from one to the other to influence the expectations and/or the values of another party" (cf. Christer Jönsson).²⁵ In addition to these characteristics, the study of the two authors adds the following: the diversity of contexts and negotiation opportunities, the diversity of actors and preferences, the diversity of systemic analysis. But, most convincing, for perceiving European negotiation as a system, one can invoke the arguments of

²² Frank Lavedoux et al., *op.cit.*, p. 123

²³ Michael Smith, "Negotiating new Europes: the roles of the European Union", in *Journal of European Public Policy*, vol. 7:5, 2000, p. 810

²⁴ *Ibidem*, p. 811

²⁵ Apud, Ole Elgström, Michael Smith, "Introduction: Negotiation and policy-making in the European Union – process, system and order", in *Journal of European Public Policy*, vol. 7:5, 2000, p. 674

the interdependence of actors, regularity of interaction and the presence (formal or informal) of rules and institutions. Therefore, such multi-level negotiations (European negotiations) are highly institutionalized and permanent, the multiple parties have distinctive roles, formal negotiations are connected to the informal ones, existing a linkage between both the internal levels and sectors, as well as between the internal and external negotiation of the European Union.

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LECTURES

ECONOMIC DIPLOMACY, A BILATERAL TOOL IN THE PERSPECTIVE OF THE EUROPEAN UNION'S EXTERNAL ACTION AND COMMON COMMERCIAL POLICY AFTER THE LISBON TREATY

Philippe Beke*

Already in the 1990's, a good number of EU member states, in particular the smaller countries, claimed the need for a better harmonization of EU external policies. Although the Commission already had the authority to act decisively in matters related to trade under the former GATT as well as later on in the WTO, it lacked the authority to speak with one voice in matters related to foreign and security policy. As former US Secretary of State Henry Kissinger allegedly quipped in those days "I wonder who I have to call in the EU to speak about matters of high political importance. Is it the President of the Commission, is it the head of state of the rotating presidency or do I call a few member states and make a common denominator out of their comments?". Caricaturizing as this may have been, there was some sense of truth in those words at that time. Although the mechanism of the rotating Presidency generally speaking was functioning well on the whole and the Commission did play a key role in much of the decision-making process, the EU did not speak with one voice on many occasions. Those member states that wanted a stronger Commission were also convinced that the key to a stronger future lay in strengthening the approach on a federal European Union.

* Ambassador of Kingdom of Belgium in Bucharest

The first steps towards that future had been taken with the Treaty of Maastricht (1992), when Europe established its foreign policy under the so-called pillar of Common Foreign and Security Policy (CFSP) and further enhanced its visibility in external affairs by creating the position of High Representative in the Treaty of Amsterdam (1997). The Nice EU summit in December 2000 was expected to give direction to a new Treaty that had to define the EU's external action, next to other matters which were of concern to make the EU function properly after the fifth round of enlargement. Like European defense, external action was a topic that was dear to member states like Belgium that believed in a more federal Europe. It therefore did not come as a surprise to note that under the Belgian Presidency in the second half of 2001, a well defined external component was introduced into the Declaration of Laken in December 2001, which would later on serve as the blueprint for the European Constitution of 2005. From the preparations of the European Constitution to the final mouldings of the text as rubber stamped in the Lisbon Treaty, the external action in general terms did not alter too much from its inception in 2001. Indeed, former Belgian Prime Minister Guy Verhofstadt and current leader of the liberal fraction in the European Parliament, would have liked to see even more European unity in the EU's external action aspirations. In his book "The United States of Europe", published in the tumultuous aftermath of the rejection of the Constitutional Referenda in 2005, Verhofstadt stated that the war in the Balkans and the war in Iraq had shown us that Europe could only make its voice heard on the world stage by taking unanimous action.

In December 2009 the Lisbon Treaty combines under part five with as title "The Union's external action", the general provisions of the Union's external action, the common commercial policy, cooperation with third countries, humanitarian aid and international agreements. Art 18 of the Treaty sets the terms of reference for the position of the High Representative of the Union for Foreign Affairs and Security Policy. The same article also states that the High Representative shall be one of the Vice-Presidents of the Commission and preside over the Foreign Affairs Council, a duty which was till then taken up by the Minister of Foreign Affairs of the rotating Presidency. Lady Catherine Ashton thus became the first High Representative in the Council of Commissioners which President Barroso presided from the first of January 2010 onwards. The High

Representative had to start her difficult task with the set-up of a European External Action Service, in brief EEAS. Bringing together the Commission's public servants, the member states' diplomats and task forces of the Council Secretariat was certainly not an easy challenge. Moreover not only in Brussels but also in the EU Embassies, positions that were declared open had to be filled in through a contest. Lady Ashton made the final selection of the Heads of Mission herself by interrogating the candidates in the final round, investing thus personally quite some time in the set-up of the EEAS. Because of this difficult and cumbersome exercise, the service was only ready by the beginning of 2011. Since Belgium held the presidency in the second half of 2010, we experienced the stop-and-go of that transition period. The Belgian Ministry of Foreign Affairs ordered its diplomats beginning of February 2010 not to take any action in preparing the Presidency in order not to give a wrong signal. End of April the instructions changed. Belgian diplomats were requested to prepare for the first three months of the Presidency in view of supporting the High Representative who was believed to have the EEAS in place by October 2010. In the end the Belgian Presidency managed the whole transition period "on behalf of the High Representative", till the end of December 2010. As Director Asia I had in this way a unique experience being the virtual EEAS Director Asia, leading the debates on Asia, heading an EU delegation to Washington and even to Pyong Yang where we were pleased to work together with the Romanian Embassy as relay for the EU in North Korea. I presided over the EU coordination meetings with the virtual EEAS hat and acted in a bilateral context as coordinator for political meeting, but also coordinating the ASEM preparations, the ASEM Business Summit, the EU-China Business Summit and the EU-India Business Summit. With my EEAS hat I did however not participate in the preparations of the bilateral EU Free Trade Agreements. These negotiations were the responsibility of DG Trade of which Belgian Karel De Gucht was and still is Commissioner. In this environment, member states are also engaged, shaping and commenting the EU positions in Committee 207, referring to article 207 of the Treaty which replaced the former article 133, which was the basis of Committee 133. As it started under GATT and continued under WTO, the face of the negotiations from the EU side is the Commissioner and his team, since the Commission has in these matters an exclusive competence. I

nevertheless would like to stress that the Commission acts under the authority of a Council decision and that member states exercise a control on the state of play in the negotiations. In this sense from a point of view of economic diplomacy, the bilateral component is present next to the multilateral component.

Economic diplomacy in the EU institutional context is more related to DG Trade than to EEAS. DG Trade is in the missions abroad however supported by EEAS diplomats who are involved in the negotiations and its monitoring. EEAS diplomats not only have contact with the local trade authorities but also with the trade officers in the Embassies as well as with European companies and local European and member state chambers of commerce. In WTO matters, like intellectual property or dumping practices, the EEAS intervenes in the country in terms of general policy. Individual companies will call for individualized support on their Embassies or on the bilateral or European Chambers of Commerce. Their reports will fuel the positions of the Commission, eventually additionally complemented in Committee 207, by the representatives of the member states. Although negotiations on commercial and economic topics in international fora are largely out of the scope of the EEAS, we observe however a particular *de facto* situation for EEAS in relation to bilateral policies. There is a tendency that member countries are passing on the hot potato in difficult issues like human rights or social clauses, which are included standard in association agreements and FTA's, to the EEAS, leaving them an alley of less confrontational issues for the bilateral talks. We also observe that in sanction policies, the EEAS is playing a key role. The decision of certain UN sanctions having effect on European commercial operators or the implementation of these sanctions at EU level and the monitoring are matters in which EEAS has a significant word and should have eventually a stronger role.

The Lisbon Treaty has enlarged the platform of the common commercial policy, including since 2010 all service economy issues, like audio-visual or cultural services, and commercial aspects of intellectual property and foreign direct investment, but also as states art 207.4.b "in the field of trade in social, education and health services". When a bilateral investment treaty expires, it automatically will be covered by the EU investment treaty with third parties. The Commission has the right to take

the initiative and to negotiate on behalf of the EU. The European Parliament is since the Lisbon Treaty obligatory informed on the state of play of the negotiations and gives the final green light, once the negotiations are finalized. Another important aspect is the fact that decisions are taken not on the basis of unanimity but on the basis of qualified majority voting. In general however the Commission always tries to find a consensus thanks to which only in very seldom cases a vote qualified majority is imposed. For the "outside world", the new legislative framework provides the lobby offices in Brussels more opportunities to intervene, but also enhances transparency, limiting the risk for hidden deals to close to zero, also for the third negotiating party.

Globalization accelerates interdependence and increases both the heterogeneity and the stakes of bilateral economic relationships. Economic diplomacy is in the existing literature described as the expression of governance, eyeing vision and efficiency, both in a multilateral as in a bilateral environment. Most of the authors refer to the WTO when taking up multilateral matters. Some authors like Peter A.G. van Bergeijk in his book "Economic Diplomacy and the Geography of International Trade", published in 2009, enlarge the scope. He sees economic diplomacy as a central element in the analysis covering general aspects of trade uncertainty. In a free trade environment, trade uncertainty should be acknowledged and managed by establishing rules or create regulatory mechanisms, preferable in a multilateral framework. Trade promotion and company support on the other hand emerge in the bilateral field. Rana Kishan, Indian Professor Emeritus of the Delhi University spells out four pillars in bilateral economic diplomacy as co-author in "Economic Diplomacy", published in 2009:

- Trade promotion, with prime but not exclusive focus on exports and tenders.
- Investment promotion, mainly focused on inward investments, but not excluding the home country's outbound investments
- Attracting suitable technologies, plus technology "harvesting" and technology cooperation.
- Management of economic aid, which is important for most developing countries as a "recipient", and for as a "donor"

developed nations. At the EU level, the economic partnership agreements with the ACP countries are a reference.

In order to further specify the scope of economic diplomacy, I believe it is necessary to underline that in particular in those countries which have an important governmental weight in the economy, economic diplomacy has a more forefront position than in full fledged liberal markets operating in full respect of the rule of law. Complementary, I believe it is important not to neglect to follow-up on and give influence to world economic governance, based on G20 and OECD guidelines. Different scoreboards of international organizations, like UNDP with its Human Development Index, or international ngo's, like the Davos World Economic Forum with its outspoken competitiveness screening and the World Social Form for the civil society formats, add specific parameters, like does also Transparency International with its transparency index.

In terms of knowledge management it is essential that economic diplomats in our era of internet over-information, can consolidate key information as well on the state household, as on public and private investment, on consumer tendencies and on changes in mentality and find the appropriate ways to diffuse the information. Tool management has in internet times become a new challenge with social media developing fast, but also with heavier tools, such as CRM or BI fitting into a business intelligence format that serves the efficiency of the economic diplomacy.

Considering the different components of economic diplomacy, a comprehensive approach needs to be embedded in three levels: bilateral, regional and multilateral.

Economic diplomacy is a major theme of the external relations of virtually all countries. The bilateral level is obviously referring to national interests and covers aspects already mentioned above, but also matters related to information on economic issues and mentality, on visibility through commercial action like participating in fairs, organizing trade missions or seminars and on building strong networking of professional organizations for companies. Analytical publications and informative flashes add value for the decision makers to decide what to do on which market. Problem solving is an important aspect which is a much appreciated service of the public sector by companies. If the problem is a horizontal problem, the EU should be involved. For specific problems, the

bilateral support is still the most appropriated for defending companies' interests. And finally it is related to image building or country brand in which marketing is playing an important role. "Belgium is quality" as a label is a simple and very comprehensive slogan which is not related to one company. Also historical references in bilateral relations may be useful as a support for the economic image.

The regional level is becoming more important in this globalised world. In the spirit of subsidiarity, for the EU it is obvious that inside the organization, the internal market exercises a level playing field where common rules are to be applied. National courts and eventually the Luxemburg court have to be the guarantor that these rules are respected, emphasizing thus the importance of the rule of law. NAFTA in North America also has common rules agreed and more and more, without claiming to be extensive, others like ASEAN and MERCOSUR are entering the phase of internal market agreements which inevitably means that national states give up a part of their sovereignty in order to organize on an agreed basis common rules between the participating states.

The multilateral level is largely covered by the WTO, but also other UN Organizations like UNDP and ILO next the World Bank and its regional development banks, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank and the European Bank of Reconstruction and Development, are relevant in developing the world's economy in real terms and in terms of ethical entrepreneurship. World Bank's "Doing Business" ranking is a useful scoreboard in this respect. In addition, the OECD investment codes and codes for ethical entrepreneurship are part of the multilateral environment. IMF has an important role to play in good governance and has to therefore also be taken into consideration at multilateral level.

Economic diplomacy connects closely with political, public and other segments of diplomatic work. Therefore splitting of commercial and financial matters from economic diplomacy into commercial diplomacy or financial diplomacy, like proposed by some authors, does not seem to me providing an added value. Generally speaking, it should be understood that public diplomacy, which is indeed a different discipline, can give good support to economic diplomacy in topics which are economically related. In addition, interaction with sovereign

wealth funds provides the bilateral economic diplomacy an important interface for strengthening economic performances.

In conclusion, I would like to refer to economic diplomacy as a discipline with an engagement of states and legal entities towards mainstream practices in trade relations, in which trade promotion, investment promotion, technology cooperation, economic aid and world economic governance are of relevance from a globalised or a local perspective, engaging subsequently on company level with a focus on information, problem solving and visibility. Taking into consideration further evolutions in globalised markets, where hopefully the WTO Doha round can take a fresh start in reaping the harvest from the set of new FTA's, also acknowledging that worldwide technological innovation will bring and develop new trade formats, economic diplomacy will gain importance in its different dimensions. It is up to the bilateral, regional and multilateral actors to come up with the right answer to face the globalised challenges, seeking at the same time competitiveness and quality of life for operators and citizens.

Complementary, as seen before, the EEAS provides an important platform for economic diplomacy but has a rather limited scope of action in this field. Since the Lisbon Treaty enlarged the competences of DG Trade, member states will refer in the first place to the Commissioner of Trade for defending their economic interests in a multilateral field. It is however in the interest of all that EEAS must further strive to be efficient in its action. In order to sustain fair global competition, the EU should uphold its values and pursue its interests.

EU ENLARGEMENT POLICIES – RESULTS AND CHALLENGES

Günter Verheugen*

I am very grateful for the invitation to come back to Cluj – because it is not my first visit – and to receive the title of a doctor honoris causa of your noble university. It is a great honour and a privilege to become a member of your academic community. Since my retirement three years ago I am more involved in the world of science than in policy making. But today I would like to share with you some thoughts about the contribution of enlargement policy for peace and stability and prosperity in Europe, based on my experience as the first EU-enlargement commissioner from 1999 to 2004.

Let me start with two introductory remarks. My first remark refers to your country, Romania, a country that is still struggling with the past and the painful process of transformation.

I still remember very well my first visit to your country. It was in 1979, and even if the State protocol (and security) did everything to prevent me from recognising the sad realities, I was shocked to see a European nation that was actually struggling for survival in the true sense of the word. I came back to Romania only after the end of the dictatorship and since 1999 very frequently. Today, if I compare the country that I have seen more than 30 years ago, or the country I have visited in the early 90ies, I cannot but only admire the tremendous changes you have achieved. Romania today is not the odd man out in the European Union but a country that is steadily, though sometimes a little bit slowly developing into a modern European country. Romania went through a political crisis

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last year, and I can tell you, that I understood the concerns in Brussels and in some EU-capitals. But I am afraid, that we have in the EU a serious problem in our dealings with Romania: double standard and moving targets. I could easily name a number of member states, old and new, which experience from time to time a political turmoil. My impression today, after the elections in Romania, is, that finally this crisis paved the way towards more political maturity and democratic style. And as far as corruption is concerned - yes, a lot has still to be done, but there was progress –acknowledged by the ranking of Transparency Watch. The right answer here is not condemnation, but practical support.

The problem of moving targets can be demonstrated in the context of the Schengen accession. It is obvious that Romania meets the standards and should be in the Schengen-System already now. New demands from certain member states do not reflect shortcomings in Romania but domestic political considerations. To say it bluntly: The German resistance in this case is a phenomenon of an election year and less a serious security concern.

In today's Romania, there is a new generation, grown up in freedom and enjoying opportunities, which had been simply unimaginable a number of years ago. The Romanian people have a lot of reasons to be proud since this did not happen as a miracle but as a result of hard work, social stress and hardships. In turn, the other European nations, your friends and neighbours have a lot of reasons to fully appreciate your achievements. I am well aware that the Romanian people had to do much more than to align legislation and structures to EU standards and norms. What happened here in Romania is something that is unprecedented in the rest of Europe: the revival and the blossom of a European nation that was nearly destroyed by the worst dictatorship in the so-called communist bloc.

My second introductory remark refers to the present state of affairs in the EU. The situation is far from being satisfactory and certainly we are still in a serious crisis. It started with the failure of the Constitutional Treaty. Then we were hit by the global financial and economic crisis, triggered by a couple of irresponsible banks, taking too many risks. If you take a closer look, you will find that the origin of the institutional crisis of the EU and of the current financial and economic crisis was not in the new EU member States. You all however became victims of it. Although Romania

is not responsible for the malfunctioning of the global financial markets, you had and you still have to struggle with its consequences and impacts.

The global financial and economic crisis triggered a huge coordinated recovery programme to avoid a long recession in the short time. And it was achieved, however only for a short period of time and at huge costs. Now we pay a high price for it. The sovereign debt crisis, which is now on top of the political agenda not only in the EU but worldwide is partially a result of excessive deficit spending since 2008 in order to prevent a decline of the economy. Of course the background lies in the unsustainable public finances of most Member States in the past. So far, the inefficient crisis management did not find the right policy mix and the balance between consolidation and sustainable growth. As a result, we have a slow-down of the economy and a deep recession in the most affected member states in the South.

Moreover, when fighting the current crisis, we should not forget that one of the most important principles of European integration is the principle of solidarity, which does not contradict the national responsibility of each and every country but adds to it. You cannot have a single market and a single currency without solidarity among the participants. Therefore it is not sufficient to tell Greece and other nations what they have to do and to request structural adjustments which will unavoidably create further social imbalances and put the political and economic stability at risk. What is needed is a coherent strategy that does not only focus on budgetary consolidation but also restores growth and addresses the underlying structural problems of competitiveness, a problem that in the case of Greece already exists since decades.

My impression is that the people in our new EU Member States have a better approach to deal with the present crisis than others. It seems to me that the people who went through this great transformation are less afraid of changes and in principle much more optimistic about their future. They have overcome a crisis of a quite different but certainly more challenging nature. I am not saying that the people here are used to it, but people from Central and Eastern Europe have a unique reform experience: You know that you can master a crisis; you know that you can live up to the challenge, if the commitment of everybody is strong enough. So, you

may serve now other European nations as an encouragement and symbol of hope.

The present leaders in the EU are clearly and understandably preoccupied with crisis management. So far, this crisis management was not efficient enough and there are many reasons for that. One is the leadership problem. We are lacking strong leadership. Another one is the mismatch between the short-term national political cycles and long-term objectives. In simpler words: there is a lack of willingness and courage to put the common European interest first. Instead we see a re-emergence of national interests at the first place. This is disappointing and counterproductive because we should have learned that our national interests are best served if we care for the common European interest, which is a strong and functioning European integration.

I do not want to go deeper because the topic of our meeting today is not the crisis but the enlargement policy. But there is a clear link – we should not allow the present crisis mood to overshadow everything that we have achieved since the foundation of the European integration policy. We should not allow the crisis to jeopardize the European project, which is not yet completed. I can and will never believe that we Europeans would be so stupid to forget the lessons learnt from our history. I can and will never believe that we would be so short sighted to weaken a system, which allows us to enjoy the benefits of peace, democracy and freedom on a continent that was for centuries ridden, by war, violence, nationalism and suppression. Therefore we should vehemently reject the idea that in the present situation enlargement would be a non-issue and simply not on the European agenda any longer. In the contrary, I believe that if we had enlargement very prominently on our agenda, we would easier find common solutions to emerge stronger out of the crisis than we actually do. Instead we currently lack a clear sense of our mission within Europe, which could guide us towards the future.

If you look at the evolution of the European integration from a distance the two main elements of the European success story are clearly visible: There is a mechanism in place that influenced the evolution from the very beginning and it went always in two directions: deepening in the sense of ever more shared competences and powers at European level and

widening in the sense that the integrated Europe attracted those parts of Europe which were not yet part of the process. Countries like Ukraine, Moldova, Georgia and Armenia – the countries of our Eastern neighbourhood and also countries like Croatia, Serbia, Albania and others, the countries of the Western Balkans, which have a Membership perspective since 1999, even now, under the impression of the crisis, they show absolutely no intention to reconsider their European strategies, which finally aim at full EU membership. Those countries still believe that the EU is the best place for them. Sometimes I have the feeling that it might be easier to understand and fully appreciate the benefits of European integration from outside rather than from inside.

The two elements – deepening and widening- contribute in the same way to the development of the European integration. There is no hierarchy here, in the sense of deepening first, widening later or the other way round. The two processes went always in parallel, sometimes the enlargement process triggered reforms, and sometimes reforms were needed to open a window of opportunity for enlargement. If we look at our future, it is obvious, that we must do everything to keep the two processes alive. We cannot say, enough integrated policies, enough community, because the depth of our integration depends on the challenges we are facing and the tasks we have to fulfil. I am not a clairvoyant but I can see that the world of tomorrow will make it even more difficult if not impossible for the traditional European nation State to deliver to the citizens what they want and deserve: peace, freedom, security, prosperity and of course our contribution to fight global challenges that threaten mankind. Any nation State in Europe cannot deliver if it stands alone. No European nation State is powerful and big enough to be a global player in a world that will be more and more determined by global challenges and hence global cooperation. A nation in Europe that would be alone will be marginalised and condemned to become a satellite in one way or another. Even the EU of today will not be strong enough to deal on equal footing with the global powers of today and tomorrow.

If we are to maintain our European way of life and to make an independent contribution to solve the problems of our planet, we need to be politically united and economically strong. It is as simple as that. We can determine our future by ourselves only if we stand together.

If you look at the different processes of enlargement, which we have completed in the past, we find a fascinating mixture of enlargement processes, but all driven by strategic political interests.

The first enlargement round with the UK, Ireland and Denmark was up to a point a latecomer. The UK should have been a founding member of the European Economic Community and some of the British leaders of that days were aware that the Western European integration without the UK was weakened from the very beginning and they understood as well, that the UK after the loss of its Empire needed a European orientation, mainly but not only for economic reasons. The industries of the UK suffered from a strong disadvantage if not having access to the single market and politically it was even more important for the UK to be part of the decision making on the continent.

The UK and the EU – this is a story with a lot of psychological aspects and until now some of the more instinctive British reservations have a strong impact on the integration. I do believe that after the accession of the UK, the romantic vision of a united Europe in the sense of a European super State became more or less obsolete. Since then the question of the finality of European integration is at least an open question. You may have your preferences, your wishes, and your dreams. But the reality is, that for the time being a European central State is simply a nonstarter. That may not last forever and as a result of sheer necessity things may change but for today and tomorrow it is, what it is. I personally do not complain about this fact, since I was never convinced that a European super State would be compatible with our very particular cultural and national heritage and conditions in Europe. We do not have a simple and single European identity. If asked, you would probably not say, “I am a European”. Period. You would say, “I am Romanian, I am European” and there would be no contradiction. All European nations have a long history. In some cases they have their own state hood since more than 1000 years. We cannot compare our continent with the U.S.A. We are not a melting pot; our nations are not based on immigration from the outside world. Our identity comes from the different national and cultural heritage that we have. Look only at the variety of languages in Europe. Some see that variety as an obstacle to unity. I see it as something that makes us rich and beautiful. It is not our European task to get rid of our heritage and to

harmonise and equalise everything. Our responsibility is to protect and to preserve what makes us so special and perhaps unique in the world – the diversity of our cultures, a real treasure that we have developed over many centuries. I am saying this fully aware of the simple fact that we always need to find ways and means how to act together where we have to do so. But it is not necessary to deprive people in Europe from their national identities in order to achieve a European purpose. Up to now however the call for more European integration is very often nothing less than a natural reflex to our problems, instead of calling for a better integration, which would imply that we would have always to verify whether we are integrated in the right areas and whether we can also reconsider areas of integration since they do not make sense any longer. That is the reason why I believe that the first enlargement, the accession of the United Kingdom, with its strong links to the United States had repercussions well beyond the business of the day.

Let me use the opportunity to make a short remark about the Europe speech of the British Prime Minister Cameron. Yes, Mr. Cameron is under strong internal political pressure. And today a majority of the U.K. citizens does not see the advantages of EU membership at all. But we should not judge Mr. Cameron's speech as a fare-well speech, we should see it as an opportunity to review not the idea of European unity as such – but some of the results of the our policies during the last two decades. Mr. Cameron clearly identified some weak points. I understand his speech as a strong call for political reforms within the EU and this call is well founded. A European Union without the U.K. is not in our interest and clearly not in the best interest of the U.K. itself. Let us therefore use the momentum of the U.K. initiative; let us discuss the proposals of the U.K in an open and serious way. In doing so will strengthen the public support for the EU, in the U.K. and everywhere.

The background of the next enlargement was different. The next country in the row was already Greece. There was no economic interest to do so, at least not on the side of the EC. The idea was to anchor Greece firmly in the structures of European integration and thus to avoid the risk of another military coup and a new dictatorship. The issue was the irreversibility of a democratic restitution in Greece and if that sounds familiar to you it is exactly what I want to provoke. It is interesting to

know, against the background of recent developments in Greece that there was a strong disagreement before the accession of Greece. The European Commission was of the opinion that Greece was economically too weak to immediately become a new EC member State and therefore recommended a pre accession strategy before opening the accession negotiations. The heads of States and governments however rejected this idea and overruled the Commission, since they are in the driving seat for enlargement. I am mentioning this because here it is where the Greek problems started. I would always argue that the political arguments for the membership of Greece were much stronger than the economic arguments against it. But it was a serious mistake to give Greece a standard accession Treaty without taking into account the peculiar economic and administrative situation of the country and to simply believe that money will do the trick. The Greek economy was not competitive, however the particular problems of Greece have been ignored at European level for much too long.

The next enlargement followed a similar pattern – Spain and Portugal. Again the strongest motivation was to offer to these two countries, which had abandoned decades old dictatorships a safe haven to stabilise their young democracies and to help them to heal the wounds of the past. It worked perfectly well, however, like in the case of Greece, this enlargement demonstrated that the EC was much more than just an economic community. It was already recognised and appreciated as a community of democratic nations based on strong common values. And we learned that we could transfer our system and that we were able to absorb new countries like Spain and Portugal as well.

The fourth enlargement has integrated Finland, Sweden and Austria. The original design was even more ambitious and included Norway and Switzerland as well. But for very similar reasons the latter stayed outside and still are, despite the fact that both are a full part of the European economic integration. The fourth enlargement was in a certain way a natural result of the political changes in Europe, and again, it was not only driven by economic interests. The economic interests existed since a long time, but politically it was difficult for these countries to organise a closer relationship with the EU because each of them was a so-called neutral country during the Cold War. The window of opportunity for the neutral countries began to open already before the end of the Cold War. This was

probably the least complicated enlargement, however perhaps also the most unsuccessful one since we have lost two countries in the process, a lesson which is not yet fully appreciated within the EU.

We knew already in 1989 that we were witnessing the beginning of a new era for Europe. However we, in Western Europe, we did not know how to deal with the totally different geopolitical landscape after the revolutionary changes in that year. There was a great deal of uncertainty. I remember that the US embassy in Bonn organised a meeting between the foreign policy experts of the German Parliament and the former U.S. Secretary of State, Henry Kissinger. The Soviet Union still existed, and Henry Kissinger presented a strategic concept that was based on the idea of creating a buffer zone between Western Europe, meaning the EEC and NATO countries, and the Soviet Union. That was very close to the idea of the “cordon sanitaire” after the First World War. The new democracies in Central and Eastern Europe were in this concept bound to be somewhere in-between – in a kind of a strategic no man’s land. I remember that I sharply reacted and said: this is exactly what these nations do not want and do not deserve. It was already clear that the new emerging democracies that had liberated themselves from the communist dictatorship, which they hadn’t chosen, did not want to belong to a grey area between the old West and the East, living with uncertainties from both sides, basically left alone out in the cold. All these nations wanted to become members of the family of democratic nations in Europe. What guided me 10 years later, when I became the first European Commissioner for enlargement was not a narrow Western economic or strategic interest. For me it was not a question of a political opportunity that should be exploited. What inspired me until today was the dimension of history and political moral in it. I believed that there was a clear obligation on the Western side, based on the true understanding of our history and on the conviction that politics is about values and ethics. Indeed, it was a question of historical justice, of fairness and of respect.

Over the decades, the Western part of Europe had obviously forgotten that the centre of Europe was behind the Iron Curtain. We totally ignored the fact that we have common roots and a common history. To say it very bluntly: The conventional view was, that Europe ended where the Iron Curtain divided it, and until today not everybody in the old EU

member States fully accepts the fact that giving countries like Romania an EU membership perspective was never an act of charity but a necessary matter of respect and justice. It is unfortunately true, that the European integration as we know it until today, was at the very beginning a purely Western European project and eventually people began to believe that Western Europe and Europe was one and the same. When we celebrate our anniversaries we present a story, which is not untrue, but incomplete. We claim that European integration was about the lessons learnt from the two World Wars. After the cruellest of all wars, after the most terrible crimes against mankind and after seeing large parts of Europe almost destroyed and in ruins we decided to find a better way- we said never again and we will leave behind us the Europe of grave yards and together we will build a better future. That is the way how we tell the story, and as I have said, it is not untrue – since there was this strong popular feeling that business as usual was no longer an option. There was this strong desire for reconciliation and friendship and it is true that European unification was seen as the key to achieve it. But there was also a very strong geopolitical interest.

The Americans wanted a strong bulwark against the anticipated expansionist policy of the Soviet Union. The U.S. understood that Western Europe as a fortress against communism would not function if it was not democratic and not prospering. So the U.S. pressed very hard for economic and political cooperation in Western Europe and there is no reason to blame them for that – in the contrary. I am not sure, whether without this American pressure the history of European integration would have been the same or whether it would exist at all.

There was not only the desire for unity in the foundation of this system, there was also an element of separation. There was a division, not only one of territories but also a division that totally occupied the mindset of people in the West: A division between “them and us”. I mention this because we know that old habits die very slowly. After separation came alienation – there was a visible border, the Iron Curtain, but there was also an invisible border in Western European minds. This has effects until today. The mental division is not yet completely overcome and some people still believe that European integration is exclusively a Western European business and that the nations in Central and Eastern Europe are

perhaps to be tolerated but not really part of it – or at least not on an equal footing. Sometimes I have the impression that there is still a temptation to look at our new EU member States like poor relatives, which are actually more a problem than welcome.

I found it therefore extremely important to underline that the nations in Central and Eastern Europe are the victims of historical injustice – first they were victims of fascism and then the victims of Stalinism. After the Second World War they have not been asked whether it was their desire to live in a communist system, nobody asked whether they wanted to be part of the European integration process from the very beginning. I have to admit, that it would have been difficult to ask the latter question but that does not justify that the West did not really care about the fate of the Europeans behind the Iron Curtain.

I would like to tell you something, which is more than an interesting anecdote. The first comprehensive plan for a European integration of the kind that we have today was already presented during the Second World War. There was even a draft Constitution, which has some striking similarities with the system we have today. Two Presidents, being in exile in London – the President of Poland and the President of Czechoslovakia and supported by all exile governments, presented the plan. All of the countries, which they represented, are today members of the EU, with the exception of Norway. What does it mean? It means that the idea of European integration is clearly not an exclusive Western European concept. It was also born in that part of Europe that was denied to be part of the integration as a result of the Cold War.

My feeling in the 90ies of the last century was, that this has to be the starting point for any enlargement strategy and not the fact that there was no economic convergence. It would have been profoundly unfair to use the idea – that these countries belonged to the wrong system as an argument to now exclude the new democracies from Central and Eastern Europe again from the European integration. I am not over emphasising this argument – since there is unfortunately sufficient proof that in the early nineties most in Western Europe were of the opinion that the transformation countries should first of all catch up before discussing any EU membership option, which may occur after 25 years perhaps.

Of course this turned out to be a Western European illusion. The mood within the old EU changed and the people in Central and Eastern Europe made this change happen. They demanded the integration and they organised their transformation with an unbelievable speed and commitment. I am proud to say, that Germany was the first EU country that supported this demand, not least due to German unification, which was the first Eastern enlargement of the EU.

I do not know whether the strong German commitment to enlargement was the reason why Romano Prodi, President of the European Commission between 1999 and 2004 decided to put me in charge of the accession negotiations – a German. There was a risk, that the candidate countries would not trust a German, but for the record, this fear turned out to be unfounded. To conclude this part of my review – what was at stake was not more and not less than a revision of the European history. It was a very rare exceptional opportunity. You cannot undo what was done in the past. You cannot heal all the wounds, can not save the victims. What you however can do is to make a decision to change the conditions and to learn the lessons, which history presented. That was the challenge we were facing in Europe after 1989.

I also do not believe that we had many real choices. There was no real choice, whether we would begin the project of Eastern enlargement or not – it was a historical necessity. The people in Central and Eastern Europe were entitled to be part of the European integration and to use the benefits of it.

This was the spirit of the Prodi-Commission, when the Commission reorganised the process, which had already started 1997, but in the usual, very technical and bureaucratic way. We went to the Helsinki Summit in December 1999 with a new and more ambitious strategy. Part of it was to open negotiations with the countries, which were left out in 1997 – including Bulgaria and Romania. At this time the so-called big bang scenario did not exist. It was possible to achieve the Helsinki Conclusions because at the end of 1999 there was suddenly a sense of urgency within the EU. It was the year of the Kosovo war, and there was a much better understanding of the political nature of enlargement compared to today.

The case of Romania and Bulgaria is very enlightening. Both countries had already the so-called Europe Agreement – the first

contractual step towards EU membership. But generally the mood was not very positive. There was a feeling that both countries were “too far away”, “too difficult”, “too strange”. But in 1999 the Leaders realised that without stable democracies and functioning market economies in Bulgaria and Romania the South Eastern flank of the EU would be an unstable, dangerous place for a long time. Hence, Romania and Bulgaria were invited for strategic reasons and in this respect; both countries have fully delivered on the EU expectations. It is an interesting foot note that in particular France was pressing very hard for the inclusion of both countries not only for the mentioned strategic reasons. France equally believed that the French influence in Romania and Bulgaria would balance the German influence in other countries in the region.

This is not the time and the place to tell the enlargement story in detail: how it was organised, how the strategy was developed and which obstacles occurred – there are a number of books describing it and for many years scholars everywhere will continue to study it. Therefore I wish only to summarize what I see as the quintessential elements of the process.

1. The political leaders and the people of the Countries of Central and Eastern Europe did the most important part of the work. They worked extremely hard and the average citizen and even the average politician in Western Europe has until today no clue how challenging it is to transform a society and to meet the criteria for EU membership. Of course, the EU membership perspective facilitated the transformation process and gave it steering and guidance. But it was not possible without real commitment on the ground
2. There was a window of opportunity due to the political conditions and due to the fact that the most important European Leaders gave their full support to the enlargement policy. I certainly do not underestimate the role of the other European institutions but without the strong support of Tony Blair, Gerhard Schröder and Jacques Chirac - to name only three of them - we would not have succeeded. It is true that the Commission can create a momentum and I did my best to convince everybody that conditions could easily worsen and that we should not take any chances. The lesson for today is that without strong leadership and full support by the

Member States (and of the European Parliament as well) the enlargement job could not be done.

3. There was an element in the process that I would describe as a system of communicating pipes. The efforts of candidate countries were facilitated and strengthened by a clear and trustworthy commitment of the EU side. These two factors – efforts on the sides of the candidates and credibility on the EU side reinforced each other. Or to turn it around: mixed signals from the EU are to the detriment of any reform effort in any candidate country.

Yes, the EU was and is very demanding. However, at the end, the Eastern enlargement of 2004/2007 was the best prepared ever. The final decision, which led to the accession of 2004 and 2007, was not a matter of political opportunism but based on the merits of the candidate countries themselves.

4. And finally: Public opinion matters. You cannot organise such a project as enlargement if the citizens are against. It is no secret, that there were many doubts and real fears on both sides. For a very long time opinion polls showed strong reservations in a number of countries, again on both sides. In such situations, policy makers have a choice: they can listen to the story which opinion polls tell them and adjust their policies according to it, telling people what they want to hear and to believe. This is the populist way. The other option is to listen to the people, find solutions to concerns and then to fight for your case, to convince people and find their support. Again, I think, there is a lesson to be learned. If policy makers do not really stand firm for their objectives, if they don't fight for them, if they don't want to find solutions to problems that always occur, they have already lost.

As it finally turned out, the fears were not justified on both sides but the hopes and expectations linked to enlargement came true. We have not experienced a disturbance of the internal market, but in the contrary a *win-win* situation was created. The accession of the 10 did not make decision making at European level impossible, in the contrary, the new Member States normally support pro-European initiatives and have an interest in strong community policies and functioning community institutions. Certainly there are also shortcomings and in some cases regrettable deficits.

This however is sometimes used as an argument against enlargement, when it is said that enlargement happened too fast or too generous. Considering this we have to ask the question, what would have been the price for non-enlargement – would we have more stability and better opportunities – would we be better equipped to deal with the present crisis or the challenges ahead of us? My answer is straightforward – surely not.

I am well aware that there is some impatience in certain European circles, notably when it comes to the situation in Romania and Bulgaria. Everybody will agree that a lot remains to be done and that there are still problems with political culture, with corruption and crime. But let me remind you that only Romania and Bulgaria were monitored after the accession and that this creates the wrong impression that the EU would have problems only in these two countries. If we would monitor all our member States, using the same criteria and benchmarks, we would most probably be surprised about the results. Instead of pointing to two countries we should be honest within the EU – every country has its deficiencies, where it should work on, but every country has also its strong points, which should be part of our common pride.

