GLOBAL ‘SWEET ENEMIES’: THE EU–RUSSIA SECURITY DILEMMA

Iain Andrew Ferguson

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Global ‘Sweet Enemies’:
The EU–Russia Security Dilemma

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PhD International Relations
May 21st 2014
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Abstract

This dissertation tells the story of conflict in the EU-Russia relationship. What makes this conflict definitive of a ‘security dilemma’, it is argued, is the unintended event of political violence in-between these neighbouring global powers.

A narrative method is used to disclose the character of this ‘security dilemma’. The story it presents of ‘sweet enemies’ has twin historical and theoretical aims. The historical aim is to explain the violent instability in the making of a regional security order in-between 2003 and 2009, and in-between the borders of the EU and Russia. The theoretical aim is to frame a narrative understanding about this global relationship that describes and explains the politics of collective security in the 21st Century.

The political philosopher Michael Oakeshott is the main influence on this thesis. He coined the metaphor ‘sweet enemies’ to reveal a new way of seeing the political relationships on the wing of modern Europe. He organises his study around diametrically opposing modes of political association that are, on one hand, civil and respectful of individual difference, and on the other, teleocratic and always looking to master a collective future. This dissertation presents a reframing of Oakeshott’s metaphor for the 21st Century. In this version of the story, the relationship of Sweet Enemies is completely uncivil. The associates are global others that move in-between radically polarised modes of political association that are of the same teleocratic kind.

This teleocratic politics explains the conflict in the EU-Russia relationship. But it also explains why this conflict did not have to happen, and does not have to be repeated. The existence of this ‘security dilemma’ is contingent on the global choice(s) the EU and Russia make at the beginning of their relationship. Having lived through an uncomfortably close and violently unstable experience in the making and breaking of a regional security order, it is possible these global ‘sweet enemies’ will come out the other side having learnt something from this experience.

This narrative retelling of Oakeshott’s metaphor is intended as an aid to learning about the condition of an uneasy global relationship in the first decade of the 21st Century. This is a time defined by permanent war. But it remains the only time there is. The conclusion is the EU-Russia ‘security dilemma’ is an ongoing issue. Indeed, the strains of discord that characterise this condition of global ‘sweet enemies’ have, if anything, become more intractable and uncivil.
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Introduction

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I.1. Preface

“Good sir, or so, or friend or gentleman [?] …With assays of bias by indirections find directions out.”

Shakespeare, *Hamlet*

These opening remarks set out the relationship problematic of this dissertation. The idea is to clarify the theoretical underpinnings of this inquiry in a way that situates the EU-Russia relationship in a context of interdependence. The main claim of this dissertation is that by understanding the character of interdependence between the EU and Russia, it is possible to understand the ‘security dilemma’ of a global relationship in the 21st Century.

Under the conditions of this global relationship, there is no ‘thick’ common experience from which to reason from. No deep ground of conviction exists that can translate across borders, no common essence of hospitality in-between the two associates that might allow, as Michael Walzer puts it, for each agent “to interpret to our fellow citizens the world of meanings which we share” (1984 p.xiv, *emphasis added*). Rather this particular ‘we’ is reminded at every turn of the limits of what ‘we’ share. In the two-way encounter of this global relationship there are moves towards all-embracing totalities of the ‘we’. And at the edge of each of these liaisons is an untranslatable crossing-point between a global self and a global stranger. These points of mutual contact in-between the EU and Russia are the main empirical focus of this dissertation. It is argued that at each of these points the relationship moves to a fundamental alterity, or extreme, of collective security. This alterity is the key to understanding the self-enclosure of a regional security order in-between the EU and Russia. By narrating this relationship dynamic, this dissertation looks to cast new light on the regional instability to the politics of collective security in the 21st Century.

Any investigation into a relationship dynamic is, by its very nature, a comparative exercise. It is only possible to see what is problematic in the goings-on of this global relationship by comparing the desires for collective security and the tendencies, or movements, of political association determined by both of the agents involved. This
compels us to engage in a relationship analysis of the “counter-lives” (Bernstein 1994, p.8) of interdependence that exist in the shadow of each other. Through ‘assays of bias’ this inquiry aims to disclose these concurrent lives within the same relationship. It makes visible these double characters of interdependence. And it looks to explain the conflict that unfolds at their crossing-point in the interior middle of the EU-Russia relationship. This whole study is presented as a story, a narrative testimony of the collectively vacillating and conflicted political experience of a global relationship in the first decade of the 21st Century.

The following remarks in this introductory chapter look to add more detail to the context of this relationship story, and in the process highlight the key aspects of the argument that is set out in this dissertation. It combines reflections on the political theory and history to this narratological account of the EU-Russia relationship. The discussion on political theory focuses on three key concepts of analysis in this dissertation: the method of story telling, the meaning of the ‘security dilemma’ and the narratological framework of ‘sweet enemies’. The historical discussion looks to set off this narrative inquiry into the relationship the EU and Russia establish between themselves from 2003 to 2009, in-between the beginning of the war in Iraq and just after the ending of the war in Georgia, and in-between the poles of existence of a regional security order that is constituted to bilaterally govern an area of the Eurasian landmass.

During this wartime period in the 21st Century, it is argued, the EU and Russia move between the anti-progressive and progressive charges of a global relationship in collective security. This double movement occurs in the political space between their borders. These twin tendencies of interdependence are in a permanent global tension with each other. They pull the EU and Russia in overlapping directions that deny each of these agents their ultimate desires in the global self-determination of collective security. This mutual frustration of global self-determination characterises the creation and disintegration of the regional security order between the EU and Russia’s borders. This regional instability comes as a surprise to both agents. It is not the relationship outcome that either wished for, or desired, in setting out their aspirations for “strategic partnership” at the turn of the century, or in negotiating the political constitution of their association in collective security back in 2003-5.
In international relations’ theory, the term for this kind of relationship problematic is a ‘security dilemma’ (see especially Booth and Wheeler 2008). The following discussion on this concept aims to present a picture of it that is focussed on the global-regional nexus of the EU-Russia relationship. The argument is that it takes two, globally determined and regionally proximate agents to make a ‘security dilemma’ in the current age of the United Nations (UN).

One agent advances a realist or Rousseau-like concern about the global future of inter-state security, i.e. the universal arrangements for security among states. The global focus is on the existing ‘rules of the game’ in the United Nations Security Council (UNSC). Global self-determination from this perspective means more than just a negative freedom from interference from externally impeding forces. It means making positive, *institutionalising* moves to uphold the state-centric norms of positive international law and defend the collective security system enshrined in the UN Charter. This state-centric support for the established rules of collective security accounts for a global tendency that Ian Hurd (2007) has identified. The legitimate authority of the UNSC was restored – temporarily, at least – after the Iraq crisis of 2003. The explanation that is presented here for this development is the *global restoration* of the Council’s authority through a realist, Rousseauan logic of association. This *anti-progressive* tendency is led by an exemplary agent from within the Security Council; namely, Russia.

The *progressive* movement in this relationship is driven by a very different - but equally exemplary - agent. The EU is not a member of the United Nations, at any level of this international organisation. Global self-determination for this agent is not ultimately concerned with the procedures for ensuring the conditions for peaceful cooperation among states. From the perspective of the EU, this particular challenge of interdependence has already been solved with the constitution of the Maastricht Treaty of 1992. This act of European constitutionalism brought the Union into existence as a treaty-based legal personality and an executive bureaucracy (Wessel 2007). The ultimate concern for the Union revolves around the conditions of intra-state security at its periphery i.e. the issues concerning the arrangements for security within nation-states that lie outside of the legal jurisdiction of the EU. The Union’s progressive desire for collective security in global politics is about more than just the desire for a proactive role across its borders and into the internal affairs of neighbouring states. The global self-determination of the Union is a positive, institutionalising move in support of the tendency that Ruti Tietel (2011) has identified towards the political embrace of
international humanitarian law. In her terms, this is the most profound political-legal development in contemporary global affairs – what she terms the rise of ‘humanity’s law’. This ascendance is happening at a very fast pace. The argument that is presented here is that the Union, more than another other agent in global politics, has been driving this normative and institutional shift towards the protection of human rights in the 21st Century. The logic of this progressive movement is described in far less glowing terms than in Tietel's (2011) account. Rather than providing a rules-based framework for the management of violent conflicts within states, as she suggests, this movement of global reform is found to be the main reason for the hostility and violence that occurs in-between the EU and Russia’s borders.

As will become apparent in the main body of this dissertation, the EU-Russia relationship is distinguished by its geopolitical closeness and overlapping transitions of interdependence. To use Michael Oakeshott’s terminology, this is an entirely teleocratic or uncivil relationship (1975, 2006). But in spite of the composite lack of civility in this relationship, there are reasonable grounds for sympathy with the EU and Russia’s joint predicament. The global intentions behind this relationship are good. Both sides look to support the achievement of international peace and security during a period of major wartime disruption in the UN Charter system. However, the 21st Century desires for an “organised common peace” (Woodrow Wilson, quoted by Wight 1966, p.172) that these agents pursue through their relationship are permanently at odds.

The global dispute that develops between the EU and Russia is polarised by realist and liberal ideas about how to achieve contending UN-centred goals of collective security in the 21st Century. These overall global ends are interpreted as the indivisible, interrelated and interdependent embodiment of what Richard Falk calls “the normative consciousness” of global politics that emerges in response to the 2003 war in Iraq (2008, pp. 83-96).

This war divided the Permanent Five in the United Nations Security Council, the so-called ‘Five Who Rule Them All’ (Bosco 2009); the US, Britain, France, Russia and China. It also divided the non-permanent member states of the UNSC from the European Union, Spain and Germany. This divisive event has been described as the single most dramatic episode in a 25-year struggle within the global or ‘international community’ over Iraq (Malone 2006). This struggle, however, had little to do with Iraq itself, and everything to do with the instrumental rules about the governing of global security in the post-Cold War era (Frederking 2007).
Russia and France opposed the war and threatened to use their veto to block a second UN Security Council resolution that would authorise the use of force. Germany, the main driver of European political-military integration of NATO in the 21st Century, also made its opposition well known. Meanwhile, the US and Britain stood “shoulder to shoulder”, in the words of Tony Blair, against this global opposition. The war that these Anglo-American partners went on to prosecute remains one of the most controversial in the history of the United Nations (Falk 2008).

This was not the first time – in actual fact it was the seventh (Frederking 2007, p.87) – that the US had led a military alliance in the use of force against a member state of the United Nations without the authorisation of the Security Council since the end of the Cold War. However, this was by far and away the most controversial of all these unsanctioned wars of the contemporary international order.

The anti-war rallies throughout the major cities of Europe remain the largest protests of their kind ever recorded. According to the French academic, Dominique Reynie, between 3rd January and 12th April 2003, thirty six million people across the globe took part in almost three thousand protests against the Iraq war. By far the largest of these demonstrations occurred in Europe. Well over a million came to the streets in London and in Paris, and over three million in Rome. A leader article from the New York Times at the height of the protests described the emergence of a globally divided consciousness: “The fracturing of the Western alliance over Iraq and the huge anti-war demonstrations around the world this weekend are reminders that there may still be two superpowers on the planet: the United States and world public opinion.” Although it is impossibly hard to measure, it seems fair to say that the voices of 36 million protestors adds a tacit weight of mass public support to the opposition to this war from within the United Nations Security Council.

This global opposition created a division at the top of “the most powerful international organisation in the history of the world” (Hurd 2007, p.12), a schism in the global power-structure that remains barely understood to this day. The simplistic reading of this split is that it set a global alliance that is for the war, the US, Britain, Spain and an rag-tag ‘coalition of the willing’, against an anti-war, global alliance that comprised

1 The term actually comes from a speech made by the British Prime Minister Tony Blair shortly on 9/11, when he
Russia, France and Germany. The leaders of Russia and the EU’s couple Franco-Allemande met at the birthplace of Immanuel Kant, author of Perpetual Peace, to declare their anti-war solidarity to the world. But within just two years, this global relationship for peace had turned in a belligerent direction. The idea in this dissertation is to explain how and why both sides to this change happened, and how and why they overlapped in an inhospitable middle.