Identifying deficits, being honest about the achievements remains important but not sufficient. It is much more important not to lecture but to support, if there are visible deficits, notably in new Member States, since the task of transformation is not a short-term project and unique in itself. We all know - You can have everything what is required already in the statute book, you can have all the institutions and rules and procedures in place, it does not help, if there are not sufficient people capable to implement everything. Mindsets of people are not changeable by decree. It takes time. And here again, I would like to mention that the role of the leading elites of a country is crucial. In particular political leaders in transformation countries should understand that a modern democracy is build on consensus about fundamental values and common objectives. They should learn that winning an election does not mean that the State becomes the prey of the winning party. Leadership by personal example is the essence here.

I have already mentioned that in the present crisis the EU governments and institutions are totally preoccupied with crisis management. But this is not the only explanation for the fact that

enlargement policy has lost its momentum. To be precise: the moment when it lost momentum came after the failed referenda on the Constitution in France and the Netherlands. The accession of the 10 was not responsible for that but it was used as a very handsome scapegoat. Since then we have the so-called "enlargement fatigue" and of course it is very convenient to tell people that their difficulties are not their fault but the fault of some others. But it is not true and we have an unfinished business here. I am saying this against the so-called renewed enlargement consensus of 2006, which has effectively weakened the EU's commitment for enlargement. There is still a lot of countries in the EU's waiting room and they ask for a much clearer perspective than they do have today.

However, it has to be acknowledged that since 2010 the European Commission tries very hard to regain the momentum. Croatia will join in a couple of months. Serbia, Montenegro and Macedonia are candidate countries. But there are many open questions.

What are we going to do with Ukraine, our neighbour? The present situation is absolutely deplorable and I certainly join those who believe that the trial against J. Timoschenko was politically motivated. So we are right to tell Ukraine that we freeze our relations if the country does not meet our criteria for the rule of law? I would feel more comfortable if nobody could blame us for using double standards. What about the rule of law in Russia? What about the judicial system in China? Yes, you may argue that China and Russia do not want to be associated to the EU but we call them strategic partners and I don't think that this is a meaningless term. Our position would be much more credible, if we would stand firm for human rights and democratic values everywhere and in face of everybody. Ukraine is a difficult country, but it has a strong potential. An Association Agreement and a deep and comprehensive Free Trade Agreement are negotiated and initialled. It means that Ukraine has made a decision. The country wants to belong the system of EU-integration and not to the Russian Eurasian project. Despite all problems we should give Ukraine a clear and credible membership perspective. Thus we would get the leverage we need to support Ukraine in a better organized and trust worthier transformation process.

Another big question mark is Turkey. The discussion has already started whether we are going to lose Turkey and who would be responsible

for that. Obviously Turkey is exploring other options than EU membership, but still the majority of the Turkish elites stick to the point that EU membership is the best option for this big and rapidly progressing country. The question we have to ask is whether our signals are clear and cannot be misunderstood. I am afraid, our signals that we send to Turkey are only clear in the sense – we don't know what to do with you. And the second message that we are sending is: you may meet our criteria or not, at the end of the day, we will not accept you anyway, since you have a population with a Muslim background and therefore you do not belong to us. This is today the strongest incarnation of the old "them and us" problem. On the one side the EU as a Christian club, which the EU has never been and on the other side the perceived strange world of the Orient, that belongs effectively to Europe, which we tend to ignore. The accession negotiations with Turkey are very sluggish. We have to create a new momentum here and this requires a new thinking on our side, the EU-side. Recent developments in North Africa and the Arab world put Turkey in a new and exciting position. Turkey, being the most important secular state with a Muslim population, in a convincing role model for the countries of the wider region, which are still struggling for their future. Turkey is much more than a bridge between Europe and Asia. Turkey is the country that is indispensable if we want to have peace and stability in our neighbourhood.

Ukraine and Turkey pose - in terms of size and strategic importance - the biggest problems of the present enlargement policy, but there are more: the countries of the Western Balkans, your close neighbour Moldova and the Caucasus countries. Generally the problem is that these countries are expecting a clear credible perspective, if possible a kind of road map towards EU membership. But the EU of today is not willing to make such commitments. The best answer, which a country as Ukraine can achieve in relations with the EU, is the vague formula "that promises shall be kept and new promises cannot be made". This current EU thinking has a very dangerous effect. There is a wide discussion about the so-called boundaries of Europe, meaning the borders of the EU. And today this border happens to be the Western border of the former Soviet Union, except the Baltic States. We should not allow such a pattern to persist. It is against the spirit of the European idea and even against the task of European integration. The EU must therefore remain open for European nations, who want to join

and are able and willing to fulfil the needed conditions. In response to the debt crisis European leaders such as the German Chancellor rightly point to the fact that even Germany needs the integration to protect its interests in the 21-century. If that was true and I agree it is – what shall Ukraine or Turkey tell its population? Where will be their anchor places if we deny the European harbour? However the EU seems selfishly occupied with itself. Therefore I strongly plead to change the perspective, not to be afraid of enlargements but in a courageous mood – since it is and remains the most powerful tool we have ever developed to achieve our long-term objective – the unification of a continent.

A couple of weeks ago the leaders of the EU-institutions received in Oslo the Peace Nobel price. The decision to award the EU with this most prestigious price was not only an acknowledgement of achievements in the past. In my view it was an encouragement, even a strong call to go further. Yes, we have overcome the European madness, which over centuries led to war and violence. But there is no reason to believe that we now may rest on our laurels. Peace is not a concept for one single continent - peace has to be a global project. We need peace in order to meet the challenges, which are ahead of us. What we need is a strong cooperation at global level, but it would be naïve to believe, that we will have 192 – the number of the UN – member states – global players. We will have a handful of them, and today only on thing is clear: for the traditional European nation State there will no place at the table of the global powers. It is perhaps the worst result of our inefficient struggle with the crisis that the EU is loosing international influence and weight. There is a clear risk that we will be marginalized. We should not blame others for this; we should blame ourselves. If we want to be a global player at equal footing with the US and the emerging powers of the East and the South, we have to be political united in the sense that we can speak with one voice. We are far, far away from that. The Lisbon Treaty has not delivered what it was hoped for. Our foreign policy is – to put it mildly – still in the making. But our place in the world of tomorrow depends also on our economic performance. The basic question theme is not the architecture of the Monetary Union – it goes without saying, that it is important – but the big structural problem, the famous elephant in the room, is the competitiveness of our economy. And here enlargement can play an important role. It is a mistake to believe that the integration of

Turkey, Ukraine and the West Balkan countries would weaken our economy. In the contrary, it would make us stronger and would open a lot of economic opportunities.

In its recent forecast about global trends until 2030 the National Intelligence Centre of the US indicates, that the most likely scenario for the EU is a further decline. I do not share this view. It was exactly the Eastern enlargement that demonstrated, what we can achieve, if we have a clear vision and a strong political will. Our future is still in our hands.

GLOBALISATION AND PEACE. WHICH POSSIBLE COMPATIBILITY

Alberto Gasparini*

Abstract

The aim of this essay is to examine these factors and rotate them around the globalisation-peace axis. This paper constructs the ambivalent relationship between globalisation and peace, starting from the assumption that globalisation needs peace if it is to function, while the plurality of conceptions of peace has no need of globalisation.

Keywords: globalisation, peace, world governance, reconciliation, global culture

1. Globalisation and peace

Globalisation and peace are the two extremes of a discourse which considers the problems and processes running between these two points, linking them and in certain features indentifying their capacity for reciprocal causation.

To function properly globalisation needs peace, though the problem is that there are many ways of understanding and proposing peace, and this diversity of understanding may give rise to conflicts. There are further complications and intermediate factors: ways of achieving globalisation (in its long history); ways of understanding world government as a state or as an overarching civil society providing an order to societies; thirdly, ways of standardising the world's societies through processes of cultural communication of cosmopolitanism and the reduction (or even

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elimination) of social, political and ideological differences by means of reconciliation.

The first question to be dealt with is the definition of globalisation as a “global market of instrumentalities”. This rotation is actually developed along two axes which sometimes overlap but much more frequently diverge, so undermining either globalisation or peace.

It is a market in which everything is as common as the *lingua franca* – the ideology of relations, the rules, communications and the structures for communicating. By contrast, peace is the expression of the conception of a balanced system of values, social groups and economic organisation developed in each society. There are thus a great many conceptions of peace for single societies (always organised by the respective states), that is to say there is a *polysemy of peace*. Each of these conceptions of peace is valid for one type of society, not for all. It follows that if we compare the international nature of globalisation (especially if it is worldwide) with the national character of conceptions of peace, we realise that it is precisely the international relations between differing conceptions of peace that can produce international conflicts and therefore hinder the achievement of worldwide globalisation. These (peaceful) sources of international conflict are further accentuated by the style of solving relational problems developed by each society. They are approached either as if they involved ultimate values or as if they were based on international values. What ways are there of resolving the conflicts that may arise between the expansion of globalisation and the conservation of specific conceptions of peace, even though such conceptions may undergo transformations? There are resources dating from various times: 1) the centuries-old phenomenon of the individual creating the autonomous entity of the community or ethnic group; 2) the modern phenomenon of organisations emphasising the rationality of social action; 3) the post-war phenomenon of international organisations with functions of peacemaking, peacekeeping, etc. and location-specific emergency world governance; 4) the fall of dictatorships followed by reconciliation and the revaluation of negotiation. The result is that peace is “deculturalised” from the local level since emphasis is attached to three of its basic aspects: 1) a delocalised one – the enhancement of the individual as a component of all societies; 2) a rationalised one – organisations; 3) the legitimisation of external intervention in a state

through international organisations. These factors, which in the future may give rise to a new conception of peace informing many of the world's societies, emphasise a "fragmented" dimension of worldwide globalisation involving many players – not merely the dominators of the "shared" things of the "global market of instrumentalities", but individuals and small entities, such as cities or single organisations, able to act as laboratories of innovation and offer human products to the whole world.

This line of reasoning enables us to look again at how the rotation of globalisation and peace along parallel or diverging axes may actually converge along a single axis. This paper offers a view of such a process.

2. About globalisation

The concept of globalisation overlaps to varying degrees with other concepts such as cosmopolitanism, global society, localism, macro-infrastructure, broad spaces, macro-network, widespread order, the intersection of single-function networks (organisations, trade, power, culture, etc.) and the prevalence of functional borders over political borders. There is not the space here for a full discussion of each of these concepts and the factors of overlap which combine them.

What we can say is simply that by *cosmopolitanism*¹ we mean a commonality of communication space marked by the movement and dissemination of ways of thinking, lifestyles and ideologised approaches to values. Cosmopolitanism is an individual's way of being and feeling whereby he (or she) may feel at home culture even when he finds himself in other cultures²: past elites from the Atlantic to the Urals shared the same lifestyles and spoke the same language, and Europe's lower social classes, though highly localist, were made cosmopolitan by their shared Christianity. The *sharing of macro-infrastructure* such as roads and institutions allowed communication between populations over a broad space. *Global society* is a social space, also macro, in which interaction between individual societies occurs at the level of civil societies through the

¹ Franco Ferrarotti, *L'enigma di Alessandro*, Roma: Donzelli, 2000

² see Mircea Malița, Elena Gheorghiu, "Pluralità di culture per una sola civiltà", in Alberto Gasparini (ed.), *Gli Europei e la costituzione ci sono, a quando l'Europa*, Gorizia: ISIG, (2004), p. 11

single segments and the respective networks which compose them (technology, social classes, financial flows, symbols, etc.), among which those belonging to the state are just a part, and not even the most important part. *Widespread order* is a sort of legality implicit in shared rules, sustained by the most powerful states. *Functional borders* are the informal lines between networks formed by relations between cities and between organisations rather than the political borders marking the limits of national states.

As said above, globalisation has many points in common with these concepts but may not be subsumed in any of them because we may consider *globalisation*³ as a process of the creation of the structures (structural conditions) for the formation and conduct of the exchanges within civil societies and among the powers not bound to single states (international organisations, cities, multinational companies, voluntary associations, etc.). These structures take on a wide variety of configurations: 1) lines of communication, technology supporting the dissemination of information, 2) shared codes (education, lifestyles) for spreading the same ways of experiencing quality and quantity in everyday life, 3) the spread of single-function organisations as a way of dealing with problems and relations, 4) the attribution of powers (at least political-moral powers) to international organisations to enable them to mitigate excessively radical manifestations of national sovereignties, 5) a shared wish and cultural-political conviction that macro-relations may benefit from both the complementarity and competition of relations in the broad social and economic spaces.

These structures within which the process of globalisation takes place allow the individual and the societies of which he is the soul to link up from any point in the world to any other. Especially at a cultural level, however, this is a global relationship which does not eliminate the local, because it makes the cultural and religious local dimension increasingly compatible with the culture of international and global relations. *Global*

³ see Graham Evans, Jeffrey Newnham, *International relations*, London: Penguin books, 1998; Alberto Martinelli, "Mercati, governi, comunità e governance globale", in *Futuribili*, 1-2, 2001, 15; Octavio Ianni, *Sociologia y Politic*, Madrid: Siglo XXI, 2000; Vaclav Belohradsky, *Tra il vapore e il ghiaccio sulle antinomie della globalizzazione*, Gorizia: ISIG, 2002

culture is ever more general (generic) and ever less invasive of local and regional cultural spaces. In other words everything becomes transformed into a “shared” product, whose dissemination is due (exclusively or predominantly) to its potential usefulness in the communication of shared globalisms: *lingua franca* - a “shared” language, and from there a shared production method, shared creature comforts (television, personal computer, mobile phone), a shared history and life of other people (through tourism), and so on to a host of other shared means to ends. The rest, that is to say what is left of our perception of ourselves as citizens and users of the world, is the truest part of us (real or apparent) which is experienced and most intensely felt as our own, that is to say most local (at the level of values, tradition, vernacular or local dialect, political variations, and so on).

It is evident that globalisation, defined as a cultural factor within which a system of exchanges and relations develops and also as a “shared” reality to be used as a means, is all the more widespread and global to the extent that:

1) all the parts of each state are reconciled within it, that is to say all its parts have the same capacity to link up and enter into relations with the other parts of other states;

2) all local, national and regional societies redefine their mutual relations to make way for another kind of relationship with global society. This produces a relational mix among many societies, with very open borders, *because these societies are activated above all by civil societies, although behind them are the political societies of states;*

3) a world governance of civil societies and large organisations⁴ is a possible product of globalisation thus described, because such a government would be applied to single segments and not to everything, as is the case with states (and their sovereignty). As a consequence, many other centres are formed besides those controlled by states. Conflict (or conflicts) too take on new connotations, different from those manifested when it was states that monopolised conflict, war and peace.

⁴ Alberto Gasparini, “Mutazioni nella sovranità nazionale e nelle organizzazioni internazionali. Governi mondiali a macchia di leopardo per la soluzione dei conflitti balcanici”, in *Futuribili*, no. 2-3, 1998a, pp. 7-20

As globalisation is a very old operational process, cosmopolitanism is an attitude on the part of people in a psychological reaction to belonging to a very broad cultural space. Although the global context (the result of globalisation) was open to everybody (all social classes), the only cosmopolitan people actually belonged to elites. Italian and French were spoken above all by the elites, from the Atlantic to the Imperial Russian courts, just as the elites communicated much better with each other (cosmopolitans) than with their own peasants (localists).

This globalisation (and this cosmopolitanism) was, nonetheless, limited *vs.* large areas⁵ which gave themselves a global organisation internally but remained independent of one another. There was at the broadest level a Christian globalisation, a Muslim globalisation, a Buddhist-Hindu globalisation and a Buddhist-Confucian globalisation, divided by profound fractures and connected by merchants who traded goods destined for the elites.

In these conditions, empires constituted a highly favourable space for globalisation, for which roads, complementary systems of production and common rules were powerful generating factors. For a long period globalisation was hampered by the borders of nation-state sovereignty, which entailed the ambivalent requirement of having a closed system and at the same time opening it to neighbouring states at certain controlled points.

It is from this situation, based on ambivalence and fractures running along borders between empires and even more between nation-states, that globalisation has regained momentum, becoming a worldwide process which, driven by new technology, configures economic, social, cultural and political forms. And in these conditions ideas of world government, with the involvement of many countries in the universal players that are international organisations, take on a realistic meaning because it is a government in which political societies are increasingly shaped by civil societies.

3. Globalisation and peace

Globalisation has been defined thus far as a process of formation and extension of structures within which there form and develop the

⁵ see Predrag Matvejevic, *Breviario Mediterraneo*, Milano: Garzanti, 2004

exchanges of civil societies and powers not bound to single states. Secondly, the result of this process of structural communication is “shared” - dominated by utility and instrumental value, be it language (*lingua franca*), values, technology, economic rules, lines of communication linking more than centres and places (motorways, airports, motorports, etc.). This *global market of instrumentality*, as *globalisation*⁶ appears to be, *cannot live without cultures, languages and religions that are regional, if not local*. The face of globalisation has also taken on new conformations, to the detriment of the nation-state and its sovereignty, as a result of three new factors (reconciliation, the individual, international organisations) which have represented the drive towards new dimensions and extensions of globalisation.

Reconciliation is a social and political aspiration born of the desire for a radical change in the existing socio-political order which divides the social structure into friends and enemies, for a redesigning of relations between social groups in terms more complex than before and therefore better linked (the relations, that is) to segments of everyday life, and for a standardisation of these relations and group images with those already operating in neighbouring countries.

The assertion of the *individual* represents a strong attack on, and consequently a differentiation of integrate, full membership of the community and of the nation that becomes a state. This means that this totality of belonging to the community/nation of birth (which demands total loyalty) actually becomes a choice open to the individual to make as and when he pleases. He will certainly have to belong in some way, but will be able to circumscribe such membership to a number of spheres of public importance (in all events defined by law) as far as the nation-state is concerned, and will also be able to develop membership of a range of communities with non-overlapping borders (sub-national) or of a range of supra-state bodies. And all these memberships are of differentiated intensity. As we have seen, the birth of the individual has had a long history, starting from the medieval assertion of the individual, followed by his protection in the many declarations of the rights of man, and the

⁶ Alberto Martinelli, *op.cit.*, p. 16

incorporation of the individual in models of development and in international solidarity.

International organisations undermine international law⁷ based on national sovereignty, erode the absolute power of the state and attribute it to international controls and to institutions standing above states, which impose by force (when they are able) or by new legitimisation decisions made outside single national sovereignties.⁸

This action carried out by reconciliation, the individual and international organisations on the nation-state produces a profound diminution of the latter whereby it is opened up to other parts of the world by the formation of the above-mentioned globalising structures.

However, this does not represent a guarantee of world peace, far less of the disappearance of conflicts. The simplest reason for this is that peace and the absence of conflict should arise from the continuous process of relations between nation-states and above all between players from civil societies, standardised by processes of reconciliation, the concept of the individual and the existence of international organisations. In other words, peace and the control of conflicts are the products of the international relations between the various players we have mentioned. We shall now consider the role that interests, the values of reference for their pursuit and the plurality of ways of conceiving peace may play in international relations between states and between actors from civil societies.

4. Domestic and internal conditions for conflict prevention, starting from the role of ultimate and intermediate values in relations

Having considered the process of globalisation, it would be appropriate to take a closer look at the *mechanisms* which generate conflicts, mechanisms whose absence may prevent their outbreak. We shall identify

⁷ Kristina Touzenis, "La guerra di solidarietà quanto è umana?", in *Futuribili*, no. 1-2, 2002, pp. 311-332

⁸ Giandomenico Picco, Giovanni Delli Zotti (eds.), *International solidarity and national sovereignty*, Gorizia: ISIG, 1995

the reasons behind conflicts both within a society-state and in relations between the society-states that form the world system. It should be born in mind that the question is not simply one of *conflict prevention*, but also the activation of mechanisms which can *transform an ongoing conflict into a situation of peace*.

The reasons for conflict within a society and between societies are obviously to be sought in the opposition of interests between players (the power of one player over another, access to scarce resources, a future zero sum result between victor and vanquished), but conflict itself is the result of *how* objectives are pursued, and above all the *definition of the values to which these objectives are linked*. Correlated to the pursuit and the definition of the values/objectives which may underlie a conflict there is also the *management of violence*.⁹ More analytically, we can trace these bases of conflict to the values underlying the objectives which players set themselves in connection with opposing interests.

We have to bear in mind that at the basis of action there are *ultimate/radical values*¹⁰ which, if involved in the opposition of interests, activate the powerful energy typical of those who face a life-or-death struggle, that is to say in the conviction that defeat may lead to death. This is the case when it is felt that values such as honour, family, homeland, freedom and free initiative may be radically compromised if concessions are made to behaviours in contradiction with them. These values are pursued, at a social and societal level, in traditional societies, following the formation of a nation or in societies with a strong direct connection to ultimate values. In everyday life the connection between one ultimate value and another (for instance the value of freedom and that of love for a family member) leads to a compromise (known as "common sense"), whereby the consequences of the great violence implicit in the defence of an ultimate value are mediated by the opposing requirement of not visiting violence upon a family member. Where there is no need to find a balance between two extreme values (through common sense) because the ultimate value is not mediated by other extreme values, the result is a strong drive towards

⁹ Alberto Gasparini, "Piccoli dei con grandi sogni, e il rischio di produrre un futuro piccolo, pulito, instabile", in *Futuribili*, no. 2-3, 1998b, pp. 125-145; Luigi Bonanate, "La violenza della nazione e l'etnia", in *Futuribili*, no. 2-3, 1998b, pp. 146-161

¹⁰ *Ibidem*

violence, accompanied by the construction of the features of non-humanity around the opponent. This is the root of conflict and of the transformation of every non-symmetrical relationship into an attack on an ultimate value, which demands a struggle to assert this extreme value since everything has to be protected or everything will be lost.

Modernisation has brought about the formation and stabilisation of *intermediate values* between extreme, or ultimate, values and the practice of everyday life, or even the awareness that no relations between individuals, groups or social classes can be made to turn on ultimate values. There are instead differing and opposing interests¹¹ whose resolution does not involve the total and radical assertion of one set of interests over others but *negotiation and the search for a point of balance* at which the interests of both competing players are sufficiently met. There is thus no optimum, but the sufficient achievement of objectives. It is clear therefore that the achievement of these intermediate values implies only a bland involvement of ultimate values and the violence they entail is much more symbolic and subliminal (sublimated) than real.

Each of the two situations outlined above is matched by a problem-solving culture: 1) the first is more violent since each competitive relationship implies fear of a mortal blow being struck against one's ethnic group, nation, family, *amour propre*, and so on; 2) the second is unlikely to lead to violence - in fact there are *rules of competition* which act as a framework for the rituals of negotiation or of sublimated violence (such as local chauvinism). Here we have *two cultures* of value expressions, and we have seen them at work in two recent cases of separating states - Yugoslavia and Czechoslovakia - as well as in the violence of the war in the former Yugoslavia and in Serb-Albanian relations.¹² Being able to act upon these expressions of values, and taking individual actions and relations to different levels (intermediate if possible), means making great strides in conflict prevention.

¹¹ Giorgio Nebbia, "La violenza delle merci", in Federico Della Valle (ed.), *Ambiente e guerra*, Roma: Odradek, 2003

¹² Roberta Lucchitta, "Simmetrie e asimmetrie di stato e nazione nella dinamica delle relazioni internazionali", in Alberto Gasparini, Antonella Pocecco (eds.), *Anima, società, sistema Europa*, Gorizia: ISIG, 1997

Thus far we have discussed the confrontation between players whose interests are perceived as radically different. The conflict-generating situation is more complicated if *the context in question is international* - when the arena is composed of a large number of interrelating states, nations and societies.

From this perspective

1) first of all, conflict may be generated by the clash of two ways to manage values in everyday life; a clash between one culture based on ultimate values and another based on intermediate values drives the latter down into the culture prizing ultimate values;

2) but it is also true that the very clash of different conceptions of peace produces conflict, which consequently calls for the spread of globalisation and reconciliation. This may be observed in practical terms by looking at the fractures between a number of conceptions of peace.¹³

4.1. *The polysemics of peace*

How can we define peace, and how can we define its meanings? The question may be approached in a number of ways. One is to start with a dictionary definition, choosing from the meanings attributed to the word - not the method we shall use here. Others start from social, political and cultural phenomena (as we do) and observe that the peace of a certain historical juncture and a certain place in world is the point of conjunction of many ways of understanding, experiencing and organising human actions. It is also observed that this *point of conjunction* of many trajectories is in fact a *mobile point* for the successive epochs and the societies that exist in the world. This is the more useful approach for an understanding of the essence and the mobility of peace, which consequently takes the form of a situation in movement (a process), of aspiration, of construction, of organisation. We shall now try to clarify this polysemy.

¹³ Alberto Gasparini (ed.), "Pace e pacificatori", in *Futuribili*, no. 1-2, 2002b

4.2. *The peace of tradition, the peace of modernity*

These two forms of peace are radically different, because their respective value systems, and thus their conceptions of the world and social relations, are diametrically opposed.

The *peace of traditional society* represents the ideal of stable equilibrium, where everything is predictable and “perfectly accepted”. Tradition, which is the result of a long process of sedimentation, generates a strong bond and overlaps between value systems, the consequent behavioural rules, a long experience with these rules and therefore the familiarity of adherence between traditional values and the behaviour connected to them. The result is an inability to think of a world different from the one experienced and of social and interpersonal relations capable of producing results different from those predicted.

The ideal model of peace, within reach of those with a comfortable income or a complex consolidated organisation such as the church, is that of contemplation, that is to say the maximum identification with the transcendence or at least the absoluteness of value.

The world is thus a “positive inevitability” - it is accepted, pursued and considered just (and legitimate). In this context peace is taken for granted: the rich and the poor are what they are because it is “right” that it should be so. Consequently, such a peace can be broken only by external factors: the marauding of passing armies, the sudden intrusion of bandits, wars conducted by monarchs, and so on. More than anything else, “non-peace” is thus the product of war, or in extreme cases, the brutal oppression of local lords. It should be added that peace is tied to the community, that is to say to the small-scale, to the integrated system of traditions and traditional values. The world is thus composed of many communities, each with their own peace, each of which may be shaken and globalised in violence by the armies of warring states. To all this may be added violent clashes between communities, marked by small-group violence.¹⁴

¹⁴ Alberto Gasparini, Miroljub Radojkovic, (eds.), “Oltre le guerre balcaniche. Cosa può succedere quando i piccoli dei hanno grandi sogni”, in *Futuribili*, no. 2, 1994

The *peace of modernity*, in our line of reasoning based on extreme cases, is the product of a permanently unstable equilibrium. It is generated by a system of values and rules whereby each individual has a number of basic rights as well as some freedoms which have to be combined with the freedoms of others. These rights are expressed in social justice and at the same time in the recognition of the individual's right to competition, which entails a right to assert himself over others. This assertion must be the fruit of traits and motivations intrinsic to the individual, not of confrontation with others, but the substance, "objective" competition, remains the same. In such conditions the simultaneous pursuit of the two values (social justice and self-fulfilment) produces an unstable equilibrium which we call peace, and because it is unstable it can always be lost. This implies a strong impulse always to conserve the equilibrium, but in a position which should satisfy the simultaneous pursuit of social justice and self-fulfilment.

Modern industrial society has experienced many episodes of "non-peace", understood in this case to mean social or ethnic-national conflict: class struggle, opposing interests and ethnic clashes have often been the significant factors in such conflicts and have often produced the search for a solution to them. War, as organised violence, is more typical of the large group, that is to say of the nation-state (enacted by its army, in the first instance), involving the many communities that are now no longer traditional or closed, but though such wars are rarer than in previous times, they are much more destructive for soldiers and civilians. In modern society, then, peace is an unstable point because it is always called into question following the establishment of equilibrium, and this peace is consequently configured as a perpetual process. It is an unstable point because peace exists if there is social justice, the development of society, conditions for the self-fulfilment of every man (now no longer "average" but "unique") and safeguards for the original rights of this individual-average man. But it is well known that the pursuit of each of these objectives and the combination of all these factors requires great effort and continuous tension, which is difficult to achieve. Hence instability and continual discontinuity. The peace of modernity is generally much more common in liberal societies.

4.3. *The peace of goods and the peace of good*

In the present-day world there are at least two ways of experiencing peace and therefore of conceiving it. The first may be defined as *the peace of goods* and the second as *the peace of good*.¹⁵

The *peace of goods* is a way of understanding and experiencing peace in a context of high average incomes which allow the general daily use of consumer goods by the vast majority of the population. If such use is not possible with one salary, the gap is made up with a second salary, because the condition is that "we need" access to consumer goods, including conspicuous ones, to have the standards, lifestyles and memberships commensurate with our society. In this situation of widespread access to goods, what matters is the defence and conservation of that access. The rupture of this peace is thus experienced as an absolute absurdity, and the potential for conflict is exorcised by distributing services and putting everybody in a position to earn enough money to have access to goods. Fordism is the classic example of the achievement of general access to the car, but there are others: Italian government policy has facilitated the growth of home ownership. The *peace of goods* is thus a feeling experienced in modern countries, one whereby violence may be simply an artificial problem, something which may be a problem only for other populations to which it is sometimes exported - but even in this case by means of sophisticated weapons and professional soldiers, involving little exposure to violence for the citizens of the modern countries.

By contrast, the peace of good is the product of the dissemination and assertion in a country of a strong ideological conception of good, morals, Utopia and religion. In these conditions peace may also be broken if the *peace of good* is not achieved in a country, in which case there arises an internal social, ethnic or political conflict or an external war. In these cases peace is violated much more brutally than happens when the *peace of goods* is broken. The *peace of good* is more widespread in countries where high incomes are concentrated in a small percentage of the population and the rest of it has no hope of achieving the standards of access to consumer

¹⁵ Paolo Gregoretti, "La pace tra bene e beni", in *Futuribili*, no. 1-2, 2006, pp. 201-220

goods typical of modern countries, being poor and subject to the logic of *good* supported and disseminated by the local elites and cultures. Developing countries frequently provide examples of the widespread presence of the *peace of good*.

The distinction between the *peace of goods* and the *peace of good* is heuristically useful for an understanding of conflicts (and war) at a level of international relations, especially between terrorism which pursues the *peace of good* and the “western” countries which enjoy and defend the *peace of goods*.

This becomes clear if we identify the methods followed by the “super power” (as we may call it) which aspires to become the rival (and mirror image) of the power currently in control (such as the US, followed by the modern countries). These methods may be traced to the clash between the *peace of goods* and the *peace of good*. The above-mentioned aspiring “power” organises its behaviour:

(1) rejecting the rules and certainties professed by the present dominant powers - the new rules must first of all strike at certainties, so they cannot be regulated. Terrorism is thus an expression of rules yet to be made. History is full of terrorisms which have ridden the wave of would-be new orders: of the Barbarians, the Saracens, pirates, the Golden Horde, etc;

(2) founding itself on a strong idea which is an alternative to the ruling idea. After the fall of the socialist egalitarian ideal, the idea of a universal government is acceptable only to deal with time- and space-specific crises, and there remains only the competitive idea with regard to the interests of individuals and organisations. This is true unless a new strong idea is asserted in diametric opposition to the secular western idea and the God in which the West believes (and frequents). Such a culture and religion are to be found in Islam, which has lost out (hence its frustration) in the “gold rush” of western secularisation;

(3) developing a way of conceiving order and peace which are radically different from those of the secularised West: the *peace of good* to be set against the *peace of goods*;

(4) instilling this strong idea in the elites inhabiting the interstices between the western secularised world and the wearily traditional (in Weber’s sense) and rich Muslim world. These elites are also frustrated because they are highly westernised but unable to build a modern Muslim

world (or a Muslim world “up to the level” of the western world) - the best they can achieve is a pale imitation of it, to be controlled amid the wealth of Islamic tents and palaces and the western goods enjoyed therein. They seem to be “degenerate” sons who revisit and take on board the *peace of good* on which to base the power of their alternative to the western world.

5. Societies, by conception of peace and style of reference to values in the pursuit of interests

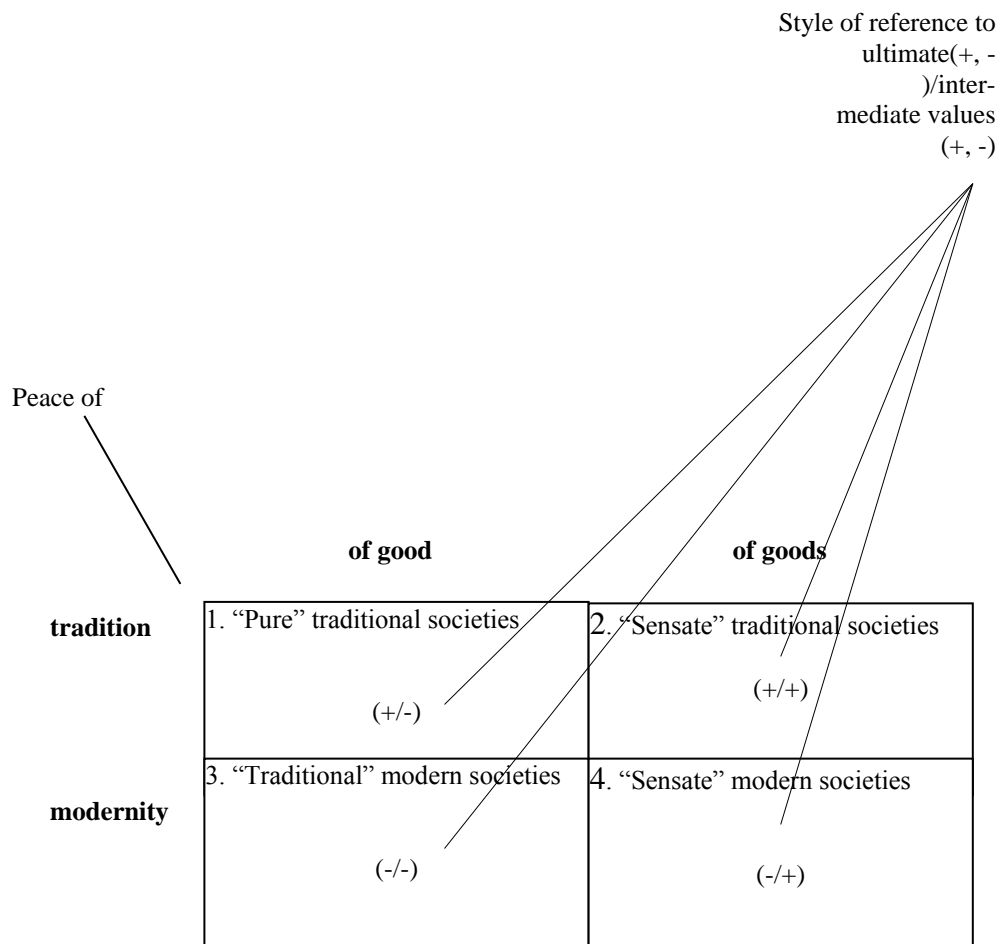
Before composing societies in a globalised world society, we shall attempt to place existing societies in the theoretical space formed by the meeting of conceptions of peace and styles of reference to values in the pursuit of interests.

The result is the following grid, in whose boxes we reduce the complexity of existing societies to four types. For each of these societies there is obviously a mixture of styles of reference to the *ultimate/intermediate values* activated in relations.

The four denominations of societies reduce the complexity of the real world to ideal types, whose value is as references to extreme cases rather than those whose purity is real.

Box 1 comprises “*pure*” *traditional societies* in that it includes states bound to a traditional domestic-centred economy and the social structure based on village and tribal powers, which means we are dealing with many African and Asian countries. To these we may add countries frustrated by domestic and international conditions in their pursuit of modernisation and consumer goods. These conditions apply to the Islamic countries which, faced with the failure of modernisation, have fallen back on the traditional values of Islam and now assert them in their most fundamental form.¹⁶

¹⁶ Elie Kallas (ed.), “Dove va l’arca di Noè. Nazionalismo arabo-islamico, nazionalismo israeliano e le minoranze”, in *Futuribili*, no. 1, 1996a; Elie Kallas, “Rivendicare il futuro, costruire il passato e fingersi una nazione”, in *Futuribili*, no. 1, 1996b, pp. 15-49.



The result is the assertion of a good and its assertion in the most traditional form. In addition, the style of reference for relations (and for the resolution of conflicts) is linked more closely to ultimate values than intermediate ones, which indicates a kind of mono-valency in problem-solving. Despite this, the countries qualifying for this box may be observed to be marked by a form of contradiction between the peace of tradition, which leads them to autarky and a restriction of relations with other countries, and the peace of good, which tends to be politicised by emphasis on an alliance of countries pursuing the same "good". An example of this is

the idea of Al Qaeda and Bin Laden to unite Muslim countries around the good of asserting the fundamental purity of Islam.¹⁷

Box 2 comprises “*sensate*” *traditional societies*,¹⁸ that is to say countries which are in a traditional society but pursue a peace of goods - modernisation in the use of and access to consumer goods. These are Third World countries which seek a balance between ties with tradition and the provision of consumer goods: India, Thailand and Malaysia; China and Vietnam with regard to the Confucian tradition; many Muslim countries prior to a possible ascent to power by fundamentalist regimes. The style of relations is dominated by ultimate values in the sphere of profound relations and intermediate values in the rational sphere of the acquisition of consumer goods. In the domestic relations in each of these countries, as well as relations between the countries in this category, there is thus an *ambiguity of styles* in the simultaneous validity of and reference to ultimate values and intermediate values (the latter dominated by negotiation). The consequence is an ever-increasing need to resort to reconciliation between ways of acting which are both seen as valid, and the only criterion of choice remains “appropriateness” for the chooser and “acceptance” of the chooser in the community.¹⁹

Box 3 comprises “*traditional*” *modern societies*, that is to say countries which have undergone a strong anti-traditional revolution in the name of a radically enlightened secular order, which in turn has constituted the source of new ultimate values and consequently the source of new traditional values forged in the name of modernity. We refer here to the modernity produced by the Communist revolutions, notably in the Soviet

¹⁷ Montasser Al-Zayyat, *The road to Al-Qaeda*, London: Pluto Press, 2004; Carlo Palermo, *Il quarto livello. 11 settembre 2001 ultimo atto?*, Roma: Editori Riuniti, 2002; Sergio Romano, *Anatomia del terrore*, Milano: Corriere della Sera, 2004; Michael Mann, *Incoherent Empire*, New York: Verso, 2003; Alberto Gasparini, “Pace e terrorismo: Europa come attore strategico nella soluzione dei conflitti e nel peacekeeping”, in *Isig*, 1-2, 2004f, pp. 41-44; Franco Cardini (ed.), *La paura e l’arroganza*, Roma: Laterza, 2002

¹⁸ Pitirim A. Sorokin, *Social and cultural dynamics*, Boston: Porter Sargent, 1957

¹⁹ Johan Galtung, *Members of two worlds. A development study of three villages in Western Sicily*, Oslo: Universitetsforlaget, 1971; Peter Wagner, *A sociology of modernity*, London: Routledge, 1994; Franco Cassano, *Modernizzare stanca*, Bologna: Il Mulino, 2001; Ulrich Beck, Anthony Giddens, Scott Lash, *Reflexive Modernization*, Cambridge: Polity Press, 1994

Union, in which the charismatic institution of the single party has led to the modernisation of society, replacing the traditional, transcendent “good” with an another, modern, “good”. This category thus includes the Soviet societies of eastern and central Europe and the Danube and Balkan areas, Third World socialist countries such as China and Vietnam, but also the South American countries modernised by industrialisation (including Brazil, marked by “imploded” modernisation). In point of fact, in all these societies modernisation has absorbed so much energy in radical change that it has not been possible (nor did it even seem necessary) to produce the consumer “goods” indispensable for the emphasis of individual autonomy in the satisfaction of personal needs. In the style of relations reference values have not been closely linked to ultimate values, because the latter belong more to the elite and the party controlling society - they are felt less strongly by the people, who are required more to learn than give their consent. The level of intermediate values is also low, however, because there is nothing to negotiate about - it is just a question of obtaining what is possible from the social system. In these conditions there arises an internal ambiguity in terms of values, but it is different from that in category 2 countries because the importance of values is obscured, leaving a state of anomie in which there is no room for “great” objectives (the Utopian “new man”) and precious little for controllable (achievable) objectives, since everything is directed from above.