The ‘how’ of the argument builds up an historical understanding and critique of this global ‘anti-war’ alliance. The finding is that this alliance, from the moment of its constitution, pulled in two opposite directions. This tension in the pursuit of collective security would define a global struggle of regional governance in the five years after the peak of the Iraq crisis. This struggle was undoubtedly intensified and polarised by the event of war in 2003. The institutionalising movements that explain the overlapping extremes of this relationship and events of this relationship are all post-2003. However, the argument in Chapter One is that the ideas that animate this tension in collective security can be traced back to the last days of the Cold War and became most pronounced in 1999 in response to NATO’s humanitarian intervention in Kosovo. The ‘Kosovo question’ resurfaces again at the peak of the dispute in the EU-Russia relationship. The argument that is made in the last two chapters is that the controversy over humanitarian intervention in terms of its legality, its strategic implications for international order, and even its very practice in global politics has become an aspect of what Michael Oakeshott calls the “dead past” (1990, p.43). The actors involved in this global relationship, centrally the EU and Russia, and at the margins the UN Secretariat and the United States, have consciously moved beyond the controversy over humanitarian intervention. But, while this practice may have become a thing of the global past, it has been replaced by a not-so-dissimilar mode of humanitarianism. This expansionist practice of ‘humanitarian occupation’ (Fox 2007) is, it is suggested, even more problematic in terms of its implications for international order than the practice that its has replaced. The reason for this is two fold. First, that this practice has the normative validation of what Ruti Tietel (2011) calls the movement to ‘humanity’s law’. Meaning that it has legal credibility that is becoming universally recognised. The second reason is geo-strategic. This expansionist practice happens at the outer edges of the enlarged European Union, and at the Western and Southern border of Russian Federation. This political space of Eurasia has become the regional battleground where the struggle for collective security has been, and is likely to continue being, played out in the 21st Century.
The explanatory or ‘why’ side of this argument develops through historical reflections on this normative and geo-strategic tension in regional governance. It looks to distinguish and make intelligible the political theory of the ‘security dilemma’ of the EU-Russia relationship. As already noted, this relationship experience is locked in a polar tension between anti-progressive realist and progressive liberal ideas about collective security. Crucially, these ideas aim to collectively secure the individual places of both agents in the political order of the United Nations. This is, broadly speaking, the ‘common global destination’ that both parties in this relationship have in mind.

This common global concern about participation in the political life of the United Nations explains why the struggle in this relationship goes beyond the preoccupations of both sides with the governance architecture of regional order. This global concern about being ‘in’ the ‘common home’ of the United Nations, what that means, and what it will take to stay permanently ‘in’, is crucial for understanding the ‘security dilemma’ of this relationship. These self-regarding concerns for global community and belonging are revealed in the strategic expansion of the executive bureaucracies of both parties as the UN begins to withdraw its last and largest peace mission from the Balkans, the mission in Kosovo. On whose ultimate, global terms of collective security should Kosovo’s fate be decided, the EU’s or Russia’s? Which of these agents has the rightful global authority to carry on where the UN has left off? Will it be the bureaucracy of the existing permanent member in the UN Security Council, the Kremlin, on the familiar state-centric terms of collective security that favours Serbia’s territorial integrity? Or will it be the bureaucracy of the rising global power, the EU, which has the closest institutional ties to the UN Secretariat – that has been running the mission in Kosovo – and to the human rights-centred terms of collective security that this executive has endorsed?

Most readers will already know the answers to these questions. But the point of going through them again, and placing them in their historical context, is to demonstrate that the answers were not a foregone conclusion. The favouring of the EU’s position in this global dispute demonstrated a progressive, liberal Western bias within the UN Secretariat. The EU’s legal and political exceptionalism in enforcing the collective will of this position was, remarkably, read as being uncontroversial by most Western commentators, including those at the best universities in the UK (Weller 2008, Ker-Lindsay 2009, Summers 2011). Whereas Russia’s reciprocal action, justified with the appeals too much the same claims, was dubbed by these same commentators as unilateral and hegemonic (ibid.).
It is suggested that these commentators are mistaking global sameness for global difference. The genuinely profound, global difference in-between the EU and Russia is not revealed in the practice of ‘humanitarian occupation’, but in the diplomatic dispute in the UN-brokered Kosovo Status Talks that immediately proceeded this missionary practice of regional governance. The political violence of Russia’s war in Georgia is explained in this global, relationship context of a struggle over the past and the future of collective security in the 21st Century. Russia’s appeal to strengthening the state-centric norms, and with it a commitment to territorial integrity, the sanctity of international borders, the supremacy of treaty relationships – these are all part of Russia’s strategic agenda in the relationship with the EU. It is this fundamental alterity that is the real loser in this struggle.

This reduction of global difference to global sameness highlights the problem of inclusion in regional governance. The terms of this inclusion are set in a collectively possessive, either/or manner in support of strategies issuing from the Moscow and from Brussels. These anti-progressive realist and progressive liberal demands of regional governance are mutually irreconcilable. They contradict each other. It is not possible to sustain both of these demands and their all-inclusive, collective institutional movements for very long. One of them has to give. The moment of decision is the most important crossing-point of all in this global relationship. This is where the ‘security dilemma’ of the contemporary international order fully reveals itself. The dilemma of this relationship cannot be settled through an appeal to the rule of international law, because existing (and contrary) ‘international legal rules’ enshrined in the UN Charter are bound up with the strategic claims of regional governance advanced from both sides.

Both agents in this relationship consider themselves to be acting with full, international legal justification. Both agents claim to be acting for the global common good of the United Nations as a whole. Both agents claim to have the solution to the problem of collective security in the political space between their borders. Each has the global self-understanding of being an exemplary representative of the United Nations universal system of collective security. They both advocate rules of international law, and simultaneously assert themselves above those rules. This univeralism of agency explains the creation of mutually inclusive, global political communities of regional governance. These global communities uphold the contrary, universalism of collective security that each global self advocates in reaching out to its global stranger. Globally self-regarding and reductive of difference, these strategic positions of regional governance frame the institutionalisation of a regional disorder of collective security in-
between neighbouring global powers.

It is argued that this strategic practice of ordered disorder in-between the EU and Russia's borders illustrates why the progressive desire for something like a "normative model for a community that exists without any possible exclusions…; a cosmopolitan community" (Habermas 2001, p.108), is the driving force behind the conflict dynamic in the EU-Russia relationship. The claim is the quest for a global community of what Habermas (2001) calls ‘cosmopolitan law’ and Ruti Tietel (2011), more revealingly, ‘humanity's law’, explains the violent politics of regional governance in the EU-Russia relationship. Moreover, it explains why this conflict dynamic continues to unfold to this day.

Crucially, this conflict dynamic has been facilitated by the UN Secretariat's reform programme in collective security. This global liberal project has sought to shift the foundation of the UN Charter away from a commitment to state sovereignty and towards human rights. It has been framed, quite explicitly, as an attempt to remake the international system of collective security fit for purpose in the 21st Century. Such a comprehensive and radical programme of global reform was bound to be disruptive, and bound to draw support for those political actors who have been excluded from participation in the UN (like the EU) and those that have seen their status in the UN consistently undermined (like Russia). The UN Secretariat has proved to be the normative lodestar for one of the agents in this global relationship, and the unaccountable executive of a Western liberal hegemony to the other.
Each agent in this global relationship asks tough questions about the legitimate authority of the existing UN Charter system, and of the continuing global authority of the UN Secretariat. The inter-state system of the UN Charter, with its international rules, norms and institutions, was created in 1945 with a view to supporting one overriding goal of international order: ‘war prevention’ (Falk 2008). This preventive goal was brought into serious question on the road to war in Iraq in 2003. Scholars writing at the time suggested the Bush administration’s challenge to the legitimate authority of the UN Charter system placed the world’s only remaining superpower on a “collision course” (Ruggie 2006, p.31) with all the political representatives of global community (see Reus-Schmitt 2004, Falk 2008, Hurrell 2008, Ruggie 2006).

But the historical argument in this dissertation is that the real ‘collision course’ over the legitimate authority of the UN Charter system happened five years after the Iraq invasion. When this collision comes, it happens not between the US and the global rest, but within a regional security order that is co-constituted by neighbouring global powers that were also global strangers. One global power, Russia, acting as a ‘great power’ for the 21st Century was determined to restore the UN Charter system according to a realist myth about its original institutional reality. The other global power, the EU, acting as a ‘normative power’ for the 21st Century was determined to reform the UN Charter system to support a liberal myth about the future institutional reality where the protection of human rights would become the basis for global security decision-making.

These global strangers are the ‘sweet enemies’ of the title. In encountering each other they are invited to discover and disclose more of their global identities. They both move to global surplus and excess precisely because of this encounter. The political experience they go through is depicted in terms of an “unresolved tension between…two irreconcilable dispositions” (Oakeshott 1975, p. 201) of collective security in global politics.

* *

This is a good time to say a little about what this study does not aim to do. There will be no attempt in this dissertation to offer recommendations about how the conflict in the EU-Russia relationship may be ‘settled’, ‘reconciled’ or ‘overcome’. There are no proposals for how the agents engaged in this uncivil kind of global relationship might escape from what Michael Oakeshott calls the radical “concordia discors” (1996, p.90), or discordant harmony, of “sweet enemies” (1975, p.326).
Clearly, to describe the EU and Russia’s relationship situation as uncivil implies, in theory at least, that there is a global civil alternative. The character of this alternative is touched on in the theoretical conclusion of this dissertation and at various stages en route. But it is not explored in any great detail. The reason for this under-theorising is mainly historical. What emerges from the historical narrative in this dissertation is the picture of a ‘perplexity’ in global politics. Meant in the Socratic sense of the word, rather than the theological (Desmond 1995, Santurri 1987); perplexity as the “astonished recognition...[of a problem] that we do not know how to deal with” (Matthews 1999, p.109). Like a Socratic perplexity, this problematic only becomes fully apparent by following the ‘to and fro’ in the dialogical interaction of a relationship.

The reason for referring to this ‘perplexity’ as a ‘security dilemma’ is that it raises the question of whether the unresolved tension of collective security in the EU-Russia relationship, and in the wider UN system of which it is a part, can ever be resolved. The argument advanced here is that, in practice, it is highly unlikely this ‘security dilemma’ can or will be. Indeed, at the time of writing, it looks like the global-regional security situation is becoming even more uncivil and extreme than is chronicled in these pages. The Syria Question could well be the next fault line in this ‘security dilemma’ after the Kosovo Question. Developments in the Syrian conflict have been too recent to include in this dissertation. However, it is possible to see the same bilateral gestures and polarisation of the ‘security dilemma’ emerging in the EU and Russia’s positions over the Syria Question in 2013 as developed over the Kosovo Question five years earlier.

In the global political theorising at the beginning and, especially, at the end of this dissertation, there are gestures towards a conversation that might help to diffuse some of this tension. All narrative inquiries are - as an expert exponent of this method writes - permanently “on the way to the other” (Kearney 2002b, p.133). But in this case, we only ever conceive of this civil ‘other’ as a topic for conversation between global strangers. The attempt to fully disclose the character of a global civil relationship is left for another day.

The value of this narrative testimony is that it brings to light the perplexity that faces two self-styled global representatives of the United Nations during a disruptive, wartime period of institutional change. Perhaps the most important finding of this study concerns how and why this disruptive perplexity remains unresolved. What we bear witness to in the double movements of the EU-Russia relationship, and in their conflict in
Global ‘Sweet Enemies’

the transitions of regional governance, is a dilemma that could continue to face this relationship for many years to come.

This ongoing struggle of collective security is not pre-ordained. However, the ideas that drive this relationship dynamic have taken the form of strongly held and contradictory convictions about ‘what we ought to do’ to make the world a more secure place. These global identities of the ‘We’ have their origins in ideas about comprehensive collective security that were first voiced at the end of the Cold War. Wedded to the foreign policies and grand narratives of both agents in this relationship since 2003, they have become integral to how each global power understands their respective roles within the evolving UN system of collective security, and is simultaneously baffled by and distrustful of the strategic agenda of the global stranger that is close at hand.

It has taken almost thirty years of self-involved strategic thinking, bilateral gestures and misunderstandings to get to where this global relationship is now. It is not going to be easy to change course. Especially given the forcefulness of the dynamic that has picked up since 2003. The most troubling aspect to this teleocratic relationship dynamic is that it continues to make the world less secure, not more. This is the global relationship problematic of collective security in the 21st Century. Crucially, this problematic is not the product of a helpless fate. Our story of global ‘sweet enemies’ is not the tragic, unhappy tale of a necessary conflict. This conflict is the product of a series of concurrent choices, to be more precise, by the relationship choices made in-between two global strangers.

The civil conclusion of this investigation is that by recognising the globally self-determined and proximate reasons for the EU-Russia ‘security dilemma’, it is possible to clear a space for an experienced conversation about this relationship dynamic. As suggested above, the event of political violence in this relationship in 2008 did not have to happen. And it does not have to be repeated in Syria, or anywhere else for that matter. But to acknowledge the contingency of past and future events of political violence in-between the EU and Russia does not make this ‘security dilemma’ go away. Nor does it edge our associates any nearer to finding a peaceful solution to their collective ordeal. However, by clearing a space to talk about this ordeal, openly and frankly, it is possible – to use one of Oakeshott’s phrases – to help “abate the mystery” (1975, p.1) of the ‘security dilemma’ in the EU-Russia relationship. Or to put the same point another way, to help global strangers become a little less strange to each other.
I.2. The Narrative Method

“There expand by now 1001 stories, all told, of the same...But the world, mind, is, was, and will be writing its own wrunes for ever.”

James Joyce, *Finnegans Wake*

One of the advantages of offering a narrative account of the EU-Russia relationship is that while this specific, historical case study may be obscure to many readers, the practice of story-telling looks to unlock the universal in the particular. The aim is to uncover what is potentially ‘world-disclosing’ about this case. Identifying what occurs in the experience of this relationship that can help us - paraphrasing Hegel - to better comprehend our global time in thought.

In using the term ‘world-disclosing’ the idea is to put this case-study analysis within what Stephen White (1991) suggests is a general approach to political theorising. This approach looks to draw attention to the "submerged presence of dissonance" in the modern political experience (p.20). Narrating this dissonance is a form of intellectual striptease. The objective is to “unveil” (Voegelin 1987, p.103) the reasons for this dissonance. Make them “visible” (Rengger 2013, p.35). Allow for the discord in-between intelligent agents that advance *sed contra* worldviews “to show itself to us” (White 1991, p.20). All this stripping down is done in the unfolding narrative framework of a story. What is presented is a tale that is likely to have “an unsettling effect on...[the] modern, deep-rooted quest for harmony and unity; for a world of problems finally solved.” (ibid.).

The school of thought that is most associated with this approach finds its narrative voice in disclosing the crisis and traumas at the intersections of unity and plurality in modern political life. This school of “radical postmodern thinkers...understand their work as intellectual strategies that ‘bear witness’ to this dissonance.” (ibid.). Their most favoured method is the narrative *testimony*. Narrative is employed as a moral-aesthetic approach for (re)presenting a political experience of dissonance.

Generally speaking, the concern is with accounting for events of dissonance that have happened within living-memory. The sequence of these events touches the reaches of what is narratable and unnarratable in the situations of coexistence with
others that do share the same ultimate commitments. These narrative testimonies about the limits of lived situations are not intended to provide solutions for better coexistence, but to reveal a disturbing episode of conflict within modern political consciousness. These conflicts of coexistence happen at the ‘in-between’ (metaxu) of political ideas or visions that evoke the idealism of collective mastery. They take place in-between distinct but comparable agents that are looking to insure their self-preservation through a relationship with the other. These are selves that live concurrently and alongside each other (Bernstein 1994) in political relationships that comprise “overlapping and interrelated communities” (Miller 2011, p.30) neither of which can exist in isolation: they come as a pair.

The postmodern interpretation of this kind of conflict of otherness challenges two cherished notions of modern thought about political society and relationships. The first concerns our understanding of the time in which modern political activity happens, the ‘periodisation’ of the political. All these conflicts are seen from a postmodern perspective as symptomatic of an existential crisis in Western modernity. This crisis is an entirely contemporary issue, although it has intellectual roots stretching back hundreds of years. The reason it is contemporary is that this dissonance of otherness is unresolved. It has failed to ward off the insecurities of self-preservation that explains its origins.

The value of narrative testimony is that it offers a way of highlighting aspects of déjà vu to these discords of otherness. The idea is not to tell an entirely original story, but a story that, as Joyce would have it, has been told a 1001 times already. To quote another Irishman with a gift for words, the philosopher Richard Kearney: this postmodern approach to story-telling looks to present, “a testament to the fact that the end of modernity is an integral mutation within its own development, a symptom, as it were, of its own unconscious infancy which needs to be retrieved and reworked if we are not to be condemned to an obsessional fixation upon, and compulsive repetition of, the sense of its ending” (1988, p.27).

The choice to narrate this ‘sense of an ending’ (Kermode 2000) is, however, more than a touch ironic. It implies that that this kind of conflicts is in some sense inevitable. Yet it is precisely the foundationalist assumption of a predetermined goal, or fate, which the narrative critique, famously set out by Francios Lyotard (1984) in The Postmodern Condition, sought to challenge. Grand narratives in modern life, he argued, are flawed because they presume too much about what ‘all of us’ can live with. This collectivising, teleological expectation works to deny the rich randomness and plural
openness of modern life. Grand narratives try to bring coherence to ideal conditions of consensus on the basis of which further disagreements and conflicts can be adjudicated. However, they do so in a way that says far too much about ‘the world of meanings that we share’ and says it far too conclusively. The shared destination of a grand narrative journey is imagined very strongly at the beginning. Therein lies the problem. This idealism of the future of a given ‘we’ imposes a collective uniformity of thought and action on a relationship. It carries forth a wilful activism that has the potential to be tyrannical and militant. Agents that advance grand narratives are under the impression that they can change the world to match their individual vision(s) of ‘the world of meanings that we share’.

Grand narratives in politics can be very effective in mobilising support for a future-oriented cause and demanding collective loyalty to a world-changing program. Lyotard’s critique is that this way of conceiving political activity denies the possibility of alternative lives and freedoms outside of an all-embracing political project. In this sort of collectivising project there is no outside as such. The corporeality of the ‘we’ is totalising. There is just a ‘shared us’ and no them.

This critique has a lot of merits. But to then describe the problems of grand narrative in what is, in effect, a totalising narrative about the historical inevitability about the failure of these kinds of modern projects, their cyclical repetition and reoccurrence, and their apocalyptic moments of crisis, is too lose sight of what it is that is being criticised here. The problem of grand narratives, in politics at least, is not a problem that can be read into the whole of modern life, or even the whole of modernity (whatever that means exactly). Sweeping generalisations like this miss the point. The problem that this critique helps to highlight, in politics, is of a particular kind of relationship that exists in-between agents that share the same idea about their ‘common destination’ as a ‘we’, but have different self-centred reasons for wanting to get there.

Grand narratives in this context will be guided by the quests to impose the common will of each self onto the other. This self-determined quest to set the ultimate terms for the group will almost inevitably involve a two-sided dynamic. These mutually inclusive, grand narratives will look to advance the particular, and particularly strong, commitments of the political community of each self. This collectivist kind of relationship does not grant each individual participant the freedom to think or to act differently. It is totalising in so far as it driven by and denies the subjective freedom of the agents involved. To move in a different direction to what is envisioned in the symbolic grand
narratives of this relationship, to live a live outside of this association and its onerous demands to act together as one, is strongly discouraged by both sides.

The sense of déjà vu that is exposed in this unveiling is that this kind of symbolic politics of the ‘we’ is to be found across a great variety of modern political projects going back hundreds of years. The first question that has to be answered, however provisionally, is about why this search for collective mastery has a familiar ring to it? Why are there analogies in-between these modern political projects? The simplest answer to this question is that these collective political projects are infused with good intentions that have strong circumstantial appeal to the related agents. They hold out the promise of the achievement of self-preservation through collective action in circumstances that are not unlike past circumstances. Of all the possible circumstances in history that are the spring for these sort of collective political projects, the backdrop of war is, for Oakeshott, by far the most important (see Rengger 2013).

In war, the existential question about individual and collective survival is at its most acute. The most powerful grand narratives in modern politics are infused with the promise of collective salvation in war (Oakeshott 1975, 1999). This promise is the *logos* of an ideal common future that offers a transcendent escape from the *chaos* of the present. Grand narratives in wartime promise some form of final, peacetime solution to the ordeal of existence. At their most perfectionist, these grand narratives promise a break in world historical time; a new beginning of settled disputes, collective equipoise and congenial communion.

The failures of these political projects are the failures to realise these kinds of absolute ideals (Scruton 2010). Grand narratives can only ever produce a *collective sense of failure*. This comes from the realisation that glorious aspirations have been thwarted. Blame for this failure is rarely self-critical. It is almost always placed with the actions of others.

It is tempting to describe this kind of collective politics in terms of ‘utopianism’. But this dissertation avoids this term for one simple reason. This notion is far too closely tied up, at least in International Relations literature (Clark 1989, pp. 49-67), only one-side of the relationship story that is presented here. The risk is that by using this term, the analysis becomes derailed by the critique of a single vision of grand narrative, from the progressive side of the relationship, and misses the mutually constituting sameness (as well as the difference) with the vision presented from the anti-progressive side. The
point about sameness is that both sides in this relationship case study advance equally lofty and unrealistic wartime-to-peacetime visions of the collective ‘we’. For both sides, this collective ‘we’ is conceived of as a transcendent necessary being of solidarity that reduces difference.

The necessary being imagined in these grand narratives is given focus by the reasons, or intentions, of core ideas about the rational necessity of collective action. The logos of these ideas, in turn, provide the aspirations for a particular collective of the ‘we’ with its creative capacity. The range of possibilities of this ‘we’ is completely predetermined by the script of a grand narrative. The logos of the ‘we’ is orientated towards doing, or acting out, the guiding reasons of a grand narrative.

In an essay entitled Motivating the Global Demos, the political theorist Daniel Weinstock (2010) asks the question: “Is there a way of motivating a sense of global solidarity and community, absent of any moral motivation on the part of those whose decisions will determine whether or not…policies get put in place?” (2010, p.185). He has in mind policies to alleviate world poverty, but the same question can be asked for policies that intend to bring about a condition of collective security. The answer he arrives at is ‘no’. Since “most people do not feel that we have obligations with respect to the world’s neediest people,” he finds there are reasonable grounds for justifying global community building through the “instrumental uses of motivationally efficacious arguments” (2010, p.187). He cites some of the literature on nation-building in support of his argument. In certain circumstances, he suggests, it is justifiable to “present arguments for policies towards which citizens might not be naturally disposed – policies of wealth distribution, for example” (ibid.). Weinstock is then quick to back-peddle: “Let me rule out the extreme positions on either side of this debate, those that intuitively seem too permissive and too restrictive, respectively.” (2010, p.188).

Only reasonable uses of instrumental logos are morally defensible. But this does not seem a very satisfactory conclusion. It only begs the question: who decides what is reasonable and what is unreasonable? It seems implausible that an individual agent who goes to the effort to conceive of and present a policy to alleviate world poverty is going to think that its goals or demands are unreasonable. Another agent might think these goals and demands are unreasonable, of course. Or at least, they might have significant doubts, which the agent that presents this global policy does not share. The instrumental ‘global community’ of the ‘we’ may be built, but it is not likely to be a very stable artifice. This is a ‘global community’ that is based entirely around the policy-driven logos of one
individual agent of a collective ‘we’. This *logos* is simply an extrapolation of that agent’s particular background of political experience. Even if the policy is advanced in circumstances of the same sort, it seems *reasonable* to expect that the different agents implicated in this ‘we’ are going to wish to respond differently, even if they desire much the same thing – to alleviate world poverty, or to achieve a stable condition of collective security. These goals of instrumental *logos* are, after all, quite abstract. The shared meanings that each agent wishes to establish as ‘our identity’ and for the global ‘common good’ might be quite alien to the other’s political experience and expectations.

The discord of otherness in this global relationship setting is *contingent* upon there being, at a minimum, two versions of the instrumental *logos* of the ‘we’; two visions that are directed towards the creative capacity of a transcendent necessary being of solidarity. This global politics of the ‘we’ is bound to place heavy demands on the individual agents of this relationship to act in accordance with the visions of the other en route to their ‘common destination’. If all the associates do not pull together and maintain this commitment to the political vision(s) of these grand narrative(s) then they are liable to be branded a threat to the stability of the relationship and to prospects of bringing about a mutually advantageous peacetime. They will be regarded as a very difficult wartime ‘partner’. Unless there is collective conformity to - in this case, two - grand narratives of wartime-to-peacetime transition of the ‘we’, then one or other ‘partner’ in this solidaristic relationship is almost inevitably going to be regarded as, what the UN Charter terms, a global “threat to peace” (Article 39). Diminished in this way, in the eyes of the other, they can then justifiably be overruled and marginalised in the quest to achieve the promised breakthrough to peace within the ‘global community’ they have constituted together. As for the ‘partner’ that has been overruled by the actions of the other; they are likely to feel that their global survival has been endangered by this turn of events.

Narrative testimony as a critique of this kind of discord of otherness can do exactly what Francois Lyotard suggests. It can encourage a “sense of anamnesis or reminiscences...And in its very movement [create]...a capacity to listen openly to what is hidden within the happening of today.” (Quoted in Kearney 1988, p.27). By disclosing this discord of global solidarity, it *may be* possible to move towards a greater transparency in the global relationships that develop in contemporary wartime. This is the global pluralistic, open ‘sense of an ending’ that seems, to this narrator at least, to be the most coherent expression of this kind of narrative approach to disclosing the perplexities with/in global political life. In Lyotard’s words, a narrative testimony is
orientated in the direction of the “complexification” that makes only one “demand of each of us”, namely “a greater degree of decision and choice...where everyone must judge for himself.” (ibid.). A logos that acts with this freedom in mind moves beyond the inevitability of discord in the search for global self-preservation.