Box 4 comprises “*sensate*” modern societies,²⁰ that is to say countries where a long revolution has led from a traditional society to a modern one through the formation of the individual and an industrial society centred on private property and civil society. The countries distinguished by such societies are those in Western Europe and North America, Australia, and countries such as Japan, South Korea and Taiwan. These are modern societies, all orientated towards the assertion of the individual and his well-being as assured by consumer goods.

These societies are basically secular, which means that the style of relations refers to tendentially dissociated ultimate and intermediate values. This in turn means that ultimate values have little influence on

²⁰ Alberto Martinelli, *op.cit.*; Mauro Di Meglio, *Lo sviluppo senza fondamenti*, Trieste: Asterios, 1997; Luigi Bonanate, *op.cit.*, p. 147; Alberto Gasparini, *Dossier n. 51879. Dove si descrivono i modi di mantenere la rivoluzione*, Gorizia: Isig, 2003

intermediate ones, and that relations turn more on intermediate values (negotiation and the satisfactory, rather than absolute, meeting of needs) than ultimate values, which have a very low profile in daily life. Relations are therefore dominated by a balance between reference values.

6. International relations, the resolution of conflicts and globalisation

Thus far we have considered the relations of each country with those in the same category (which have the same conceptions of peace and the same style of relations), and each category of countries is configured as a regional globalization.²¹ In other words, there are at least four contexts in which globalisation takes on distinct features. There is the *loose-relations globalisation* of category 1 countries (“pure” traditional societies), the *segmented-relations globalisation* for instrumentally useful contents (consumer goods in a traditional framework) of category 2 countries (“sensate” traditional societies),²² the *holistic-relations globalisation* for modern revolutionary contents of category 3 countries (“traditional” modern societies), and the *whole-relations globalisation* of category 4 countries (“sensate” modern societies). Each of these four areas of globalisation produces internally a low level of violent conflicts, so peace is not difficult to maintain within them - they are relatively homogeneous in their way of dealing with the globalisation process.²³

Things get much more complicated, and globalisation is often translated into negative situations, if we consider international relations at

²¹ see Pretrag Matvejevic, *op.cit.*; Alberto Gasparini, “Formazioni sociali ed Europe Unite: condizioni perché l’Europa del futuro rimanga unita”, in *Isig*, no. 1-2, , 2004e, pp. 1-4; Jeremy Rifkin, *The European Dream: How Europe’s Vision of the Future Is Quietly Eclipsing the American Dream*, New York: Tarche, 2004

²² Samir Amin, *Capitalism in the Age of Globalization: The Management of Contemporary Society*, London: Zed Books, 1997

²³ Alberto Martinelli, “Mercati, governi, comunità e governance globale”, in *Futuribili*, 1-2, 2001, pp. 15-55; Luigi Bonanate, *La politica internazionale fra terrorismo e guerra*, Roma: Laterza, 2004; Seán O. Riain, Evans, Peter B., “Globalization and global systems analysis”, in Edgar F. Borgatta, Rhonda J.V. Montgomery (eds.), *Encyclopedia of sociology*, New York: McMillan, 2000

a world level. We shall now develop the comparison of relations between countries belonging to different categories among the four outlined above.²⁴

1) Interaction between countries in box 1 and those in box 4 may lead to three situations:

- *independence* between the two types of countries because of a complete absence of relations, but this is rather unlikely in a globalised world such as ours;
- *dependence* of category 1 countries on those of category 4, with the progressive contamination of 1 by the (intermediate) values of 4. This situation generates slow-burning conflicts if relational dependence is not overcome in an equilibrium between tradition/peace of good in a number of spheres in the life of a “pure” traditional country and modernity/peace of goods in other spheres. This equilibrium comes about (and produces positive effects) in relations in the short term, but is followed by a kind of globalisation of 1 by 4. Such a result may be predicted for relations between the traditional countries of Africa and Asia and the modern countries of the world’s north;
- *head-on clash* between the category 1 countries frustrated by the failure of modernisation/peace of goods and the box 4 countries. At the present moment the former are the countries in the grip of Islamic terrorism, with social movements setting out to indicate an Islamic alternative to the western peace of goods. These countries and movements are focusing on activating the masses in the moderate Muslim states frustrated in their expectations of access to goods and modernity.

To sum up, the relationship between category 1 and category 4 countries is ambivalent, somewhere between a slow-burning conflict until the “pure” traditional countries recover intermediate values in social action, and what is seen as a head-on clash by the public in traditional countries which have attempted modernisation by means of actions guided by intermediate values, but in vain, and so have fallen back on ultimate values to assert their identity.

2) Interaction between the countries of categories 1 and 2 is marked by *coolness*, the result of two different reference styles of action: ultimate values in the case of “pure” traditional countries (with some possible

²⁴ Franco Demarchi (ed.), *Nord-Sud. Comprensione ed incomprensioni*, Milano: Jaca Book, 1987

openings for intermediate values), and intermediate values for “sensate” traditional countries, which are successfully experiencing an accumulation of goods and an enrichment of the individual and/or his family (according to the Confucian model). This *coolness* is of course mitigated over time in relations with the parts of category 1 countries which tend to open up to the ideology of goods that is already more consolidated in category 2 countries. But coolness may eventually prevail here too, since there arises a sort of competition between the two types of country in their offer of the same opportunities: low labour costs and easy conditions for opening or merging companies.

3) Interaction between category 1 and category 3 countries is marked by a certain *indifference*, since they are dissimilar countries: traditional in the former case, modern in the latter. But they are also equal, and have little to trade, in that both groups of countries act in reference to ultimate rather than intermediate values. This applies at least until category 3 countries manage to become “sensate” modern societies. Indifference between categories 1 and 3 will thus last until the latter countries see a narrowing of the gap between reference to ultimate values and reference to intermediate values. When this happens relations between the two groups of countries will again become close, as was the case when Soviet socialism spread the idea of a modern peace among the countries of the traditional world.

4) In interaction between category 2 and 3 countries, the former group, in an attempt to fit together their traditional culture and the problems of modern society (Islam and Buddha with the car and the refrigerator), speaks to the latter, which has recently shed its traditional nature but remains attached to ultimate values in problem-solving. In these cases category 3 countries may become, or pretend to be, a guide for those of category 2. This has already happened through the strong attraction exerted by socialism on countries with traditional cultures, though it is also true that category 1 countries may be similarly attracted to those of category 3.

5) Interaction between category 2 and category 4 countries may lead to a number of results. They certainly tend to share a peace of goods ideology and refer to intermediate values in social policy, and it may therefore be the case in category 2 that ultimate values are split from

intermediate values and tradition is secularised to the point of producing a “sensate” modern society. But the desire for goods may also be frustrated, resulting in a drive back into tradition and action based on ultimate values, which could in turn generate a head-on clash with the sensate modern societies of category 4. Another alternative is possible, partly because traditional values are highly compatible with the peace of goods ideology (the Confucian culture followed by the Chinese and Vietnamese emphasises the self-fulfilment of the family and within it the individual), and partly because favourable conditions of markets, small and medium-sized companies and the ability to assert themselves in high-technology industries makes these countries’ economies highly competitive. In such conditions there arises fierce competition between category 2 and category 4 countries, which may lead to economic, if not military, conflicts and wars.²⁵

6) In interaction between the countries of categories 3 and 4 conflicts are less likely to occur because the basic difference between the two groups lies in their problem-solving styles, with a preference for appealing to *ultimate values* in category 3 and *intermediate values* in category 4. In the event of conflicts arising between countries from these two groups, category 4 countries may be driven to push their reference values from intermediate to ultimate, but it is more likely that contact would be broken off between the countries of categories 4 and 3 (the European Union and the former Communist Europe).

Situations generated by relations between the two groups are the result of a consolidated globalisation, that is to say of a common space of communication of values, both ultimate and intermediate²⁶. This is possible, however, on the condition that the realisation of ultimate values *is pursued less with less energy*, or that such values are reserved to the local culture, with the selection of the hardcore values that may be shared by other populations involved in this globalisation. From this standpoint, globalisation, if it is to be shared, must rest on cultural integration, understood as the sharing of values by a plurality of different populations,

²⁵ Bernardo Gasparini, *Le imprese e la Romania. Delocalizzazioni e localizzazioni produttive*, Cluj-Napoca: Eikon, 2005; Samir Amin, *op.cit.*; Umberto Melotti, *Migrazioni internazionali. Globalizzazione e culture politiche*, Milano: Mondadori, 2004

²⁶ Mircea Malița, Elena Gheorghiu, *op.cit.*

and on (re)conciliation between players in potential conflict, and in any event on the conciliation of diversities.

7. The effects of globalisation extended to the entire world system

The analysis set out in the above section leads to the identification of at least two ways of interpreting globalisation and peace.

Globalisation produces different effects and throws up various types of problems according to whether its dimensions are regional or worldwide.

At a *regional level* globalisation tends to be complete, controllable, shared, relatively easy to achieve, effective and lasting. It often corresponds to an empire context in the political and administrative sense,²⁷ whereby it is directed by the central authority of an empire (Rome, Vienna, St. Petersburg/Moscow, Paris, London, Washington, Peking, Istanbul, etc.). Though basically respecting local cultures, this authority reaches, standardises and puts in communication all areas of its empire. The tools of this globalisation are roads, railways, technology, a sophisticated *lingua franca* (urban and technological), administrative procedures, the dissemination of standard economic models of production and exchange, basic laws and the wherewithal to enforce them, means of communication (postal services, staging posts, stations, and so on).

This type of globalisation has always been achieved in history, *and has lasted as long as empires*. As stated, a stable, culturally shared, contained-conflict globalisation is possible: each of the four boxes set out in the model above corresponds to a specific type of globalisation. In each of these four situations there is a culture of peace (of good/goods and tradition/modernity) which is homogeneous and shared, so the consequent globalisation is accepted and integrated.

Such regional globalisations start to be more conflictual, or at least less shared, when they come into contact with each other, or when countries in one box enter into organic relations with countries in other

²⁷ Edward N. Luttwak, *Grand Strategy of the Roman Empire: From the First Century A.D. to the Third*, New York: The Johns Hopkins UP, 1976; Gabriele Blasutig, *Capitalismi tra varietà e convergenza*, Gorizia: Isig, 2001; Jeremy Rifkin, *op.cit.*; Alberto Gasparini, *op.cit.*, 2004e

boxes.²⁸ The various outcomes include the *intermediate worldwide globalisation* observed in *worldwide bipolarity*: in this case each pole builds its own area of globalisation, in each of which there are several circles of proximity to the centre, held together by a strongly shared ideology. The bipolar system experienced in history had the USSR and the US at the centre of the two globalisations in question: it began in the modern country boxes - 3 and 4 respectively. The USSR emerged from the countries in box 3 and expanded towards those in box 1, that is to say towards the countries and their elites frustrated by failure to achieve the peace of goods and the consequent style of relations based on intermediate goals. As a centre, the US emerged from the countries in box 4 and expanded towards those in box 2, that is to say towards countries and their elites recently enriched (by oil, for instance, and low labour costs). These two semi-worldwide globalisations were marked by conflicts arising from differing conceptions of peace and styles of conflict resolution, but were also held together by a shared ideology and military-economic relations reinforced in coalitions and alliances in specific international organisations (such as NATO and the European Economic Community on the one side, the Warsaw Pact and Comecon on the other). This model of bipolar globalisation was also able to curb conflicts, and consequently wars, for a number of reasons: 1) there was a strong idea (ideology) that gelled each pole and overcame the diversities that would otherwise have produced violent conflicts and wars; 2) there were shared styles of relations within each pole, expressed in terms of both ultimate and intermediate values. Ultimate values (in the case of the Soviet pole) were infused with a messianic streak centred on social justice which obfuscated ethnic or class conflicts; intermediate values (in the American pole) were infused with a messianic streak centred on individualism which created the expectation of an added value in an individual's actions to assist in his self-fulfilment (in the immediate future) along a "career" imagined in positive terms; 3) there was a tendency to limit conflict with the outside in that it was considered a matter for the centre of the pole, in both political and military terms. In fact, though, it is not necessarily true that bipolar globalisation is organised on these models of conflict limitation

²⁸ Ziauddin Sardar, Merryl Wyn Davies, *Why Do People Hate America*, New York: MJF Books, 2002; Michael Hardt, Antonio Negri, *Empire*, New York: Harvard UP, 2001; Aa. Vv. "Il prezzo dell'impero", *Aspenia*, no. 20, 2003; Franco Cardini, *op.cit.*

within and outside the globalised area. A radically different future may come about if the pole still operating (the American pole in box 4) is faced with a new one represented by a country (together with others) from box 1 (“pure” traditional societies), or perhaps a new political player activated by Al Qaeda terrorism. Under these conditions (in the short term at least), conflicts and wars might increase exponentially, since they would be configured in some ways as a war between two worlds. There can be no doubt, however, that the *bipolar globalisation* of historical experience (US-USSR) is less conflictual than *complete worldwide globalisation*, that is to say a globalisation in which everything is system, is interdependence, is sharing of the same goods and few basic values (good).²⁹

One of the causes of such conflictuality is that there is a direct confrontation between the two different conceptions of peace: tradition against modernity, good against goods; and there is a similar confrontation between styles of conflict resolution: reference to ultimate values against reference to intermediate values (Roy 2003). Taken to the absurd, but the absurdity is theoretical only, what happens is that it is differing conceptions of peace which produce situations of violent conflict or even wars. But this comes about when coordination, that is to say globalisation, spreads to the whole world.

It may thus be observed in general terms that *globalisation needs peace* in order best to exploit communications structures (peace provides certainty and therefore predictability); but *peace does not need worldwide globalisation*, because in the polysemic plurality defined above, peace is more easily achieved and conserved at the micro/meso level of a single society. On the contrary, it is jeopardised precisely by the extension of globalisation because the latter causes contradictions within cultures and in their identification and integration with conceptions of peace, which in turn produce insoluble conflicts in the pursuit of paths of negotiation. This confrontation between different conceptions of peace may artificially link the pursuit of interest with ultimate values rather than intermediate values.

²⁹ Vasile Pușcaș, Dacian Dună, “Il rapporto tra la cooperazione internazionale e la sovranità nazionale. Un approccio comparativo a partire da Westfalia”, in *Futuribili*, no. 1-2, , 2001, pp. 107-124; Raimondo Strassoldo, Giovanni Delli Zotti (eds.), *Cooperation and conflict in border areas*, Milano: Angeli, 1982; Robert Cooper, *The Breaking of Nations: Order and Chaos in the Twenty-First Century*, New York: Atlantic Monthly Press, 2004

Turning again to the scheme of categories of countries, it may thus be stated that the increase of violent conflictuality not susceptible to control by negotiation stems from the fact that one of the four categories (4), tends to lead globalisation with the implicit imposition of its own models, its own relational styles and its own conceptions of peace on the countries of the other three categories. This is because category 4 is the most organic of the four, and is the most inclined to external projection and interconnection. This projection and interconnection is achieved through the most streamlined and efficient institutional and communicational forms for individual expression, represented by organisations rather than states or national communities.³⁰

8. Ways to avoid “the war for peace” in the world globalisation

We shall now analyse the above considerations to see whether there are *ways out of “wars for peace”*, whether such a worldwide globalisation, with the new features it presents, might exorcise rather than trigger violent conflicts originating from conceptions of peace and styles of pursuit of interest.

1) It has been stated that *worldwide globalisation* is a *process* involving the development of structures which allow trade, relations and a form of sharing of goods, styles and information. It is a “shared” globalisation with a reduced content of ultimate values and emotional attachments, whereby their employment has an instrumental value. This globalisation is organic, in that it is the world’s societies more than its states which interpenetrate. Under these conditions violent conflict between societies, and above all between states, may come about when there is an accumulation of asymmetries in relations between two or more countries (or populations) which pushes one country increasingly to the periphery of a globalised world context. Such an eventuality entails a return to reference to ultimate values and to frustration at the impossibility of modernity. It has also been noted, however, that worldwide globalisation is a less pervasive and hierarchical process than the political-military-administrative phenomenon of regional globalisation.

³⁰ Michael Hardt, Antonio Negri, *Multitude: War and Democracy in the Age of Empire*, London: Penguin Press, 2004; Graham Evans, Jeffrey Newnham, *International relations*, London: Penguin books, 1998

2) Worldwide globalisation configures a new idea of *empire*, different from that experienced in history.³¹ The latter was a system strictly organised around a dynasty and around central interests which prevailed over the system's peripheral areas.³² Worldwide globalisation is configured as an empire in that it is a *metaphor* of world power in which there are central nodes (some more central than others), intermediate nodes and peripheral nodes. But the nature, conformation and functions of such nodes are very different, since they are constituted by states, organisations, even individuals, and by groups which may be concentrated or spread out around the world. This implies a civil society spread out worldwide, and states which are highly central in terms of military and general political decisions. For as long as it can absorb the shocks of violence and small wars there will be a widespread empire, otherwise there may arise a new bipolarity of direct confrontation.

3) Thirdly, *the empire of worldwide globalisation makes it possible for all countries*, as well as non-state players, *to be central* in some function or other, and thus to set themselves up as a *laboratory of something new*. This applied (and applies) to the Asian "tigers" (China, but also South Korea, Japan, Malaysia, India and so on) in the introduction of new modes of production and the conquest of markets. But it may also apply to the world's city-states which, not burdened by the socio-economic complexity of medium-large countries, can develop educational, communicative, technological, environmental and cultural methods tested on a small scale and extendible on larger scales. This leads to the conclusion that worldwide globalisation allows small entities to play a leading role within specific niches.

4) *Reconciliation* within a state is congruent with worldwide globalisation in that it enables the social groups in a state to be homogeneous with those of other states, but above all it allows the organisation of relations between these intra-state groups around concrete, negotiable interests rather

³¹ Fulvio Attinà, *La sicurezza degli stati nell'era dell'egemonia americana*, Milano: Giuffrè, 2003; Franco Cardini, *op.cit.*, 2002; Michael Hardt, Antonio Negri, *op.cit.*; Aa. Vv. , *op.cit.*, 2003; Vaclav Belohradsky, "L'Unione Europea nell'epoca dell'impero americano" in *Isig*, 1-2, 39-41, 2004; Arundhati Roy, *An Ordinary Person's Guide to Empire*, London: Penguin Books, 2004

³² Vasile Pușcaș, Dacian Dună, *op.cit.*; Giulio Andreotti, "Sovranità nazionale e solidarietà internazionale", in *Futuribili*, no. 1-2, 2001, pp. 181-192; Giandomenico Picco, Giovanni Delli Zotti, *op.cit.*

than strong ideological and cultural memberships.³³ In addition, *the similarity of countries (or the process bridging countries together) pushes groups to find common ground and alliances with social groups in other states and societies, which to some extent limits the sovereignty of the states in question since such social groups obtain outside legitimisation that may be brought to bear in relations within their states.*

5) Another instrument of worldwide globalisation is the *individual*, born of western culture, repository of autonomous rights [human rights³⁴] and able to enter into international relations and be a direct player in globalisation itself. Under these conditions the state no longer needs to be the only operator in globalisation, which thus becomes more complex.³⁵ But the impact of the individual, moving the world over and therefore well beyond his community, creates a drive, but also a controversial novelty, in traditional countries, which have a marked tendency towards the peace of “good” and relational styles linked to ultimate values. There the opposition may weaken when the individual player is enlarged, by analogy and tradition, to the family: in the Confucian social tradition, especially in China and Vietnam, the family has many features in common with the western individual. *In this worldwide globalisation the individual is a concept, a repository of original rights, and a player in globalisation whose ability to enter its mechanisms has been markedly strengthened by new technology, starting with*

³³ Cristiana Fiamingo, Antonella Pocecco (eds.), “Westfalia si complica. Organizzazioni mondiali ed individuo come produttori di globalizzazione e riconciliazione”, in *Futuribili*, no. 1-2, 2001; Alberto L’Abate, “La trasformazione nonviolenta o creativa dei conflitti. Intervista a Johan Galtung”, in *Futuribili*, no. 1-2, 2002, pp. 217-233; Vasile Puşcaş, “Negotiation as a method for making Europe”, in Alberto Gasparini (ed.), *The Europeans and the Constitution are in place. When will Europe be? - Quaderni di Futuribili*, no. 5, 2004, pp. 123-138; Giandomenico Picco, (ed.), *Crossing the divide - Dialogue among civilizations*, South Orange, NJ: School of Diplomacy and International Relations, Seton Hall University, 2001b; Paolo Pezzino, “Memorie divise e riconciliazione nazionale. Il ruolo dello storico”, in *Futuribili*, no. 1-2, 2001, pp. 193-209

³⁴ Domenico Coccopalmerio, *Sidera cordis. Saggi sui diritti umani*, Padova: Cedam, 2004

³⁵ Giandomenico Picco, “Guerre etniche e terrorismo. Ineluttabilità della storia o scelte individuali?”, in *Futuribili*, no. 1-2, 2001a, pp. 154-159; Michael Hardt, Antonio Negri, *op.cit.*, 2004; Salvador Giner, “Società civile”, in *Enciclopedia italiana* (ed.), *Enciclopedia delle scienze sociali*, Roma: Enciclopedia italiana, 1998; Zygmunt Bauman, *Society under Siege*, Cambridge: Polity Press, 2002; Helmut K. Anheier, *Civil society. Measurement, evaluation, policy*, London: Earthscan, 2004

the Internet and access to a range of search engines. Lastly, the appearance of the individual on the world stage, not only with his actions but with his opinions (*public opinion* and its relationship with peace is of relevance here), is an indication of a democratic globalisation, because it contains the ability to influence, steer and legitimise the actions of states as units of worldwide globalisation.³⁶

6) The most effective operational tool of globalisation for category 4 countries is the organisation, which is mono-functional and very well equipped to enter into globalised international relations.³⁷ This operator allows the state to which it belongs to confine itself to rule-making, guiding and protection, since concrete actions are carried out by organisations. Companies (whether relocated or not) and their international trade, associations, NGOs and intergovernmental organisations are mediators of standard rules and procedures of action. In the countries of categories 1 and 2 these organisations are of course configured as highly rational systems, as bearers of vested interests, and they may appear as the bearers of old-style neo-imperialism, in which the empire is not so much one country (such as the US) but the west as a whole with its category 4 countries.

7) Worldwide globalisation has equipped itself with a further mechanism for regulating conflicts and re-establishing peace: this may be identified in the system of actions which goes under the name of *peace-making*, *peace-enforcing*, *peace-keeping* and *peace-building*.³⁸ This system of

³⁶ Bruce Russett, Harvey Starr, *La politica mondiale*, Il Mulino: Bologna, 1992; Alberto Gasparini, Vladimir Yadov, (eds.), *Social actors and designing the civil society of Eastern Europe*, Greenwich, Connecticut: Jai Press, 1995; Luigi Vittorio Ferraris, "La 'Dieta perpetua' come congresso permanente di diplomatici", in *Futuribili*, no. 1-2, 2001, pp. 74-85; Giovanni Delli Zotti, Antonella Pocecco, (eds.), "Governi mondiali a macchia di leopardo e sovranità balcaniche", in *Futuribili*, no. 2-3, 1998; Neil Winn, "Pax Americana versus Pax Europea? Nato, the European enlargement and transatlantic relations", in *Isig*, 1-2, 2003, pp. 14-16; Chadwick F. Alger, "Quali sono le implicazioni, sia a livello regionale che globale, del coinvolgimento degli attori locali nell'ambito della governance futura?", in *Futuribili*, no. 1-2, 2004, pp. 38-52

³⁷ Alberto Gasparini, "Il ruolo delle organizzazioni nella formazione delle reti di aree metropolitane e sistemi di città", in *Futuribili*, no. 1-2, 2004d, pp. 53-109; Alberto Gasparini, "La pace delle organizzazioni", in *Futuribili*, no. 1-2, 2002c, pp. 234-266

³⁸ Giandomenico Picco, *Man without a gun*, New York: Random House, 1999; Raimondo Strassoldo, *Temi di sociologia delle relazioni internazionali*, Gorizia: ISIG, 1979; Graham Evans,

actions, which on a case-by-case basis takes on the features of a sequential process, a synchronic system or a single action sufficient in itself to bring peace, is designed and directed by *international organisations*, of which the most important is the UN. These players stand as a new player in worldwide globalisation, one which is essential for it to function. Their function is legitimised not only by a form of consensus among the world's states, large and small alike, but above all by the new requirement of worldwide globalisation, which we may define as *international solidarity*.³⁹ Solidarity takes time, and is effective when it enters at a certain stage of a conflict, whether it broke out because a country has been unable to achieve internal reconciliation or as a result of countries in conflict over opposing interests. International organisations - to be understood in the broad sense, thus comprising inter-governmental bodies (the UN, the EU, NATO, etc.), governing bodies (the Catholic Church) and (semi-)private organisations (voluntary associations) - are configured as a "*worldwide patchwork government*" (specific to time and place of conflict) whose theory has already been propounded.⁴⁰ But they are also active in the long period which elapses between a conflict and peace, characterised not only by the absence of violence but the reconstitution of a "normality" which brings a society into dialogue with other societies.

This relationship between international organisations and peace as a process may be presented graphically in the scheme 1.

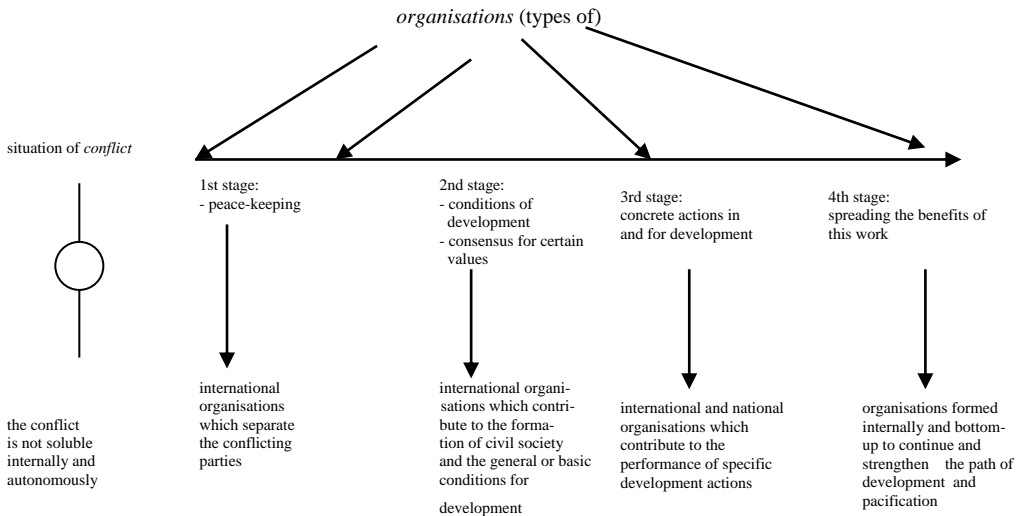
In their function of ensuring "international solidarity" in a worldwide globalisation, international organisations represent a novelty in the conceptualisation of empire, since there arises a form of *dyarchy between political and military centres* (category 4 countries) and *peace-making centres* (international organisations), with the function of surveillance (and orientation) being performed by the individual, organisations, public opinion and "the multitude", to quote the title of the book by Michael

Jeffrey Newnham, *op.cit.*, 1998; Nicolò Gasparini, "Keeping the peace: A joint task for European Union and United Nations", in *ISIG*, 1-2, 2003, pp. 19-28; Nicolò Gasparini, *Le operazioni Onu di peacekeeping nella realtà e secondo il Brahimi Report*, Gorizia: ISIG, 2004; Romano Bettini, *Peacekeeping*, Roma: Artistic & Publishing Company, 2001; Graham Kemp, Douglas P. Fry (eds.), *Keeping the peace*, New York: Routledge, 2004

³⁹ Vasile Pușcaș, Dacian Dună, *op.cit.*; Kristina Touzenis, *op.cit.*; Giandomenico Picco, Giovanni Delli Zotti, *op.cit.*

⁴⁰ see Alberto Gasparini, *op.cit.*, 1998a

Hardt and Antonio Negri (2004).⁴¹ In this case international organisations do not simply mitigate conflicts, they act as organic elements of the new worldwide empire-building. This is a highly complex model, and one that seems to serve the function of globalisation and peace. Questions remain, however, over the model's reproduction of the concept of international relations and the pluralistic dissemination of the power typical of "sensate modern countries" in category 4.



What happens when it is extended to the whole world (and hence to the countries of categories 1, 2 and 3)? Can the present incongruence be turned into compatibility, with a broadly peaceful worldwide globalisation? We may begin to outline an answer by looking again at some of the features discussed above, placing it in the context of reactions to the multiplicity of the players involved in globalisation and to the plurality of roles they play. These reactions may lead in the direction of peace, but they may also be negative, as in the case of category 1 countries in which "pure"

⁴¹ Michael Hardt, Antonio Negri, *op.cit.*, 2004

traditional societies are acting in a reactionary manner, frustrated in their efforts to comprehend and enter the worldwide globalisation.

8) The peace required by this worldwide globalisation rests upon relations in which the reference values are intermediate, using the instrument of *negotiation*.⁴² But precisely for this reason the negotiation which may be conducted by a multiplicity of players (individuals, organisations, states with reduced sovereignty, reconciled social groups, etc.) involved in globalisation *tends to deal with minor problems and also to reduce major problems to minor problems and to develop problem-solving methods suitable to minor problems*. In other words negotiation is conducted, even in interpersonal relations, as though everything were made up of minor problems, with a honing of the techniques used in the solution of minor problems. *This means that "major problems" are left unsolved or more probably kept in the limbo of local culture or even in the realm of what is arguable and irrelevant* to social relations, as happened with the idea of integration expressed by the "melting pot", in which the public spotlight was turned away from religious, ethnic and cultural membership. In this case too, negotiation brings peace, in that it reduces or sublimates the violence sparked by the conflict of interest between individuals, organisations and social groups, which have diluted the importance of the interests - including the power interests - of macro players such as the nations, states, totalitarian ideologies and empires which produced regional globalisation.

Conflict resolution by negotiation is an extremely useful instrument for worldwide globalisation led by category 4 countries. Given, however, that it entails the reduction of problems to minor ones, it is possible for such a reduction to occur without violence in the countries (category 1, but also 2 and 3) where the tendency is to approach (and solve) a problem holistically? It should also be added that negotiation methods (more than those of violent confrontation, if not war) take time to acquire: they may occasionally be acquired immediately, but it is much more often a short-term, medium-term or even a long-term process. Under such conditions is it possible to spread out over time the solution of problems already broken up into minor ones, or is the time-scale still conceived as immediate and

⁴² Vasile Puşcaş, Dacian Dună, *op.cit.*; Giandomenico Picco, *op.cit.*, 2001b; Giandomenico Picco, *op.cit.*; Bruce Russett, Harvey Starr, *La politica mondiale*, Il Mulino: Bologna, 1992; Vasile Puşcaş, *op.cit.*, 2004; Vasile Puşcaş, *op.cit.*, 2006

orientated to the pursuit of whole aims? The answers to these questions indicate that even if worldwide globalisation is successful, it will entail conflicts linked not only to interests but to basic cultural values. In these conditions the objective will be to keep such conflicts under control so that they do not escalate into violence or even wars.

9. Final remarks

Modern globalisation is the product of a historical process of progressive complications undergone by the form of state which emerged from the Peace of Westphalia. 1) The first complication, a result of the technological revolution and its industrial application, led to a *mechanical globalisation* by means of independent states talking to each other by analogy. 2) The second complication, a result of the rise of the individual, international organisations and new relational models, led to an *organic globalisation* by means of the interpenetration of national sovereignties of single states.

The synchronic analysis of world globalisation, conversely, in which the many and sometimes opposing conceptions of peace may produce violent conflict, has led to the conclusion that this analysis of worldwide globalisation, in which it is precisely the divergent conceptions of peace which can produce violent conflicts, has led to the conclusion that it takes on new forms (both imperial and western-democratic) which are different from regional globalisation because it presents itself as a shared and instrumental globalisation, organic and interpenetrating with the diminishing of states. But it develops new instruments - individuals, organisations, peace-keeping, reconciliation, negotiation, functional polycentrality - of government. Indeed, the new worldwide globalisation uses these new instruments to deal with the challenges of violence and competing conceptions of peace in order to achieve a homogeneous, instrumentally useful, effective and efficient peace.

In addition, these new instruments, which allow a use of the structures of globalisation which is at once more imperial and more democratic, form a system of conceptions of peace and styles of relations between the four categories of countries and societies which diminishes the

players in the “society-state” relationship in favour of these modern instruments (individuals, organisations, etc.). We may go so far as to posit that among the four categories of countries produced by the cross-referencing of ways of conceiving peace and relations there arise centres and privileged relations among networks variously composed of segments of states, social and economic groups, organisations, individuals, civil societies and public opinion. All this is made possible by worldwide globalisation and the presence, action and greater or lesser compatibility 1) of said players (and instruments of globalisation); 2) of imperial centres and centres reducing the concept of sovereignty; and 3) of processes such as peace-keeping, reconciliation, negotiation and functional pluricentricity. This reconceptualisation of globalisation and world order is thus useful for understanding, intervening in and managing the mechanisms designed to achieve acceptably peaceful conditions.

And the force of this globalisation derives from the fact that the above-mentioned processes are configured as *operational instruments*. Indeed, social and political *reconciliation* works in societies in which the balance of power between political society and civil society is excessively tilted in favour of the former. *Negotiation* becomes the prevailing method in conflict resolution and the prevention of further violent conflicts. Lastly, another instrument of globalisation may be seen in the *change* of the values guiding relations *from ultimate values* (valid for identity and the local dimension, and to this end kept under control) *to intermediate values* (valid for global communication in that they are the product of the rational way of pursuing interests in a context of reciprocal relations).

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INTERNATIONAL/EUROPEAN NEGOTIATIONS

THE EUROPEAN UNION AS A PROCESS OF NEGOTIATION

Paul Meerts*

Abstract

As the case for the twenty first century the European Union has been selected to demonstrate the connectedness between negotiation and organization. The European Union as a mode of European Unification is a good example of an international actor channelling negotiation processes in an optimal way. The European Union is, compared to other collective international actors, a strong transnational organization with international and supranational features. This strength has an impact on the negotiation process and its closure. It is special in the sense of having a strong legal system with the European Court with powers to enforce compliance on the Member States. It's institutions have their own role to play and cannot be ignored. The architecture of the Union consists of a wide range of actors, issues and thereby processes, having consequences for the EU citizens, their governments and those of other countries in Europe and the world. This chapter analyzes the character and characteristics of some of the key internal and external negotiation processes of the EU, as they have been influenced by the strength of the organization.

Keywords: negotiation, organization, integration, strategies, tactics

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The Uniqueness of the European Union and its Processes of Negotiation

In 1998 the *Journal on International Negotiation* published an issue on “Negotiating in the European Union”, one of the earliest analyses of EU negotiation processes as such. According to the journal, ‘The European Union (EU) is a unique entity – neither a classic intergovernmental international organization nor an ongoing diplomatic negotiation’¹. The European Union, in turn, is dependent on ‘negotiations as a mode of reaching agreements on, and implementing, common policies’.² The enigma of the EU process hinges on characteristics that distinguish it from other international negotiation processes.

First of all the intertwining of national and international negotiation processes. ‘... the EU mainly governs through inter- and transgovernmental negotiations and political competition between states and regions’³. Another characteristic of the EU negotiation process, which it shares with other strong international organizations, is its continuity. Thirdly the number of issues dealt with in the Union and the consequences of its decision for the member states are incomparable to other international regimes. Fourthly an important characteristic of the Union is that this coalition of states is more homogeneous than most of the other international negotiation groups. This creates that same integrated-negotiation network discussed previously. The negotiation process of the Union is based on more than a community of interests; it is a community of values as well within a legal framework. This framework is the fifth element distinguishing the Union from other international institutions.