In sum, the task of the narrative testimony of a global relationship in wartime is to envision the end of this association as a possibility for a more complex re-beginning. But where the postmodern analysis gets into difficulties in is trying to understand the original beginning of such a relationship. If the possible re-beginning rests on the logos of decision and choice between others, then this is only conceivable as a genuine alternative (and not just another delusion of grand narrative) if the original beginning of the relationship also rests on the logos of decision and choice where ‘every-self must judge for it-self’.

To truly embrace the freedom of global agency to choose, this narrative testimony requires the appreciation of the contingency of the transcendent being of the ‘we’ in this relationship. What is believed to be necessary at the beginning is based on beliefs that are formed around the judgement of the core, collectivising ideas of two grand narratives. These will make instrumental appeals to collective morality, and will be expressed through global policies that demand solidarity as a route to self-preservation.

The ‘open sense of an ending’ requires a revisiting of this contingency of the ‘we’. It can only really be a theoretical conclusion because the empirical substance of the grand narratives - the range of their possibilities to ensure self-preservation - will, by then, have been fully exhausted. Reflecting on this ending will turn to reflecting on the more complex and pluralistic re-beginning. There is a tight restriction on this narrative journey. The narratable/unnarratable limits of the story of this global relationship are two decision-points, two moments of creative capacity, two moments of choice in the meeting or encounter of our two agents. One encounter is at the beginning (in wartime) and the other at the re-beginning (also in wartime). It is only in the conclusion that one can grasp these in-between encounters as genuine alternatives in the logos of the same global relationship where there are now two relationship possibilities for its constituent ‘we’.

This makes for a ‘conclusion’ that is inherently ambivalent. To understand what this might look like, there is no better model than the famous parable of the misty ‘crossroads’ in book 7 of Augustine’s De Dialectica (1975, p.105). As Augustine
describes it, the reader of his inquiry into *logos* is like a traveller lost in a dense mist. When the mist burns off, the traveller discovers they are at a crossroads and the ongoing direction of their journey is still to be decided. All that has changed is that they are no longer ignorant of the choice they face. But they still have a choice to make, between one thing and another.

To be consistent to this open ‘sense of an ending’, a narrative testimony is best conceived of in terms of what Paul Ricoeur calls “the logic of narrative possibilities” (1983, p.16). In this relationship context, this means a way of thinking through scenarios about the contingent reasons for the conflict in-between others, and the contingent possibility for peace between strangers, all responding to the same circumstances of 21st Century wartime. Plotting a way through these possibilities requires us to plot the possible journeys or lives of our global ‘collective subject’, the ‘we’, in light of the existing, secondary literature. This plotting charts the winding path of the narrative testimony all the way to its metaphorical crossroads. En route, the sensibility of this narrative inquiry is to extend its empathy to the situatedness of the related agents who are shrouded in a fog of war, and both searching for global self-preservation.

The exponent of the narrative testimony that provides the main *methodological* inspiration in this case-study is Richard Kearney (see 1988, 2002a, 2002b, 2007, 2011). His narrative investigations are consistently aimed at “clearing a space” for dialogue (2011,p3.), “opening up a middle way” between extremes (2002b, p.22), and encouraging the healing reflections of “narrative catharsis” (2007, p.51) on the conflicts of otherness. That Kearney is a philosopher, a theologian and a poet, makes him a very able guide to the narrative method. However, the actual story that is retold in this dissertation is one that is first conveyed by Michael Oakeshott in his masterpiece *On Human Conduct* (1975). The discussion that follows provides a way into Oakeshott’s story, and this global version of it.

1.2.1. In-Between ‘Discourse’ and ‘Story’

The framing of this account of ‘sweet enemies’ is structured around a rather technical language of narrative theory – which, incidentally, is Russian in providence (Culler 2001, Bal 2009). The theory of *narratology* maintains there is a two-in-one logic to the production of a testimony. In English, these two narrative logics are referred to as
The logic of ‘story’ is descriptive. It is concerned with giving an account of a sequence of actions or events. Putting together the ‘story’ is the task of speaking or writing the narrative. This practice is considered as, by and large, a discrete activity from the evaluative considerations of the substance of the ‘story’, the ‘discourse’. The narrative logic on ‘discourse’ refers to the quest for a richer understanding on what the ‘story’ is about, what it looks to present and what it means for those at the centre of the ‘story’, our related agents, and their characters of association.

Narratological theory maintains that it is necessary to consider these two aspects of narrative testimony (‘discourse’ and ‘story’) as distinct modes in the making of a single narrative account (Culler 2001). Consideration of one of these modes naturally leads into a consideration of the other. They cannot be explored independently of one another. But they are, nonetheless, individual orders of narrative inquiry in their own right.

The ‘story’ in this dissertation covers the events of the EU-Russia relationship in the first decade of the 21st Century. This ‘story’ of ‘sweet enemies’ (about which more shall be said in due course) imposes an overall structure on this dissertation. It explains why this thesis comes in three parts; a Beginning, a Middle and an End. These sections in the ‘story’ are not chronological i.e. they are not determined by a sequence of dates. All the events in this ‘story’ are logically determined by the theoretical evaluation of the ‘discourse’ of the related agents. Each chapter follows the same format. It starts with an evaluation of ‘discourse’ in the relationship and concludes with reflections on a relationship event in the ‘story’. The only occasion this structure changes is in the concluding ‘chapter’, where the order is inverted. The conclusion starts with the reflection on the logos of the ‘we’ that is collective subject of the relationship ‘story’. It aims to give a synoptic overview of all the ‘discourse’ that has come before. In the final analysis, this concluding chapter moves to contemplate the juncture of the beginning of the relationship ‘story’ and its possible re-beginning as a different logos of the ‘we’ in wartime.

The Middle of this ‘story’ is where most of the action takes place. This is where the formative events in the EU-Russia relationship are detailed. These middle chapters do not conform to a chronology, either. The sequence to these formative events follows the logic of overlapping episodes of interaction between the related agents. A sequence that begins simultaneously in the historic responses of these agents to an event of war...
and develops through what Oakeshott calls the “convergence of occurrences” in an “eventum” (1975, p.107) of, in this case, the global grand narratives of the two agents.

Overlap is the word chosen to describe this wartime ‘eventum’. As the word suggests, this coming together involves an intersection of “individual occurrences…at a crossing-point” (Oakeshott 1975, p.103). Both occurrences are determined by the individual agents in this relationship reaching out towards the other in the global self-ordering that is driven by foreign policies. By tracing the overlap of these globally self-determined occurrences from the logic(s) of their Beginning (discussed in Chapter One) through the formative Middle (Chapters Two and Three) to the cumulative end of their ‘crossing-point’ in history (Chapter Four) this narrative testimony looks to understand and explain what Oakeshott calls “an emergent situation…of interdependence” (ibid.).

The dilemma of this situation is conceived of as a culminating incident of a globally self-determined contradiction that occurs ‘in-between’ the associates. It is this ‘in-between’ (metaxu) where the wartime tension of interdependence that is present from the beginning of this relationship becomes unbearable. This penultimate event of overlap involves the mutual termination (or disassociation) of this global relationship. This event is what makes the ‘globally community’ that brings together the associates in a ‘common destination’ a violently unstable place to be. In this global interior middle, the agents experience a moment of collective self-defeat. In the contradiction of their overlapping association, these agents unsettle precisely what they had formed together and collectively secured against the disturbance of war. At this crossing-point they compromise all the peacetime intentions of their relationship. Both of their teleocratic desires for global self-preservation are annulled.

The production of this ‘story’ offers a way of understanding this ultimate perplexity of a global relationship. It does so with a view to illuminating what this means for the political theory of international relations on the ‘security dilemma’. But it also aims to present an illuminating, historical understanding of the EU-Russia relationship experience as symptomatic of a perplexity in global political life during a period that has been defined by continuous war (Dudziak 2012, Rengger 2013).

The ‘story’ of global ‘sweet enemies’ is the vehicle for all this theoretical and historical reflection. It provides opportunities to reflect on the discord of otherness in this relationship as a product of the logos of ‘discourse’ as it unfolds over the course of a single eventum of the ‘story’. The self-defeating perplexity of this ‘story’ of overlap is, to
quote Oakeshott again, understood to be “the contingent outcome of the choices and encounters of assignable agents” (ibid.); two, in this case, the EU and Russia.

A narrative theme that will be stressed throughout this dissertation is that the self-defeating outcome is not a tragedy. Tragedy is a pre-packed or arranged narrative genre that treats historical events of conflict as ‘foregone conclusions’ (Bernstein 1994). To employ this genre device in a narrative testimony is to clutch for a definitive conclusion to an emergent situation that overlooks the logos of the choices made by the agents. ‘Tragedy’ misrepresents the open-ended and creative capacity of logos in two ways. Mainly in the effort it makes to impose a neat, narrative closure of a relationship situation that is open-ended. The pre-packaged genre of ‘tragedy’ denies the possibility of an unnarratable ‘sense of an ending’ (ibid.). In other words, there is no possibility to consider an ending that can be envisaged beyond the logos of a narratable beginning.

The second problem with referring to this self-defeating outcome as a ‘tragedy’ is how it conceives of this narratable beginning. From this narratable beginning, to the possible re-beginning of this relationship beyond what is narratable, the political experience of this relationship can only be explained in terms of the contingent choices of assignable agents at ‘crossing-points’. These choices are messily intertwined. The continuity and discontinuity of the choices to associate in this relationship emerge alongside, and in temporal concurrence with, each other. To describe this conflict as a ‘tragedy’ denies this globally related agency of interdependence. It thus misses the significance of the ‘crossing-points’ in middle, or in-between. These are points of mutual contact in global political experience. These points of decision-making between the related agents are points at which, it is possible, to reflect on the deep plurality of global political life in the 21st Century, to see the global stranger as a different global self.

By denying the significance of these ‘crossing-points’ as points when choices are made, the ‘tragic’ narrative tends to exaggerate the scale of a conflict of otherness. A tragic view on this global relationship would offer an apocalyptic reading of this plurality. Since there was nothing in the middle to stop this outcome from happening, then it was fated to happen from the narratable beginning. This weight of emphasis on the narratable beginning, and its unalterable course, is apocalyptic because it assumes that conflict is inevitable from the outset, rather than contingent on the choices of agency all the way from the narratable beginning, through the narratable middle, to the narratable ending and beyond.
The search for a tragic explanation for this conflict will have to make some strong claims about the essential differences between the agents (and not just in terms of the substance of their ideas of grand narrative). Differences of otherness that have, so it is implied, existed prior to a narratable life-cycle of ‘discourse’ and ‘story’. These differences are assumed to be inescapable features of the individual identity of both agents. They speak to an organic state of their separate existence as coherent, well-organised and bounded selves: a condition of being that exists prior to mutually implicating desires for self-preservation. In other words, these identities matter before a given relationship eventum begins, before the two parties involved ever come into contact with each other. The fatal differences that emerge between these agents are assumed to be integral to the sense of the global selfhood of stand-alone, autonomous selves.

The only thing that can justify this sort of claim is a general theory of philosophical anthropology about what it is that makes the identities of these agents unrelated in their difference. This is a big commitment to make, and it begs an awful lot of questions about how political identity is understood. But, of course, it also totally defeats the purpose of investigating what goes on in the political experience of a relationship. A tragic judgement about why a conflict happens assumes the worst in advance of studying any of the events of the ‘story’ or any of the claims in the ‘discourse’. There is no mystery at all to a tragic narrative of conflict. This is a tragedy, like a 1001 tragedies before. There is an absolute rigidity to this way of thinking that denies the open and creative capacity to the logos of relationship.

Contrary to Frank Kermode’s famous narrative argument, it is not the ‘sense of an ending’ (2000) that is the hardest part to plotting the narrative of a relationship; it is the ‘sense of the beginning’ (Voegelin 1987). How do we conceive of the way our ‘story’ begins in-between related agents, and how it might re-begin in-between the same related agents? These are the most perplexing questions in the narrative testimony of the EU-Russia relationship. More will be said about the beginning to this ‘story’ of ‘sweet enemies’ in the final section of this chapter, and in Chapter One where the interrelated contingency of the EU and Russia’s global identities are considered in detail.

The next section sets out an evaluative claim about the ‘discourse’ that drives the whole eventful plot of interdependence between these global agents. It concentrates on two discourses of European political thought that embody what, in Oakeshottean terms, are two aspects to the same style of teleocratic politics. These are not, strictly speaking,
alternatives. They are antithetical opposites of ‘discourse’. They present the kernel of a political vision, or grand narrative, of solidarité commune (1975, p.321). They are in a discursive polyphony on the same common purpose.

The following discussion aims to explain this discordant harmony in terms that are more familiar in International relations theory than Oakeshott’s often quite obscure, idiosyncratic language. It also makes the argument about why, although these dispositions emerge from European political experience, it is possible to consider them to have gone global in terms of the solidarities that they intend to create in the 21st Century.