These building blocs distinguish the negotiation processes in the European Union from the negotiation processes in other international settings, though the overall tactical advice for multilateral negotiators applies

¹ J. E. Lodge, Frank Pfetsch “Negotiating the European Union: Introduction”, in *International Negotiation*, vol. 3 (3), 1998, p. 289

² Ole Elgström, Christer Jönssen (eds.), *European Union Negotiations*, London: Routledge, 2005

³ Tanya Börzel, “European Governance: Negotiation and Competition in the Shadow of Hierarchy”, in *Journal of Common Market Studies*, no. 48.2, 2010, p. 191

to EU negotiators as well.⁴ Assured outcomes are quite frequent in EU negotiation processes, partly because of mechanisms such as supranationality and the continuous nature of the process. Compared to, for example, environmental negotiations the level of “unavoidability” is incomparably higher. The nature of the outcomes is overwhelmingly positive-sum, while this is by no means evident in other negotiation processes where international economic relations are predominant.⁵ The implementation of these outcomes, the strength of the EU institutions in enforcing compliance, is much greater than in, say, negotiations on the environment. The ability of the EU negotiation process to work as a continuous upside-down cascade,⁶ where one level facilitates progress on a higher level of negotiations, sets it apart from the regular patterns of international negotiation processes.

The Strength of the Organization

How come the European Union is such a relatively strong organization today? According to William Wallace⁷ ‘The EU system, through the intensive interactions of transnational and trans-governmental networks which now characterize it, has become a collective system of governance, resting on overlapping elites.’ Hosli adds to this that ‘The European ‘Relative preference for homogeneity among EU member states ... might be explained, for example, by a gradual process of socialization of these states into patterns of EU policymaking, “learning” the culture of

⁴ Winfried Lang, “Multilateral negotiations: the role of presiding officers”, in Frances Mautner-Markhof (ed.), *Processes of International Negotiations*, Boulder: Westview Press, 1989, pp. 23-42.

⁵ I. William Zartman, “Conclusion: Discounting the Cost”, in I. William Zartman (ed.), *Preventive Negotiation, Avoiding Conflict Escalation*, Lanham: Rowman and Littlefield Publishers, 2001, p. 327

⁶ I. William Zartman, “Negotiating the Rapids: The Dynamics of Regime Formation”, in Bertram I. Spector and I. William Zartman (eds.), *Getting it Done, Post-Agreement Negotiation and International Regimes*, Washington D.C.: United States Institute of Peace Press, 2003, p. 180

⁷ William Wallace, “Post-Sovereign Governance: The EU as Partial Polity”, in Helen Wallace, William Wallace and Mark Pollack (eds.), *Policy-Making in the European Union*, Oxford: Oxford University Press, 2005, p. 491

negotiation within the European Union, and the gradual development of similar expectations regarding EU integration'.⁸ As such the EU can be seen as the *sui generis* pinnacle of the developments described and analyzed in the foregoing chapters.

In the academic world several theories have been used to explain the – till now - growing integration of (Western) Europe.⁹ Jonas Tallberg states that '... functional demands for an institution best explain its creation...'.¹⁰ He distinguishes between four approaches explaining the process of European Unification. First *functional institutionalism*, emphasizing '... functional efficiency as the driving concern of international institutions.' Second *sociological institutionalism*, privileging '... norms and ideas as explanations of institutional design decisions'. Third *power oriented institutionalism* emphasizing the '... expected distributional implications of international institutions as the most prominent factor in design decisions.' The trend towards further integration and institutionalization has a positive effect on the effectiveness and thereby the use of negotiation as an instrument in international relations, as has been stated in Chapter III. But cooperation will not be enhanced automatically.

According to Jeffrey Lewis¹¹ '... those institutional environments which code higher on a set of four independent variables ... exhibit more robust patterns of cooperative negotiation; that is, are highly insulated from domestic audiences, transact with wider scope, high interaction intensity, and/or maintain a high density of norms and group standards. Concerning the Council of the European Union he concludes that more intense cooperation has developed over time, as '... the Council's institutional environments have ... instilled intrinsic collective preferences for cooperative negotiation'.¹² Brian Hocking expands on the intensity factor by stating that 'A dominant theme in diplomatic change which has

⁸ Madeleine O. Hosli, Christine Arnold, "The Importance of Actor Cleavages in Negotiating the European Constitution", in *International Studies Quarterly*, vol. 54, 2010, p. 617

⁹ L. Cram, D. Dinan, Neill Nugent, *Developments in the European Union*, London: Macmillan Press Ltd., 1999

¹⁰ Jonas Tallberg, "Explaining the Institutional Foundations of European Union Negotiations", in *Journal of European Public Policy*, no. 17.5, 2010, pp. 634-644

¹¹ Jeffrey Lewis, "How Institutional Environments Facilitate Co-operative Negotiation Styles in EU Decision-making", in *Journal of European Public Policy*, no. 17.5., 2010, pp. 648

¹² *Ibidem*, p. 660

considerable significance in the EU policy milieu is the compression of time and space'¹³. On the same note it could be stated that 'Intensified cooperation leads to a greater understanding and the creation of a shared system of values and norms.'¹⁴

The Role of the Negotiation Process

Negotiations are a vital instrument in integrating Europe. 'Negotiations are central to the functioning and dynamic development of the European Union. Negotiation is seen as the predominant policy mode and the main source of the EU's successful functioning'.¹⁵ Protecting the negotiation process by creating - through that very process - an institutional framework enhancing the effectiveness of diplomatic negotiation is the very essence of the Union. 'Negotiations are ubiquitous in the European Union (EU) and essential to its functioning. Virtually every EU activity was set in motion through a process of negotiation. Moreover, in one way or another, these negotiations include every type of actor in the EU, including most notably the governments of the member states, the Union's supranational bodies, and national parliaments, but also civic associations and industry lobbies, at least informally. Given that the EU was born as a voluntary association of sovereign states, one could even describe negotiations as a behavioural manifestation of the EU's fundamental identity'.¹⁶

It has been argued that the European Union is in the end a negotiated system. Negotiations are the main tool in shaping the institutions and regulations of the Union. It would therefore be wise to study the processes of European Union Negotiation in order to achieve a better understanding of the way the EU is created on a day-to-day basis. Negotiation is the life-blood of the Union. One has to analyse it to understand why the Union has

¹³ Brian Hocking, "Diplomacy", in Walter Carlsnaes, Helene Sjurssen, and Brian White (eds.), *Contemporary European Foreign Policy*, London: Sage Publishers, 2004, p. 97

¹⁴ Paul Meerts, "The European Union as a Negotiated System", in *PINPoints*, Network Newsletter, Laxenburg: IIASA, no. 16, 2001, pp. 8-9

¹⁵ J. E. Lodge, Frank Pfetsch, *op.cit.*, p. 293.

¹⁶ Andreas Dür, Gemma Mateo, "Choosing a bargaining strategy in EU negotiations: power, preferences, and culture", in *Journal of European Public Policy*, no. 17.5, 2010, p. 615

been and will be forged in a certain way. The Union, after all, is like a group of one-cellular beings (states) that give-up part of their autonomy to create a stronger and more potent organism that will serve all. The Union adds value, the whole of all member-states should be more than the sum of the products of the individual units shaping the EU. If this should be done through supranationalism or intergovernmentalism or a mixture of the two is another matter. Point is that negotiation is the instrument the constituent parts use to solve the problems that block their coming-together.

The negotiation process in the European Union is a multilateral process of an international nature with supranational elements. In a way the process is sandwiched in-between national and international negotiation. There is more control than in international negotiation processes, but less than in national processes. Diplomats are present on the scene, like in other international negotiations, but civil servants have slowly but truly become the dominant force, like in national negotiation.¹⁷ In other words, this is a system in transition. It is also in transition in another way. While traditional bilateralism is on the way out through the front-door, being dominated by the multilateral EU processes, new bilateralism is coming in through the back-door as a way to deal with the ever-growing complexity of the multilateral interactions. Bilateral negotiations and lobbying are needed as means to keep the machine going. The more formal institutions and regulations are created, the more informal tools are needed.

Virtually every EU activity involves or was set in motion through a process of negotiation ... one could even describe negotiations as a behavioral manifestation of the EU's fundamental identity'.¹⁸ The European Union as a process of international negotiation can survive only if a certain quantity and quality of outcomes is reached. In other words, unless effective outcomes to the negotiation process are assured, the building will collapse. While in other international negotiation processes open-endedness – while not preferable – is often unavoidable and for a certain length of time acceptable, this is much less the case in European Union negotiations. There being no increase in the number of decisions to be taken means an actual

¹⁷ Paul Meerts, "The Changing Nature of Diplomatic Negotiation", in Jan Melissen (ed.), *Innovation in Diplomatic Practice*, London: Macmillan Press, 1999, pp. 79–93

¹⁸ Andreas Dür, Gemma Mateo, *op.cit.*, p. 615

“decrease” in the Union. Without progress in the integration process, the EU will slide into disintegration. The negotiation process in the Union is therefore of relatively greater importance than negotiation processes in other international bodies. Though not of the same importance and intensity as national negotiation processes, the EU process is of more general value than negotiation processes between states. EU negotiation process can be characterized as having an in-between position.

Characteristics of EU Negotiations

‘EU negotiations are multilateral, multi-issue, recurrent, sometimes informal, subject to a distant shadow of the future, and complicated by the fact that some of the institutions within which they occur are also negotiators in their own right’.¹⁹ According to Perlot²⁰ EU negotiations are characterized by consensus seeking behavior, issue linkage, specific and diffused reciprocity, as well as the predominance of the shadow of the future. Moreover, because of the supranational character of vital segments of the European Union, the EU negotiation process can be positioned halfway between national and international negotiation. It contains more assured outcomes than in international processes but fewer than in national bargaining. It is more centralized and controlled, for example, because of the existence of the European Commission, than other international negotiation processes. But at the same time it cannot match the consistency of the internal negotiation processes of the well-functioning national state; though, as we will see, such national negotiation processes are often of an extremely complex nature, and the coordination of internal priorities is one of the main problems the member states of the Union face in shaping their own EU negotiation processes. It should be noted that the supranational character of the Union has indeed a clear impact on the nature of the EU process, but it should not be forgotten that major parts of the EU negotiation processes are still of an intergovernmental nature. This intergovernmental dimension, however, is of a more integrated nature than in other international organizations. Because of the very close cooperation among

¹⁹ *Ibidem*, p. 617

²⁰ Wilbur Perlot, “Understanding the EU as a negotiating actor”, in *PINpoints*, Network Newsletter, The Hague: Clingendael Institute, no. 37, 2011, p. 14

the EU member states and the existence of supranational actors inside the Union who also exert a great deal of influence on the intergovernmental negotiation process, even this part of the process can be seen as unique in the world. Both the supranational and the intergovernmental facets of the EU provide for a negotiation process where outcomes are more secure than in other international forums.

The democratic dimension of the Union is another aspect that helps to distinguish EU negotiation processes from others. Indeed, in “regular” international negotiation processes the people play only an indirect role through governmental and nongovernmental institutions. In the European Union democratic actors like political parties are directly involved in the negotiation process at the European level, though there are enormous differences according to the level of the negotiations and the dossiers at hand. The impact of the representative organs of the Union on the processes of negotiation has in general the effect of complicating matters. However necessary from an ideological, democratic point of view – as all EU member states are democracies – this political dimension does not always help to further effective processes and assured outcomes. On the contrary, many perceived assured outcomes have not been achieved because of interventions by politicians – interventions that were often motivated by national interests that worked against the common European good. In that sense the EU process could be seen as more puzzling than the “normal” international negotiation processes.

While international negotiation processes are defined here as interstate processes (i.e., between sovereign actors), the peculiarity of the EU process is its mixed character. Sovereign actors are playing a role that is even more important than that of EU bodies like the Commission and the European Parliament. But there is a distinct interplay between these two kinds of international actors: the states and the EU institutions. An example of such a dense negotiation process between states and supranational or international institutions cannot easily be found anywhere in the world, and the result is a unique process of negotiation in which the states have lost most of their power monopoly. Through this “enhanced interaction” member states and European institutions are negotiating their deals in a multitude of forums in negotiations that are characteristic of EU processes.

The classical Westphalian situation whereby sovereign actors negotiate on a voluntary basis is partly gone in a European Union where a substantial part of sovereignty is pooled in the EU institutions. States cannot act at will – with the exception of the Intergovernmental Conferences (IGCs) – as they have lost the majority of their “freedom to decide” in negotiating certain issues. In other words BATNA’s, “best alternatives to negotiated agreements”²¹, are often absent: if matters are on the agenda, then the alternative of non-negotiation is no longer present. Here “classic” theories do not hold, and only active pre-negotiation might provide states with something like a BATNA instrument. But even this is hardly true anymore. Essentially speaking the fact that the EU and member states share sovereignty in the core areas brushes the BATNA issue aside and enhances the possibility of assured outcomes – or should one say “unavoidable outcomes”. A major exception here are the negotiations on common foreign and security policy (CFSP). In this arena the negotiations are essentially classic international interactions where BATNA’s are of importance.

The EU as a Negotiations Arena in a Two-level Game

The European Union is a rich resource of negotiation options and opportunities for coalition building.²² On the one hand this provides negotiators with a multitude of options and alternatives that enhances their power positions. On the other hand it obscures their opportunities because of its ambiguity. In the end much of the negotiation process in the EU is about the creation of legislation as a consequence of political prioritization. To set clear priorities, however, negotiators will have to clarify their strategies. To be successful in implementing these strategies, negotiators will have to master the complexity of the process. As processes are more

²¹ Roger Fisher, William Ury, Bruce Patton, *Getting to Yes: Negotiating without Giving In*, New York: Penguin Books, 1991

²² R. Van Schendelen, “The EU as a Negotiations Arena: Diplomats, Experts, and PAM Professionals”, in Paul W. Meerts and Frank Cede (eds.), *Negotiating European Union*, Houndmills: Palgrave/Macmillan, 2004, pp. 17-34

complex within EU negotiation than in other international bargaining processes, very professional negotiators are needed.

Countries, therefore, are creating a new layer of negotiators between diplomats and national civil servants, and between generalists and specialists. This new type of negotiator, a specialist in *Public Affairs Management*, in other words an archetypical EU negotiator, is needed to manage the complexity of the European negotiation process. As these negotiators have roles specifically linked to the very nature of EU negotiation, their operations will facilitate European integration through negotiation. The growth of European unity is not only shaping a new institution on the world stage, it is also creating a new kind of international negotiator and – as we will see – a new kind of international negotiation process.

What happens at home is vital for understanding the EU negotiation process.²³ It all starts with insight into the negotiation processes within the member states of the Union – the coordinating negotiation processes at the domestic level. The EU bargaining system is characterized by extraordinary procedural complexity in a heterogeneous playing field suffering from increasing politicization. There is procedural clarity at the negotiation table, but not between the different levels of negotiation processes. This is because of the unclear separation of powers within the Union. Though the EU, as such, is a complex of institutions that should support negotiation processes, the connection between these processes is ambiguous because of the unclear linkages between the platforms on which the negotiations take place. A horizontal overview is therefore difficult, complicating the possibilities for diagnosing effective package deals between different policy areas.

Vertical insights are also hard to obtain, as the tempi of the dossiers are extremely unequal. While some dossiers will make it to the highest levels of EU negotiation platforms, the vast majority will be settled at midlevel platforms, obstructing the opportunities for remaining dossiers to be included in package deals. Package deals are therefore more dependent on the availability of still-negotiable dossiers than on the most effective linkages. While this unclarity is an obstacle to the creation of clear-cut

²³ Mendeltje van Keulen, "What Happens at Home – Negotiating EU Policy at the Domestic Level", in Paul W. Meerts and Frank Cede (eds.), *op.cit.*, pp. 35-50

national strategies for effective negotiations in Europe, it can also be seen as an opportunity for the negotiators. It would be extremely difficult for negotiators to be effective if they had to follow strict procedures laid down by the home front, as there are so many unpredictabilities in the EU negotiation process. They would lose too much flexibility. Therefore the impossibility of rigid mandates being constructed by the ministries back home provides the EU negotiator with the flexibility he/she needs to cope with the surprises in the process he/she is going into.

Meanwhile more and more players from different institutional levels are entering the arena – not only through enlargement of the Union, but also through the participation of a growing number of regional governmental, nongovernmental, public, and private sector organizations. Confronted with the problem of a fuzzy level playing field in Brussels and problematic prioritization at home, the member states are clinging to negotiation procedures concerning their own coordination practices that can no longer cope with the complexity of the EU negotiation process. The ministries of foreign affairs, traditionally the coordinators of national EU policies, are overwhelmed by the multitude of actors and issues in the EU negotiation processes. Here we have a clear distinction between EU and other international negotiation processes: a quantitative difference with qualitative effects on the bargaining between negotiators as well as the growing importance of national civil servants on a terrain that is the traditional domain of the international civil servant, i.e., the diplomat. Another differentiating factor between “regular” international negotiations and EU negotiations is the impact of politics. As most EU issues are of an internal and not international nature, parliamentarians and other politicians tend to mix in with the processes run by the professional negotiators which, though positive from a democratic point of view, obscures the transparency of the negotiation processes at hand. While diplomats are trained to look for compromises and collaboration, politicians are often striving for polarization and competition. Therefore, in many cases, political intervention creates obstacles to the integrative negotiation needed to obtain the desired outcomes of these processes.

The Member States in the EU Negotiation Process

The role of the member states might be less prominent than non-EU negotiators often assume.²⁴ As EU negotiators are aware, there are only limited possibilities for influencing EU negotiation, and states have to operate within strict legal limits in these areas. Therefore strategic planning is of paramount importance. This brings up the point of qualified-majority voting (QMV) as a tool in making progress in EU negotiations. Without this instrument the Union would not have been as successful in decision making as it is today. However, the fact that countries can be outvoted puts a great deal of pressure on their negotiators. Coalition building is one of the answers in this context, as is a change in attitude. Negotiators will have to show an increased willingness to accept compromises, something not too common among the actors entering the EU negotiation scene after the enlargement of the Union by ten new member states.

Actors in the EU negotiating process are not only bargaining on their needs, but also on their common and opposing values. It should be noted that values do play an important role in EU negotiations. One might describe the bargaining process as an exchange of commodities, but one might also point out that the underlying values should not be overlooked. These values are the objects of the trading process, as well as influencing it. Within Europe a modest clash of EU civilizations is one of the characteristics of the EU negotiation processes, for example, the cultural differences between the northern and southern member states and the new ones from Central Europe. These differences express themselves in the languages used by the negotiators. In many plenary sessions of EU Council working groups the countries north of the river Rhine speak in the Germanic language we call English, while those from within the former Roman Empire use the Latin language we call French. What may be seen as ethical in the eyes of a Swede may be unethical in the perception of a Greek.

Member States Operating in the EU Council of Ministers have different approaches to the process of European Union negotiation, not only because of differences of interest, but also because of differences in

²⁴ Pieter Langenberg, "The Role of the Member States in the European Union", in Paul W. Meerts and Frank Cede (eds.), *op.cit.*, pp. 51-70

structure.²⁵ Different negotiation styles, the “software” of negotiations, can be observed. These are not so much a consequence of differences in national culture as a result of national political and bureaucratic structures. For example, the French structure produces effective coordination combined with a reasonable amount of negotiation freedom for its well-educated and skilled negotiators. The German system makes life quite difficult for its negotiators. The federal mode obstructs efficient and coherent decision making at the national level, which leads to constraining German negotiators in their deadlines in Brussels. The British are – in general – well placed for negotiation. They combine a pragmatic and flexible attitude in the negotiation process with a tough defense of their interests. Spanish negotiators seem to be more effective than their Italian colleagues, which has to do with the strength of their bureaucratic organization. The larger member states share their potential for dealing with the whole range of EU issues in a balanced way, while the smaller member countries – because of the relative smallness of their governmental apparatus – are forced to follow more of a single-issue strategy.

Most EU governments have relatively limited options for influencing EU negotiation processes, with the large ones a notable exception. As far as the future is concerned, this room for individual needs will further diminish because of the growing importance of the EU institutions, as well as the rising number of member states due to the enlargement process of the Union. Strategic planning and the effective use of tactics are therefore important in pushing for the needs and values the individual states want to fulfill. As has been said, coalition building is one of the major options here, but this will, in turn, water down the position of the individual actor. This is a strange paradox: a particular position can be successful only if it is compromised upon before the actual bargaining process starts. From the perspective of the common good this is a wonderful instrument for forcing partners into a given frame, but for those who want to uphold the priorities set by their governments, this dynamic is a problematic one, to say the least. Prioritizing is important, however, as it will help the individual country get its act together. How can it concede, if it does not prioritize? On the other hand, in an intense process such as that of the EU, where negotiators get to

²⁵ L.J. Bal, “Member States operating in the EU Council of Ministers: Inside Impressions”, in Paul W. Meerts and Franz Cede (eds.), *op.cit.*, pp. 127-142

know each other and sit around the table together for years on end, the negotiators are forced to acknowledge the specific needs of their counterparts if they want their opponents to respect their own specific interests. In other words, though there is an ongoing give-and-take process, certain very specific interests are respected and will not be outvoted as this would damage the very integrity of the countries involved. Negotiators can be open to a smooth process of conceding and obtaining only if they feel safe. And they will only feel safe if they can put trust in the ability and willingness of their colleagues to take into account their core interests and values.

Member states organize themselves in coalitions. 'Coalitions entail the pooling of power and resources by the constituent parties in pursuit of a desired outcome'.²⁶ These Coalitions can be seen around the North-South cleavage (rich-poor, but primarily Germanic versus Latin cultures); there is a supranationalist – intergovernmentalist axis; an Atlanticist coalition verses a continentalist coalition; there are free traders versus protectionists; big versus small countries. Of these cleavages, only the North-South divide seems to be of importance, and even then its salience is limited. '... no clear cleavage lines can be discerned in EU decision making, except for a moderate North-South division'.²⁷ It should be noted that these coalitions are getting more fluid over time, thereby enhancing flexibility and instability at the same time. All these cleavages are cross-cutting: one country is always part of more than one "structural" alliance, and there are countless numbers of different coalitions on different dossiers. The effect of these coalition patterns is twofold: they both slow down and stabilize the EU negotiation processes. They constitute a negotiation arena that, while securing both European and national interests, does not enhance the strength of the Union as a global actor.

²⁶ Spyros Blavoukos, George Pagoulatos, "Accounting for coalition-building in the European Union: Budget negotiations and the south", in *European Journal of Political Research*, no. 50, 2011, p. 561.

²⁷ Madeleine O. Hosli, Christine Arnold, *op.cit.*, p. 617

The Procedures of the EU Negotiation Process

What kind of negotiation does consensus decision-making involve? This is an important topic as the decision-making procedures have an enormous impact on the negotiation processes and their outcomes.²⁸ The impact of qualified-majority voting (QMV) has been discussed before, but the question remains as to what extent QMV itself affects the negotiators versus the ability of negotiators to use it as a threat while consensus, in practice, remains the rule. A problem with the procedures in the EU is that they are often different from one issue area to the other. This limits transparency and enhances complexity. It should be noted that consensus decision making is also the rule in areas where QMV is allowed. One reason for this is the Luxembourg Compromise of 1966, a package deal whereby countries try to avoid using their veto while at the same time trying not to invoke actual voting. Thus, negotiating until general satisfaction is reached has become the reality in EU bargaining.

A major difference between EU and non-EU negotiations is the common understanding of EU negotiators that EU decision making is a non-zero-sum process: that the Commission is the agenda setter – with the European Council as an upcoming player in this realm – and will therefore enhance the possibility of coordinated solutions; and that the existence of the European Court of Justice guarantees implementation of the decisions agreed to by the member states. An additional factor is the long-standing influence of these factors on the negotiation process and, as a consequence, on the development of an EU negotiation culture with characteristics that cannot be found elsewhere. This evolution of cooperation creates an integrative bargaining process in which noncooperation and tit-for-tat tactics are rare. As negotiators are meeting each other on a day-to-day basis, EU negotiations are more personalized than other international negotiations. This, in turn, creates a chemistry that furthers integrative bargaining, just as the collective gathering of information shapes a common referential frame.

The enormous number of issues in the EU negotiation processes provides negotiators, in principle, with numerous possibilities for package deals, thereby facilitating integrative outcomes. As we have seen, however,

²⁸ Dorothee Heisenberg, "What Kind of Negotiation Does "Consensus Decision Making" Involve?", in Paul W. Meerts and Frank Cede (eds.), *op.cit.*, pp. 93-110

there are several obstacles on the package-dealing horizon that obscure the view of the negotiators. Package deals sometimes work within one and the same dossier area if the deadline is approaching. Package dealing between dossiers is not really feasible, with the exception of trade-offs at the highest political level. Consensus is a more effective mechanism for constructing an efficient bargaining market than qualified-majority voting, as it creates more opportunities for new bargains in the Union. The necessity of meeting the demands of counterparts puts pressure on negotiators to be creative and to “enlarge the pie” of possible negotiation outcomes. This kind of voting makes it less important for the negotiation process to steer in the direction of outcomes, as voting then takes the place of bargaining.

The Institutions in the EU Negotiation Process

The intergovernmental and supranational institutions of the European Union play their own intricate game.²⁹ Supranational EU institutions have – for example - gained significant influence on the outcomes of intergovernmental conferences (IGCs). How negotiations were structured and conducted mattered in terms of the ability of supranational actors to gain influence in IGCs. The member states often needed the supranational bodies as facilitators in reaching agreements. The Council Secretariat – though a non-supranational body – has been especially influential in this respect, which has to do with its expertise, as well as the fact that it is often ahead of the member states as far as information is concerned. It skills are needed by the negotiators of the member states who, especially those from the smaller powers, who often lack the apparatus to match their opponents. As an alternative they may use the facilities of the Secretariat which, in turn, creates a powerbase for the Council. Furthermore, trust plays an important role. The legitimacy of the Secretariat puts it in a central role as a neutral broker that can be trusted and will therefore be used by the players. The Commission, however, has not had the trust of the other actors as it is a player itself. As the Commission compensated for this lack of trust by taking extremist positions, the effect

²⁹ Derek Beach, “EU Institutions and IGC Negotiations – How the EU Negotiation Process Affects Institution’s Ability to Gain Influence in IGCs”, in Paul W. Meerts and Frank Cede (eds.), *op.cit.*, pp. 71-92

has been a further loss of legitimacy and therefore of influence on the negotiation processes in the intergovernmental conferences. In general it could be stated that the more complex bargaining processes are, the more institutions are needed to guide negotiators through the “forest”.

Consequently member states were becoming more dependent on the institutions they created, and they will therefore invest them with more possibilities for influencing the EU negotiation processes. By creating a power base for the common institutions, albeit an informal power base, the common good of the EU may be furthered but the individual bargaining positions will still suffer. As we have seen before, EU member states already have a diminishing range of options at their disposal because of the growth in the number of participating countries and the decrease in consensus making in favor of the increasing use of qualified-majority voting to decide the outcomes of EU negotiation processes. This not only applies to the regular bargaining processes but also to those outside the normal patterns of EU decision making, such as the IGCs. This does not mean, however, that interstate negotiations are on the way out. On the contrary, as the multilateral process becomes more complex and more difficult to manage, bilateralism is on the rise. Countries will compensate for their lack of grip on the formal processes by being more active in the informal circuits, such as lobbying. On the one hand this will facilitate the negotiation process in the European Union, but it could enhance ambiguity and will water down transparency. This, in its turn, will create more difficulties for the establishment of effective strategies by individual actors who will have to turn to allies and institutions to compensate for their own negotiating weakness.

However, the institutions might still play an important role, but the trend towards strengthening them seems to be over. The exception is the European Parliament, not only as a consequence of the Lisbon Treaty, but also because of a self-propelling dynamic. Member states are becoming more and more suspicious of the EU institutions and have started to look for ways to curb their power and to prevent them from influencing their own constituencies. The United Kingdom has always been anxious about a too strong Europe curtailing its traditional freedom of maneuver, but in the wake of the Euro Crisis other ‘Northern States’ like The Netherlands and even Germany are becoming slowly but truly more Euro-sceptic. The

Netherlands, tabling the failed ‘Maastricht Proposal’ two decades ago, is now one of the more hesitant countries as far as further integration and enhanced supranationalism are concerned.³⁰ For the process of EU negotiation this implies less assured outcomes in a relatively weakened Union. If this is good or bad is debatable. According to Louise van Schaik³¹ ‘... more EU unity can be beneficial for the EU effectiveness, but can also provoke a negative reaction from negotiating partners. The EU acting as a bloc may cause irritation...’ In other words, influencing the non-EU negotiator might be strengthened, but perhaps also be weakened, by a cohesive European Union. It could therefore diminish its negotiation effectiveness.

The Presidency in the EU Negotiation Process

The Presidency of the European Union plays an important role in the EU negotiation processes.³² Here, factors such as the origin of the Presidency function play a role, as do the spoils a member state might win from holding this most-high function of the Union, the duties of the Presidency and the strategies required, and finally the techniques for managing the process of negotiation and the national interests involved. One important duty of the Presidency is to guarantee the continuity of, and progress in, the negotiations on the various issues on the agenda. The country performing the role of the president of the Union has a moral and political obligation to be successful during its six months in office. A failing presidency shames the country that has the responsibility of guiding the Union through its official term. Its national honor, and therefore the political position of the leader(s) are at stake. This is a strong incentive for investing plenty of energy into the presidential period. It is important to be successful and to avoid crisis situations as much as possible, as they might lead to failure. The consequence is that presidencies often adopt a risk-avoiding

³⁰ Bob van den Bos, *Mirakel en Debacle: De Nederlandse besluitvorming over de Politieke Unie in het Verdrag van Maastricht*, Assen: Van Gorcum, 2008, p. 377

³¹ Louise van Schaik, *EU Effectiveness and Unity in Multilateral Negotiations, More than the Sum of its Parts?*, Houndmills: Palgrave Macmillan, 2013, p. 192

³² Alain Guggenbühl, “Cookbook of the Presidency of the European Union”, in Paul W. Meerts and Frank Cede (eds.), *op.cit.*, pp. 171-198.

style, as risk-taking presidencies have – until now – not been very successful. Hobbyhorses can be a serious obstacle to effective leadership in the negotiations presided over by the chair of the Union.

The Presidency has a decisive role to play, especially when the other actors fail. To be effective, planning is essential. Most countries prepare seriously for their term, and broad layers of the bureaucracy are trained in understanding the issues at hand and in dealing with them in an effective way. Pathfinders are sent out to gather information in EU capitals to obtain a thorough insight into the perceptions of the other member states concerning the issues that will be dealt with in the next half year. During its term in office the Presidency must keep in mind that technical chairing is just not enough. Maintaining order will not – by itself – lead to progress in the negotiation process. Corridor work, informal talks, mediation initiatives between opponents, performing well with the other institutions of the European Union as well as pleasing public opinion in member states, are the levels of activity that can help the chair to be seen as effective. But, with the conclusions drawn by the European convention regarding the rotation of the Presidency among all member states, new phenomena could enter the arena. The more participants and the more issues, the more important the chair will be, but at the same time, the more complicated its tasks.

The European Council in the EU Negotiation Process

Negotiating European policy in the European Council – the multilateral negotiation between the political leaders of the EU countries is EU negotiation at its highest level.³³ This most important negotiation arena of the entire EU is the platform for the final political decision making in the European Union, and thereby its instrument of last-resort in conflict resolution. Here the negotiation processes come to their closure, or failure. This is the place of an ongoing struggle, partly created by the sometimes malfunctioning of the Council of Ministers and by the working methods and proceedings of the European Council itself. One side of the problem is

³³ Peter van Grinsven, "The European Council under Construction: EU Top-Level Decision Making at the Beginning of a New Century", in Paul W. Meerts and Frank Cede (eds.), *op.cit.*, pp. 143-170.

that too many issues are not finalized by the ministers and end up on the table of the heads of state and governments. Too many “low-political” topics have to be dealt with at too high a political level. This mismatch has to do with the risk-avoiding attitude of the lower political and diplomatic strata. As well as the problem of the leaders being swamped, there is the question of languages. As the Union grows, so too will the number of languages in use.

More perhaps than on other negotiation levels, the personal qualities of the leaders have an impact on the negotiation process, as has been highlighted in Chapter IX of this study. After all, they are vested with a great deal of power and therefore are highly “relevant” people. Character always counts, and some research seems to indicate that, within the EU, character differences among negotiators have a greater impact on negotiation relationships and processes than culture. But for those who represent the states at the highest levels, personal characteristics may even be more relevant than for other representatives. We have seen the impact of people liking or disliking each other on the relationships between the leaders, and therefore between the member states. This had nothing to do with political color. There have been German *Bundeskanzler* who were able to work very well with French presidents of a different political color while having no chemistry with presidents of the French republic who were politically close to them. Other elements influencing mutual relationships are the power of the countries involved (size, population, economic performance), as well as the constitutional position and the seniority of the leader. Apart from these exogenous factors, changes of a procedural nature are needed to enhance the effectiveness of negotiations in the European Council.

The Council of Ministers in the EU Negotiation Process

Negotiation and mediation in the EU Council of Ministers are important processes in view of the key role the institutions have to play as concession-making machinery.³⁴ The highly institutionalized character of bargaining in the Council is of importance here. Agenda setting and

³⁴ Ole Elgström “Negotiation and Mediation in the EU Council of Ministers”, in Paul W. Meerts and Frank Cede (eds.), *op.cit.*, pp. 171-985

initiating, the impact of procedures – among them voting rules – on negotiation behavior and coalition building, different mediator roles, and the effect of the institutional context on the negotiation process are vital ingredients in understanding the EU menu. Consensus-seeking behavior and problem-solving approaches in EU bargaining are characteristic for the European Union because there is a perception on the part of member states that the EU will provide them with mutual efficiency gains on the basis of common values. As far as negotiation is concerned, it is easier to accept a proposal by majority vote than to amend it; the Council adopts a Commission proposal – the *de facto* single negotiation text for the Council of Ministers – by qualified majority but can amend it only by unanimity. For the Commission, therefore, agenda setting is a power resource, as is the prerogative to withdraw its proposals; but this only counts in first-pillar cases, for example the common market. Quite often, however, the Commission resigns its power of initiative to the Presidency, while actual negotiation is a permanent process between the two.

In those EU areas where QMV is possible, constructive negotiations are imperative. Negotiations are first of all problem-solving exercises rather than the construction of minimal winning coalitions. Countries that are sure to be outvoted will normally go with the flow. Furthermore there is a long-standing Council norm to avoid (out)voting as much as possible. In practice consensus is the rule, voting is a last resort, thus negotiation gains in importance. Package dealing, facilitated by existing cross-cutting cleavages and different coalitions depending on the dossier at hand, is the major tactical device used to obtain agreements. As far as coalition building is concerned, the emphasis is more on process coalitions than on voting ones. More QMV, however, is likely after the enlargement of the European Union. Furthermore, the Commission plays a role both as a facilitative and as a preventive mediator, removing as many obstacles from the negotiation process as possible, while the Presidency is more of an *ad hoc* mediator. These mediators are not completely neutral; they have their own particular agendas. Some impartiality is needed, however, and this is one of the reasons why the chair of the Council and the leader of the delegation of the presiding country are always different individuals.

The European Parliament in the EU Negotiation Process

The EEC Treaty gave the European Parliament purely advisory and supervisory powers.³⁵ Through Treaty amendments in 1986, 1993, 1999, and Lisbon 2009 the European Parliament became a true EU institutions with wide legislative powers. In the context of the so-called 'co-decision' procedure a Conciliation Committee has been installed in which the Council has to negotiate with the Parliament if it turns down its amendments. The Parliament has a formal role in comitology now, while it scrutinizes the Commission and the Council within this system. It has also a role to play in the enlargement procedure and all-in-all its powers have grown so much, that both Member States, Council and Commission include the Parliament and the positions of its parties into account. As a consequence parliament became a party in the EU negotiation processes.

Being political institution fragmented in political parties, this enhances the democratic level of the EU, but it also politicizes the negotiation processes which isn't always helpful in its closure. After all, Parliament has its own internal negotiation processes with log-rolling and legislative agreement in full session³⁶ and thereby adds a new level to the EU negotiation process. The negotiation position of Parliament is still weakened though by several flaws, however.³⁷ It does not have full legislative powers, the Council still often decides 'in principle' before Parliament has spoken, it does not consult it on all legislative matters, and it does not need to be consulted on Commission legislation. Although the European parliament is still not a 'proper' assembly like the national ones, it has become an important player in the negotiation process, as mentioned above.³⁸

³⁵ Caitriona A. Carter, "The Governance Framework of the European Union", in *The European Union, Encyclopaedia and Directory 2011*, London and New York: Routledge, 2011, p. 221

³⁶ Simon Hix, *The Political System of the European Union*, Houndmills: Macmillan Press, 1999, p. 79

³⁷ Neill Nugent, *The Government and the Politics of the European Union*, Houndmills: Palgrave, 1999, pp. 211-212

³⁸ *Ibidem*, p. 241

External Negotiation with Candidate Member States

The external policy of the European Union is quite effective in negotiations with candidate members. 'An applicant first has to be declared as an official candidate, which requires that the country satisfies the political aspects of the *Copenhagen Criteria*. Then, it has to adopt and implement the *acquis communautaire*, the whole body of the European Union rules and regulations in force...'.³⁹ Through the prospect of membership the EU can decisively influence other countries, even on issues that are not relevant for accession. It loses part of this grip after a country has become an EU member state. 'It is interesting to note that the EU effect is strongest in the stages before countries actually become members. When countries have incentives to reform, in order to be deemed acceptable for membership, the EU leverage may be strongest. Once countries actually become members, Brussels has far less direct influence on countries' behavior.'⁴⁰ Fedor Meerts and Thassos Coulaloglu⁴¹ came to the same conclusion, comparing compliance of Estonia, Romania and Ukraine to EU demands. The first two countries were much more willing to work with the High Commissioner on National Minorities (HCNM) of the Organization for Security and Cooperation in Europe (OSCE) than the latter. However, after accession they often prevented certain EU proposals in the domain of human rights to be transformed into proposals to be tabled at the OSCE.

Negotiating the enlargement is a very special element in EU negotiation processes.⁴² The negotiation processes of the Union with applicant states – and the internal negotiations that go with it – are of lasting

³⁹ Arzu Kibris, Meltem Baç-Müftüleri, "The Accession Games: A Comparison of Three Limited-Information Negotiation Designs", in *International Studies Perspectives*, vol. 12, 2011, p. 399

⁴⁰ Julia Gray, "International Organization as a Seal of Approval: European Union Accession and Investor Risk", in *American Journal of Political Science*, vol. 53.4, 2009, p. 946

⁴¹ Fedor Meerts and Thassos Coulaloglu, "Between Mediation and Negotiation, HCNM Intervention in Identity Conflicts", in I. William Zartman, Mark Anstey and Paul Meerts (eds.), *The Slippery Slope to Genocide, Reducing Identity Conflicts and preventing Mass Murder*, Oxford: Oxford University Press, 2012, pp. 306-327

⁴² Alice Landau, "Negotiating the Enlargement", in Paul W. Meerts and Frank Cede (eds.), *op.cit.*, pp. 199-216

importance, even after the recent extension of the EU with Croatia, for this will not be the last group of countries to join. Other states, like the remaining Western-Balkan countries of – in alphabetical order – Albania, Bosnia, Macedonia, Montenegro, Serbia might follow. Given the present phase of “eurosclerosis” this might take a long time, while the accession of the official candidate country of Turkey might never happen. Either because of “fatigue” on the side of the Union, or perhaps more likely on the Turkish side. It is nevertheless of interest to look at the negotiation experiences involving the new countries to obtain a better insight into the processes we can expect for the coming five to fifteen years. The accession process provides a good example of the complexity of EU bargaining.

Five directorates-general were involved in the enlargement process, plus the member states, the Council of Ministers, the European Council and, last but not least, the Commission. The Commission is the spider in the web of internal negotiations. It initiates, coordinates, and implements. In doing so, it has its own strategies, as it tries to use the enlargement opportunity to create a more powerful position for itself. Fragmentation and complexity are, however, the most salient features of the Commission, and it has therefore had some problems in negotiating the accession effectively. It tries to solve problems by tactics such as package dealing and side payments but it is not always successful at this as the inner fragmentation of its own sub-institutions makes effective bargaining a difficult task to perform. Furthermore, the Commission spends most of its time on negotiations with its own member states and only 10 percent on negotiations with applicant countries.

In other words, enlargement negotiations are first and foremost internal EU bargaining processes. The result of this is a loss of flexibility in the external process, the internal process being so complicated that EU positions cannot easily be changed. In reality this means that the EU sets the terms and that they are not negotiable, leaving aside some high-level issues which are exceptions. Transitional arrangements and the way of implementing these terms are, however, negotiable. This inflexibility is also shown in the decision that all ten applicants of the most recent enlargement should join at the same time. A staggered admission, though originally advocated by the Commission, proved to be unworkable. After the accession of the ten new states the Union will have an even more complicated

internal negotiation process than before. As a consequence the room for real negotiations with the remaining applicants such as Bulgaria, Romania and Turkey will even be more restricted than it has been in the past.

Mutatis mutandis, this may mean that with the growth in the number of EU member states any external negotiations will be more difficult to deal with in terms of alternatives to the positions already taken by the Union. These positions will become more rigid than they are today, especially if external negotiations are about issues that will have a profound impact on the EU. The higher the stakes and the larger the Union, the less flexible the position it will take in negotiations with outside actors. This could seriously complicate its dealings with, for example, its transatlantic partners, and the inflexibilities could add to the present rift that has arisen as a result of different political aims and strategies. We can already see this process when we observe the difficulties the Council of Ministers has in compromising on its negotiation outcomes to reach consensus with the European Parliament. After internal negotiations, no space is left for further give-and-take. The bottom line has been reached. For candidate members it will be more difficult to accede anyway, as the demands on the EU side have been raised dramatically as a consequence of the accession experiences of the last decade.⁴³

External Negotiation with Third Parties

The external negotiations of the EU are multilevel, as are the internal ones. To pick-up on a few important realms, first of all the European Neighbourhood Policy. This initiative from 2003 is a reach-out to minimize some of the negative consequences of the enlargement⁴⁴, to lower the need for states to become a member of the EU and to attempt stabilizing the regions around the Union. Another levels are the negotiation processes with advanced industrial countries (G7), with advanced and advancing countries (G20), and with developing countries (Lomé and beyond). The

⁴³ David Phinnemore, "European Union Enlargement: To 27 ... and Beyond", in *The European Union, Encyclopaedia and Directory 2011*, London and New York: Routledge, 2010, p. 257

⁴⁴ Jackie Gower, "Towards One Europe?", in Richard Sakwa, Anne Stevens (eds.), *Contemporary Europe*, Houndmills: Palgrave, 2006, p. 73

EU participates in the negotiation processes with the UN institutions and the UN Family, for example in the WTO. The result of all this is enormous complexity, one reason being that the internal and external processes are becoming intertwined. 'In an age of global markets and communications, it is more than ever apparent that the internal and external development of the EU are inseparable, and that the processes of internalization and externalization ... cannot be avoided.'⁴⁵ This has as a consequence a growing linkage between internal and external EU negotiation processes creating evermore complexity.

Common Foreign and Security (CFSP) is one of the most difficult terrains of European policy making as it has to be done by consensus. The effectiveness of the external role of the EU is hampered by this painful internal negotiation process, notwithstanding the attempt to harmonize and centralize by appointing a High Representative with powers inside and outside the Council and the Commission, having her own diplomatic apparatus by means of the European External Action Service (EEAS). Nevertheless, the EU has a role to play and this role is quite a special one. As Karen Smith states⁴⁶ '... the EU may not be so unique in its choice of foreign policy objectives, but the way it pursues them does distinguish it from other international actors.' Namely: the EU is peaceful and legalistic, it has institutionalized dialogues, including the promise of membership – in principle at least, as seen above – and supports NGO's. Of course many countries in this world pursue this as well, but not so much in a grouping with others like it is done within the European Union.

To measure the influence of the EU on the global system of negotiation processes is, however, hard to measure. 'The difficulties in determining whether a desired change has been the result of an EU policy as distinct from other actors or factors are not inconsequential'⁴⁷. 'In practice, the EU's challenge consists of pushing for the most ambitious margin within the realm of realistically possible agreements (while

⁴⁵ Karen Smith, "The External Relations of the European Union", in *The European Union, Encyclopaedia and ...*, p. 244

⁴⁶ Karen Smith, *European Foreign Policy in a Changing World*, Cambridge, Oxford, Malden: Polity Press & Blackwell Publishing, 2003, p. 199

⁴⁷ Stephan Keukelaire, Jennifer Mac Naughtan, *The Foreign Policy of the European Union*, Houndmills: Palgrave Macmillan, 2008, p. 336

working towards upgrading the ambition scope of this realm, inter alia by means of coalition- and bridge building)⁴⁸. In order to respond to this challenge, unity will have to be accomplished and this is EU's most painful process where it often fails. Most notably at the Copenhagen Summit of 2009. 'The failure to speak with one voice ... weakened the EU's position in front of the international community and gave the chance to other actors to claim for leadership (especially the US)⁴⁹.

Strategies and Tactics in EU Negotiation Processes

Andreas Warntjes⁵⁰ distinguishes four modes of decision making employed by EU member states and institutions. First distributive bargaining. 'In this mode, actors aim to elicit as many concessions from their negotiation partners as possible while making as few as possible themselves'⁵¹. Second mode is co-operative exchange, or trade-off and package deal, also labelled as integrative bargaining or value creation. The third one is norm-guided behaviour. 'Through a process of socialization, actors internalize norms which become part of their identity and prescribe appropriate behaviour for certain types of situations'⁵². This mode can also be named 'Brusselization': the dynamics of the processes in Brussels force negotiators to adjust and thereby being more apt to wheel and deal. His last mode is deliberation. '... deliberation establishes through truth-seeking discourse what 'the right thing to do' would be'⁵³.

⁴⁸ Lisanne Groen, Arne Niemann, Sebastian Oberthür, "The EU as a Global leader? The Copenhagen and Cancun UN Climate Change Negotiations", in *Journal of Contemporary European Research*, vol 8.2., 2012, p. 187

⁴⁹ Martin Fernandez "The European Union and International negotiations on Climate Change. A Limited Role to Play", in *Journal of Contemporary European Research*, vol. 8.2, 2012, p. 205

⁵⁰ Andreas Warntjes "Between bargaining and deliberation: decision-making in the Council of the European Union", in *Journal of European Public Policy*, 17.5, 2010, pp. 655-679

⁵¹ *Ibidem*, p. 667

⁵² *Ibidem*, p. 670

⁵³ *Ibidem*

What factors determine the choice of strategies and tactics? Stefanie Bailer⁵⁴ suggests that voting power, economic size and domestic constraints create the context in which negotiators have to operate. They will look for opportunities for coalition formation to strengthen their power, they will lean on the institutional power they have, use skilled negotiators who are well informed, working on as many levels with as much frequency and reciprocity as possible in order to create optimal effectiveness and defending the interest of their country or institution. Madeleine Hosli and Christine Arnold add to this the observation that 'Negotiations on the European Constitution are found to be determined less by general transnational left-right divisions, but cleavages according to the length of EU membership and the size of the EU member states'.⁵⁵ If this is a rift to be found in other EU contexts remains to be seen, but it does indicate what kind of factors the EU negotiator has to struggle with in attempts to bridge gaps through strategies and tactics.

Thomas Rice and Mareike Kleine⁵⁶ look at strategy and tactics in EU deliberations from a different angle. They ask themselves '*Which institutional scope conditions are conducive to arguing to prevail in multilateral negotiations and, thus, to affect both processes and outcomes?*'.⁵⁷ The proposed five conditions which will strengthen the chances of persuasion as a tactical tool in EU negotiation. First that the likelihood that arguing leads to persuasion will be enhanced in situations of uncertainty. To them uncertainty will be generated, among other things, by institutional settings favouring overlapping role identities. Second they state that a transparent negotiation will also be conducive to persuasion, especially if the negotiators are uncertain about the preferences of their constituency. If they are more aware of the preferences of their audiences, they will prefer secretive negotiations. Arguing will lead to persuasion if expertise and moral competence buttress institutional norms and procedures. Finally the neutrality of the chair will help to persuade the other negotiators through

⁵⁴ Stefanie Bailer "What Factors Determine Bargaining Power and Success in EU Negotiations?", in *Journal of European Public Policy*, vol. 17.5., 2010, pp. 743-757

⁵⁵ Madeleine O. Hosli, Christine Arnold, *op.cit.*, p. 615

⁵⁶ Thomas Rice and Mareike Kleine Rice, "Deliberation in Negotiation", in *Journal of European Public Policy*, vol. 17.5, 2010, pp. 708-726

⁵⁷ *Ibidem*, p. 711

argumentation. However, after studying the 1996-1997 Intergovernmental Conference and the Treaty of Amsterdam, as well as the European Convention starting in 2002, they could not find enough indications supporting the above mentioned propositions.

Perhaps Andreas Dür and Gemma Mateo⁵⁸ attempt to set the stage for future research in clarifying the question if negotiators will employ tough or lenient strategies and tactics. They hypothesize that those who are powerful, not eager to reach an outcome, being in a position of loss, and/or recently acceded to the Union (in other words not yet being 'Brusselized'), will opt for a hard bargaining approach. Those who are from a collectivist culture, having a diplomatic tradition stressing consensus, will be more inclined to use soft bargaining strategies and tactics. They signal the problem of proving this through empirical research, as access to interviewees is often difficult.⁵⁹ Moreover the problem of researchers having access to actual negotiation processes and the factual negotiators has been observed already in the first chapter of this dissertation.

Heather Elko McKibben⁶⁰ approach the issue from another angle. They analyze strategic and tactical behaviour on three axes: high versus low politics issues, zero-sum versus positive sum issues, domestic issue salience, as well as in case of issue polarization. She hypothesizes that states are more likely to adopt hard bargaining strategies when they are negotiating over high politics issues, when the negotiation takes place in the context of an Intergovernmental Conference (ICG), when the issues are of a foreign and defence policy nature, if they are zero-sum in nature, redistributive, distributive of quota's or commitments that must sum to some fixed amount, and if the issues are domestically / electorally salient. Soft bargaining strategies can be expected if the valuation of issues is different for the negotiation partners, if the issues are very complex, if the set of issues is positive-sum in nature, and if they are on the level of low politics.

⁵⁸ Andreas Dür and Gemma Mateo, *op.cit.*, p. 680-693

⁵⁹ Paul Meerts, "Negotiating in the European Union", in *Group Decision and Negotiation*, vol. 6.5, 1997, pp. 463-482; Ole Elgström, Christer Jönssen, *op.cit.*, 2000

⁶⁰ Heather Elko McKibben, "Issue Characteristics, Issue Linkage, and States' Choice of Bargaining Strategies in the European Union", in *Journal of European Public Policy*, 17.5, 2010, pp. 694-707

The Future of the EU Negotiation Process

The EU started off as a confidence-building measure between the French and the German (Federal) Republic. Both countries wanted, through an economic arrangement (the Coal and Steel Union), to prevent another war in Europe by creating a stable and secure situation with economic benefits as a spin-off. But Germany and France needed neutral partners to help them forge a durable balance; thus Italy and the Benelux countries stepped into the process. Ever since, this multilateral framework for international negotiation has been expanding. The Union also enlarged its membership.

The Union is broadening in two ways: by multiplying its policy areas and the number of partners to be integrated. In several waves new countries have entered the ring: Denmark, Ireland, and the United Kingdom (1973), Greece (1981), Portugal and Spain (1986), and Austria, Finland, and Sweden (1995). The 15 then decided to accept 10 new members in 2004: Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia. In 2007 Bulgaria and Romania entered, while Croatia followed in 2013, with Iceland being the next in line. The EU may end up with some 35 states in the first half of the twenty-first century by absorbing the remaining countries of the Western Balkans, although – as stated earlier – this will be a slow process because of the ever tougher conditions for membership as a consequence of rising xenophobia in the Union fed by an economic crisis, corruption and underdevelopment in the candidate countries, as well as the growth of minorities within the Member States. Nevertheless, some see a need for further enlargement encompassing all countries in Europe apart from Russia.⁶¹

The EU is not only broadening its horizons; it is also deepening its cooperation in two ways: by covering more and more aspects of the categories it sees as its domain and by strengthening the EU institutions. The supranational elements such as the European Commission, the European Parliament, and the European Court of Justice are being beefed up, as are the intergovernmental bodies such as the European Council of heads of states

⁶¹ Jaap de Zwaan, *Europa en de Burger. Hoe verder met de Europese Unie-samenwerking?*, Den Haag: Haagse Hogeschool, 2013

and government leaders, the Council of Ministers and the whole range of working groups and committees served by negotiators from the public and – to a far lesser extent – the private sector.

How strong will the EU be, internally and externally? According to Casper van den Berg⁶² ‘power is increasingly shared across multiple levels of governance rather than centered just at the national level, power is increasingly shared between state actors, semi-state actors and non-state actors ..., institutional relations are increasingly determined through negotiations and networks ... (and) the strictly hierarchical and top-down ordering of levels of governance is decreasing in importance, in favor of relatively more equal power distribution between tiers of governance.’

The EU negotiation process might become so complex that it may, in itself, be an obstacle to further integration. A phenomenon that can be observed on world scale as well.⁶³ At the same time the possibilities for integrated solutions will be on the rise. The result could be a new balance where the EU will continue to grow as a system and process that will be larger than the sum of its parts. At the same time there will be important issue areas where the convergence of interests will not be possible. This disparity could develop in terms of an internal and an external position of the Union. Internally more power and possibilities will be generated. Externally the Union may remain what it is today, or may even regress slightly: a coalition that cannot get its act together.

Alain Guggenbühl, in an interesting contribution to *The Hague Journal of Diplomacy*⁶⁴ attempts to predict some patterns of multilateral decision making by reviewing trends in the ‘Culture of Negotiation in the European Union’. He postulates that the ‘... negotiation patterns of general consensual cooperation are likely to remain unaffected by the Lisbon treaty as their logic has persisted over previous enlargement and institutional changes to the voting system. Even the forthcoming enlargements of the European Union should keep these trends’.⁶⁵ Intensification of the trend of

⁶² Casper van den Berg, *Transforming for Europe. The Reshaping of National Bureaucracies in a System of Multi-Level Governance*, Leiden: Leiden University Press, Doctoral Dissertation, 2011, p. 371

⁶³ Thomas Hale, David Held, Kevin Young, *Gridlock: Why Global Cooperation is failing when We Need It Most*, Chichester: John Wiley & Sons, 2013

⁶⁴ Alain Guggenbühl, *op.cit.*, 2013, pp. 21-47

⁶⁵ *Ibidem*, p. 27

interested consensus-building can be expected,⁶⁶ for example because of ongoing mechanisms like ‘circular barter’, ‘logrolling’ and ‘diffuse reciprocity’. Under the influence of the Balkan countries, it is expected that ‘negotiations among member states (are) becoming influenced to a greater extent by political rationalities protecting fundamental domestic values. This could lengthen deliberations and deal-crafting in the Council ...’⁶⁷. The role of the Presidency will be more valuable, but if the presidency will not fulfill that role, a ‘*Directoire*’ of the larger Member States is likely to guide a multi-tiered European Union.⁶⁸ As a fifth trend ‘... the Council’s diplomatic culture is predicted to intensify in order to absorb the wider global interests and political rationalities of the negotiations ...’.⁶⁹

Concerning these wider global interests, the question can be asked if more EU grip on its international relations might help to more effectively represent and defend these global interests. Some state that ‘In practice, the EU’s challenge consists in pushing for the most ambitious margin within the realm of realistically possible agreements ...’.⁷⁰ The problematic word here is of course ‘realistically’. If the EU overestimates itself while ambitiously striving for the best possible outcome it might lose face if these ambitions cannot be fulfilled. A strive towards an enhanced role of the EU in the world might be supported by further integration and enlargement of the competencies of the Union in its external negotiations.

However, a recent study ‘... has demonstrated that it is too simple to assume that more EU competence in external relations will automatically result in more EU unity and negotiation effectiveness. Just expanding EU legal competences and imposing a supranational EU external representation may not lead to the EU becoming a more effective negotiator’.⁷¹ This seems to be true for other international organizations as well. Expanding competencies is not enough, not even for powerful blocs like the European Union. Equally important is the question *how* negotiators are organizing themselves. The bad performance of the representatives of

⁶⁶ *Ibidem*, p. 32

⁶⁷ *Ibidem*, p. 37

⁶⁸ *Ibidem*, p. 42

⁶⁹ *Ibidem*, p. 45

⁷⁰ Lisanne Groen, Arne Niemann, Sebastian Oberthür, *op.cit.*, 2012

⁷¹ Louise Van Schaik, *op.cit.*, p. 209

the Southern African Development Community (SADC) in trade negotiations with the EU was mainly due to ‘... their own disarray ... In other word, judicious agency still matters, particularly for small states’.⁷² In the area of Common Foreign and Security Policy a pragmatic solution for the European Union might be for member states to agree – without changing the formal rules – to consensus minus a tiny minority. If the overwhelming majority decides to act, a small minority should not be allowed to block a decision on external action.⁷³

In Conclusion

The negotiation processes of the European Union might be sufficient for managing the common and diverging interests of the EU countries in the first quarter of the twenty-first century. After that, they may hamper further integration as long as these processes are rooted in intrastate negotiations as we know them today. Some argue that the complexity of the process will anyway lead to ‘gridlock’⁷⁴ while others⁷⁵ are of the opinion that it is ‘not the numbers of members *per se* but whether they have diverging interest’⁷⁶. Anyway, by its inherent nature, the EU negotiation process has and will have an enormous impact on the workings of the national negotiations within its own member states, as well as on international negotiations at the global level. The classic international negotiation processes as we have known them since the mid-seventeenth century will change dramatically because of globalization and of regionalization, as in the case of the European Union.

The individual EU negotiator will probably become an even more important asset as the process becomes ever more complex and nontransparent. If this is true, then the inevitable conclusion is that the European Union and its member states will have to invest more in the

⁷² Brendan Vickers, “Between a Rock and a Hard Place: Small States in the EU-SADC EPA Negotiations”, in *The Round Table*, Vol. 100, #413, 2011, p. 195

⁷³ Fred Van Staden, “De EU internationale speler met gebreken”, in Schout, A. en Rood, J. (eds.), *Nederland als Europese Lidstaat: eindelijk normaal?*, Den Haag: Boom Lemma, 2013, p. 56

⁷⁴ Thomas Hale, David Held, Kevin Young, *op.cit.*, 2013

⁷⁵ Arzu Kibris, Meltem Baç-Müftüleri, *op.cit.*, 2011

⁷⁶ *Ibidem*, p. 400

human dimension, for example by transforming the present-day, very modest, European diplomatic program into a fully fledged training curriculum or even establishing a European negotiation academy for diplomats and other civil servants. Such an academy would at least have the advantage of being able to enhance the level of the negotiations, familiarize the new breed of EU diplomats and civil servants with EU-specific negotiation, create a network within the group; and most importantly it might help to create a European diplomatic professional culture. Creating one professional culture will have a positive effect on the stability and the effectiveness of negotiation processes.⁷⁷

There appears to be a need to harmonize policy-producing organizations, most of them ministries. Negotiation will be smoother if the institutions involved are more or less comparable in structure. This may also encompass the creation of uniform EU-coordination agencies in all member states, either as part of ministries of foreign affairs, or as separate ministries of European integration. It should be added, however, that separate ministries could create more bureaucracy, and experiments with this in some of the aspiring member states have not shown very positive results to date.

It seems to be unavoidable that the larger member states will have to take special responsibility for the efficiency of the negotiation process through enhanced cooperation between them. They already work much more closely together than their sometimes hefty disagreements on issues such as common foreign and security policy might suggest. Three have a tacit agreement not to support any coalition that might affect the vital interests of each of them concerning issues where qualified-majority voting casts its shadow on the negotiation processes. More guidance for the EU by the major EU powers will, of course, demand a better cooperative process between the three (France, Germany, UK) or the six (plus Italy, Poland, Spain) major players in concert with the Commission, the Parliament, and the smaller EU member states in the Council of Ministers.

The member states of the Union can hardly escape further integration into the EU negotiation processes if they want to survive in the world outside Europe, however euro-sceptical their populations might be.

⁷⁷ Gunnar Sjöstedt, *Professional Cultures in International Negotiation: Bridge or Rift?*, Lanham: Lexington Books, 2003, p. 245

But it could also be true that the EU as such cannot escape the globalization of the process of international negotiation and will have to adapt to this trend by taking more responsibility in the realm of conflict resolution through international negotiation. After all, the European Union negotiation process may be an enigma, but it is very much a part of the overall negotiation processes needed to run world affairs in a peaceful and effective way. In that sense negotiation is a central element in international relations, deserving attention by practitioners and theoreticians alike. The role of the diplomat will be scooped out, but diplomacy will stay. It will continue to fulfill its function '... as a practical mode of conducting international relations, as a "torchbearer" ... and as a "thinking framework" about international politics'⁷⁸, even in the European Union.

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⁷⁸ Corneliu Bjola, "Understanding Enmity and Friendship in World politics: The Case for a Diplomatic Approach", in *The Hague Journal of Diplomacy*, 8.1, 2013, p. 19

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IDIOSYNCRASIES IN THE FOREIGN POLICY DECISION-MAKING (II): EMOTIONAL (AFFECTIVE) IDIOSYNCRASIES

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Abstract

The role of informational processing, of framing, of idiosyncrasies ask for the use of a psychological approach of foreign policy decion-making process. This study will be the second one from a series of studies, which will present the different types of idiosyncrasies which influence the decision-making process, at individual level. It will emphasizes the different categories of emotional (affective) idiosyncrasies which may influence and the researches and studies that underlined their presence.

Keywords: idiosyncrasies, foreign policy decision-making, emotional factors, positive emotions, negative emotions

1. Introduction

Foreign policy decisions are influenced by many factors. The real world is complex and many variables must be taken into account when a decision is made. The role of information processing, of classification, of the idiosyncrasies, require need for a psychological approach of the foreign policy decision making.¹

The concern for the subject treated in this paper came from the perceptions generated by the impressive sequence of events on the international scene in which the speed, the diversity, the agglomeration and seriousness of events make not only the specialists in foreign policy

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¹ Alex Mintz, Karl DeRouen, *Understanding foreign policy decision-making*, New York: Cambridge University Press, 2010, p. 97.

and international relations analysis wonder which are the answers, how are the macro and micro decisions in international politics made, who are the actors and how do they react to such situations that affect our daily lives.

Why this concern for foreign policy decision making? Because it proves how necessary a transformation of the international system was, one based on cooperation, collaboration and communication. Because the psychology of decision making is reflected in foreign policy, where situations involving choices occur in varying degrees: from starting a war, peacemaking, forming an alliance, establishing diplomatic relations, implementing a certain position, imposing economic sanctions or ratification of conventions.

The present article will present the emotional (affective) idiosyncrasies that may influence the foreign policy-decision making to individual level. This represents the second article from a series of articles dedicated to the presentation of the idiosyncrasies that influence the decision-making process.

2. Emotional (affective) idiosyncrasies

Emotional idiosyncrasies refer to the misperceptions of a person or more. These may, in turn, address more inconsistencies or resumptions between feelings and actions, feelings and reasonings, feelings and different stages of negotiation. Thompson, Neal and Sinaceur suggest three types of misperceptions which emotional idiosyncrasies focus on:² (1) inaccuracy in terms of reasoning and emotions that can be seen in others or themselves, (2) wrong beliefs about the duration of emotional states, (3) wrong beliefs about the causal effects of emotion and behavior.

² Leigh Thompson, Margaret Neale, Marwan Sinaceur, "The evolution and Biases in Negotiation Research. An examination of cognition, social perception, motivation and emotion", in M. J. Gelfand, J.M. Brett, (eds.), *The Handbook of Negotiation and Culture*, Stanford Business Book, Stanford: Stanford University Press, 2004, p. 27

Table 1 presents the idiosyncrasies that may occur in the following areas:

Nature of emotion	Idiosyncrasies	Research
Positive emotions	Positive	Carnevale, Isen (1986): happy persons exchange information more easily and can be creative in negotiations.
		Barry, Oliver (1996): argue that emotions influence decisions in negotiation, opponents selection, forming offers, concessions, economic results, the desire for future interactions, respect for the terms of the agreement.
		<i>Forgas (1998a): positive moods produce less critical reactions and are more compliant than the negative moods.</i>
		<i>Forgas (1998b): Happy persons are more cooperative and successful in bilateral or group negotiations.</i>
		Kramer, Newton, Pommerenke (1993): positive moods and motivations to maintain them lead to over-confidence positive self-evaluation.
Negative emotions	Anger	Pillutla, Murnighan (1996): wounded pride leads to feelings of injustice and rejection of the objective offers.
		Allred, Mallozzi, Matsui, Raia (1997): angry decision makers achieve little joint gains, unsuccessfully claiming more value to themselves.
		Allred (1999): anger provokes retaliation sequences at the level of impulses and behavior.

Table 1: Emotional idiosyncrasies (adapted from Thompson, Neale, Sinaceur, *op.cit.*, p. 28).

There is evidence that emotions play an important role in foreign policy decisions. Leaders are influenced by public opinion, this, in turn,

being influenced by domestic and international events. Nations often revenge attacks and challenges of their citizens and territory - acts that evoke emotions and feelings like hatred, fear, anger, revenge, insecurity.³ Mc Dermott explains how emotions play an important role in decision-making: the presence of fear or anger can complicate the decision makers' decision making process, in the sense of objectivity.⁴ Emotions can also have a positive role. Love, sympathy and empathy have important influences on decision making. Emotions influence the processing of information by the leaders and the importance they attach to different dimensions of an emotionally charged or neutral situation.

Mintz and DeRoune mention an interesting study conducted by Nehemia Geva, Steven Redd and Katrina Mosher in 2004, who used experimental methods to sense how emotions influence people in processing information and making decisions.⁵ Hatred, fear, love, threat and support not only produce different choices, but also variations in how people get to choose one option (spontaneous vs. calculated, intuitive vs. rational, maximizing vs. satisfying). In addition, emotions can reduce the threshold for selecting the particular course of action by reducing the initial amount of information to be processed per alternative. Emotions can alter or change the relevance of the information they receive throughout the task, in the sense of the pigmentation of information and introducing a form of selective attention.

Affective theories explore how personality and emotion (insecurity and fear) can influence decisions.⁶ Winter defines personality as a particular way of integrating perceptual processes, memory, reasoning, tracking goals and emotional expressiveness.⁷ The study of personalities

³ Alex Mintz, Karl DeRouen, *op.cit.*, p.100

⁴ Rose Mc Dermott R., *Political Psychology in International Relations*, Ann Arbor: Michigan University Press, p. 700, apud *Ibidem*, p. 100

⁵ *Ibidem*

⁶ David R. Mandel, "Psychological Approaches to International Relations.", in Margaret Hermann (ed.), *Political Psychology*, San Francisco: Jossey-Bass, 1986, p. 253, apud *Ibidem*, p. 114; Michael Bean, *The effects of personality and uncertainty of the decision-making process and new venture of South African entrepreneurs*, research project of University of Pretoria, 2010, [upetd.up.ac.za/thesis/.../dissertation.pdf], 22 February 2012

⁷ David G. Winter, "Personality and Political Behavior.", in D. Sears, L. Huddy, R. Jervis (eds.), *Oxford Handbook of Political Psychology*, New York: Oxford University Press, 2003, p. 477 apud Alex Mintz, Karl DeRouen, *op.cit.*, p. 114

can help understand how leaders take certain decisions, since other leaders in similar situations take other decisions. The author mentions that personality influences preferences and how decision makers react to symbols and clues. It detects four elements in personality: temperament, elements of knowledge, motivation and social context.⁸ Temperament refers to observable components of behavior, such as energy level. Social context is noticeable and involves factors such as origin, class, race, culture, ethnicity and generation. The elements of knowledge are factors such as beliefs, values and attitudes. The reasons include: goals and defensive mechanisms. The elements of knowledge and the reasons are less noticeable.

Margaret Hermann has developed a technique for assessing the personality of leaders without interviewing them personally, known as the *Remote Personality Assessment*.⁹ The method works by performing content analysis of the interview transcripts. Using this data, Hermann (1984, 1999) specifies a number of relevant personality groupings for the foreign policy decision making: nationalism, belief in ability to control events, distrust in others, influences within the group, need for power, problem solving vs maintaining them, self-confidence and conceptual complexity.¹⁰ Hermann characterizes the personality of leaders based on four elements: motivation, social context, elements of knowledge and temperament.¹¹ It creates a framework to compile a complete profile of the personality that can be used to understand the foreign policy. This profile generates more guidelines: expansionary, actively independent, influential, mediator, opportunistic and developer. These guidelines have emerged from the analysis of the four elements.¹² The authors mention the example of leaders who demonstrate motivation elements of power, belief in the ability to control events, cognitive complexity and self-confidence seen as *influential* and desired for the impact on foreign affairs, through the role of leadership.

⁸ *Ibidem*, p. 115

⁹ Margaret Hermann, *Handbook for Assessing Personal Characteristics and Foreign Policy Orientations of Political Leaders*, Columbus, OH: Mershon Center Occasional Papers, 1983, p. 23

¹⁰ Thomas Preston, *The President and His Inner Circle: Leadership Style and the Advisory Process in Foreign Affairs*, New York: Columbia University Press, 2001, p. 12

¹¹ Margaret Hermann, *op.cit.*, p. 25

¹² Alex Mintz, Karl DeRouen, *op.cit.*, p. 114

President Bill Clinton, for example, fits in this category. The personality of the leader influences decisional strategy and choice. Mc Crae and Costa state that personality isn't changing much after the age of 30.¹³

Suefeld, Cross and Stewart provide a review of the psychological literature addressing psychological profiles and developing a portrait of the subject's personality as the source of strategic predispositions, and then presenting an approach which measures the selected psychological variables that are activated in certain specific cases. The two approaches to identify psychological factors correlated with the trends of competitive or cooperative behavior in conflict situations and the dynamic approach can be used, in particular, to monitor real-time changes which can predict the direction of leader decision. The outbreak of war, including surprise attacks, is associated with reducing the complexity in the structure of information processing, increase of power motivation, compared with the motivation for affiliation and the perceived ability of the leader to influence large-scale events. Recent research has begun to use these theories to study terrorism.¹⁴

In fact, the authors assume that the first approach (psychological profiling) refers to considering the intrinsic personality traits of the leader influencing foreign policy decisions, while the second approach (dynamic) estimates that these intrinsic personality traits interact with the environment, and situational factors (internal and external) influence foreign policy decisions of the leaders.

Suefeld, Cross and Stewart mention two ways by which we can establish links between the personality profile and the decisions of leaders:¹⁵

- Retrospectively, by generating profile leader measurements and then interpreting those measurements, involving knowledge of the foreign policy decisions of the leader.

¹³ Robert McCrae, Paul Jr. Costa, *Personality in Adulthood: A Five-Factor Theory Perspective*, 2nd ed., New York: The Guilford Press, 2006, p. 79

¹⁴ Peter Suefeld, Ryan W. Cross, Michael Stewart, *Indicators, Predictors and Determinants of Conflict Escalation and De-escalation: A Review of the Psychological Literature*, DRDC Toronto Contractor Report CR-2009-074, Toronto, Ontario, Canada, Defence R&D Canada, 2009, p. 10

¹⁵ *Ibidem*, p. 11

- Prospectively, by creating a profile of the leader, using the profile to make predictions about the decision of the leader in current or imminent situations and then confirming or refuting these predictions.

Gallagher underlines the importance of personal traits in international relations and provides a new approach for understanding risk taking by the Big Five theory/model of personality.¹⁶ The risk taking perspective is built around the five factors of personality: openness, extraversion, conscientiousness, agreeability and stability.

Keller and Yang mention four characteristics that guide the decision-maker to the political context: accentuating the task or interpersonal relationships, need for power, faith in a person's ability to control events and self-monitoring.¹⁷

Leadership style analysis helps to understand why certain decisions are made by leaders and why certain alternatives are not chosen. Hermann et al introduce a framework developed for understanding the "internal elements" of the leadership style.¹⁸ The distinction researchers make is between leaders who are motivated by goals and those who are motivated by context. In the first case, the leaders seek to solve a problem, so they are task-oriented and change the position or ideology more difficultly. They choose their staff on the basis of loyalty and similarity to their own person. It is less likely that leaders motivated by mission should seek broad domestic and international coalitions before starting an action or maintaining a policy.

In the other category fall the more circumspect and adaptable leaders, according to the context of the current situation. These leaders consult, discuss and are more open to flexible solutions for various problems. They adapt their behavior to fit a particular situation and

¹⁶ Maryann E. Gallagher, *High Rolling Leaders: The "Big Five." Model of Personality and Risk-Taking during War*, Working Paper presented at the International Studies Association-South Conference November 5, 2005

¹⁷ Jonathan W. Keller, Yi Edward Yang, "Leadership Style, Decision Context, and the Poliheuristic Theory of Decision Making An Experimental Analysis", in *Journal of Conflict Resolution*, vol. 52, nr. 5, 2008, p. 691

¹⁸ Margaret G. Hermann, Thomas Preston, Bhagat M. Korany, Timothy Shaw "Who leads matters: The effects of powerful individuals", in *International Studies Review*, vol. 3, no. 2, 2001, p. 83 apud Alex Mintz, Karl DeRouen, *op.cit.*, p. 115

measure the opinions of other groups. They choose their staff based on political realities rather than loyalty or ideology. These leaders work to build international coalitions.

The essential difference between the two types of leaders is the degree of sensitivity to the political context.¹⁹ Task-oriented leaders are not very sensitive to the political context. This has great relevance for foreign policy decisions, helping to identify the constraints of the leaders' policies in their actions. Because they are less inclined to consult and compromise, because of their tendency to provoke political constraints, it is more likely that leaders centered on the mission should lead the country into an armed conflict. However, because they are too sensitive to domestic politics, it is less likely that context-centered leaders should lead the country into an armed conflict.

Hermann is the one providing the key dimensions to distinguish these types of leadership: (1) if the leader accepts political constraints, (2) the leader's willingness to accept new information and (3) focus of the leader on the problem or the relations.²⁰ Researchers identified four leadership styles: *fighter*, *strategic*, *pragmatic* and *opportunistic*.²¹ *The fighter* provokes political constraints and is close to the new information. This type of leader is essentially free of constraints in pursuing his own worldview. The most telling example is Fidel Castro. *The opportunist*, in contrast, is aware of the political constraints and seeks information. Political negotiation is the key component of this type of leadership. This type of leader will not risk alienating important political actors, in stark contrast to leaders like Hugo Chavez in Venezuela.

The *strategic* leader faces constraints, but it is open to information. This type of leader knows what he wants and seeks relevant information to achieve his goals. He is bold but informed when it comes to quality, in these ambitious aspirations. Hafez al-Assad of Syria is an example for this category.

Another type of leader is qualified as *pragmatic*, respects political constraints, but is closed to the information. Political constraints and

¹⁹ *Ibidem*

²⁰ Margaret G. Hermann, Thomas Preston, Bhagat M. Korany, Timothy Shaw, *op.cit.*, p. 83, apud *Ibidem*, p.116

²¹ *Ibidem*

attitude towards information may be supplemented with a third dimension, the motivation for action. These two types of motivations for action and the four categories listed above, *fighter, strategic, pragmatist and opportunist* provide other eight nuanced categories.²² For example, *the fighter* can be expansive or peaceful, depending on the motivation based on the problem or the relation. Expansionist leaders are those who have a motivation provided by a problem to be solved. These leaders will expand their control over resources or territory. A pacifist fighter, more comfortable with relationships, may influence others towards his cause.

An incrementalist leader, who must face the constraints of a problem, is open to information (thus being strategic) and, in terms of motivation, is centered on manageability. A charismatic leader, open to relationships, will face constraints and is open to information (also strategic), but in terms of motivation focuses on relationships, prompting others to act.

The next type, directive and advisory, represents subsets of the pragmatic category. Leaders of these types respect policy constraints, but are closed to the information. If the problem is centered, the actor is directive. These actors direct political talks towards their own views. Consultative leaders, by contrast, tend to be in centered relationships and therefore will closely monitor other elite's positions.

The last two leadership styles, reactive and adaptive, derive from the opportunistic category (i.e. respect the constraints and are open to information). Those who are oriented towards a problem are reactive. These leaders determine the range of options, and whether or not the political elements will be received. This political behavior is expedient. Every problem that arises is managed in accordance with the consideration of options which achieve political threshold (similarities to the rational actor decision-making model and the poliheuristic model). Relationship-centered leaders are the adaptive ones. These leaders build connections, seek to create consensus and increase responsibility. The difference between the two types is the motivation for action.