I.3. Understanding the ‘Security Dilemma’ of Interdependence

“Of all the dilemmas in world politics, the security dilemma is quintessential. It goes straight to the heart of the theory and practice of international relations.”

Wheeler and Booth, The Security Dilemma

The concept of the ‘security dilemma’ is relatively new in the political theory of International Relations (IR). John Herz coined the term in his book Political Realism and Political Idealism shortly after the end of World War Two (1951). In the same year, the British historian Herbert Butterfield (1951) offered reflections on an almost identical situation of conflict. For both men, the key to understanding a ‘security dilemma’ is that it: a) concludes with an undesired or unintended event of war, and b) that the entire sequence of its events occurs within a relationship.

Butterfield puts it best when he writes:

“The greatest war in history could be produced without the intervention of any great criminals who might be out to deliberate harm in the world. It could be produced between two powers both of which were desperately anxious to avoid conflict of any sort” (Butterfield 1951, pp.19-20).
That last line bears repeating: ‘between two powers both of which were desperately anxious to avoid conflict of any sort’. This ‘in-between’ description gets to the heart of the moral and political theory of the ‘security dilemma’. What we are dealing with is a dilemmatic situation that emerges in the political association in-between two powers.

Various attempts have been made since the end of the Cold War by political theorists who self-identify as “progressivist” (Booth and Wheeler 2008, p.294) or who are concerned with the state of the ‘liberal’ thinking (Sørenson 2011) to try to broaden the scope of the political theory of the ‘security dilemma’ to include how the ‘international community’ as a whole responds, however inadequately, to the emergence of ethnic conflict (Roe 1999) or the conflicts that plague weak or failed states (Sørenson 2011). At first sight, these conflicts do not seem to be the kind that would emerge as a problem in-between just two powers. However, the argument in this section is there are good reasons to imagine they will under 21st Century conditions of interdependence.

This argument falls into three parts: the first two parts disengage the logics of interdependence that explain the poles of this emerging global situation; the third part brings these together in a brief historical commentary on the event in the United Nations in 2003 that kicks off the dynamic between these polar opposites.

The claim is that these opposing positions are advanced from realist and liberal standpoints in a collective effort to uphold the same common purpose of the UN Charter system, which may be broadly interpreted as the goal of ‘war prevention’ (Falk 2008). More specifically, it is the first purpose of UN, listed in Article 1 of the Charter: “[T]o maintain international peace and security, and to that end to take effective collective measures for the prevention and removal of threats to peace, and for the suppression of acts of aggression, or other breaches of the peace.”

The argument is that this common purpose is open to two contrary understandings in European political thought; one that privileges the state, the other the human, ‘to that end’. The aim of the discussion that follows is to demonstrate that neither of these collectivising positions can be proved or disproved either logically or empirically. The power of the moral reasoning from both sides, and the conflicts of this moral reasoning, disclose a collective security dilemma of interdependence.
This security dilemma is presented as a variation on what Stanley Hoffman refers to as the “permanent dialogue” (1965, p.86) between realist, Rousseauean, and liberal, Kantian, traditions in world politics. Taken together, these positions can help to illuminate the ‘dilemma’ that is particular to a Europe-based association of collective security that emerges between two global powers.

In the course of sketching out these two positions, this discussion highlights how they might help to further clarify an important observation made by Brian Frederking in his study on the “dispute [over collective security arrangements] that constitutes much of post-Cold War world politics” (2007, p.23). He argues that Russia along with France and China, “tend to prefer procedural collective security” (ibid.). The features of this arrangement will be explained as corresponding, roughly, to the state-centric realism set out below. He sets this against what he defines as “hegemonic collective security” (ibid.), which he says is often preferred by the United States and the United Kingdom. The specificity of the countries involved in these modes of political association is less important than the logical validity of the distinction of these two ‘world of meanings’, which is supported by the following analysis. The ‘hegemonic’ form is described at the end of the discussion on the liberal, human-centred worldview on collective security.

I.3.1. ‘State of War’: The Interstate Pole of Realism

The *interstate realist* view encapsulates a broadly anti-progressive, juridical perspective on the event of war. This view recognises war as a regular event that cannot be prevented from happening altogether. But in its disposition to support the UN Charter and its privileging of state sovereignty, the thinking is that it is possible that war might be better regulated through institutionalising practices of ‘alliance restraint’ (Pressman 2008). Jeremy Pressman explains what this mode of association entails. “States” he argues, often “try to stop military policies they do not like.” But not all these efforts occur in and through alliance management. “When non-allied states try to stop a military policy, it is called deterrence or compellence. They may threaten or use force to do so. With alliance restraint, however, the restrainer never threatens to use force against its own ally to stop the disputed military policy. An ally may try to coerce its partner, but it will almost never threaten direct military action. In alliance restraint, allies neither resolve disputes harmoniously nor attack each other to get their way.” (Pressman 2008, p.3).
As with the broadly realist arguments of Herz (1951) and Butterfield (1951) on the ‘security dilemma’ during the Cold War, the optimum response to an event of war is to employ a method of interstate management to deal with differences between the powers involved. Alliance restraint is one example of this practice, diplomacy another. The range of possibilities that are considered from this state-centric logos of political association are quite limited. All are variations on a theme of inter-governmental contract within what Murray Forsyth describes as the ‘interstate world’ of political association (as distinct from the ‘intrastate world’, see 1981, pp.1-16). Whether this collective politics ‘ends’ in the constitution of an alliance, or not, all the possible outcomes of this tendency are in keeping with a wartime quest to secure a minimal guarantee of restraint in-between the associates.

This interstate logos of response to an event of war has close affinities with the disposition to the realist political thought of Rousseau. There are three main reasons why. The discussion below expands on each of these. The fourth point in this discussion considers how and why a commitment to this interstate politics of realism can support the institutionalisation of forms of ‘procedural collective security’ in the 21st Century (Frederking 2007, pp.23-40).

1) For Rousseau, war is understood to be an event that happens between states, rather than between people. It is a condition that cannot ever be completely eliminated or overcome. From Rousseau's perspective, as Stanley Hoffman puts it, “the only combination of states likely to emerge in [wartime] are competitive ones, alliances and leagues whose members temporarily agree to suspend the competition among themselves in order to better resist or attack other contenders.” (pp.73-74, emphasis added) Hoffman describes Rousseau’s political ideal of response to this competitive situation as a “state of war”. The thinking is that this ‘state-like’ political order can be created by a type of ‘restraining power’ (Rousseau’s ‘Legislator nation’) that suspends the rivalry in-between the associates through a ‘we’ identity that represents the general will of a community of states. This overcoming of rivalry in the collective self-legislation of the ‘general will’ is determined by the actions of one agent, the figure of the Legislator nation. The ‘state of war’ is a political-legal order that is relative to the collective and common interest of this agent.
2) Rousseau argues this project is not constitutive of a form of world government. A 'state of war' is constituted purely for a "defensive external common purpose" (Hoffman 1965, p.85). Unlike the Kantian political identity and its corresponding political project of a 'league of peace' (which we shall come to in a second) this realist political project does not look to establish an authority that is any way higher than the Legislator nation. This puts a strong restriction on the **contractual terms** of this 'community of states' and how it marks its collective boundary. For Hoffman this project implies a rejection of the Kantian idea that: "look(s) to lead [its members] to harmony through interdependence" (p.84). That is as may be, but this Rousseauean project nevertheless presents its own collective vision of interdependence as **solidarité commune**. Within this contractually bounded political community, it is imagined that each participant is a state that is subordinate to same realm of morality, a realm in which all are equal under God (Forsyth 1994, p.39). No individual participant in this political community is assumed to rank higher than the Legislator Nation, because the only power that can outrank this agent does not even participate in this political community.

3) Representatives of contemporary realism are not usually comfortable with advancing theistic arguments like this, but like Rousseau, they have been known to criticise the acts of "unjust aggressors" (Hoffman 1965, p.84). This is a belligerent actor in world politics that pursues a military policy that is assumed to break the interstate rules of **jus in bello** (justice in war). This realist standpoint was greatly reinvigorated by the debate over the legality of the war in Iraq. What is interesting about this debate from an international relations perspective is how a realist view about the 'general will' finds its voice; not so much through legal reasoning, as through the policy opposition that sees international law as the marker of a juridical boundary around a community of states that – it is assumed from this perspective – all recognise the virtue of abiding by **jus in bello**. To be outside this boundary is to be unrecognisable as a state of the UN Charter system under Article 2(4), which reads: “All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state”. The details on this realist policy opposition are left for Chapters One and Two. The basic argument is this entire interstate response is consistent with a Rousseauean, realist political identity of the 'we' and the corresponding political community of a 'state of
war’. The *logos* of this realist disposition is *restrictive* in terms of the form of global community that it ultimately aims to create. The creator is a Legislator nation, acting from a position of global authority to constitute the ‘we’ boundaries of collective self-legislation.

4) This position of global authority is authorised by the UN Charter, through the Security Council, the organ primarily responsible for maintaining international peace and security. As Frederking writes, “Permanent membership and the veto power establish hierarchy in the procedural collective security arrangement: The Council cannot act unless all five veto powers agree. The rules enable the Council to authorize enforcement on all but the permanent members, who can veto any resolution directed against them. The Council cannot punish the veto powers – or any state the veto powers want to protect – for violating the rules.” He summarises that because of this: “The Charter gives the [members of the] Security Council extraordinary powers.” (2007, pp.24-5). The authority attached to this membership helps to explain why all of the Permanent Members have an extraordinarily strong, Rousseauean, vested interest to insure that procedural collective security is maintained. The difficulty in maintaining this hierarchical system is that it requires an agreement, typically among the veto powers, on what constitutes a security threat within a common realm of morality that is intrinsically based on the solidarity of a small number of nation-states.

In the post-Cold War era the threat to this solidarity has tended to be focussed on the United States and the unauthorised wars that have been pursued through American military policy. As the neo-realist Kenneth Waltz (2002) has argued – with other neo-realists following suit (Walt 2006, Brooks and Wohlfhorth 2008) – America has enjoyed an unchallengeable primacy in post-Cold War world politics. The defeat of the Soviet Union made the task of ‘taming American power’ (Walt 2005) a genuine concern for the other members of the UNSC. Their ‘extraordinary powers’ are effectively rendered impotent by the military policy of this bestriding ‘Colossus’ (Ferguson 2004). For those not on the side of America – and the realist voice from within the Council is its strongest global opponent – then the United States is the main violator of the rules. To such an extent that America’s action threatens the very existence of the UN collective security system. The possible chaos that – seen from this perspective – is likely to ensue if this violation of the rules continues unabated is the necessary justification for re-constituting a form of this procedural collective security arrangement. This
collective arrangement would logically be an extension of the UNSC. It makes no sense, from this realist perspective, to try and substitute for the UNSC or replace it with a higher authority. Just as it does not make any sense to try and change the rules governing this institution away from the state sovereignty and non-intervention given the scale of the ‘threats to peace’ from a neo-imperial America that has a cavalier attitude to the original UN Charter foundations of collective security.

I.3.2. ‘League of Peace’: The Interstate Pole of Liberalism

The intrastate liberal worldview represents a sharply contrasting, broadly progressive and liberal perspective about what the biggest ‘threats to peace’ are in global politics and how best to respond to them. Initially articulated through concerns about ethnic conflict in the Balkans, this view has, since the US published its National Security Strategy in 2002, been dominated by concerns about what to do about the ‘threats to peace’ posed by weak or failing states (see Bain 2011, pp.31-3). From this intrastate perspective, these security threats are ‘new’ (Kaldor 2012) or exceptional; an evaluation that justifies a new and exceptional response.

The logos of this response can extend far in its support of intra-governmental forms of executive oversight (Orford 2011). The collectivising practices justified by this liberal disposition tend to be paternalistic (Barnett 2012) in so far as they treat those that are going to be governed by them as less than equal to those that are doing the governing. The persons in weak or failing states are assumed to need protection from governors because they cannot protect themselves.

The key to understanding why this is a liberal activity is that this intrastate action is entirely validated with reference to what are taken to be universal, liberal values of human freedom and equality. The desire to support a worldwide expansion of these principles supports a liberal identity of the ‘we’ that justifies forms of supranational hegemony over nation-states that do not match up to these standards (Ikenberry 2012). This projection of hegemonic leadership in global affairs, ironically, denies the very values it seeks to promote and implement. However, the thinking tends to be that this is just a short-term incoherence. In the long run, this hierarchical situation will be corrected when unfortunate, vulnerable groups have been raised up the ladder of civilization to
achieve the status of liberal self-government and statehood (Fox 2008).

This intrastate liberal identity, its vision and its progressive political project all share affinities with the cosmopolitanism of Immanuel Kant. Below are three reasons why this logic of response to war can be understood as an extension of Kant’s idealism about the ‘league of peace’ (foedus pacificum). The fourth point in this discussion connects this evaluation about the permissiveness of this intrastate worldview to Frederking’s account of the emergence of Western-led practices of ‘hegemonic collective security’ in post-Cold War global politics (2007, pp. 23-40). In the extended discussion on this point, it will be argued that these practices pose a revolutionary challenge to the foundations of the UN Charter system.

1) This radical liberal discourse is infused with a neo-Kantian commitment to encouraging the emergence of a peaceful future through the spreading of cosmopolitan values and rights. The word most often cited in the literature on this political activity is ‘transformation’ (c.f. Paul 2012). This Kantian word (Browling 2011, pp. 82-108) implies a faith, in this context, with the progressive course that has been chosen in response to an event of war. With the right kind of global executive leadership, the liberal thinking is that the conflicts of these weak or failing states can, eventually, give way to peace and stability. Or, to use Kant’s words, these conflict zones can eventually be pacified through the advancement of “universal history with a cosmopolitan purpose.” (see Browling 2011, pp. 22-42).

2) In recent years, this Kantian disposition has come strongly to the fore in a ‘liberal project’ that aims to transform an existing Western-centric international society through the expansion of the UN human rights regime (Charvet and Kaczynska 2008). As John Charvet and Elisa Kaczynska-Nay write: “the attempt to promote the general acceptance of the declarations and covenants of [all the UN commitments] on human rights constitutes a project for a new order both for the internal organisation of the many states of the world and for the way these states relate to each other internationally.” (2008, p.1) This self-consciously ‘new’ and liberal agenda in global politics has gathered pace since the end of the Cold War. This global movement has emerged to promote what Ruti Tietel’s calls a people-centred legal framework for international society based around ‘humanity’s law’ (Tietel 2011).
As with the realist position in contemporary wartime, law is used here as an instrument to support policy-driven activity that aims to set new boundaries on political community. The liberal boundary set by this practice does not assume that nation-states are going to disappear. They might be transformed in the process, but the boundaries of this political-legal order of ‘humanity’s law’ has to be sufficiently capacious to accommodate nation-states, while also subordinating nation-states to a political-legal order that is more transversal.

There are two key differences between these community-building and boundary setting global movements, the realist and the liberal. First of all, there is the question of what provides the unifying global reference of these movements. Or, to use the term for the previous section, their unnarratable beginning. The UN Charter refers directly to encouraging a respect for human rights on seven separate occasions (articles 1, 13, 55, 62, 68 and 76), but it does not specify what these rights are, what freedoms they refer to, or how they relate to the core purposes of the United Nations as an international organisation. All this is left to the Universal Declaration of Human Rights (UNDHR) that was drafted a year later, in 1946. A decision was made during the drafting process of the UNDHR that this document would be a declaration rather than a treaty. It was to carry a moral but not a legal weight. However, this lack of legality did not stop it from acquiring a “remarkable status as the most authoritative document of the international human rights movement” (Charvet and Kaczynska 2008, p.83) from the 1970’s when this movement began (Moyn 2012). Perhaps the most important of all the articles in this declaration, the one that explains the galvanizing power of the UNDHR is Article 29(1). It specifies that: “Everyone has duties to the community in which alone the free and full development of his personality is possible.” (cited in Charvet and Kaczynska 2008, p.85). The Soviet Union was one of only three UN member states that abstained from pledging commitment to this declaration. Though it was not openly admitted, the most likely reason is that the drafters of the UNDHR had refused to include a clause, suggested by the Soviet delegation, which would permit the restriction of the jurisdiction of human rights when they conflicted with the interests of the state (ibid.). This historical anecdote serves to highlight an overlapping tension between the political authority that is authorised under the UN Charter (which privileges the jurisdictional boundary of state sovereignty) and under the UNDHR (which privileges the jurisdictional boundary of human rights). The reason this explains an overlapping rather than an inside/outside tension is that these boundaries of
political community are framed by the two most authoritative constitutional texts in the United Nations system. There is no ‘outside’, only a question about the boundaries between legality/illegality within the global interior space that has existed since the founding of the United Nations. From the liberal perspective, the boundaries this common global space ought to be defined by the ultimate concern for human rights over state rights. But the UNDHR has never had the legal authority to match its political-normative authority in mobilising this progressive movement. But according to Ruti Tietel (2011) that has started to change, from the end of the Cold War, and especially in the last decade.

The key reason for this change has been events of war, the conflicts in the Balkans and the Iraq war. In its wartime emergence, the liberal perspective has presented an argument for the ‘international community’ – understood as a Western-centric international society of states – to get more involved in preventing the conflicts that are happening within states, to vulnerable peoples. With parallels to Jürgen Habermas’s argument for a “cosmopolitan community” (2001, p.108), the normative case for this human rights movement has been made in a manner that supports a liberal project of expanding international society, globally, until it becomes an all-inclusive legal order. Habermas argues that this global legal order could be brought into existence through progressively including formerly excluded groups and individuals in the ‘postnational constellation’ (2001) of its communal embrace. As he puts it, “it is not a coincidence that ‘human rights,’ i.e. legal norms with an exclusively moral content, make up the entire normative framework for [this project] of cosmopolitan community.” (ibid.). This liberal desire for an expansive political community has sought to establish itself as a progressive movement of the global era of the UN and beyond the national era of the UN. As legal scholar Gunther Teubner notes, this national era has been marked by the “the historical unity of law and state” (1997 xiii). The claims of the coming global era of the UN are asserted though arguments of: “worldwide validity independently of the law of nation-states and in relative distance to the rules of international law.” (ibid.). But this requires an agent that can drive this change.

3) What makes this whole human rights-framed response to war definitively Kantian is the institutional vehicle and type of collective agent that is most associated with this global movement. The resemblance to Kant’s ideal of foedus pacificum (league of peace) is uncanny. This was a vision for a collective political-legal
order forged through the “pacific union of republican states” (Rengger 2013, p.58). This union was intended to have a double cosmopolitan purpose. The first purpose was to defend its participants against aggression, making this project compatible – in a mutually inclusive way – with Rousseau’s nation-based project of ‘state of war’. But the second cosmopolitan purpose goes well beyond this. As Nicholas Rennger suggests: “the other face of the foedus pacificum…is an account of how and why republics will fight wars and a recognition that such wars may be very fierce and very frequent until such time as the foedus pacificum covers the earth.” (2013, p.58). This side to the project of ‘the league of peace’ hints at the relative problem of what is known as a ‘security community’. This liberal project of the post-Cold War era has been the collective security ‘face’ of the international society headquartered in Western Europe. The collective agent that has been the driver of ‘security community’ is the self-styled liberal, international organisation. NATO in the 1990’s and, externally since 2003, the EU (See Chapter One). Both of these international organisations exist on the global boundary of the United Nations. Neither is formally represented in the UN Security Council, but both have strategically important relationships with the UN Secretariat. These agents of liberal ‘security community’ are the driving force of the coming global era of the United Nations. This progressive line of reasoning can be seen most clearly in a recent study by the political theorist George Sørenson, on what he calls one of the most significant challenges in The Crisis of the Liberal World Order, namely, the challenge facing liberal security communities in the 21st Century (2011, pp. 88-116). He argues that there is a neo-Kantian case of humanitarian necessity to expand the governance of a security community far beyond its established Western European origins. He makes the case for expanding the security community to Africa, where the problems of failed and weak states are most acute. As per Kant’s Enlightenment concern for ‘universal humanity’ (see Pagden 2013), the interests of the citizens of the world are seen to trump the interests of maintaining a ‘balance of power’ among states (Clark 1989, pp. 54-7). At the end of the day, this neo-Kantian project of ‘league of peace’ (foedus pacificum) does not recognise the moral or legal validity of a neo-Rousseauean project of ‘state of war’. The revolutionary import of this global movement can be seen here, at the crossing-point between the liberal – realist boundaries of collective UN-centred interest.

Without a UN Security Council resolution authorising the use of force employed by NATO against the Federal Republic of Yugoslavia (FRY), two arguments were
made to support the legitimate expansion of a liberal security community under Article 51 of the Charter. This article presents the sole exception to Article 2(4) of the Charter. Force can be used unilaterally or through non-UN collective security organisations (such as NATO) under the terms of Article 51. But only on the grounds that, “nothing…shall impair the inherent right of individual or collective self-defence if an armed attack occurs” against another member-state of the UN. Attempts were made to justify this course of military action by reference to existing UN resolutions on the conflict in Kosovo. But the UNSC resolutions of 1998 (1199 and 1203) only recognised the situation in Kosovo as a “threat to peace”. They did not authorise the legitimate use of force against FRY. Kosovo, after all, was not recognised then – and is still not today – as a member-state of the United Nations. The NATO Alliance made every effort it could to get as close to a new legal prerogative as possible. A statement was issued by the United Kingdom during the debate in the Security Council that: “in the current circumstances, military intervention was justified in an exceptional measure to prevent an overwhelming humanitarian catastrophe.” (cited in Simma 1998, p.20) This justification for the use of force on grounds of humanitarian necessity was of course hugely controversial at the time. There will be more to say about the Russian government’s response to this in Chapter One.

In the years since 1999, “the thin red line that separates NATO’s action on Kosovo from international legality” (Simma 1998, p. 22) has been progressively narrowed. United Nations practice now tends to accept that civil war and humanitarian emergency can constitute a “threat to peace”, as set down in Article 39 of the Charter. The UN General Secretary Kofi Annan has been at the forefront of this “paradigm shift” towards the primacy of ‘humanity’s law’ within the global community of the United Nations (Tietel 2011, pp.8-11). In the wake of war in Kosovo, he made a speech in which he made the moral case for prioritising human rights in assessing the rights and wrongs of conflicts within states. There was a need, he said, to “reaffirm the faith in fundamental human rights, in the dignity and worth of the human person.” He then famously added: “The Charter protects the sovereignty of peoples. It was never meant as a licence for governments to trample on human rights and human dignity” (cited in Tietel 2011, p.8).

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4 Far more controversially, neither was FRY. Where “Yugoslavia” had been recognised as the successor state to the Communist Federation of Yugoslavia in 1990, by 1993 the decision had been made through the UNSC to rescind the right of membership of Yugoslavia to the United Nations. Under international law, both Kosovo and FRY, were equivalent political entities by 1998. Neither were member-states of the UN.
4) This is a remarkable turnaround in the space of a year. The UN - NATO relationship in 1998-9 had seemed beyond repair. A background paper from American delegation in the UN described the relationship as having shifted from mutual reinforcement of collective security to fundamental competition in collective security. The UN, not NATO, it warned, "was in danger of sliding into irrelevance….The UN Security Council risks disappearing as a serious security body as the genuinely powerful prefer to work through a more convenient mechanism. All that the Security Council can offer is 'legitimacy', in the view of some Western governments – and NATO may provide the desired multilateral cover, with less obstruction." (cited in Simma 1998, p.21) This is an exemplary statement of intent for what Brian Frederking calls the practice of "hegemonic collective security arrangement" preferred by the United States and Britain. In this arrangement, he writes, “the most dominant state asserts the right to initiate enforcement measures on its own [and] denies the rights of others.” (2007, p.24)

But there is a key point concerning agency where this interpretation of ‘hegemonic’ practice and its origins differs from Frederking’s. He places all the emphasis on ‘the most dominant state’ as the agent of this practice. There is no question that the United States was the dominant state in NATO’s actions in the Balkans in the 1990’s (see Pouillot 2010). But the most significant factor in explaining this kind of collective action is the claim by the US, Britain and other states in NATO that ‘we’ do not authorise this action in our own interest. The referral of identity is not to the state-interests of any of the members, but to the global interests of ‘some Western governments’. Those included within this liberal ‘security community’ have come to see the UN Security Council as little more than ‘a convenient mechanism’ when it supports the case for the necessity of the use of force by this collective, and an ‘irrelevant’ nuisance when it does not. The only legitimate way to assert this collective primacy of the interests of the ‘security community’ over the UN Security Council is to make an appeal to a unity of a ‘we’ that is assumed to be morally superior in its decision-making than the Security Council. This ‘we’ acts with higher global interests in mind, and with a stronger resolve to use force when necessary. Frederking does not pick up on the revolutionary significance to this global movement in collective security. This practice of ‘hegemonic collective security’ looks to replace the UN Security Council as the supreme decision-making body responsible for making authoritative decisions on the legitimate use of force. This move of usurpation is only going to be pursued in the even that the Security Council refuses to
authorise the actions that this liberal 'we' has already decided to follow.