To summarize, the three dimensions - sensitivity to political constraints, openness to information, motivation for action - will help us determine if a leader is goal- or context- oriented. Goal-oriented leaders

²² *Ibidem*

would rather take strong measures, while those context-oriented will manifest aversion to risk and take measures more carefully. Figure 1 describes these relationships:

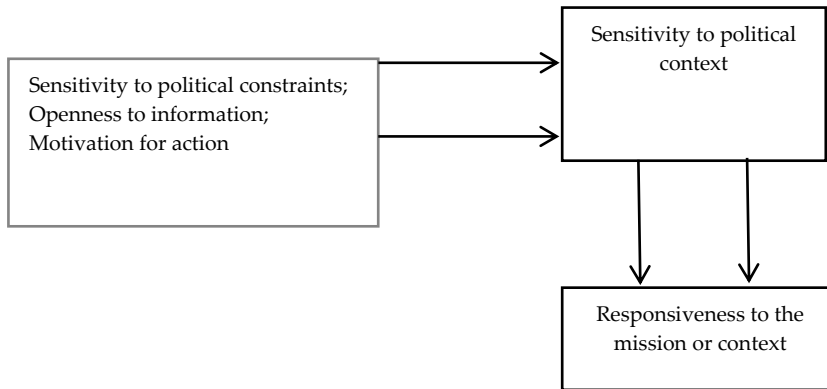


Fig.1.: Leadership styles (adapted from Hermann et al, "Who leads...", Mintz, DeRouen, *op.cit.*, p. 118)

The arrows in Figure 1 represent the direction of causality. For example, the sizes of the first box, shape the way in which policies will influence decisions which, in turn, will determine whether the actor is mission- or context- oriented.

Starting again from Margaret Hermann's model, Wilson has conducted a qualitative study on the effects which the personality of Prime Minister David Lange had on the outcome of the dispute between the two nations (the ANZUS crisis, the dispute between New Zealand and U.S.).²³ The research uses the theoretical framework articulated by Margaret Hermann, which seeks to demonstrate the relationship between the idiosyncratic characteristics of leaders and the foreign policy behavior of the respective nations. Wilson has conducted several interviews with people involved in the ANZUS crisis. Through this study, Wilson found

²³ Anna Kiri Wilson, *David Lange and the Anzus Crisis – An Analysis of the Leadership Personality and Foreign Policy*, PhD dissertation, University of Canterbury, 2006, [ir.canterbury.ac.nz/.../1/thesis_fulltext.pdf], 20 January 2012

that the personality of Prime Minister David Lange was essential for resolving the dispute, concluding that the studies conducted by Hermann are a useful tool in determining the effects that the personality of a leader have on a specific foreign policy result.²⁴ Considering Hermann's investigations, Wilson presents a synthetic model, which can be used as a benchmark for analyzing the personality of the leader. It takes into account the following factors: the nature of the situation (decision latitude, defining the situation and participation), personal characteristics (beliefs, motives, decision styles, interpersonal style), "personal filters" (interest in foreign affairs, training in foreign affairs and environmental sensitivity).

The model developed by Wilson, based on Hermann's work is valuable, drawing attention to the influence which the personality of the decision-maker exerts on foreign policy behavior.²⁵ Multiple frames of analysis have been proposed for emphasizing the link between the personality of the decision-maker and foreign policy conduct. However, some researchers still believe that this relationship has yet to be demonstrated.²⁶ Blondel suggests the building of a general model and then developing the various dimensions of the relationship between the personal characteristics and leadership impact.²⁷ The model developed by Wilson, at Hermann's suggestions, it is easy to understand and suitable for qualitative analysis. Figure 2 renders the theoretical framework of the works of Hermann:

²⁴ *Ibidem*, p. 28

²⁵ *Ibidem*

²⁶ Jean Blondel, *Political Leadership: Toward a General Analysis*, London, Beverly Hills: Sage Publications, 2006, p.115, apud *Ibidem*

²⁷ Jean Blondel, *op.cit.*, p. 115, apud *Ibidem*

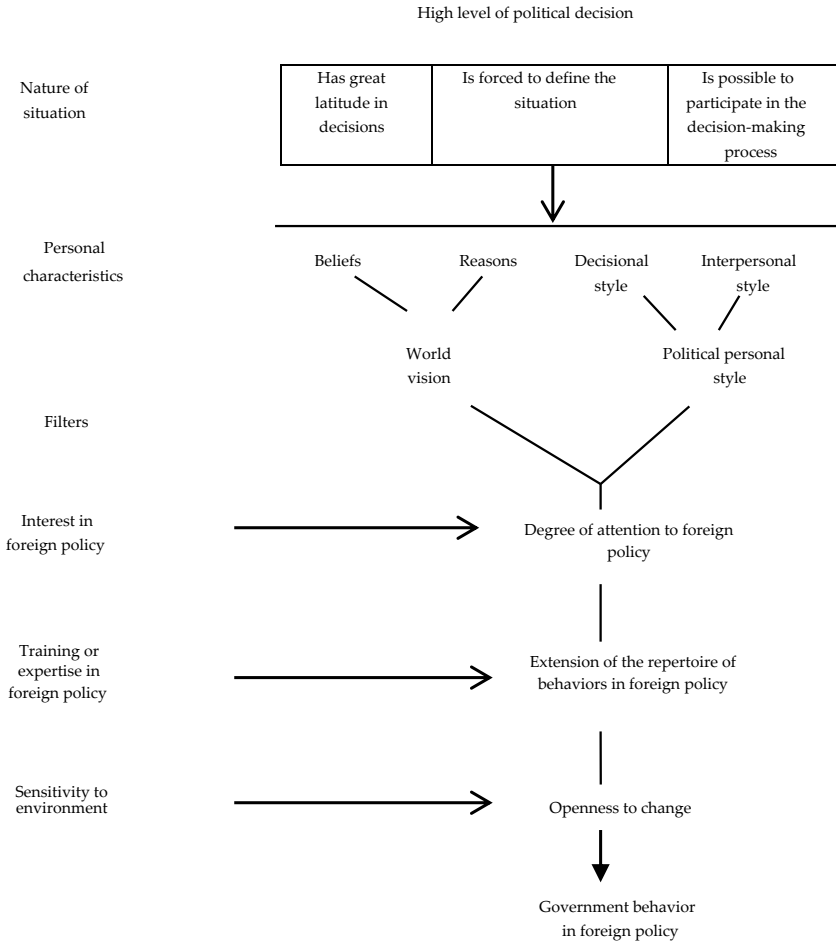


Fig. 2: The relationship between the personal characteristics of decision-makers and government behavior in foreign policy, based on the theoretical framework of Margaret Hermann (adapted after Wilson, *op.cit.*, p. 29)

An interesting and current classification of leadership styles is performed by Thompson, Neale and Sinaceur, expressed in the form of metaphors: *the preconscious decision maker/negotiator, situational decision maker/negotiator and the learning body*.²⁸

²⁸ Leigh Thompson, Margaret Neal, Marwan Sinaceur, *op.cit.* p. 32

The first metaphor, *the preconscious decision maker/negotiator*, describes the behavior of an actor who is strongly influenced by mental processes operations and states for which the actor is more or less directly aware. The leader's behavior is influenced by the activation of constructs and processes situated at a lower level than the conscious one. Research conducted by Kray, Thompson and Galinsky, on the performance of men and women in negotiating, reveals an activation of stereotypes which can dramatically influence behavior.²⁹

The second metaphor, *the situational decision maker/negotiator*, is a distinction from traditional information processing theory, which forms the basis of the cognitive approach. According to the cognitive approach, knowledge and its consecutive products (e.g. cognitive idiosyncrasies) are located in particular contexts and cannot be reduced to elements of individual knowledge, as it is often done in social psychology, where the states are measured at the individual level. The integrating potential of the decision-maker/negotiator calls for particular constellation of interests that extends beyond the individual perspective that the decision maker/negotiator focuses on.

The third metaphor, *the learning body*, raises the question of eliminating idiosyncrasies. There are many studies in the literature about the ways to reduce the influence of the idiosyncrasies on the decision-makers. In recent years, attention has been focused on learning at different levels (individual, groups and organizations), also from the perspective of different theoretical approaches (psychological, educational, and so on)³⁰. In this tradition, the decision maker/negotiator is seen as a learning body. One of the guidelines is related to learning by analogy, but the critical issue that arises concerns the circumstances in which the decision-maker will recognize the applicability of an older problem in a new domain.

Leadership styles can be analyzed by using the comparison of cases. In an acknowledged research,³¹ Saddam Hussein and Bill Clinton are

²⁹ Laura J. Kray, Leigh Thompson, Adam Galinsky, "Reversing the gender gap in negotiations: An exploration of stereotype regeneration", in *Journal of Personality and Social Psychology*, nr. 80, 2001, p. 942

³⁰ *Ibidem*, p. 945

³¹ Jerrold Post (ed.), *The Psychological Assessment of Political Leaders*, Ann Arbor, MI: University of Michigan Press, 2003, p. 56

compared by using the evaluation of case studies, character analysis and psycho-biographical analysis. The study compares the results of these analysis with the system of beliefs, personality and cognitive and leadership styles.

Another classification of leadership distinguishes the following categories: *collaborative, contingent, transactional, traditional, charismatic, transformational and administrative*.³²

An important role in decision making, at the leader level, have the influences³³ of the group of counselors, the personal qualities, such as personality or belief system. The researcher noted that the cognitive, emotional and social needs, the increased sense of duty are elements that motivate leaders. The environment of the leader is the one which stimulates or inhibits the shape which he sketches for politics. It's not only about the strengths and weaknesses of the leader and his group of advisors, but also about the force of the external factors.

Leadership psychology refers to the psychological elements and claims that every decision maker brings with him when he makes a decision.³⁴ In an interesting study, Kelly and Barsade track how emotions influence the decision at the level of a group.³⁵ The researchers propose a model for understanding these influences, starting from the individual level, that of emotions, moods, feelings, emotional intelligence, which individuals bring to the group. These will influence the formation of an affective composition of the group. They even study the affective processes that may occur in the group by contagion, modeling and the effects of emotional manipulation. The figure below shows the model developed by Kelly and Barsade:

³² Roger Miller, Jeffrey Miller, *Leadership Styles for Success in Collaborative Work*, 2007, [www.leadershipeducators.org/.../Miller.pdf], 3 February 2012

³³ Steve Devitt, *Presidential decision-making in international crises. Case studies in the Nixon, Carter and Reagan administration*, MA thesis, Hawai'i Pacific University, 2009, [www.hpu.edu/CHSS/.../2009SteveDevitt.pd...], 20 March 2012, p. 20

³⁴ Jonathan Renshon, Stannley Renshon, "The Theory and Practice of Foreign Policy Decision Making", in *Political Psychology*, vol. 29, no. 4, p. 510; Gregory L. Hagar, Terry Sullivan, "President-centered and Presidency-centered Explanations of Presidential Public Activity", in *American Journal of Political Sciences*, vol. 38, no. 4, November 1994, p. 1079

³⁵ Janice R. Kelly, Sagal G. Barsade, "Mood and Emotions in Small Groups and Work Teams", in *Organizational Behavior and Human Decision Processes*, vol. 86, no. 1, September, 2001, p. 99

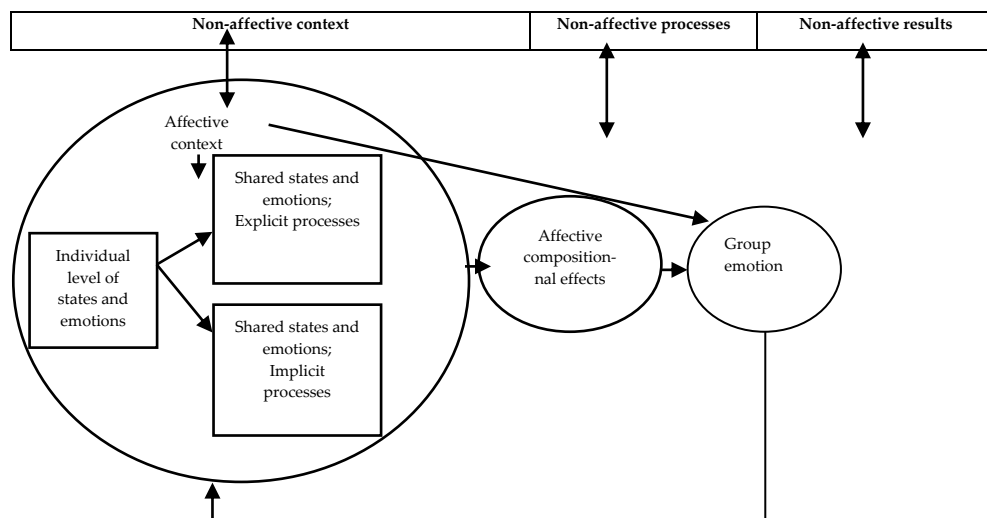


Fig. 3: Group states and emotions (adapted from Kelly, Barsade, *op.cit.*, p. 101)

Emotional idiosyncrasies are the latest among the categories of idiosyncrasies that may occur in decision makers/negotiators. This perspective results from the social psychology, but also from focusing on the knowledge that the decision maker/negotiator realizes. Emotional idiosyncrasies have two distinct processes: initial states resulting in particular behaviors and outcomes, and the final states that can be assigned to the use of specific behaviors and outcomes. Therefore, emotions serve as dependent and independent variables in research.³⁶

Idiosyncrasies are an important factor acting in foreign policy decision-making. The decision making process is in full change, decision makers today being in the position to form coalitions based on political interests and take the context into account. This is the paradox of contemporary politics culture: the power of decision does not belong only to those who hold the formal position, and the difference between decisive decision-making institution and the person in the respective position is of paramount importance (Friedman): "Presidents make history, but not how they want to. They are coerced and harassed on all sides by reality. [...] Is

³⁶ Leigh Thompson, Margaret Neal, Marwan Sinaceur, *op.cit.* p. 31

important to remember that candidates will say what they have to say in order to be elected, but even when they say what they think, they will not be able to pursue their goal. [...] the U.S. presidency was designed to limit the president's ability to lead. He can at most guide and frequently not even that".³⁷

3. Conclusion

Decision-making in foreign policy is an important area of research because the manner in which decisions are taken can determine a possible choice to fall into a pattern. Therefore, an actor can reach a different result depending on how the decision was taken. Moreover, significant cognitive limitations distort the information processing. Some decisions are carefully calculated, while others are intuitive.

The presence idiosyncrasies (these personal, social factors)³⁸ influencing decisions can lead into other approaches to decision making, different from the "classical" rational model. Rationality in foreign policy decision making cannot be considered the sole factor. In the best case, it may be taken as a reference factor, but postmodern approaches bring considering the role and influence of psychological factors to the attention of specialists.

For the individual decision-making level, Jackson and Sorensen talk about the limited capacities of human beings to make rational and objective decisions, these limitations are related to the way in which information is perceived and processed³⁹. Effects of cognition and beliefs upon foreign policy makers are present by: beliefs content of the decision makers, through the organization and structure of the decision makers' beliefs by

³⁷ George Friedman, *The Election, the Presidency and Foreign Policy*, 2012, [www.stratfor.com/.../election-presidency-an...], 31 July 2012

³⁸ Frank Campanale, Brett Shakun, „Behavioral Idiosyncrasies and How They May Effect your Investment Decisions “, in *American Association of Individual Investors Journal*, vol. XIX, no.9, October 1997, p.13

³⁹ Robert Jackson, Georg Sorensen, *Introduction in International Relations. Theories and approaches*, 3rd edition, Oxford: Oxford University Press, 2007, p. 234

common patterns of perception (or misperceptions) and cognitive stiffness (or flexibility) for change and learning.⁴⁰

Given the complexity of the foreign policy decision-making process, it becomes clear that the approach to foreign policy analysis, focusing on decision-making is vital to the understanding of the foreign policy behavior of our world and the specific behavior of different nations. Foreign policy decision-making has models and theories that can help us understand how bias, error, uncertainty and internal policies may determine decisions.

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⁴⁰ Jerel A. Rosati, „The power of human cognition in the study of world politics“, in *International Studies Review*, 2/3: 2000, p. 47, apud Robert Jackson, Georg Sorensen *Introduction in International Relations. Theories and approaches*, 3rd edition, Oxford: Oxford University Press, 2007, p. 235

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COMPETENCES AND SKILLS TRAINING FOR THE EUROPEAN NEGOTIATOR PROVIDED BY ROMANIAN UNIVERSITIES

Florentina Chirodea, Luminița Șoproni*

Motto

“Negotiation is a game of skill and chance.

With more skill, you can reduce the effects of chance”.

(David Goldwich, professional speaker and trainer in persuasive communication)

Abstract

Any negotiation involves multiple elements, which, by their dynamics, influence its conduct and outcome: object, context, stake, balance of power, strategy and tactics. Knowledge and effective use of these elements are essential to the success of the negotiator, being largely determined by the negotiator’s innate and acquired skills and abilities. In this context, the learning process is fundamental to the formation and improvement of professional negotiators, capable to meet the challenges of both the global economy and the European multicultural environment. Therefore, in this paper we propose to analyse the extent to which the Romanian higher education system is geared towards the training of negotiators in different areas of work, and to identify what needs to be improved within this system to better respond to the need to form a professional negotiator at European level.

Keywords: negotiation, communication, higher education, Romania

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Negotiation and negotiator

Given the complexity of the negotiation process as a form of decision making and its applicability in any area of domestic, social or professional life, there are many definitions that try to capture its essence as accurately as possible. But whatever the perspective from which it is viewed or analysed, negotiation is above all a form of communication, interaction between people or groups, which aims to achieve results beneficial to everyone involved. And what is important, regardless of the strategy and methods used, is that partners will always develop a relationship that must be managed carefully as it affects both the conduct of negotiations and the final result.

Of the definitions of negotiation, we consider to be fundamental and revealing the one formulated by the reputed former U.S. Secretary of State and negotiator, Henry Kissinger. According to him, negotiation is “a process of combining conflicting positions into a common position, under a decision rule of unanimity”.¹ Kissinger falls under the “hard” category in terms of approaching negotiation, which focuses on achieving the goal set out, the result. In the same spirit, Acuff believes that negotiation is “the process of communicating back and forth for the purpose of reaching a joint agreement about differing needs or ideas”.² Communication comes here as a sequence of interactions required to achieve the goals.

Other authors consider negotiating a game because it implies the ability to predict and control what is happening, has a predictable sequence of activities, has players whose behaviour affects the conduct of negotiations, and has clearly defined rules.³

A second approach (which we will call “soft”) considers negotiation as a process allowing to obtain the best possible outcome for everyone

¹ Apud. H.A. Kissinger, *Nuclear Weapons and Foreign Policy*, New York: W.W. Norton, 1969, in Tanya Alfredson and Azeta Cungu, *Negotiation Theory and Practice. A Review of the Literature*, FAO Policy Learning Programme, 2008, p. 6.

http://www.fao.org/docs/up/easypol/550/4-5_negotiation_background_paper_179en.pdf, 22 October 2013.

² Frank L. Acuff, *How to Negotiate Anything with Anyone Anywhere Around the World*, New York: AMACOM – American Management Association, 2008, p. 6.

³ Roy J. Lewicki and Alexander Hiam, *Arta negocierii în afaceri: ghidul pentru încheierea unei afaceri și rezolvarea conflictelor*, București: Publica, 2008, pp. 20-22.

involved. In this respect, Dupont believes that “negotiation is an activity that involves the interaction of many actors who, while experiencing the differences and interdependencies at the same time, choose the voluntary search of a mutually acceptable solution”.⁴ This interaction requires communication before anything, because a successful negotiation is based on the ability of the parties to express and understand both points of view. The importance of communication in negotiation is very well expressed by Goldwich, who says that “negotiation is a process of persuasive communication that begins as soon as you recognise an interest that you cannot satisfy on your own”.⁵

Others go further, saying that the outcome of the process (of negotiation) is superior to the aforementioned situation: “negotiation is an interactive communication process by which two or more parties who lack identical interests attempt to coordinate their behavior or allocate scarce resources in a way that will make them both better off than they could be if they were to act alone”.⁶

Any negotiation involves multiple elements, which by their dynamics influence the conduct and the outcome of negotiations. According to Dupont, the fundamental elements of a negotiation are: *object, context, the stake, the balance of power and negotiators*.⁷ These components, along with *strategy and tactics*, are essential in defining a particular model of negotiation - such as European, Japanese or North American models - as they contribute through their inter-linkages to the formation and development of a specific style, with defining attributes and characteristics for negotiation and communication in general.

Negotiators are the key element of negotiation in terms of the relationship that is created and developed between them, a relationship that results from confronting their behaviours. The behaviour and the style of addressing the relationship depend on the chosen strategy and on the preferred negotiation style.

⁴ Christophe Dupont, *La négociation. Conduite, théorie, applications*, Paris: Editions Dalloz, 1994, p. 11.

⁵ David Goldwich, *Win-Win Negotiations. Developing the mindset, skills and behaviours of win-win negotiators*, Singapore: Marshall Cavendish Business, 2010, p. 4.

⁶ Russell Korobkin, *Negotiation, Theory and Strategy*, Wolters Kluwer, 2009, p. 1.

⁷ C. Dupont, *op.cit.*, pp. 32-46.

Fundamental negotiation styles

There are two major types of negotiation - cooperative and conflictual – both of which, although with different features, are commonly used by negotiators during the same session of negotiations. Thus they set out the general direction of a negotiation, during which it is possible to witness elements that are characteristic of both styles.

Cooperative negotiation, recommended by most professionals, is a negotiation of the “win –win” type, which involves collaboration between parties in order to achieve a satisfactory outcome for all. To this end, “the deals are about creating value and claiming it”,⁸ exploiting creativity, searching for constructive and dynamic options. This is because it is less about proving the validity of a position, but more about convincing the other party of the interest to act together, of the opportunity to solve a problem by means of collaboration.⁹ This type of negotiation, through the climate of trust that it develops, leads to a stable agreement and considers the future of the relationship between the partners. Experts recommend this type of negotiation as the today’s globalized world, characterized by continuous interaction and long-term relationships established between national, regional and international actors, make win-win solutions be the only reasonable result.

Conflictual negotiation (“win-lose”) is a zero-sum game aimed at differentiating interlocutors according to the power that they have. The value at stake being fixed, the key question is: “Who will claim the most value?”,¹⁰ causing participants to want to be winners in order to not be defeated. The relationship does not hold great importance in this type of negotiation, unlike the information (to be more exact, *who* has the information), which is essential in order to make the rules of the game. Although almost all specialists praise the virtues of cooperative negotiation, the U.S. negotiator Frank Acuff emphasizes, based on his own experience, that in everyday life, negotiations are conducted conflictually and this leads to poor results and visible negative consequences. Revealing examples are, in Acuff’s opinion, the geopolitical tensions that have

⁸ *Harvard Business Essentials: Negotiation*, Boston: Harvard Business School Press, 2003, p. 2.

⁹ C. Dupont, *op.cit.*, pp. 49-50; D. Goldwich, *op.cit.*, pp. 2-4.

¹⁰ *Harvard Business Essentials...*, p. 2.

persisted for many years in the Middle East, conflicts which are actually unresolved conflicts from previous instances of win-lose.¹¹

Behavioural styles of negotiators

Corresponding to the two types of negotiation, there are two basic styles of negotiator's behaviour – the cooperative negotiator and the conflictual negotiator. As in the case of the negotiation styles, the negotiator's behaviour, even if it is homogeneous, is the meeting place of several trends.¹²

The *cooperative negotiator* is the most effective type of negotiator because their negotiation falls under the "win-win" category. Although open, positive and conciliatory, the cooperative negotiator does not lack in firmness. They are characterized by firmness in goals and by flexibility in seeking mutually acceptable solutions. Au contraire, the *conflictual negotiator* demonstrates rigidity in both goals and seeking solutions. Priority is given to force rather than diplomacy, the conflictual negotiator trying to win by domination.

Gavin Kennedy associates the two behavioural styles with the colours *blue* (the submissive, timid and giving style,) and *red* (the aggressive, domineering and taking style) and, as a novelty, introduces a third colour – *purple*, a combination of the first two, a compromise negotiator who always trade something for something, giving (Blue) only when he takes (Red) something in return. This style focuses on fairness and balance, with each party making some sacrifice to get part of what it wants¹³.

Whatever the dominant colour, the normal behaviour of any player involves the combination, depending on the context, the time, the interests at stake and the strategy and tactics of the opponent, of the characteristic elements of the two forms of negotiation, in order to get the best result.

In addition to the classification according to strategic orientation, negotiators are different also in terms of the region to which they belong,

¹¹ F. Acuff, *op.cit.*, pp. 7-9.

¹² C. Dupont, *op.cit.*, p. 54.

¹³ Gavin Kennedy, *Essential Negotiation*, London: The Economist, 2004, pp. 23-24; D. Goldwich, *op.cit.*, pp. 22-24.

with traits and attitudes developed and shaped by the respective cultural space¹⁴. The specific factors that differentiate between negotiations from one region to another are: pace of the negotiations, strategies, emphasis on personal relationship, emotional aspects, decision making, and contractual and administrative factors.¹⁵ Taking into consideration these factors, Acuff has identified two models of negotiation for Europe (making a distinction between Western Europe and Eastern Europe), as shown in the table below:

Table 1. Negotiating factors in Europe

Factors	Western Europe	Eastern Europe
<i>Pace of negotiations</i>	moderate	slow
<i>Negotiating strategies</i>		
- opening offers versus final settlement	moderate initial demands	high initial demands
- presentation of issues	one at a time	group of issues may be presented
- presentations	formal	fairly formal
- dealing with differences	polite, direct	argumentative
- concessions	fairly slow	slow
<i>Emphasis on personal relationship</i>	low	very low
- sensitivity	moderate	not highly valued
<i>Decision making</i>	planned, organized	somewhat impulsive
- emphasis on group	moderate: decisions from top management	moderate: decisions from top management
- emphasis on face saving	moderate	fairly high
<i>Contractual & administrative</i>		

¹⁴ Researchers Geert Hofstede, Fons Trompenaars, Eduard T. Hall, Kluckhohn and Strodbeck identified several cultural dimensions that influence the characteristics and behaviour of people, and thus, behaviour and negotiation style of individuals from different countries: distance from power, collectivism/individualism, femininity/masculinity, universalism/particularism, attitude towards time, relation with the nature, etc. In the same direction, the research project *GLOBE (Global Leadership and Organizational Behavior Effectiveness)* adds more cultural dimensions (assertiveness, orientation towards performance, etc.), analyzing attitudes, behaviours and leadership styles on clusters of countries.

¹⁵ F. Acuff, *op.cit.*, p. 28.

- degree of bureaucracy	moderate	high
- need for an agenda	high	moderate

Source: Frank L. Acuff, *How to Negotiate Anything with Anyone Anywhere Around the World*, New York: AMACOM – American Management Association, 2008, pp. 79-80, 129-130

Although there are traits that may blur the distinction between western and eastern negotiators, each country has characteristics and features that should be considered when addressing an international negotiation. For example, the Romanian negotiator has many specific elements (resulting from the combination of various factors: historical climatic, economic, cultural, etc.), elements that distinguish him from the Hungarian negotiator, although both negotiators belong to the same Eastern European group. Besides skills such as proper etiquette, a keen business sense, and the ability to read nuances of verbal and nonverbal communications, the European diversity forces the foreign businessperson to acquire skills they possibly never had before.¹⁶

Skills and competences needed for negotiators

Whatever is the line of work of the negotiator (who may be buying or selling, a marketing and communication specialist, businessman or lawyer, diplomat or civil servant), his specific negotiating skills influence the success of the negotiation.

Negotiation is a collection of behaviours that involve communication, sales, marketing, psychology, sociology, assertiveness, and conflict resolution.¹⁷ Being a form of communication and persuasion, the negotiation involves the use of all *communication skills*: listening, asking questions, sharing information, interpreting information, framing proposals, reading body language, influencing and persuading. It requires empathy and understanding, knowledge and insight, diplomacy and tact.¹⁸

¹⁶ Farid Elashmawi, *Competing Globally: Mastering Multicultural Management and Negotiations*, Boston: Butterworth Heinemann, 2001, p. 181.

¹⁷ *Ibidem*, p. 6.

¹⁸ D. Goldwich, *op.cit.*, p. 2.

Competent negotiators must develop a style consistent with their own skills and strengths, including the culture of which they are part. At the same time, they must *accept* and *respect* the people acting in other ways, while trying to find a compromise together that would lead to a result for the mutual benefit. They should switch easily from conflictual negotiation to cooperative negotiation, to know how *to compromise*, to avoid or to adjust to certain conditions and requirements of the other party - in short, to be *flexible*. Flexibility is the main feature of the negotiator otherwise required to master any situation and to solve possible conflicts during the negotiation.¹⁹

The skills of a good negotiator represent actually a set of interpersonal and social skills: training (the will to prepare thoroughly to know the negotiation framework), capacity to analyse the problems (in order to determine the interests of both parties as accurately as possible), the foresight (possible objections, in order to prepare counter-arguments), active listening (which requires mastery of both verbal communication, as well as the non-verbal one), emotional control, teamwork, persuasion, assertiveness and facility of expression, ability to make decisions, reliability and professional awareness.

Skills and competences of the European negotiator provided by the higher education in Romania

Starting off from the theoretical concepts presented above, we intend to identify the competences and the skills necessary to a negotiator, acquired during specialization programmes in the Romanian higher education system. The structure of *Classification of Occupations in Romania (COR) level of occupation, 6 characters*²⁰ does not show explicitly the

¹⁹ R. Lewicki and A. Hiam, *op.cit.*, pp. 32-38; Bill Scott, *Arta negocierilor*, București: Editura Tehnică, 1996, p. 117.

²⁰ The occupations in Romania were classified based on Regulation (CE) no. 1022/2009 of the Commission from 29 October 2009 to modify the regulations (CE) no. 1738/2005, (CE) no. 698/2006 and (CE) no. 377/2008 in what regards the international standard classification of occupations (ISCO). The classification applies to all areas of economic and social activity and is mandatory for all central and local public administration bodies, budgetary units, operators, regardless of ownership, employer organizations, trade unions, professional and political foundations, associations and other individuals operating in Romania. See

profession of negotiator, only that of mediator (code 243202). Given the complexity of the negotiation process, in order to find the other dimensions of the profession, we believe it was necessary to extend the research to occupations such as Foreign Relations Expert (code 243213), Foreign Relations Reviewer (243215), European Affairs Advisor (243214) Advisor / Expert / Inspector / Reviewer / Economist in Trade and Marketing (263104).

The COR, the unit of general interest for ordering information on occupations in Romania,²¹ classifies all four trades in main group 2 - specialists in various fields of activity, main subgroup 4 - specialists in commercial-administrative field of activity, operating in the fields of public relations, marketing or apply various concepts and theories relating to negotiation and protocol. The first two professions belong to the minor group 3 - specialists in sales, marketing and public relations, core group 2 - public relations specialists, whose main professional tasks are to undertake activities such as: the use of high-level knowledge in public relations; planning, development, implementation and evaluation of information and communication strategies; provision of understanding and of a favourable image of companies and other organizations, their goods and services, their role in the community,²² respectively. The following two occupations are found in minor group 2 - specialists in administrative field of activity, core group 2 - specialists in administrative policies that develop and analyse policies in order to design, implement and modify operations and government and commercial programmes.²³ The last occupation falls under the minor group 6 - specialists in the legal, social and cultural areas, core group 3 - specialists: performing research, data monitoring, analysing

Romanian Government, Order no. 1832/856 from 6 July 2011 on approval of Classification of occupations in Romania – level of occupation (six characters), published in M.O. 561/8 August 2011

[<http://www.mmuncii.ro/pub/imagemanager/images/file/Legislatie/ORDINE/O1832-2011.pdf>], 12 October 2013.

²¹ Romanian Government, H.G. 1352 from 23 December 2010 on approval of the structure of Qualification of occupations in Romania – level base group, according to International standard classification of occupations - ISCO 08, published in M.O. 894 from 30 December 2010, [http://www.mmuncii.ro/pub/imagemanager/images/file/Legislatie/HOTARARI-DE-GUVERN/H1352_2010.pdf], 10 Oct. 2013.

²² Classification of occupations in Romania, 2013

[http://www.rubinian.com/cor_5_ocupatia.php?id=2432], 10 Oct. 2013.

²³ *Ibidem*

information, preparing reports and plans to solve economic and business problems; developing analytical models; explaining and predicting economic behaviour; offering business advice to interest groups and governments in order to formulate solutions to current and future business and economic problems.²⁴

The abilities to perform the required work activities at the quality level specified in the occupational standard translate into acquired professional competences, in our case, following formal, non - formal or informal paths. The last two training paths are based on the practice of specific activities directly at the workplace, on the self-training, or on the uninstitutionalized ways, unstructured and unintended, of accumulating knowledge and skills through unsystematic contact with various sources of the field of socio-education, family, society or professional environment.²⁵ Traditionally, to achieve level 4 of training, the acquisition of these skills is achieved during undergraduate, postgraduate or doctoral study programmes provided by the Romanian universities. The results of professionalization obtained following such education programmes translate mainly through knowledge (what we know) and skills (what we can do). Along with own beliefs (what we think),²⁶ professional and transversal competences are thus developing.

National recognition of the value of learning outcomes for the labour market is done through the National Qualifications Framework for Higher Education (CNCIS). Developed in close relation to the CNCIS, the National Register of Qualifications in Higher Education (RNCIS) is a tool for assessing the structure of qualifications and their international compatibility. Through it we can measure and establish relations between set of knowledge, skills, attitudes and values that a person is able to demonstrate after completion of the learning process. The matrix CNCIS is "an integrative approach" of the Romanian higher education qualifications from two perspectives: vertical and horizontal. With the help of the five generic descriptors corresponding to professional skills progress, we can

²⁴ *Ibidem*

²⁵ Alina-Teodora Ciuhureanu, *Competențe și abilități necesare pentru integrarea pe piața muncii*, 2012, pp. 1-8, [www.caravanacarierei.bns.ro], 11 November 2013.

²⁶ Katia Tieleman, Marc Buelens, *Negotiation. Essentials*, Leuven, Belgium: Lannoo Campus Publishing House, 2012, p. 8.

indicate their progress, from the level of knowledge and understanding (level 1), to the creative and innovative level (level 5). Horizontally, we can delimit by a descriptor level, the three cycles of higher education: Bachelor, Masters and PhD. The result takes the form of two grids, the first showing the domain or the programme of studies, name and level of qualification, level descriptors and minimum performance standards; the second, based on the first, establishes correlations between professional competences and transversal competences, the main curricular fields, disciplines of study and the corresponding number of credits. The resulting grid is the support for the identification of possible occupations for those qualifications.²⁷ The structured model will be further used to identify the appropriate competencies and skills corresponding to the four occupations in the COR.

To select the data from the RNCIS database we used the occupation title as the main filter. The second criterion targeted the education level, due to the fact that because the electronic platform has not yet been fully added with all entries, we have not been able to supply enough references for Masters and PhD levels, so a consistent analysis was not possible. The information extracted from the database for undergraduate programmes are presented in the following table .

Table 2. Specializations of Romanian higher education targeting the five COR occupations

Occupation	Specialization – undergraduate programmes
Mediator	Anthropology, Communication and Public Relations, Legal Studies, Community Law, Philosophy, Applied Modern Languages, Translation-Interpretation
Foreign Relations Expert	American Studies, European Studies
Foreign Relations Expert	International Business, Archival Studies, Legal Studies, Community Law, Classic Philology, Industrial Economic Engineering, Art History, History, Romanian Language And Literature, Applied Modern Languages, Modern Language and Literature, Language and Literature, Comparative Literature,

²⁷ National Agency for Higher Education Qualifications and Partnership with the Economic and Social Environment (ACPART), *Cadrul Național al Calificărilor din Învățământul Superior [National Framework for Higher Education Qualifications]*, Bucharest, 2008, pp. 14-16.

	Museology, International Relations and European Studies, American Studies, Cultural Studies, Security Studies, European Studies, Jewish Studies, Translation – Interpretation
European Affairs Advisor	European Administration, International Business, Legal Studies, Community Law, Economics and International Business, International Relations and European Studies, American Studies, Cultural Studies, European Studies
Advisor / Expert / Inspector / Reviewer / Economist in Trade and Marketing	Marketing

Source: own processing of data provided by RNCIS

A comparative analysis of specializations in Romanian universities targeting the four COR occupations highlights the existence of a wide range of qualifications, especially for the Foreign Relations Reviewer occupation. In the absence of occupational standards for each trade, the correlation between them and specializations in the higher education system is quite relative, generating situations - absurd, in our opinion – when a degree in philosophy or in translation-interpretation allows the entering into a negotiation which involves the use of specific strategies and tactics for reaching an agreement. To deepen these observations, we will continue to identify professional competences acquired after completing the programmes listed in Table 2 and their degree of correlation with the requirements of the negotiation activity.

Professional competences acquired after completing the undergraduate study programmes can be grouped into cognitive competences and functional - action competences, both providing the ability to successfully resolve problem situations circumscribed to the five occupations in terms of effectiveness and efficiency. In turn, transversal competences are of two types - of role and of personal and professional development; they refer to the social context of exercising the trade and to the awareness of the need for continuous training. From this point of view, each qualification has established a grid of knowledge, skills and abilities gained after studying the curriculum of each programme of study offered

by each university in which it operates. From the multitude of information we retained only the information that is compatible with previous theoretical considerations, their breakdown being shown in Table 3.

Table 3. Professional competences corresponding the activities of negotiation, formed in the Romanian higher education system

<i>Communication and Public Relations</i>
<ul style="list-style-type: none"> • Identification and use of language, methodologies and expertise in the communication sciences • The use of new information and communication technologies (NICT) • Identification and use of strategies, methods and techniques for communication in the public relations area • Expert assistance in managing crisis communication and / or conflict mediation communication
<i>Legal Studies, Community Law</i>
<ul style="list-style-type: none"> • Applying Romanian law, European law and other international legal instruments • Interpretation, correlation and comparison of legal institutions of national law, European law and the law of other states • Applying knowledge required in collecting data and information on a specific legal issue • Using legislation in force to analyse legal situations in their correct legal employment and in their resolution
<i>Applied Modern Languages, Translation-Interpretation</i>
<ul style="list-style-type: none"> • Communication in multilingual professional situations of integration, negotiation and cultural and linguistic mediation
<i>European Studies</i>
<ul style="list-style-type: none"> • Analysis of European cultural phenomena in multiple contexts (local, regional, national, global, etc.). • Analysis of multi / intercultural reports and mediation of intercultural communication
<i>International Business, Economics and International Business</i>
<ul style="list-style-type: none"> • Negotiation and implementation of transactions with products and / or services to international markets • Diagnosis in international business based on specific community and national regulations • Database management in international business • Support in international business for public international organizations, local and regional communities (EU institutions, professional associations, chambers of

commerce, clusters, etc.)
<ul style="list-style-type: none"> • Support for the preparation and conduct of negotiations in international business
<i>European Administration</i>
<ul style="list-style-type: none"> • Oral and written communication in the language of the study program and in a foreign language, of structured messages related to a given problem in the specialized literature • Business Administration and European Public Policy, management of the EU financial assistance
<i>International Relations and European Studies</i>
<ul style="list-style-type: none"> • Fundamental use of international relations theory in the study of European and international processes • Use of methodologies of analysis in international relations and European affairs • Design of strategies in international relations and European affairs • Assistance in the field of international negotiation and mediation between various interest groups • Assistance in the management of relationships within organizations and institutions involved in European and international processes
<i>Marketing</i>
<ul style="list-style-type: none"> • Use of selling techniques

Source: done by the authors based on the RNCIS data

Taken together, the professional competences shown in Table 3 meet the needs expressed by the specialised literature on the success of a negotiation. Also, the functional-action skills are present in all study programmes, thus ensuring professionalism in any given situation and in solving all possible conflicts. We should note, however, that they are not found within one single qualification. The communication competences are formed in programmes like Communication and Public Relations, Applied Modern Languages, Translation - Interpretation and European Affairs. The capacity of anticipation is enhanced in programmes such as International Relations and European Studies, International Business, Marketing and Administration, while the mission to provide the legal basis for the negotiation activities lies with European Law and Community Law programmes.

Regarding the transversal competences, they are the same for all qualifications, covering skills such as: teamwork, persuasion, assertiveness

and facilitation of expression. Another direction is given by the formation of efficient work habits, respecting chains of command and ethical norms specific to the domain. Thirdly, is targeted the training of skills to identify and use effective learning methods and techniques, as well as motivations for lifelong learning awareness.

Conclusions

In our study, we started from the observation that there is not an occupation in the COR, covering negotiation. The identification of related professions and their corresponding qualifications at undergraduate level in Romania led to highlighting a series of professional and transversal skills appropriate for the European negotiator profile. However, their distribution in different degree majors supposes a sequential or concurrent completion of several degree programmes, sometimes in very different fields. In this context, given the complexity of the negotiation process and its specific elements that require study and applied exercises, we consider necessary to strengthen the knowledge and skills to postgraduate and doctoral studies. Also, we find it most useful to have data entries in the RNCIS on competences shaped during cycle 2 and 3 of university studies; this lack of information has not only limited the research, but also has prevented us from outlining a complete picture of opportunities for training in negotiations.

Based on these circumstances, we believe it is appropriate to deepen the knowledge through postgraduate programmes in the field, or even a deeper specialization during doctoral internships. Also, we consider useful to include several courses of negotiation and communication in the existing undergraduate curricula, tailored for the respective domain. Since negotiation is based on communication, enhancing the training in communication skills in multiple languages becomes a necessary element for the development of the intercultural dimension of the future negotiator.

Of the many models of negotiators offered by the specialised literature and the European practice, we have identified certain general available features, which can be found amongst the competences shaped by the Romanian higher education system. This indicates that there is a basis

from which one can start to build a model of effective and efficient negotiator.

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PRE-ACCESSION MONITORING AND MINORITY PROTECTION IN THE REPUBLIC OF MACEDONIA

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Abstract

The paper investigates how progress is made by the Republic of Macedonia and how the pre-accession monitoring is evaluated and carried out in what concerns the political criteria, with special focus on the protection of minorities. The paper attempts to illustrate the phases of the EU Political conditionality and discourse in the case of the Republic of Macedonia. It also gives an overview of the progress reports submitted, up to now, by the European Commission focusing on the main recommendations and signalized criticalities what concerns minority policies.

Keywords: Republic of Macedonia, EU conditionality, pre-accession monitoring, political criteria, minority protection

Introduction

The enlargement of the European Union is a key political process, mainly important for the countries with the aspiration to join and also for the international relations of Europe in general. Scholars define enlargement as a process of gradual and formal horizontal institutionalization.¹ The far-reaching implications from the EU enlargement go around the questions of political shape of Europe in whole and its members-state in specific, their institutional building and integration process. The transformation of the EU from an exclusively west European organization into the centre of gravity of pan-European

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¹ Frank Schimmelfennig and Ulrich Sedelmeier (eds.), *The Europeanization of Central and Eastern Europe*, Ithaca and London: Cornell University Press, 2005

institutional-building makes it a dominant locus of domestic policy-making and transnational relations for the entire region.² As Schimmerlfennig and Sedelmeier point out, the literature on EU enlargement has focused primarily on three dimensions which all concern the process leading to enlargement: 1) applicants' enlargement politics³; 2) member state enlargement politics⁴; and 3) EU enlargement politics.⁵ In this paper, we combine the first and the third dimension, in the case of the Republic of Macedonia, looking through the issue of EU conditionality and progress results completed by this applicant country considering only the political criteria and the protection minorities in specific.

1. EU political conditionality in three phases

The EU democratic conditionality for the Western Balkans (WB) has a unique contour⁶, broadest scope and highest extent hitherto. Beside these general 'Copenhagen' criteria the conditionality for the countries from the former Yugoslavia started even before their independence, namely during the process of the Yugoslav state dissolution, when EC/EU attributed to its institutions and officials dominant role for the state recognition and peace negotiation efforts. The constant 'conditionality' mode of the approximation of the WB towards the EU was just developing over time with the Stabilization and Association Process (SAP)⁷ and the so called 'pre-

² Frank Schimmerlfennig and Ulrich Sedelmeier, "Theorizing EU enlargement: research focus, hypotheses and the state of research" in *Journal of European Public Policy*, 9, 2002, pp. 500-528.

³ The basic question is why and under which conditions do non-member states seek accession to a regional organization.

⁴ The main question is under which conditions does a member state of a regional organization favours or oppose enlargement to a particular applicant country.

⁵ Under which conditions does the regional organization admit a new member, or modify its institutional relationship with outside states. This dimension is divided in two 1) *marco*, EU as a polity and concerns the question of candidate selection and patterns of national membership; and 2) *micro*, concrete substance of the organizational rules that are horizontally institutionalized, specific outcomes of accession negotiations and the nature of pre-accession conditionality or association policies.

⁶ Blockmans, S. and Adam Lazowski (eds.), *The European Union and Its Neighbours: A legal appraisal of the EU's policies of stabilization, partnership and integration*. The Hague: TMC Asser Press. , 2006, 323

⁷ Institutional and political framework initiated by the European Commission in 1999 for assistance of the countries for the Western Balkans to meet the criteria relevant to transform

pre-accession' conditionality which was unique model of conditionality towards any potential candidate countries.⁸

For analytical reasons, we propose organization of three phases of the EU political conditionality towards the Republic of Macedonia that are crucial for following the Europeanization of the country. These phases are distinct from each other less chronologically and much more in their quality and nature of the conditionality towards the WB countries. Substantially, these stages of the EU conditionality will be crucial for analyzing the European Commission (EC) Progress Reports for 2013 regarding the Political criterion for accession, the Fundamental rights and minorities protection in particular.

1.1. Statehood Recognition

The first, the statehood formation phase, comprises the period from the State recognition of WB countries in 1991 to the Stabilization and association process in 1999. Within this period the European Community did not have a clear perspective what exactly is the preferred type of relationship with the WB countries but played pivotal role in framing the conditions for their international recognition. This occurred for at least two reasons.

First, as the Yugoslav crisis was regarded as European Security problem⁹ EC organized several sessions of the Peace Conference on Yugoslavia in the Hague, Brussels and London in the period from September 1991 until August 1992 with intention of either preserve the Yugoslav edifice as con-federal or provide seize fire and state recognition of the Yugoslav countries under conditions of legitimate statehood in

their status from 'potential candidates' to official candidate countries for EU membership, with promise for eventual membership attached. See Steven Blockmans and Adam Lazowski (eds.), *The European Union and Its Neighbours: A legal appraisal of the EU's policies of stabilization, partnership and integration*, The Hague: TMC Asser Press. 2006, p. 326.

⁸ Kirstyn Inglis, "EU enlargement: membership conditions applied to future and potential Member States", in Steven Blockmans and Adam Lazowski (eds.), *op.cit.*, p. 78

⁹ Alan Hanson, "Croatian Independence from Yugoslavia, 1991-1992", in M.C. Greenberg et al. (eds.), *Words over war: mediation and arbitration to prevent deadly conflict*, Oxford and Lanham: Rowman & Littlefield Publishers, 2000, p. 80

compliance with the fundamental principles of EU.¹⁰ The legitimate statehood was related to adoption from Yugoslav Republic of the so called 'post-Cold-War European order',¹¹ encompassing the United Nations Charter, Charter of Paris and the Helsinki Final Act, and three pivotal principles of the International society: inviolability of state borders, peaceful dispute settlement between the states and disarmament and nuclear non-proliferation.¹²

Second, EC/EU sought for just and principle-based process of State recognition and therefore on 27th August 1991 the Council of Ministers adopted a declaration to establish, as a part of the Peace Conference for Yugoslavia, an Arbitration Commission with a task to resolve all the legal questions emerging from the Yugoslav dissolution and help the EC Member States with the state recognition of the Yugoslav republics.¹³ This Commission summoned five Presidents of Constitutional Courts of five EC member states (France, Germany, Italy, Spain and Belgium) who were supposed to deliver their opinions on questions formulated by the Chairman of the Peace Conference and the other participants on the legal aspects of the dissolution of Yugoslavia and emerging state recognition.¹⁴ The Arbitrary Commission delivered ten opinions on different issues among which it declared that only Macedonia and Slovenia (Opinion No. 6 and 7 respectively) meet the criteria for immediate state recognition¹⁵ while Croatia (Opinion No. 5) meets but with serious shortcoming on the status of the 'Serbian minority'.¹⁶ The extended problem with Macedonian recognition was related to the dispute of this country with Greece over the use of the name Macedonia which turned out to be very important for the recognition.

¹⁰ For all the diplomatic efforts on Yugoslav dissolution during 1991 see P. Szasz, "Documents Regarding the Conflict in Yugoslavia", in *Introductory note, International Legal Materials*, 31(6), 1992, pp. 1421-1422.

¹¹ R. Caplan, *Europe and the Recognition of New States in Yugoslavia*, New York and Cambridge: Cambridge University Press, 2005, p. 24

¹² *Ibidem*

¹³ Ragazzi, M., "Conference on Yugoslavia Arbitration Commission: Opinions on Questions Raising from the Dissolution of Yugoslavia", in *International Legal Materials*, 31(6), 1992, p. 1488

¹⁴ *Ibidem*, pp. 1488-1489

¹⁵ *Ibidem*, p. 1492

¹⁶ *Ibidem*

This phase of conditionality was not so intensive until 1997 when, the General Affairs Council of the EU decided to commence the SAP for WB as a framework for mutual relations and potential EU membership.¹⁷ This decision was followed by formulating the practical meaning of each element in the Copenhagen political criteria referring to the level of compliance needed in the context of WB. These general criteria were necessary in order the Commission to propose conclusion of the Stabilization and Association Agreement (SAA) between the EU and a specific WB country, which will render that country a potential candidate for membership.¹⁸ The criteria encompass the following elements: 1) Democratic principles¹⁹; 2) Human rights, rule of law²⁰; 3) Respect for and protection of minorities;²¹ 4) Market economy reform;²²

1.2. Pre-pre-accession conditionality

The second, 'pre-pre-accession'²³ phase encompasses the period from the official initiation of the SAP and the Stability Pact in 1999 until the granting of the official EU membership candidate status for the WB countries.²⁴ From the moment the SAP was initiated²⁵ it sought for

¹⁷ See P. Szasz, *op.cit.*

¹⁸ Kirstyn Inglis, *op.cit.*, p. 78.

¹⁹ Representative Government and accountable executive; Government and public authorities acting in consistence with the constitution and law; Genuine separation of powers between the executive, parliamentary and judiciary; and Free and fair elections...'. *Ibidem*, p. 79

²⁰ Freedom of expression and independent media; right of assembly and protest and association; respect for privacy, family, home and correspondence; right to property; means for redress against administrative decisions; due process of law (fair trial and access to justice); equal protection and treatment by the law etc. *Ibidem*

²¹ Adequate chances for using their own language before the state institutions and authorities; protection of refugees and displaced persons returning to area where they are an ethnic minority.' *Ibidem*

²² Macroeconomic institutions able to ensure a stable economic environment; liberalization of prizes, trade and payments; transparent and stable legal and regulatory framework; demonopolization and privatization of Public-owned enterprises; competitive and prudently managed banking sector. *Ibidem*, p. 80

²³ Term adopted by Inglis, see Kirstyn Inglis, *op.cit.*

²⁴ Croatia in 2004, Macedonia in 2005, Montenegro in 2010, Serbia in 2012, Albania got recommendation for candidate status in 2012, Bosnia and Herzegovina and Kosovo are not yet candidate countries.

stabilizing the Balkan region regarding security, politics and economy which would pave the way for future EU accession. Only in 2003 at the Thessaloniki EU-Western Balkan Summit, an explicit commitment to the future EU perspective of all the WB countries was spelled out²⁶ and coupled with all the instruments for EU-zation and development²⁷ such as 'European Partnerships' that set the agenda for legislative and policy priorities; and the available financial instruments to their support²⁸ (CARDS²⁹, trade opportunities etc). This momentum exerted serious influence on intensifying the EU functional logic in some WB countries. However, it was a period when in Macedonia there was an ethnic conflict in the period of February – August 2001 which would not be resolved without direct involvement of the EU diplomacy and sponsorship of the Ohrid Framework Agreement (OFA) that resolved the position of the Albanian ethnic community in Macedonia and was rendered main milestone for the EU Accession prospects of the country.³⁰

Further on, the EU has laid down additional - specific for the needs of this region - political criteria although related to the SAP.³¹ Due to such a strict conditionality approach Macedonia signed its SAA on April 9th 2001

²⁵ Steven Blockmans, „Western Balkans (Albania, Bosnia-Herzegovina, Croatia, Macedonia and Serbia and Montenegro, including Kosovo)“, in Steven Blockmans and Adam Lazowski (eds.), *op.cit.*, pp. 325-326

²⁶ *Ibidem*, p. 327

²⁷ For the instruments see more in *Ibidem*, pp. 336-355

²⁸ Irresistibly resembling to the Accession Partnerships of the CEECs but with hesitation to mention the word Accession. See *Ibidem*, pp. 346-347.

²⁹ The Community Assistance for Reconstruction, Development and Stabilization as financial framework for endorsing SAP and SAA. See *Ibidem*, p. 340.

³⁰ Since the First Annual SAA report in 2002 http://ec.europa.eu/enlargement/pdf/the_former_yugoslav_republic_of_macedonia/com02_342_en.pdf

³¹ Non-exhaustive list: a) full cooperation in delivering the indicted war criminals and documents on demand of the International Criminal Tribunal for the former Yugoslavia (ICTY); b) good neighborly relations principle, that sought to embrace the principles of the UN Charter, Helsinki Final act and Paris Charter for New Europe; c) full endorsement and implementation of the peace agreements (Dayton Peace Agreement and Ohrid Framework Agreement); d) return of refugees and displaced persons, readmission of citizens of WB countries illegally residing in the EU; and other country specific conditions defined by the EU. Kirstyn Inglis, *op.cit.*, pp. 80-81

whereas it entered into legal force on April 1st 2004. Macedonia was granted an EU candidate status by the European Council in December 2005.³²

1.3. Pre-accession conditionality

The third, 'pre-accession' phase paints the events from 2005 on that demonstrate different dominant discourses in the WB countries shaped over the influence of social antagonisms and struggles for EU as a dominant political reference for activity. The crucial events suggest that the threshold of the conditionality and its implementation towards WB countries actually elevates as these countries transformed into serious candidates for EU accession. This phase practically encompasses the most difficult sequence of the EU-WB relations from a candidate status to and through the accession negotiations and eventually an EU membership. All of the WB countries have had a wide range of challenges on the way. Most interestingly, the toughest tasks for the WB countries stemmed from the specific conditions EU posed to the region aforementioned in the previous phase³³. For Macedonia, the good neighborly relations and the political criteria appeared to be hard-to-overcome obstacles. This, Macedonia was granted with the EC recommendation for opening accession negotiations, however these talks are not opened yet due to the name issue with Greece and the recent democratic backlash.³⁴

2. EU (Political) Conditionality and minority rights protection

The discourse on EU conditionality and monitoring process has been very much in the centre of EU enlargement debates for the 'wish-to-be' EU member countries. Although it was rarely studied in specific parameters, 'conditionality' is usually perceived as the core substance of the EU policy towards the candidate countries and a new dimension of the Europeanization research scope.³⁵

³² Available at http://ec.europa.eu/enlargement/candidate-countries/the_former_yugoslav_republic_of_macedonia/relation/index_en.htm

³³ Full cooperation with the ICTY; good neighborly relations; full endorsement and implementation of the peace agreements; return of refugees etc.

³⁴ Details available at http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/brochures/the_former_yugoslav_republic_of_macedonia_2013.pdf

³⁵ Frank Schimmelfennig and Ulrich Sedelmeier (eds.), *op.cit.*, p. 2

After the end of the Cold War the Heads of States and Governments within the European Council, for a first time in the history of the EU enlargement, to lay down general but clear requirements that are to be met in order a candidate country to be accepted in membership.³⁶ The criteria, known as 'Copenhagen criteria' and they were formalized as:³⁷ 1) political criterion: stability of institutions guaranteeing democracy, rule of law, human rights and respect for and protection of minorities; 2) economic criterion: existence of a functioning market economy, as well as the capacity to cope with competitive pressures and market forces within the Union; 3) criterion for the *acquis communautaire*: ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union; 4) absorption capacity of the EU: the Union's capacity to absorb new Members, while maintaining the momentum of European Integration, is also an important consideration in the general interest of both the Union and the candidate countries.³⁸

The first set of criteria are composed of the fundamental rules that give legitimacy to a state to become credible candidate and commence the accession negotiations which would gradually result in candidate's full or pre-dominant transposition of the *acquis communautaire* (the second and third criteria). Therefore, for analytical reasons many authors exploit the dichotomy of the so called 'political (democratic) conditionality' as a strategy to promote the fundamental principles of human rights, stable democratic institutions, rule of law and minority rights.³⁹ This conditionality precedes the second type, *acquis* conditionality which encompasses the gradual transposition of all the principles, rules and procedures within the *acquis communautaire* and refer to the second and third set of criteria for membership.⁴⁰ The democratic conditionality, in this form, means that its content must be observed in the candidate country in order to upgrade the institutional ties with the EU and advance towards the accession stage of commencing the accession negotiations.⁴¹ The

³⁶ Kirstyn Inglis, *op.cit.*, pp. 62-63

³⁷ As quoted in *Ibidem*, p. 63

³⁸ *Ibidem*

³⁹ Frank Schimmelfennig, Stefan Engert and Haiko Knobel, "The Impact of EU Political Conditionality", in Frank Schimmelfennig and Ulrich Sedelmeier (eds.), *op.cit.*, p. 29

⁴⁰ *Ibidem*, p. 30

⁴¹ *Ibidem*

uropean Commission (EC), through its instruments for progress reporting and recommendations towards the candidate countries and EU institutions is in charge for conducting the entire process.⁴²

Subject of our analysis will be only the impact of the democratic (political) conditionality on the political discursive processes and discursive rule adoption of EU as a positive political reference for policy change. Policies towards minorities' protection constitute an elements of the EU 'political conditionality', thus they represent the 'soft areas' of the *acquis*.⁴³ In this sense minority conditionality is understood as a construct of a political judgment.⁴⁴ The EU is based on a consensus politics and therefore minority issues, within the EU, have had to be tackled in a fractionated way, almost by 'stealth'.⁴⁵ The EU addresses discrimination and social inclusion, cultural diversity, Roma issues, and other issues relevant to minorities; however the commitment to initiatives on minorities as such is unsuccessful. In the Charter of Fundamental Rights of the European Union (CFREU), membership to a national minority is mentioned only as a ground for prohibited discrimination.⁴⁶ The minority protection can be viewed as an outcome of anti-discrimination policies.⁴⁷ For the EU, the protection of minorities is essentially a political criteria. While other Copenhagen criteria were quickly merged into the rules of the Treaties (the Treaty of Amsterdam, which encoded them in art. 6 of the TEU), the respect and the protection of minorities were not positivised until 2009. 'Respect for and protection of minorities' is outlined significantly in the

⁴² *Ibidem*, pp. 30-31

⁴³ Simonida Kacarska, "Minority Policies and EU Conditionality – The Case of the Republic of Macedonia", in *Journal on Ethnopolitics and Minority Issues in Europe*, Vol. 11, No. 2, 2012, p. 59

⁴⁴ G. Sasse, "Tracing the Construction and Effects of EU Conditionality", in B. Rechel (ed.), *Minority Rights in Central and Eastern Europe*, London and New York: Taylor & Francis, 2009, p. 20

⁴⁵ M. Weller et al (eds.), *The Protection of Minorities in Wider Europe*, Basingstoke: Palgrave Macmillan, 2008

⁴⁶ See Art. 21(1), Charter of Fundamental Rights of the European Union. Official Journal of the European Communities, 2000/C 364/01.

⁴⁷ A legal frame of reference has been created also with the extension of the anti-discrimination provisions in the Treaty on the European Union (TEU) and the adoption of the Council Directive on implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (the Race Directive).

Copenhagen political criteria, however in EU laws are not directly translatable into the *acquis communautaire*.

3. Making progress: towards Macedonian minorities' protection policies

The Republic of Macedonia, as a multicultural state, is characterized by the following elements: 1) a unitary state where the relationship with the ethnic communities is direct; 2) a non territorial principle of accommodating minorities; 3) and a country that passed through a transition period.⁴⁸ The country was under a huge test for a successful transition and for implementation of a framework for minority rights' accommodation. As scholars point out, the most complicated and most difficult case of transition is definitely that in multiethnic societies,⁴⁹ and this was observed especially in the case of Macedonia. The main aim when accommodating ethnic group diversity is to design a state organization structure that is capable of accepting these diversities through different mechanisms and instruments.⁵⁰ Few important aspects distinguish the model of minorities' protection in Macedonia which will be analyzed through the EC Progress Reports (PRs). Following the focus of this paper, we will observe to what extent the PRs influence the development of the minorities' protection model. We will not go in details in describing the elements of the model itself, nor the legal provisions and framework in regards; for purely comparative analysis purpose, we will present the main issues raised in each of the PRs and see if the negative issues repeat over time and if new shortcomings are signalized.

As emphasizes before, the EU conditionality is explicitly expressed by the PRs, containing an examination and assessment made by each of the countries regarding the Copenhagen criteria and, in particular, the implementation and enforcement of the EU *acquis*. The EC started its

⁴⁸ L.D. Frckoski, „Certain aspects of democracy in multiethnic societies“, in *Perceptions: Journal of International Affairs*, IV (4), 2000

⁴⁹ F. Palermo, J. Woelk, *Diritto Costituzionale comparato dei gruppi e delle minoranze*, (2nd edition), Milano: CEDAM, 2011

⁵⁰ For more see Marina Andeva, “Challenging National Cultural Autonomy in the Republic of Macedonia”, in Nimni, E., Osopov, A, and David J. Smith (eds.), *The Challenge of Non-Territorial Autonomy*, Bern: Peter Lang, 2013, pp. 213-229.

evaluation with the first Progress Report (PR) in 2006. This report (covering the period from 1st of October 2005 to 30th September 2006) as the other PRs which followed, it is measured on the basis of decisions taken, legislation adopted and measures implemented in the country. The main issues raised in what concerns the protection of minorities in the PRs are divided here into four main components: 1) overall situation; 2) institutional capacity and legal framework; 3) cultural rights (linguistic rights, education); and 4) political participation and representation in public administration. The table 1 summarizes all PRs and the main elements of the evaluation - the negative remarks - divided into the four areas. It covers a period from 2006 to 2013 (with the latest PR of October 2013).

PRs focus on the legal provisions in the OFA and their progress towards their implementation. The Ohrid Framework Agreement (OFA) from 2001 plays a central importance in the EC assessment. The OFA is shown as the most important category of country's success and 'deemed essential for the stability of the country'. The rationales behind this particular attention to this agreement are the following: 1) OFA is the most important political agreement for minorities' protection; 2) OFA built a model aiming for inter-ethnic conflict resolution in 2001 and minorities' protection; 3) OFA was negotiated with the strong influence of the EU.

As presented in the table in the first (2006) PR, non-majority communities remain significantly under-represented in the public administration, contrary to the 'equitable representation' principle underlined in the OFA; the dialogue and trust-building between the communities was evaluated something that should be further developed to achieve sustainable progress; and Roma community especially 'continues to cause concern'. The second PR, focused further on the equitable representation noting progress on its implementation across the public sector (especially in the judicial authorities and the army). This report also marked positively some of the Committees for interethnic relations (Committees), set up at local level which contribute 'effectively to participation by all communities in public life'.

Table 1 – Overview of the negative remarks and issues in the Progress Reports on protection of minorities in Macedonia

	Overall situation	Institutional capacity and legal framework	Cultural rights	Representation	
Progress Reports	2006	<i>dialogue ;trust-building</i>		<i>under-represented non-majority communities</i>	
	2007	<i>minorities' integration is 'quite limited'</i>	<i>Committees not effective</i>	<i>over-employed public administration</i>	
	2008		<i>ECRML not ratified; SIOFA lack administrative capacity</i>	<i>use of minority language by small ethnic groups not adequately covered by law; no consensus on the use of flags</i>	<i>employments of ethnic groups are politicized</i>
	2009		<i>SIOFA lacks administrative capacities; the Agency lacks functionality</i>	<i>small progress use of minority language of small ethnic groups; lack of consensus on the use of flags</i>	<i>under-represented non-majority communities; over-employed public administration without adequate competences</i>
	2010	<i>tensions in inter-ethnic political dialogue</i>	<i>ECRML not ratified; SIOFA fails to report its activities and progress</i>	<i>no adequate education in minority language no competent teaching staff; no consensus on the use of flags</i>	<i>over-employment, lack of adequate competences and working facilities; under-represented non-majority communities</i>
	2011		<i>ECRML not ratified; SIOFA with no competent personnel; Committees lack of financial sources and clear competences; the Agency not efficient according to law</i>	<i>No adequate education in minority language not; no clear monitoring mechanism for the Law on the use of minority language implementation; ethnic segregation in schools</i>	<i>no. of employed members of ethnic groups are on payrolls without defined tasks and responsibilities</i>
	2012	<i>ethnic tensions</i>	<i>ECRML not ratified; OFA review; SIOFA further capacity building; Agency-limited human resources</i>	<i>same as in 2011</i>	<i>not-equitable representation in public administration</i>
	2013	<i>rare initiative promoting interethnic harmony; ethnic</i>	<i>OFA implementation; first phase of OFA review ; necessity of coordination between</i>	<i>same as in 2011 and 2010; necessity for state financing of the strategy for integrated</i>	<i>under-representation of non-majority communities</i>

		<i>tentions</i>	<i>SIOFA and other government institutions; SIOFA lacks administrative capacity</i>	<i>education</i>	
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Nevertheless, minorities' integration, according to this report, is 'quite limited'; some minorities remain disadvantages in the education and employment sector (army and police); and not all committees for interethnic relations have been constituted in the concerned municipalities, marking the existing ones as not effective. This report also emphasis the issue on over-employed public administration, where the members of the non-majority communities are employed without taking into consideration the actual necessity of human resources.⁵¹

Great concern expressed by the Commission and presented in the PRs, is the functioning of the Secretariat for the Implementation of the Ohrid Framework Agreement (SIOFA)⁵². The SIOFA, continually was assessed as a body with lack of a sound administrative capacity.⁵³ In regards to the institutional capacity, attention has been given also to the agency for protecting the rights of minorities which represent less than 20% of the population (the Agency) because of its limited resources, beside its visibility efforts⁵⁴; not sufficient capability to act according to law. The Committees are also frequently mentioned in the PRs because of their

⁵¹ See *Плодовите на Портокаловата Революција, Компаративна анализа на Извештаите на Европската Комисија 2010 – 2013* [Fruits of the Orange Revolution, Comparative analysis of the European Commission Progress Reports 2010 – 2013], Foundation Open Society Macedonia and the Macedonian Centre for European Training, [http://mcet.org.mk/wp-content/uploads/downloads/2013/10/Progress-Report-Comparative-Analysis-2010-2013-final.pdf], 16 October 2013.

⁵² SIOFA was established to ensure an effective and full implementation of the Framework Agreement and stability of the country by promoting the peaceful and harmonious development of society, respecting the ethnic identity and interests of all Macedonian citizens.

⁵³ Dalibor Stajic, *Minority protection in the Republic of Macedonia under the Weight of EU Conditionality: Pre-accession monitoring as a mechanism of furthering compliance?*, EC Policy Brief N. 2, 2012, [http://www.kas.de/wf/doc/kas_32521-1522-2-30.pdf?130313111515], 18 October 2013.

⁵⁴ See European Commission, *The Former Yugoslav Republic of Macedonia 2012 Progress Report*, [http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/mk_rapport_2012_en.pdf], 20 October 2013.

scarce financial sources, lack of clearly defined competences and inefficient work.

In terms of protection of cultural rights and right to education in the minority language, 2010, 2011 and 2012 PRs continue to emphasize the question on the lack of adequate education in minority language and problems in regards to the recruitment of a competent teaching staff. In line with this, are also the negative remark noted in the 2010, 2011 and 2012 PRs, in regards to the European Charter for Regional and Minority Language which was still not ratified by the country.⁵⁵

Many of the critical and negative issues underlined in the first three PRs repeat through the PRs which follow. The under-representation of Roma and Turks is an issue which was not resolved and pointed out in almost every PR. Another aspect which is constantly repeating are the inter-ethnic tensions especially noted in the education system and the regular negative report on the use of minority language and lack of adequate legal protection and regulation. The last PR issued by the EC (October 2013) underlined the necessity of progress on systematic issues relating to decentralization, non-discrimination, equitable representation, use of language and education. As a recommendation, EC pointed out that the ongoing review of the OFA must continue and recommendations should be implemented since the first review phase⁵⁶ did not prove any significant results.

The elaboration of the conditionality principle application specifically in the field of minority protection in the EC PRs aims to help candidate countries 'to pursue necessary reforms and eliminate persisting shortfalls'.⁵⁷ In the case of the PRs on Macedonia, an interesting analysis of

⁵⁵ *Ibidem*

⁵⁶ A review of the OFA was seen necessary in 2012, and welcomed by the EU. See "Ohrid agreement faces criticism, 11 years later", SETimes.com [http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2012/08/22/feature-03], 22 October 2013; and European Parliament, "Declaration and Recommendations", 10th Meeting, 7 June 2012, p. 5 [<http://www.europarl.europa.eu/document/activities/cont/201206/20120611ATT46615/20120611ATT46615EN.pdf>], 22 October 2013

⁵⁷ Leopold Maurer, "Progress of the Negotiations", in Andrea Ott and Kirstyn Inglis (eds.), *Handbook on European Enlargement: A Commentary on the Enlargement Process*, The Hague: TMC Asser Press, 2002, p. 122

the discourse used in the PRs, indicates that there are two fundamental shortcomings from which the pre-accession monitoring process greatly suffers.⁵⁸ Stajic points out that PRs 'lack of clarity about the minority protection standards to which Macedonia needs to adhere' and 'inferior quality of both analyses and assessment of indicator findings'.⁵⁹ As it was seen from the short analysis above on all aspects concerning minority policies in the PRs, attention has been given to the criticalities, however no comprehensible recommendations has been given further on necessary improvements and overcoming existing deficient policies.

Concluding remarks

This paper examined the scholarly definition of the EU enlargement and conditionality concepts. It put across the many aspects and elements of the unique contour of the EU democratic conditionality for the Western Balkans and in some extend for the Republic of Macedonia, presenting it through three main phases: 1) statehood recognition; 2) pre-pre-accession; and 3) pre-accession. Many challenges have been encountered by the WB countries for fulfilling the specific EU conditions. In that regards, Macedonia met many obstacles, such as the neighborly relations and internal political and inter-ethnic tensions, which have affected the overall process of EU approximation. In the case of the Macedonia, the EU enlargement is be illustrated as a gradual and conditional process subject to external and internal factors.

What has been examined in specific, by this paper, is the EU conditionality applied in regards to minority policies in Macedonia. The paper illustrated in brief the EC evaluation on the progress of the country concerning implementation and improvement of minority protection issues and inter-ethnic dialogue and relations. Dividing the elements of analysis and evaluation in four areas, this paper, gave a clear panorama of the EC Progress Report from 2006 until this date. Since the aim of the comparative analysis and description of the PRs were to see only the possible recommendations given by the EC and the critical and negative comments, it was seen that several aspects which were underlined in the reports were

⁵⁸ Dalibor Stajic, *op.cit.*, p. 12

⁵⁹ *Ibidem*, pp. 12-13

repeated continually. Political conditionality in the context of minority policies in Macedonia has two main important characteristics. The first one is the fact that at EU level there is a clear lack of unified standards; as mentioned, under the EU umbrella no explicit norms are in force which apply and constrain countries for their implementation and enforcement, and therefore uses as argument the (non)compliance with UN, Council of Europe and OSCE legal instruments and recommendations. The second, is the particular internal characteristics that this specific country faced, firstly as a part of the WB family and second in particular as a country aiming at managing inter-ethnic conflict under the auspices of the EU. Accordingly, the EU minority conditionality in Macedonia could be seen as a custom-made process. If we assume that the progress is measured according to the reports delivered by the EU, we can certainly say that the 'minority political criterion' aimed at stabilizing the minority protection framework is far from a successful conclusion. EU monitoring results are *ad hoc* activities which are used, to some degree, for political pressure and are therefore not necessarily a *conditio sine qua non* for country' accession to the European Union.

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BOOK REVIEWS

Melania-Gabriela Ciot, *Modelul negociatorului (Idiosincrazii în procesul decizional al politicii externe) [The Negotiator Model (Idiosyncrasies in the Foreign Affairs Decision-Making Process)]*, Cluj-Napoca: EIKON Publishing, 2012, 414 pages.

Review by Radu Albu-Comănescu*

This is one of those rare books offering the reader the double privilege of discovering new information and benefiting from an in-depth analysis. Well-pondered and well-shaped phrases endeavour to investigate a specific feature of the decision-making in international relations, never discussed until now by the Roumanian studies in the field. Given the speed, the diversity, the density and the gravity of the events taking place in the world, one can wonder how are decisions truly taken on a macro and micro scale? Who are the real actors? And how do they react?

As the author substantiates, decision-making in international affairs is proven to be influenced by the complexity of the global interdependency. The world is complex, convoluted; unexpected – or least seen – factors have to be ultimately taken into consideration. It is highly likely that the outcome has unforeseen features, followed by unanticipated consequences. The psychological approach of the decision-making process facilitates the understanding of such particular yet crucial details. When applied to the international system, the psychological approach underlines how much a certain transformation is needed, next to a certain improvement in terms of

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communication, support and collaboration. Melania-Gabriela Ciot dexterously aims towards this goal because, at the very end, it is psychology that is involved in starting a war, in shaping an alliance, in establishing diplomatic relations, defining certain positions, imposing demands or ratifying treaties. Moreover, this – let us call it – *visible* part of the diplomatic psychology is doubled by an *imperceptible* one: the cognitive profile of each leader involved in decision-making. What the book brilliantly does is discern within the individual behaviour and within the choices made a specific pattern which illustrates the leadership style and the personalities of the leaders who cannot be otherwise revealed by any systemic analysis of international affairs.

Intrinsically charged with responsibility, no decision is too easy to take. Yet, the global affairs are strictly linked to the reaction, the understanding and the very intellect of the leaders. Uncertainty comes from motivation, beliefs, intentions or strategic calculation. Given the diminished probability of another world war between superpowers and great powers (avoided from 1947 to 1991), and because negotiations proved crucial in managing the Cold War crisis, the author wisely suggests that research in international relations and diplomacy should advance towards an analysis of the decision-making process based on the key concept of negotiation-building, which would prove to be more fruitful for leaders, for States and for the international NGOs as well.

What the text brings in a striking new, innovative method to analyse the international relations by considering idiosyncrasies and the personal elements involved, by each individual actor, in the diplomatic decision-making. The author uses genuine psychological criteria to investigate it and focuses on two essential aspects: knowledge and cognitive processes. Information processing interferes with cognitive limitations. In terms of global society, this would require to discern between the analysis field of the international relations – where actors are individuals, States and systems – and the intrinsic decision-making process involving leaders, groups and coalitions.

While the first chapter is dedicated to a historical framework concerning the evolution of the global international system after the first World War, the following ones focus – step by step, but densely – on the decision making in foreign affairs, on the alternative models to decision-

making and their idiosyncrasies (comprising cognition, social perception, motivation and an emotional component). The book is illustrated by a long-awaited study case on the negotiations of Romania with the European Union – from 2000 to 2004, before joining it in 2007 –, based on the persona, the activity and the experience of Romania's former Chief-Negotiator, Vasile Pușcaș (professor, MP, diplomat and minister). Seen from this angle, the negotiation process is unveiled as extremely complex, nuanced and multifaceted. The reader will discover with both surprise and pleasure the intricacies of a statesman's task which brought back Romania into Europe.