The liberal fear in 1999 within the UN, from non-NATO representatives, was that if NATO continued to apply its exceptional right to use force in a strategic programme for the future, then the universal system of collective security embodied in the Charter would be destroyed. The potential chaos resulting from the collective self-authorisation of this Western liberal logos could only be arrested if - as Brian Simma presciently argued - there was a strategic counter-movement to reassert: “NATO’s subordination to the principles of the UN Charter.” The liberal attempt to do this was led by the UN Secretariat. By mainstreaming ‘humanity’s law’ into a proposed global reform of the UN, Kofi Annan and his supporters in the Secretariat, believed they might able to shift the relationship with NATO back to mutual reinforcement of the Security Council and away from the fundamental competition over the legitimate use of force that threatened to destabilise the established system of ‘collective security’. But, as shall be argued in Chapter One, this transformative dialectic of liberal politics (see Rengger 2000, pp.100-131) has only helped to close the gap between the humanitarian ‘legitimacy and legality’ (Independent International Commission on Kosovo 2001) in the justification of the use of force within the boundaries of a security community. Rather than subordinating the actions of a liberal ‘security community’ to the will of the Security Council, this reform movement has made the office of the UN Secretariat the normative lodestar for a permissive expansion of a ‘security community’ led by the EU. As we shall also discover in Chapter One, a separate, realist, strategic counter-movement was launched from within the UN in the late 1990’s. Led by Russia, this sought to establish beyond all doubt the illegality of the kind of the unauthorised uses of force that NATO justified on grounds of humanitarian necessity.

Brian Frederking argues that the dispute in-between ‘procedural’ and ‘hegemonic’ movements of collective security is likely to create a situation of anarchy in the UN where “rivalry rather than collective security exists” (2007, p.24). But the assessment presented here is subtler and more perplexing. The historic responses to the possibility of chaos and disorder in the universal collective security system of the United Nations accounts for the logical beginning of a situation of a realist-liberal tension in collective security. This is a tension in-between two substantive logics in the governing of global security in the 21st Century. On the non-Western side the Rousseauean logic of ‘procedural collective security’ that privileges state sovereignty
and the 1945 legal foundations of the UN Charter. On the Western side a liberal, Kantian logic of ‘hegemonic collective security’ that privileges human rights and the 1946 normative foundations of the UNDHR.

What makes this East-West global relationship so intense, and so dilemmatic, is that both movements are ultimately aimed at trying to rescue the common universal system of collective security of the United Nations. A system that centres on the Security Council as the crowning institution of the UN Charter and as the decision-making body with ‘extraordinary powers’ for authorising the use of force. The dilemma arises because this global rescue is pursued between agents with flatly contradictory ideas of collective security that are articulated through overlapping solidaristic identities of the ‘we’ in grand narratives of foreign policy. The emerging tension in-between two agents of collective security is the reason for a debilitating incoherence within the contemporary UN Charter system.

This is the ‘security dilemma’ of interdependence in the 21st Century. As will be argued in this dissertation, it cuts across the global-regional nexus between the UN Secretariat - UN Security Council and the institutionalisation of a EU-Russia security order. At its core, this dilemma is the product of incoherence in moral reasoning within a global relationship. Whichever action in the pursuit of ‘collective security’, under these contingent circumstances, will embroil the agents in this relationship in a transgression of both of the substantive rules of collective security enshrined by the UN Charter.

In the first instance, Article 2(4), which prohibits the use of force against a member-state of the United Nations organisation unless authorised by the Security Council. In the second instance, Article 51, which is the sole exception to that rule: this rule permits the use of force in collective self-defence, without a UNSC resolution, but only when an attack occurs against a member-state of the United Nations. Regardless of the strength of the normative consciousness behind the legitimacy for the intrastate use of force, the legality of this action is permanently denied by the UN Charter’s foundational commitment to state sovereignty. It will continue to be this way unless, of course, there is a constitutional revolution from within the United Nations Security Council that issues into a new UN charter for a new age of global law. A constitution that transforms the terms of Article 1 to remove all the references to the ‘state’ and then alters the way that ‘international relations’ is understood within the institutional order of global politics. Such that the conduct of ‘international relations’ no longer takes place among or between sovereign states with mutually exclusive territories, populations and
governments, but between entities that are aggregates of states.

I.3.3. The Global Beginning of the EU-Russia ‘Security Dilemma’

A year and a day after 9/11, President George Bush Jr. presented a proposal for precisely this kind of revolutionary challenge to the members of the United Nations Security Council. It was the same argument for a Western-centric security order that was issued through background channels to the UN Secretariat in 1999. But this time the American government was placing the authority of a Security Council member behind it. George Bush asked a packed meeting of the General Assembly: “Will the UN continue to serve the purpose of its founding, or will it be irrelevant?” For defenders of the legality of the UN Charter system in the academy, this question raised the spectre of an American age of imperialism (Falk 2008, Bartholomew 2006). Invoking the notion of imperialism immediately brings up thoughts of Napoleon Bonaparte’s global project of universal dominion (see Kobener and Schmidt 1964 and Bhuta 2006). The idea that one supreme government could, by fiat, impose a new constitutional order that would globally rule them all.

This historic challenge to the constitutional foundation of the United Nations Security Council, according to Ian Hurd, actually served to strengthen the power of this institution over the medium term (see Hurd 2007). But in 2002-3, the word that most analysts were using was that of a Western ‘crisis’ in global institutions and in the multilateral world order (see Newman et al 2006, Newman 2007). As is argued in the next chapter, this military policy of the United States initiated a polarising struggle in collective security in the EU-Russia relationship. This struggle would embolden the realist security strategy of a non-Western power already inside of the UNSC, namely Russia. It would do the same for the liberal security strategy of the EU in its operations outside of the UNSC. The EU would move to support yet another UN Secretariat initiative for global reform. This time aimed to subordinating this new American-led threat to the constitutional authority of the UNSC, and doing from within the Western liberal security order at the European-level.

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5 President’s Remarks at the United Nations General Assembly” Sept 12 2002, White House text.
Ian Hurd argues that when agents in global politics perceive an international organisation, like the United Nations Security Council as a rightful institutional authority, they defer to it and seek to associate themselves with it. In instrumentally using “the Council’s legitimacy for their own purposes” (2007, p.1) these agents reaffirm its constitutional stature and find themselves contributing to the expansion of its global authority. However, the analysis in this dissertation unveils a relationship dynamic between the EU and Russia that is initially supportive of the expansion of global authority of the UNSC through a realist move in regional governance, but then undermines this same global authority through a liberal move in regional governance. This double ideological movement in regional governance radically destabilises the universal system of collective security in the 21st Century, and with it the most powerful international organisation in world politics.

When the historian Mark Mazower writes that the grand project of “governing the world becoming is yesterday’s dream” (2012, p.427), it is possible to see precisely why in collective security dynamic that emerges in-between the EU and Russia. In the post-2003 period the stability of the universal system of collective security embodied in the UN Charter would be put under severe strain. Nowhere more so than within a new European security order constituted between the EU and Russia6.

Ian Hurd’s book was published in 2007, a year before Russia’s war in Georgia. He can be forgiven for not recognising the rival global movements of collective security that rose to prominence in 2003 and would have their first major clash in 2008. His book is a testament to the strength of the movement of global restoration that occurred immediately after George Bush’s electrifying announcement in the General Assembly. The argument, that begins in the next chapter and extends into Chapter Two, will provide further evidence for Ian Hurd’s analysis about the expansion of the Council’s authority. Russia, it will be argued, pioneered this expansion through the regional governance of ‘procedural collective security’ in a political community that incorporated the EU.

This move was pursued in direct opposition to the EU’s expansion of the regional governance of ‘hegemonic collective security’, initially in its relationship with the UN.

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6 See Smith and Timmins 2001 for an excellent general introduction to the ‘uncertainties’ of building a new European security order in the first decade after the end of the Cold War. As they note, “the future role and place of Russia is one of the major uncertainties which complicate attempts to predict the prospects for and potential nature of a wider European security order” (p.271). This study offers a history that begins almost where this one leaves off.
Secretariat. The next chapter begins with details of the emergence of this mutual reinforcing relationship between the EU and the UN. The destabilising implications for this double movement in regional governance occur outside the control of the both Secretariat and the Council. They unfold inside the boundaries of a ‘security community’ between the EU and Russia and within a freshly constituted regional security order. This entire eventum invites historical and theoretical reflections on the tension in collective security in this global relationship.


"It is this tension, and not any of the others celebrated in current political discourse, which is central to the understanding of the character of the modern European state and the office of its government," writes Michael Oakeshott in the essay on ‘sweet enemies’ (HC p.201). The tension he is specifically referring to is a polarity between a teleocratic disposition to organise around the pursuit of some overall end or common purpose and a nomocratic (or civil) disposition to recognise the pluralistic rules of conduct that coordinate the agents of a political association. In a teleocratic (or enterprise) association, rules are not what make this association authoritative. Rather, the political authority to this arrangement, the reason that it is binding, emerges from the substantive beliefs about the ends to be pursued by individual agents who choose to act in the company of others.

Oakeshott writes that teleocratic (or enterprise) associations may be composed of "believers in a common faith", “partners in a productive undertaking”, “allies in the promotion of a ‘cause’, colleagues, expeditionaries, accomplices or conspirators.” (1975, p.114) For this relationship to be a going concern, however, it requires the development and implementation of policies to achieve the association’s purpose(s) in tandem with the recognition of rules that establish how the members conduct their business together.

If those rules are conceived of in non-purposive, civil terms, their binding nature is very limited indeed. Oakeshott describes this bond as one of a “watery fidelity” to one’s fellows (1975, pp.147–8). This kind of association places an emphasis on the equal recognition among the associates of their individual choice to exit the relationship at any point. The trouble with the rules of collective security is that exit is not assumed to
be an option. To break these purposeful rules of the association is almost certainly going to be seen, from one side at least, as tantamount to a “betrayal” (Rennger 2003, p.178) and a “threat to peace”; and the beginning of the narratable end of a relationship that is supposed to be for the global ‘common good’.

As will be made more explicit in the next chapter, there is no space for civil politics in the relationship of global ‘sweet enemies’. The EU and Russia are entirely “bound together and held together” in what Oakeshott calls a “modern European state” – and what is referred to mainly as a regional security order and only in the final analysis, when we return to Oakeshott’s theory, as a collective security state. All that binds the agents in this teleocratic order is the eventum of a relationship dynamic that upholds the teleocratic goals of contradictory strategies of collective security.

I.4.1. Uncivil Disclosure: The ‘Story’ of this Dissertation

Not every story needs a beginning, middle and end, but it is what most readers expect, and it is what this story delivers. This Introduction was the first instalment of two chapters on the Global Beginning of ‘Sweet Enemies’. Where the discussion in this chapter provided a general overview of this beginning and its (double) trajectory, the next chapter offers a more detailed account of how this shapes the collective security logic(s) of the EU-Russia relationship in regional governance. It looks out from the global identities of a EU-Russia “strategic partnership”, drawing on many of the points discussed above about how to interpret this symbol of relationship. It adds much more detail about these global identities, why they are mutually implicating, and the logic of the overlapping pathways of regional governance that are determined by this postwar beginning.

Chapters Two, Three and Four comprise the story of the Global Middle of Sweet Enemies. They follow this overlap as it moves from Russia to the EU in a transition of regional governance that aims to effect a constitutional restoration of the treaty-based authority of the UN Security Council, and then from the EU to Russia in a transition of regional governance that aims to effect a humanitarian reform of the mission-based authority of the UN Secretariat. Chapter Four examines the global conflict of regional governance as it occurs within a new regional security order of “Common Spaces”. It disengages the double logic of this conflict in order to address the uncivilized restraint to
the constitutional transition between Russia and the EU, and the uncivilized protection to the humanitarian transition between the EU and Russia.

The Global End of Sweet Enemies is covered in a long conclusion that looks back on the whole global experience of ‘sweet enemies’ - and its events of regional disorder within the territory of Eurasia and inside of a global political space - to offer an historical and theoretical evaluation of what is referred to as the ‘security dilemma’ of the 21st Century.

The point that has been raised on a couple of occasions in the remarks above, concerning the evaluation of ‘choice versus tragedy’, will be made more explicit in the Conclusion. It will be argued this ‘security dilemma’ is new in so far as it its brought into existence by global relationship choices made in response to an event of major war. But contrary to the originator of the concept, John Herz, the outcome of the “violent cycle” (1950, p.157) of this dilemma is not considered a tragic eventum or really so much of a ‘cycle’. The violence of ‘overlap’ in regional governance is fatal, but the reason for this political violence is not fatalistic. This is not tragic story for the simple reason that the clash of teleocratic fundamentalisms of collective security in-between the EU and Russia is driven, from the very beginning, by the related agency of global self-determinations.

Unlike in a tragedy, there is no high drama of heroism or climatic apocalypse in this story. There are no heroes or villains, friends or foes, or revolutionary breaks in world-historical time. No ‘turning points’, or any of the other dramatic clichés of historical narrative. The characters in this story are necessary partners and hostile neighbours, globally self-determined strangers that are not wholly other. Their discord of global otherness is a product and problem of an irreconcilable tension of collective security in a period of wartime that is, at this stage, still a great mystery to us. By the Conclusion, if this narrative testimony has done its job, this mystery of global ‘sweet enemies’ ought to be a lot easier to understand.
The Global Beginning of Sweet Enemies

"The process of history, and such order as can be discerned in it, is not a story to be told from the beginning to its happy, or unhappy, end; it is a mystery in process of revelation."