A rich, instructive bibliography and an excellent methodology support the author's conclusions, turning the book not only in a 'must' for everyone wishing to understand the true depths of a negotiation process, but furthermore demonstrating that History and historical achievements are deeply connected to an artful psychology.

**Carmen Andraş, Cornel Sigmirean, Corina Teodor (eds.),
Itineraries beyond Borders of Cultures, Identities and Disciplines,
Sibiu: Editura Astra Museum, 2012**

Review by Colin Swatridge*

I have to confess, at the outset, that I am not equipped to understand spoken or written Italian. The two papers in this collection, therefore, by Mihai Teodor Nicoară and Elena Dumitru are not taken account of in this review. This is a pity to be sure since both – about aspects of life close to the border with Stalin’s Russia – have much to contribute to the theme (though, happily, Panait Istrati, featured in Dumitru’s paper, is also the subject of a paper, in English, by Dragoş Sdrobiş).

Border Studies is a fascinating, relatively new, interdisciplinary focus for thinking and research – and the title of this collection of papers needed to be long to encompass something of the variety of topics on offer here. Carmen Andraş sets the scene for us by outlining in her Introduction what ‘border studies’ are *about*: they are an interdisciplinary pursuit drawing on political, sociological, strategic, and cultural methodologies, to throw light on the psycho-geography of boundaries, of frontiers, of limits, literal and metaphorical. They are about physical mobility and affective-cognitive identity. In ‘global’ times border studies are the social science *du jour*.

This said, the idea of a the border, and of crossing (or ‘transgressing’) the border, provides us with a new tool with which to investigate and compare instances in the past of what we can now think of as border-crossings and as re-definitions of identity. The traffic of intellectuals between Romania and Italy is one such instance: Cornel Sigmirean speaks of the travels of Italians to Romania at the very time – the second half of the 18th Century – when Romanian scholars were suggesting

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that Romania's origins were to be located in Rome; in the Roman Empire; in Latinity. The Italians who journeyed to Romania acknowledged their kinship with Romanians; and the Romanians who journeyed to Italy – Samuil Micu, Gheorghe Șincai, Petru Maior, Ioan Budai-Deleanu – were delighted to discover just how much they 'recognized' in Italy, and how much they had in common with Italians. Both Italians and Romanians were in search of their origins; both found (what they might be said to have been hoping to find) in Romania: an 'unaltered type of Vulgar Latin'. It may be that Romanian philologists 'cleansed' the language of Slavic influences so that it then more closely resembled an archaic Latin; nevertheless, it is noteworthy that the delight in linguistic reciprocity was not all on the Romanians' side. It is also noteworthy that Romanians were keen to burnish the reputation of their rather misunderstood country by attaching it to a western model. Some things don't change.

Ion Codru-Drăgușanu was a traveller whose writings, Iulian Boldea points out, were 'needlessly complicated or excessively Latinized'. This 'Transylvanian Pilgrim' travelled all over Europe, fastening upon France – and on Paris in particular – as the real hub of modern civilization. 'Only one tribe in the world,' he wrote in 1844, 'asks for and deserves our esteem and gratitude. This is the French nation, which for half a century has shed its blood and uses it money only for the sake of mankind.' High praise indeed. It was Switzerland's political system, though, and especially the recognition given to the rights of each of the country's constituent nationalities, that impressed him, and that caused him to reflect upon the disadvantages suffered by his Romanian-speaking compatriots in Transylvania.

Panait Istrati was another pilgrim, but where Codru-Drăgușanu had enjoyed the bourgeois comforts of Paris and Baden-Baden, Istrati was a poor, self-taught socialist, who spent nine years in the early 1900s, wandering in search of himself, in Egypt among other countries. He returned to Romania, but, as a pacifist, he was unhappy at the prospect of Romania's becoming embroiled in war, so decamped once again to Switzerland. There he came under the influence of the French pacifist Romain Rolland, who encouraged him to write; and it was as an already accomplished writer that he returned to Romania in 1925, conscious though he was of the limiting effects of writing in what he considered to be an

‘inferior’ language. Two years in Soviet Russia (1927-29) convinced Istrati that Soviet communism was not the holy place of his pilgrimage – that, indeed, there could be no such place. He was an outsider, a humanitarian without borders, until the end.

In one of the book’s longer essays, Irina Nastasă-Matei, looks rather at the nation, Romania, than at individual Romanians: at Romania in the inter-war period, when university students were drawn either to the extreme left or to the extreme right. In part thanks to the influence of intellectuals like Mircea Eliade, Emil Cioran, A.C. Cuza, and Nae Ionescu, most politically-minded students were seduced by nationalism, rather than by international communism. The presiding ideas of the time were fascistic: anti-Semitism, eugenics, and the fear of Bolshevism. Poverty among students, high fees, the want of resources for learning, and the poor employment prospects induced too many students to look for scapegoats among generally more hard-working and successful Jewish students, for whom communism appeared to be the safer option. Anti-Semitic noises heard in Germany and Hungary were an influential, but not crucial, backdrop to a home-grown anti-Semitism represented most militantly by the League for National-Christian Defence, and the Legion of Archangel Michael. It was a temper that was by no means discouraged by the government inasmuch as – though a *numerus clausus* was not imposed by law (as it was in Hungary), *de facto* restrictions were placed on Jewish students as another war approached.

Jews were, indeed, represented in the Romanian Communist Party in numbers disproportionate to their numbers in the population at large, as Csaba Zoltán Novák points out in his paper – but then, so were Hungarians and other minorities. For Jews, communism seemed to be more promising as a guarantee against racist policies; whilst the attraction for Hungarians was that inter-war communism denied the legitimacy of borders drawn at Trianon. Both communities, before and after the Second World War, were party-card carriers rather for pragmatic than for ideological reasons; besides, both were far more likely to be of the urban working class than were Romanians.

The introverted, hate-filled nationalism of the inter-war period was a deformed version of the nation-building nationalism of the second half of

the 19th Century, howbeit the Orthodox Church stood as patron to both nationalities. Few religious divisions have as much social-political significance within a nation's borders as the division between the Catholic and Orthodox Metropolitan Andrei Şaguna, active in the 19th Century phase of nationalism, in writings about him dating from the inter-war phase. He represented for later celebrants of his life and work 'not only a piece of the Transylvanian identity-picture, but one that could lighten the connections between the church and the state'. He was, so to say, the respectable face of a church-state concordat. He synthesized the national and the confessional – a Romanian after whom streets could be fitly named. Greek Catholics had a harder job to be accepted as a national, Romanian church: whereas the Orthodox Church was identified with the emerging Romania, the Greek Catholic Church emphasized its – and the nation's – origins in the Latin church. When, therefore, Anca Sinçan explores the implications of the enforced merger of the two churches in 1948, it is to plot a play in which the two communities sought to commend their special characteristics as nation-builders. Both had to position, and re-position themselves, at first, within a Transylvania that was an outpost of the Austro-Hungarian monarchy, and subsequently in multicultural, post-1918 greater Romania. If the State co-opted the church for its purposes after 1948, the survival of the two traditions was preserved in the adoption of Romanian as the language of the liturgy, but in the Latin, not the Cyrillic script.

Part 3 of the book stretches the meaning of 'borders' still further and shows why it is worth doing so. In a close reading of Franz Liszt's *Gypsies and their Music in Hungary*, Marian Zăloagă makes the claim that Liszt says as much (and perhaps more) about himself in his celebration of gypsy music as he does about that music. Gypsies represented the free spirit, the 'other', that he was himself: they incarnated the imagined idea of the 'autonomous virtuoso musician' – which is as fitting a description as any of Franz Liszt. In trying to 'save' gypsy music for the European musical canon, though, without spoiling it by academic over-attention, he offended those, like Sámuel Brassai, who wished to play down the influence of gypsy rhythms on Magyar music. But Liszt and Brassai were defending different borders: whereas Brassai drew a borderline between gypsy and Magyar music, Liszt sought to raise a fence between authentic gypsy music

and the commercial version of it that was to be heard increasingly in the capitals of Western Europe.

Georgeta Fodor focuses on a more fundamental – and universal – border: that between men and women. She examines four journals published in Transylvania, in the latter half of the 19th Century, so see what they had to say about women's issues, and about the education of women and girls in particular. It is her principal finding that, insofar as Romanian intellectuals recognized the crucial influence of an educated mother on her family, and as educated citizens would be better equipped to confront the policies of the Pest government, so it was vital that girls should be educated to the same standard as boys, and 'in the national spirit'.

In two concise, neatly-paired papers, Simion and Maria Costea consider Romania's troubled diplomatic relations with Western Europe, before and after the Second World War. The focus of Maria Costea's paper is the claim made by Bulgaria to all or part of Dobrudja, in 1939. A highly damaging incident in Belitza, Southern Dobrudja, in which 25 Bulgarians were killed – innocent bystanders, or 'dangerous bandits' as the Romanian government insisted? – angered the Belgian Plenipotentiary Minister in Bucharest, exercised the Turks on the Bulgarian border, and unsettled diplomats on all sides in febrile times. Both Bulgaria and Romania were in a cruel dilemma as to where their loyalties lay in the event of war – and when it came to it, of course, both opted for wait-and-see neutrality. It was the abovementioned Belgian minister who kept western powers informed about the state of the armies and their battle-readiness in both countries. For their pains, it was Belgian diplomats who experienced the unhappiest effects of the neglect of diplomatic protocols on the part of the communist régime in Bucharest, in 1948. But then, the régime was neglectful of its obligations on all sides, and not least of its duty of care towards its own citizens. Belgian, British, Turkish, and American diplomats gave what aid they could to oppressed Romanians, and helped some to flee the country. In response, as Simion Costea points out, the régime accused Americans in particular of espionage, and sought to reduce the number of accredited foreign diplomats in the capital. Communist apparatchiks were simply unable to comprehend why so many foreigners were still circulating in what was – for a time – a loyal Soviet satellite.

The collection reaches completion in a paper by Mariana Neț on buildings and statues having symbolic status, erected between the wars in towns and cities close to borders; in a paper by Maria Dan on ethnic frontiers in one Transylvanian town; and in a tailpiece by Corneliu Cezar Sigmirean, that reminds us that, in cyberspace, there are no borders. After 1918, the Romanian authorities in Bucharest faced the challenge of incorporating Transylvania into the Old Kingdom, and especially, of 'Romanianizing' the border cities of Satu Mare, Oradea, Arad, and Timișoara, and the 'German' cities, Brașov and Sibiu. The obvious way of meeting this challenge was to build imposing new Orthodox cathedrals in the bigger cities, and to erect statues to Romanian notables. The building of Orthodox cathedrals was no mere political gesture, though, (in spite of the resentment among the Hungarians who were still in the majority in most urban centres): new churches were built for growing Romanian populations and for those Romanians who came to Transylvania to occupy positions in the new administration, where there had been too little provision before 1918. Still, as Marian Neț points out, these new Orthodox cathedrals need not in all cases have been quite so big.

Reghin was another 'German' town, and a closed one, as Maria Dan says, until the Habsburg conquest and the policy of social integration took effect. In 1850, Saxons represented 70% of the population of the town; sixty years later, the proportion had dropped to just over 30%, mostly in favour of Hungarians. This is not to say, though, that as old borders were breached the Saxon character of the town was altogether stifled; nor was it the case that the growing influx of Hungarians and Romanians into the town gave rise to more than trivial tensions.

To a Briton, for whom borders have always been coterminous with sea-coasts, this collection of papers was an eye-opener. In spite of what Corneliu Cezar Sigmirean – quite justifiably – has to say about the neutralization of borders as information technology unites us on screens big and small, there is much still to be said about the physical borders that there have been and that persist, and the borders that survive in the collective imagination. The Iron Curtain was, as Simion Costea says, a 'terrible frontier'; it has been pulled down – but there are still walls being built, and lines being drawn on mental maps. Researchers in border studies need not fear unemployment.

**Loredana Nastasia Pop, *The State and the Global Interdependencies*,
Cluj-Napoca: EIKON, 2013**

Review by Noemi Szabo*

Loredana POP holds a PhD in international relations and European studies at University Babes-Bolyai, Cluj-Napoca.

The volume in evidence “The State and the global interdependence” is a comparative study of the defining elements of the traditional Westphalian states and of the post-Westphalian ones, within the conditions of the global interdependence.

At the same time, this study provides a better comprehension of the concepts in the academic environment, but also outside it, by the recognition of the state transformations: political, economic and socio-cultural and of the characteristics of interdependence in practice. The study is a very good one as a whole, putting together different points of views that come to establish the coordinates in the management of problems related to the state evolution, which requires an integrated approach.

For instance, the reader will discover not only a simple inventory of international relations terms or a general model applied in the case of all actors, but he will have the opportunity to observe those fluctuations and differences in the evolution of globalization, sovereignty, regionalism and the different interconnected parts of the international system.

Many analyses in the volume show that the principles of sovereign states continue to shape the international system up nowadays as well, but the Westphalian characteristics of the states and the concept of sovereignty are subject to contemporary transformations such as: the restructuring of the contemporary international system, the passage from a bipolar world to a world of multiple networks, the appearance of new actors of the international system, the renunciation to the balance of powers, as an

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ordering principle of the world, in favor of new elements that will govern the interactions between the entities of the system and the globalization intensification. And this can easily be observed from the author's assumption that the state "survives" and continues to represent a driving power in the international relations.

The content of this volume can be structured in two parts.

The first part of the study emphasizes the importance of the interdependence as a binding matter of the elements of the international system and as determining factor in the evolution of the states and non-state actors in the context of the new world order. The author assumes that the states are involved in many relationships with non-state entities that change the state position on the international scene. The states participate more and more in the global government, by means of a partnership with other state or non-governmental actors. It covers most aspects of life, including the political field, the one of the economic, cultural and social activity.

An interesting aspect, evidenced by the book, is the relation between all the fields mentioned above. We can see that the key for the state development involves knowing when interdependence provides the state the opportunity to link its economic field to the political and social process.

The resulting conclusion is that the position of the state has changed, at the beginning of the 21th century, as the state is burdened by the interdependence processes. Today, the state reaches its goals only by a strong cooperation with other states and non-state actors, both at regional level and at global level.

The second part of the volume, a case study, refers to the current economic and financial crisis and allows us to reconstitute the puzzle parts of the international system, providing us with a "hot" analysis. The hypotheses and questions raised in this chapter lead to two conclusions. On the one hand the intervention of the state in the economic processes is justified.

On the other hand, in order to ameliorate the negative consequences of the crises, the state should accept and moreover to encourage the actions of the market. In order to do this, both the state and the market should obtain legitimacy from the civil society, shows us the author.

As the author mentions, “the states should acquire the orientation and vision that would allow them to fructify the opportunities provided by the globalization, by the transformation of the national values into competitive advantages” (p. 268).

In conclusion, all the arguments of this study may be ranked in an intellectual line managing to capture, in a multidisciplinary approach, the main theories of the discussed international relations for the comprehension of a phenomenon that is so complex and controversial, as the state one.

Noemi L. Szabo, *Power and Actors of the International Contemporary System*, Cluj-Napoca: EIKON, 2013

Review by Loredana Anastasia Pop*

Noemi L. Szabo holds a PhD in international relations and European studies at Babes Bolyai University. Her insightful and carefully researched work, *Power and actors of the international contemporary system*, provides a new perspective on the concept of power, the actors of the contemporary international system and their interactions.

This book examines what it means to be powerful in the twenty-first century and identifies new trends and possible strategies in the exercise of power by different types of international actors like the USA, the EU and Romania.

Noemi Szabo argues that globalization and interdependences have forced state and non-state actors to rethink the concept of power. The information revolution has reduced communication costs due to the expansion of Internet use. Therefore, the access of networking organizations and individuals to the international agenda has been widely opened. Moreover, the events that followed September 2001 and especially the failure of the USA's military campaign in Iraq had a major impact on the way power is exercised in the international system both in terms of resources and of strategy. This experience proved for the first time the failure of military instruments (hard power) to address new challenges like terrorist attacks and led to consideration of other types of resources such as the ideological, technological and economical ones. Essentially, the measurement of an actor's power never again took into consideration only military capabilities.

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The first chapters describe the evolution and characteristics of the post-Cold War international system and the characteristics of power in this context. After analyzing the dynamics of power in the post-Cold War and post-September 2001 international system, Noemi Szabo identifies the main characteristics of power like: diffusion, transition and contextuality and the forces that have shaped the nature of power in the system like: globalization, information revolution (expanding use of the Internet) and interdependences.

According to the findings of the author, the different mechanisms needed for handling the current international challenges can only be implemented through cooperation, integration and complementarity.

The book also includes a case study on the conversion of resources into results. To better highlight how state actors use their resources to achieve results, in the case study Noemi examines how the energy resource is used by actors like Russia and Turkey in exercising power (energy diplomacy) to achieve the final result.

Moreover, Noemi Szabo shows that in a complex and dynamic international system such as the one of the 21st century, the structures and interactions are in constant evolution, power being contextual in its nature.

Although, during the Cold War, power meant military resources and coercion, this concept has become, in the 21st century, more complex and tends to include new resources and strategies. These strategies vary from the traditional ones to the most innovative, such as cyber resources.

According to the main argument of the book, power is in addition to resources, the ability to adapt to new challenges, flexibility in using and combining different types of instruments to achieve the desired results.

Therefore, as Noemi Szabo argues throughout the chapters of this book, international influence in terms of power depends on the capacity to integrate new actors, to cooperate with them and to manage complex interdependencies within the international system.

While the theoretical concepts are carefully crafted, explained and applied, one observation emerges: *Power and actors of the international contemporary system* represents a dynamic vision about exercising power in the context of the new international challenges of the current digital era and global interdependences. Even if this book doesn't provide a perfect recipe for power it brings added value to the international relations field

and important findings for further research on the exercising of power in the future.

Overall, *Power and actors of the international contemporary system* is a very solid piece of work that is successful at many levels. It will be left to all the relevant entities who are interested in transforming challenges into opportunities to apply these useful findings.

Emanuel Copilaș, *Genesis of Romantic Leninism. A theoretical perspective over the international orientation of Romanian Communism: 1948-1989*, Iași: Institutul European, 2012, 662p.

Review by Alexandra Sabou*

“Genesis of Romantic Leninism. A theoretical perspective over the international orientation of Romanian Communism: 1948-1989” offers a clearly written and carefully reasoned thematic discussion of the Romanian international policy during its communist past. A thought-provoking reading, the book examines the structures and issues that lie behind the intricate concept of romantic Leninism in communist Romania. It draws an interesting perspective over how domestic and foreign affairs inextricably intertwined in those times and hence, created a new type of hegemonic project which crumbled in 1989.

As the title of this volume suggests, the book is an original attempt to analyze and think through the transformation of Romanian communism both in internal and foreign affairs since January 1948 when Romania became a popular republic. On the theoretical level, while sweeping through all four major theories in international relations (Realism, Pluralism, Marxism and Social-Constructivism), the author emphasizes that the most appropriate theory which provides us with a comprehensive understanding of the international orientation of communist Romania is Social-Constructivism. Nonetheless, the international aspect of the Romanian politics should be viewed within the broader context of the Leninist ideological project. Though its hindrances may be traced further

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back in history, a chronological view over the transformation process of the Leninist ideological features displays a very helpful prognosis of how these regimes had tried to 'insulate' themselves in order to both preserve and extend their *Weltanschauungen*. Following the typology offered by Professor Kennett Jowitt, Emanuel Copilaş puts together the Romanian political experience under Gheorghe Gheorghiu Dej and Nicolae Ceauşescu and hence, seeks to prompt out explicit considerations on the intricate 'romantic leninist' picture of Romania.

Emanuel Copilaş's analysis of the communist policy in Romania is distinguished by two features. *Primo*, he places the development of this project within the theoretical framework of IR theories, and *secondo*, by encompassing an ideological analysis of different categories of Leninisms, the author manages to come up with the concept of *Romantic Leninism*, considered the most suitable depiction of the Romanian communist ideology after 1965. Moreover, this research is methodologically structured in two major parts, on the one hand, the theoretical one and on the other, the empirical one. While major historical events are summarized, the author goes beyond the classic historicist approach we may expect and thus, gets to craft a vivid image of the foreign policy of Romania placed in the international context of the Cold War.

A qualitative research, the book is both 'theory building' that crafts the new concept of 'Romantic Leninism' and 'theory testing' that proves that a superimposed approach of social-constructivism and ideological analysis (with a focus on Leninism) is the most suitable explanation of the international orientation of Communist Romania since the 1960s.

The book begins with a very brief, but valuable introduction to IR theories which include Realism, Pluralism, Marxism and last, but not least, Social-Constructivism.

Translated in IR terms, the historical- political context of Sovietization of the Eastern Europe, the de-Stalinization process held after the 1950s, the political turmoil experienced by Poland and Hungary, the internal tensions in Gheorghe Gheorghiu-Dej's regime could be better understood in a social-constructivist theoretical framework. Constructivists claim that "anarchy is what the states make of it" (Alexander Wendt, 1992); essentially, in order to have a better understanding of what affects power politics within such an anarchic structure, we need to get a consistent look

at the implications of particular interests and state identity. On the one hand, the content of *interest* is given by ideas, perceptions, fears and aspirations. The reality is produced and reproduced by the actions and interpretations of those involved in the issue. On the other hand, state identities are not fixed, as Marxists and pluralists may say, but dynamic and flexible and, furthermore, constituted by “internal and external structures” (Wendt: 1999, 24). Because the empirical analysis keeps on being both very important and somehow problematic in social sciences, Copilaș seeks to overcome the theoretical shortcomings of Alexander Wendt’s approach and orient his analysis on Nicholas Onuf’s findings developed in his rule-oriented constructivist theory. Onuf considers the international reality an unintended result of the statal agents’ domestic and foreign activity, a structured and stucturant realm, more powerful than agents themselves, which, consequently, cannot be overcome.

Copilaș goes on in his analysis with a very complex deep-rooted presentation of the different types of Leninism- *revolutionary Leninism, post-revolutionary Leninism, Europeanized and Asianized Leninism, systemic and post-Bolshevik Leninism*- that will help the author to draw a coherent picture of the so-called ‘romantic Leninism’.

The *Revolutionary Leninism* is based on Lenin’s teachings himself and his promising ideas which led, for example, to the collectivization process pursued by Stalin. The *post-revolutionary Leninism*, known in the literature as Stalinism, encompassed the extreme bureaucratization of the Communist Party of the Soviet Union (CPSU) and the global fight for the idealistic innovation of ‘socialism in one country’.

Europeanized Leninism versus Asianized Leninism: the sino-soviet conflict and its overwhelming effect on the touchstone of Revolutionary Leninism examine the process of de-Stalinization and the major changes in the world geopolitics after Stalin’s death. It is a period of ‘peaceful coexistence’ reflected in Nichita Khrushchev’s new ideological conception, which struggles to condemn the Stalinist pervasion of Leninism and to extrapolate the confrontation between Capitalism and Communism from the political-economic level to the social- cultural one. Asianized Communism despised this new orientation proposed by Khrushchev, viewed as a renunciation at the fight against Imperialism. Hence, Moscow, the Center of the Soviet

System, finds itself contested by its Chinese version, crafted by the intransigent leader, Mao Zedong.

The *Systemic Leninism*, a paradoxical concept taking into account the revolutionary texture of the concept of Leninism advanced by Lenin himself, corresponds to Brezhnev's new ideological understandings of the Soviet Union, contemporary with the ideas developed within the Conference for Security and Cooperation in Europe.

Because "today's world has become too small and fragile for wars and power politics" (Gorbachev, 1986, 83), Russians tried to keep up with the world new needs in terms of "democratizatsiya" and "new thinking" within domestic affairs and "reasonable sufficiency" in international relations. Thus, the *Post-Bolshevik Leninism* corresponds to the last period of the Leninist adventure, the Gorbachev era, which controversially had tried to place Leninism on new ground rules by giving up the aim of global revolution and consequently, leading communism towards its glorious ending.

Next, in order to address Romanian ideological path through its fifty years of communist regime, Copilaş centers his analysis on the internal political metamorphoses that had taken place within both Gheorghiu-Dej and Ceauşescu authoritarian rule and the Sovietization process of Eastern Europe. Moreover, following the aforementioned constructivist approach, the author correlates the impact of Leninism in its different versions to the Romanian particular case and approach of Leninism.

After depicting the de-Stalinization impact upon the communist world, with a particular focus on Poland and Hungary, the author highlighted the development strategies adopted by Gheorghe Gheorghiu-Dej government in the new Romanian Popular Republic (RPR). His mandate was marked by two events: *primo* the conflict between RPR and the Council of Mutual Economic Assistance over the unidirectional imposed specialization of the country (the alimentary line) which was against Romania's willing of industrialization and *secundo*, the position adopted by Romania towards the above-mentioned Sino-Soviet conflict.

The Ceauşescu rule is presented in three main chapters which concentrate the touchstone of the thesis, more precisely 'what does romantic Leninism mean and how was it expressed by Ceausescu's authoritarian regime'. After presenting dictator's accession to power,

Copilaș describes his already very famous dissident moments which, on the one hand had produced so much irritation in Moscow and on the other hand, had attracted appreciation and financial support from the West powers. Hence, in the 1970s, we assist to Ceaușescu's great openness towards West countries and their financial institutions (i.e. the World Bank, the Monetary International Fund) with a momentous revalorization of human rights during the Helsinki Conference held in 1975. Thus, advancing an authentic inconsistency with the Leninist norms, Romania gradually replaced systemic Leninism with its so-called new 'romantic' version. This is the period that characterized communist Romania during the '70s, in particular after 1971 and Ceaușescu's 'July theses'. An intricate mixture of Leninism and nationalism (as a 'revolutionary socialist patriotism'), the romantic Leninist vision developed by Nicolae Ceaușescu had an impact on both domestic and foreign affairs of Romania and had contributed to its independence obsession and quest for visibility in international relations. The third part of the presentation pinpointed the ideological threat perceived by Nicolae Ceaușescu and his romantic Leninist vision from Gorbachev's post-Bolshevik Leninist discourse and new policies. While Gorbachev was ready to agree with the so-called 'Imperialist' rules and not only simulate them as Ceaușescu had done for more than a decade, the romantic Leninism was on the verge to slowly fade away and finally crumble in 1989.

Thus, at the end of the 1980s it became obvious that the romantic Leninism lost its support from both "capitalistic" and Soviet world. Even if the Romanian Communist Party and its leader had made humongous efforts to save their status and propagandistic values, they didn't manage to understand the new geopolitical framework that shaped the world since then.

Neither Pluralism nor Marxism couldn't explain and objectively evaluate the international orientation of the romantic Leninist policy of Nicolae Ceaușescu.

Realism can offer a satisfactory explanation to Romania's internationalist approach with a focus on its systematic partnerships with other States and financial institutions that could prove useful for its national interests. Nonetheless, the Realist theory does not offer a sufficient explanation to the ideological subsidiary of the Romanian foreign affairs

orientation. If Realism claims the philosophy of the international status-quo, Ceaușescu struggled to dismiss it. In fact, in order to explain this international orientation of Leninism in Romania, we need to proceed to a social-constructivist approach, in particular to the above- mentioned 'norms and rules' constructivist matrix theorized by Nicholas Onuf.

Addressing both political scientists and IR scholars, Emanuel Copilaș succeeds in asserting Romania's romantic Leninist vision in his *Genesis of Romantic Leninism. A theoretical perspective over the international orientation of Romanian Communism: 1948-1989*, an outstanding work that made an original contribution to the debate about communist Romania and its efforts to develop innovative responses to hard times, nationally and internationally.

**Cătălin Augustin Stoica, Vintilă Mihăilescu (ed.), *Iarna
vrajbei noastre: protestele din România, ianuarie – februarie 2012*
[The Winter of our Discontent: Protests in Romania, January-
February 2012], București: Paidea, 2012.**

Review by Ciprian Nițu*

The book edited by Cătălin Augustin Stoica and Vintilă Mihăilescu is a multiperspectival attempt to analyze protests that took place in Romania in early 2012. It draws a comprehensive map of the actors, claims, means of expression and, partially, consequences of these protests. The book is an anthology that brings together texts by several Romanian scholars and researchers in social and political sciences written shortly after the events that took place in the winter of 2012 in order to provide not a complete academic analysis but rather a “sociological sketch” (p. 20) of the events mentioned above.

The first chapter, entitled “Multiple Facets of Popular Discontent: A Sociological Sketch of the *Piața Universității* Protests in January 2012” [„Fațetele multiple ale nemulțumirii populare: o schiță sociologică a protestelor în *Piața Universității* din ianuarie 2012”], comprises a macro-structural approach to protest movements in question. Cătălin Augustin Stoica analyses these movements here starting from Neil Smelser’s theory on conditions of the emergence of collective behaviours. This theory proposes a “progressive stadial model” of emergence of collective behaviours in general and of protests in particular (p. 27). A first element under review is that of “favouring structures”, i.e. the institutional and political conditions of protests. The author argues that “structural conduciveness to protests in January 2012 has to be considered in the light of political-institutional pattern of contemporary Romania; main axes of this pattern are strong

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statism and societal fragmentation amid generalized social distrust” (p. 34). A second element analyzed is the “structural strains” that led to the protests of January 2012, strains caused primarily by the current economic difficulties and the lack of adequate political communication (p. 37). The next condition considered is “the emergence of generalized opinions and beliefs” (p. 38), which was favoured in the case of Romanian protests by TV broadcasting with a clear anti-government agenda (p. 40). Other elements analyzed are “precipitating factors” (the analysis identifying in “Arafat episode” the main triggering factor of protests), the way “mobilizing for action” took place, and the way “factors of social control” operated, i.e. the reaction of government decision-makers at the onset of protests (pp. 40-6). The author manages to satisfactorily explain – thanks to the theoretical model adopted in the first part of the chapter – the evolution of street protests under investigation. The second part of the chapter comprises a comparative analysis of the Bucharest University Square (*Piața Universității București*) protests with other protests such as University Square in 1990 or “Indignados” movement in Spain taking into consideration the following criteria: purpose, duration, character and level of organization. Thus, the author reaches some interesting conclusions regarding the similarities and differences between these protests. Analysis would have been probably more interesting if the author could identify the explanatory factor(s) of success (failure) of the protest movements compared. The author makes also an interesting typology of protesters in Bucharest University Square in January 2012 on the ground of two variables (participation to protests in 1990 and 2012), resulting four types of participants: veteran, retired veteran, inexperienced participant, and nonparticipant. Following the above suggestion, the author should have studied the link between the variable “protester type” and the variable “degree of success of the protest movement”, indicating possible causal relationships between the two.

The chapter written by Alfred Bulai, entitled “Different Worlds of *Piața Universității* Protests in 2012 and their ‘ambassadors’: dramaturgical construction of the protests frameworks” [*Lumile diferite ale protestelor din Piața Universității 2012 și ‘ambasadorii’ lor: construcția dramaturgică a cadrelor de protest*], analyzes “how the protests – on the background of their extreme diversity – have yet managed to create through their dramaturgical construction the image of a phenomenon of considerable force” (p.81).

Reading protests in “social drama” key makes possible the use of concepts such as “performative acts” that put in relation “the actors” (protesters) and “the public” (consisting of TV viewers, people just passing, government representatives, as well as demonstrators in other cities) within a “theatrical scene” given by the University of Bucharest Square and its two socially distinct areas (the National Theatre zone and the Faculty of Architecture zone). Bulai’s chapter discusses the differences between the two scenes in regard with their “dramatic effect”, social structure and claims. Despite significant differences between the two spaces, the author notices thematic coherence of protests. This coherence is explained by the existence of “ambassadors” – proved by direct observations, informal discussions and recorded interviews made by author – a group of protesters who moved constantly between the two areas and provided the “mixing of protest themes”, structured around a few central ideas: freedom to protest, removal of institutional slippages, reducing democratic deficit, and accountability of political elite (p. 106). Analysis undertaken by Alfred Bulai is important because understanding “social dramaturgy” of University of Bucharest Square is essential in trying to explain how protests’ themes were coagulated, extended and generalized to other cities of the country, protests in Bucharest being the major beneficiary of mediatisation.

Emanuel Copilaş contribution, “Relaxing Structures by the Resurgence of Social Agents? A Socio-constructivist Analysis of Protests in Timișoara” [*„Flexibilizarea structurilor prin resurgența agenților sociali? O analiză socio-constructivistă a protestelor din Timișoara”*], represents an ambitious attempt to apply discursive-constructivist model elaborated by Nicholas Onuf to analysis of protests that took place in Timișoara parallel with those in Bucharest. The theoretical model used refers to three elements: agents, speech acts, and resources (interests). The last element is not however explicitly analyzed but rather presumed on the basis of inventorying speech acts (slogans and sentences made by protesters). There may be some problems with this. Firstly, when interests are presumed on the basis of speech acts, not enough attention is paid to the fact that language can be used in a “distorted” way to lie, cheat or manipulate: a distinct analysis of agents’ interests is therefore required from a methodological and theoretical point of view. Secondly, the paper

architecture is affected: explicit reference to resources (interests) is found only in a few lines at the end of fourth section and in conclusion, while the overwhelming majority of pages is dedicated to the analysis of agents and their speech acts. Thirdly, accepting however that interests may be inferred – within certain limits – from speech acts (constructivist thesis), the author does not explain clearly how speech acts or social structures “build” the actors and their interests, values and expectations, all of them being from a constructivist perspective endogenous in relation with the first. In other words, an important aspect of the constructivist type of analysis is missing, fact that creates a problem of “calibration” between the theoretical and the empirical parts of the paper. Otherwise, the work is remarkable for its empirical data richness and for historical reconstruction of the events which contributed to the coagulation of protests in Timișoara.

In “Suspending Consensus at University ‘Squares’: Techopolitics, Anticommunism and the Hegemony of Neoliberalism” [*„Suspendarea consensului în ‘Piețele’ Universității: tehnopolitică, anticomunism și hegemonia neoliberalismului”*], Adrian Deoancă starts from the distinction made by Jacques Rancière between *la politie* and *la politique*, i.e. between “the political order” (government, administration) and “politics” (contesting actions aiming at social and political equality and questioning “the political order”). The author considers that “protests in January 2012 can be understood as a return to politics, [...] a crack in the consensus which political and administrative order rests on, a break from rational governmentality, an anarchic manifestation of discontent and dissension” (p. 170). For Deoancă the protest movements in early 2012 in Romania had an anti-system character being an attempt to suspend the neoliberal “consensus”. He argues that these movements are anti-system, the paper yet failing to provide enough reasons in this regard. The author analyzes the Romanian protests through certain “perceptive lenses”, which narrow the reading of these protests. That protest movements had not an anti-system nature can be seen from the subsequent political developments: broad support for opposition at general and local elections, as well as broad participation in the referendum that took place later that year. In support of the claim that protest movements had not an anti-system character see also Bulai and Goina’s chapters in the present book. On the other hand, with Adrian Deoancă seems to agree Andrei Țăranu who in “Considerations on

some global and local aspects of the protests in *Piața Universității*, January 2012" [*„Considerații cu privire la unele aspecte globale și locale ale protestelor din Piața Universității , ianuarie 2012”*] believes that protests “can be considered as part of a global phenomenon of contesting the contemporary political and societal model” (p. 248), alongside other protests “against capitalist system as an exponent of the degradation of quality of life” (p. 251), such as „Indignados” or „Occupy Wall Street” movements.

In „Who does not jump aboard, does not want change! An Analysis of the Protest Movements in January-February 2012 in Cluj” [*„Cine nu sare, nu vrea schimbare! O analiză a mișcărilor de protest din ianuarie-februarie 2012 din Cluj”*], Călin Goina examines how protests came up and structured in Cluj-Napoca. Goina presents the evolution of protests and stresses their significance – although protests in Cluj were small in size, they were the first street movements in this city after a period of 15 years: after more than a decade of forgetting or neglecting collective mobilization, protests gave hope for “a critical approach to politicians and governmental institutions”, as well as for an “ethical resistance” movement (p. 202). The chapter also presents the particularities of protests in Cluj: existence of informal leaders in Cluj unlike the situation in Bucharest, cyber-activism as a means of mobilizing specific small groups, apparently “anti-system” feature of protests which is rather “a performative one, than a real one” (p. 225).

Marin Marian-Bălașa, in “The Musical Anthropology of Protests and the Art of Popular Scandations” [*„Antropologia muzicală a protestelor politice și arta scandărilor populare”*], analyzes forms of expression that accompanied protests from the point of view of their content and meaning. Marian-Bălașa notices the use of “smart slogan”, which combines “intellectual subtlety with sensitivity and art” (p. 233), as well as the use of “children rhythm” in which the verses consisting of 5-8 syllables overlap the eight eights series (p. 236). The author also notes that the musical element is less present now than in other protests in post-revolutionary Romania.

The last three chapters of the book, compared with the first, have not a substantial theoretical component. Intentions of the authors go in a different direction. Thus, Vintilă Mihăilescu presents two interviews with participants in the protests, which are interesting through information they contain and their documentary value. The last two chapters are rather of an

essayistic kind. Costi Rogozanu, in "Television and Uprising. A New Reckoning after 22 Years" [*„Televiziunea și revolta. După 22 de ani, o nouă răfuială”*], reflects on the relationship between visual media and protests in the winter of 2012 and highlights the main characteristics of post-revolutionary Romanian visual media: "tabloidization and extreme polarization" (p. 305). Finally, Sabina Stan discusses in "*Piața Universității: The other Story*" [*„Piața Universității: cealaltă poveste”*] the dual, schizoid meaning of University of Bucharest Square, which is marked both by liberal values (the anti-communism struggle) and social values (the fight against a predatory and corrupt political elite and the marginalization of civil society groups).

In conclusion, the book edited by Cătălin Augustin Stoica and Vintilă Mihăilescu is relevant for the study of the contemporary Romanian political space. The analysis of protests from various perspectives has both advantages and disadvantages: on the one hand, the book captures the heterogeneity and particularity of the protests analyzed, on the other hand, it does not provide an unitary approach from the point of view of theories, hypothesis and methods used. Such an unitary approach would give sounder theoretical results. The book is however valuable in that it contains useful factual material. The information gathered are numerous and important, and can provide the bases for future studies. Beyond the theoretical articulation of the texts included in this book, the main "richness" of it is its "documentary value".

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