Eric Voegelin, The Ecumenic Age
Chapter 1. The Creation of the EU–Russia “Strategic Partnership”

1.1. Wartime ‘We’: The Global Identities of a “Strategic Partnership”
   The Inclusive Tension of a Wartime ‘We’
   “Effective Multilateralism” and the Search for a United Consensus
   The Regional-Global Intersection of “Effective Multilateralism”
   ‘Normative Power Hegemon’: The Progressive Identity of a Liberal ‘We’
   Securing ‘Humanity’s Law’? The Civilization of “Neighbourhood”
   The Global-Regional Origin to the Nemesis of “New Realism”
   Securing ‘The Empire of Law’? The Civilization of “Multipolarity”
   ‘Great Power Manquée’: The Anti-Progressive Identity of a Realist ‘We’

1.2. The ‘Double Transition’ of Regional Governance
   Transition of Dual Universitas: The Logic of Enterprise Associations
   “Multipolarity” – “Neighbourhood”: The Plural Conflict of ‘Civilizational Communities’
   Regional Insecurity: The Teleocratic Character(s) of “Strategic Partnership”
“To set up a government is an essay in world creation...[T]he political cosmion [that is created] provides a structure of meaning into which the single human being can fit the results of the biologically and spiritually productive, procreative energies of his personal life, thereby [relieving] his life from the [disordering] aspects of existence that always spring up when the possibility of the utter senselessness of a life ending in annihilation is envisaged.”

Eric Voegelin, *Introduction to the History of Ideas*

“Even a dyed-in-the-wool materialist would have to agree that “In the beginning was the Word,” the suggestion...the idea.”

Leonid Kornilov, *On ‘Perestroika’*

At the time of writing, the EU claims to have ten in various stages of institutionalisation (Grevi 2012) and Russia remains committed to the same five she has been since the end of the Cold War (Isakova 2005). China, India, Brazil, Britain and the United States, under Obama’s Presidency, all profess to be developing a “strategic partnership” (or ten!) with each other (Schmidt 2010). This symbol is the policy expression of an idealised collective agency that, it appears, is at the centre of all political movement and vitality in-between today’s global powers. The argument in this chapter is that this symbol is the animating source of ‘special’ global relationships in the 21st Century; or, at least, one particularly ‘special’ relationship.

The wider implications of this argument can only be hinted at here. It would take an extensive comparative study of all the twenty or so ‘strategic partnerships’, and a consideration of all the literature on ‘special relationships’ that has amassed since the mid 20th Century, to draw any general conclusions about this class of global relationship. However, there is one general observation that can be put forward with a degree of confidence. This ‘symbol’ of collective agency does not support the creation of one harmonious world of global governance, as was expected at the end of the Cold War (Slaughter 2004). If the EU-Russia experience is something to go by, then these global relationships are driving the creation of densely institutionalising and highly contestable collective security orders of regional governance. The organisational home of these
global relationships is at a level in the contemporary UN Charter system that is beneath the United Nations Security Council, but above most nation-states.

Only a very select, elevated class of global powers is able to operate at this level. Participation in these relationships is predicated on a publicly accepted status of global political authority. What this boils down to is that the political associations of “strategic partnership” have to include at least one global power with a seat in the United Nations Security Council (whether ‘permanent’ or ‘non-permanent’). More specifically, they are only possible in-between governmental authorities that claim to represent these global powers as a singular, unified actor. In the case of the EU, this representation is handled through the executive bureaucracy of the ‘Union’, created by the Maastricht Treaty in 1992 with the legal-political authority to speak for all its bounded member states. In this relationship, the Union emerges as the globally self-determined, unifying voice, for Britain and France (the two permanent members from the EU), Spain and Germany (the two non-permanent members from the EU).

The question of who represents Russia in this relationship is much easier to identify - the executive bureaucracy in the Kremlin under the office of the President. Not all of Russia’s Presidents share the same views on the relationship with the EU. Most of the analysis on the Russian government in this dissertation concerns identifying the similarities and differences in the strategic agendas of Yeltsin, Putin and Medvedev. There is also some commentary on the strategic agenda of Mikhail Gorbachev. Even though he was never a President of the Russian Federation, he has, it is argued, had a considerable intellectual legacy on the institutional framing of the EU-Russia relationship. This framing of the comprehensive security vision of ‘Common European Home’ (see Chilton 1996) by a self-proclaimed Westernising Russian leader (English 2000) can be seen to have imaginatively foreclosed the boundary around these agents. The attempted all-inclusive closure of this grand narrative is the quotidain backdrop to the EU-Russia relationship. Both parties work from the same basic assumption that Gorbachev did. An all-inclusive grand narrative of collective security is the surest route to the achievement of global freedom, peace and order within an evolving UN Charter system. Moreover, it is desirable, possible and ethically responsible, for a global power to play a leading role in shaping the institutional future of this system in association with another global power.
The obvious difficulty with this aspiration for ‘strategic partnership’ is that there can only be one, all-inclusive mode of association active at any one time. The logic of collective security in the EU-Russia “strategic partnership” is so grand and comprehensive that the regional space in-between these global powers is inevitably, it is argued, institutionally closed in. This logic defines the governance problem of inclusion in this relationship. It is argued that the logic of this global relationship is characterised by globally opposing, but regionally overlapping, movements of governance.

This chapter concentrates on providing an understanding explanation of the global identities of the EU-Russia “strategic partnership”. It aims to explain the discursive origins and the institutional trajectory to the liberal / realist faultline in this particular global relationship. Far more could be said about this ‘symbol’, its modes of political association and its significance for understanding the governance dynamic of global relationships – as a whole – in the 21st Century. But that would, perhaps, require a book in itself. This bigger picture cannot possibly be covered in this chapter. The aim, here, is to make a modest contribution to the growing body of critical literature on the global politics of governance (Barnett and Duvall 2005; Dunoff and Trachtman 2009; Lederer and Muller 2005; Rengger 2003; Tsygankov 2009). The analysis in this chapter shares a similar approach to studies that evaluate the phenomenon of governance from a collective agency or governor focussed perspective (Avant et al, 2010), invite questions about the role of power (Barnett and Duvall 2005), and critique the universalising moral ‘standards’ that provide the logical drive to the institutionalisation of global politics (Rengger 2003). The originality of this study comes from its richly contextualised focus on the origins of a global relationship in governance during an America-led period of wartime.

The explanation of this wartime development begins with a focus on the political discourse surrounding the opposing global identity claims in the EU-Russia “strategic partnership” (Hakulla 2010a). It is fairly safe to say that this has been the most troubled and intense of all ‘strategic partnerships’ of the 21st Century. The relationship dynamic that is highlighted here moves from the EU in the West to Russia in the East and then returns. Our analysis of this dynamic provides reflections on the EU’s progressive and global liberal governance demands towards Russia, and Russia’s anti-progressive and global realist governance demands towards the EU. These mutually implicating demands are understood to be the beginning of an uncomfortable global relationship
that centres on the felt-need, common to both parties, to overcome a wartime dissensus and disruption in the universal system of collective security through the creation of a new regional security order.

The first section in this chapter traces the wartime origins of this relationship through a comparison of the global-regional boundary implications of the EU and Russia's "strategic partnership". The discussion focuses on how and why the global identities of these two agents project legal-political boundaries that strategically exclude the other's global identity in governance projects of regional inclusion. This mutual reduction of global otherness makes the regional space in this relationship not only densely institutionalising, but also absolutely unmediated.

The second part of this chapter explores the narratable logic of this beginning in more detail. It concentrates on what this reveals the 'double transition' (Williams 2007, Hegel 2010) of regional governance. Taken together, these two sections offer an evaluation of the global contingency and regional contestability of the practices of collective security introduced in the previous chapter.
1.1. Wartime ‘We’: The Global Identities of a “Strategic Partnership”

“In the 21st Century, we find ourselves in an era in which wartime – the war on terror – seems to have no endpoint…War has been framed in a boundless way, extending anywhere in the world that the spectre of terrorism resides, even as some of our political leaders – on the left and right – denounce its seemingly endlessly.”

Mary Dudziak, War Time (emphasis added)

Mary Dudziak’s book provides a very thoughtful meditation on history, law and politics; second only to Michael Oakeshott’s On Human Conduct (1975) as an inspiration on the story of this dissertation. In War Time (2012) Dudziak carefully develops a central premise about the narrative framework of world politics in the 21st Century, as it is seen through American eyes. The time ‘we find ourselves’ living in, she argues, is an epoch of endless war. Any notion of the division of world historical time into pre- and post- bellum, of distinct periods of wartime and peacetime, has yet to be experienced in the 21st Century. The idea in the popular political imagination of wartime as in some way a temporary phase and peacetime as the normal condition of world politics is a progressive delusion. This has not been the case for almost a hundred years. There have been periods of peacetime since the Russian revolution and America’s entry into World War One, but they have been very few and far between.

Dudziak does not use this exact term, but with reference to Paul Ricouer’s thinking on ‘narrative truth’ (1983), one could describe the idealistic promise about the coming age of ‘peacetime’ as a narrative falsehood of the 20th and especially the 21st Century. Those that advance claims about the coming age of ‘peacetime’ are, suggests Dudziak, engaging in an intellectually dishonest, ideological politics. It is not just political representatives (for the meaning of this concept, see Voegelin 1987) that are doing this. In many cases, they are ably supported by a climate of opinion that is cultivated by political commentators in the media, think tanks and, yes, in the academy as well. There is, it would seem, a general unwillingness or inability to recognise and face up to the time in which global politics is currently being carried out. Political analysts often contribute to this by offering uncritical, intellectual support to what are very confused – and often insensitive and intrusive – aspirations and policies in international relations. This is writ large in the decision-making of today’s global powers. Here it is possible to
see the false optimism (and also the false pessimism) that these idealistic claims advance in claiming to show a way of progressively moving beyond, or anti-progressively stopping short, the contemporary period of wartime altogether. What is needed, suggests Dudziak and others (see Rengger 2013) is a greater degree of reflective, critical distance on what is going on in this contemporary wartime period. Most analyses of global politics do not hold this middle ground. They signal their intellectual backing to either of the two main ideological standpoints that are - it is argued here - at the centre of global conflict in the 21st Century (see Gray 2007).

Dudziak's main concern is to illuminate what America's collectivising, wartime tendency tells us its political identity as a global power, and why “American warfare [has become] a form of peacemaking” (2012, p.134) in the 21st Century. Her disturbing conclusion is that the idealised quest to bring a new dawn of peacetime to the world is the justification for a militarisation that knows of no limits. She quotes George Bush in his justification for the war in Iraq: “America seeks peace and believes in justice…We fight so that oppression may cease, and even in the midst of war, we pray for peace on Earth and good will to men.” (ibid. emphasis added).

The solemn seriousness, and theological overtones, to the justificatory discourse of this wartime mission is used to validate a blood-soaked quest to bring about the President's vision of 'peace on Earth and good will to men' (Gray 2007, Kahn 2008). Under President Obama, the tone and approach has changed. The American strategic project has signalled an intention to be less radical, far more in line with the common purpose(s) of the United Nations than it was before. But as Stephen Carter has argued in The Violence of Peace (2011) Obama has become a classic War President, even though he ran in opposition as the Peace candidate.

Changes like this in government are sometimes subtle, always a little unexpected. But they can be better understood through a situated, discursive analysis of the global political experience of wartime in the 21st Century. Where most of the attention on this political experience has chosen to focus on the United States as the key driving force of wartime developments – and with 40 pence of every pound spent on defence in the world today being spent by the United States (Carter 2011, p.1), this seems like a pretty sound assumption – there are other stories to be told about the changes during this on-going wartime period. These are stories that concentrate on the relationships in-between lesser global powers. Powers that cannot realistically claim, like the United States can, to be the supreme global authority, above even the United Nations Security
Council. This is a power that can reset the rules of the game in the world politics. At least the suggestion from the office of an ‘Imperial Presidency’ (Schlesinger 2004), as we discovered in the introduction, is that America has this global right.

This section begins with an evaluation of the EU’s 2003 response to America’s strategic doctrine published the previous year (see Danreuther and Peterson 2006). The argument is that the EU’s strategic identity presents itself, negatively and positively, as the global other to the United States (for a similar interpretation see Lehti 2010). Everything about the way the EU conceives of its role in the 21st Century is in sed contra to the strategic direction set out in 2002 by the American national security strategy, the so-called ‘Bush Doctrine’ (Renshon 2010). The development of this strategic antithesis helps, in turn, to explain the re-energising of the EU’s “strategic partnership” with Russia. It also helps to explain the robustness of the Union’s plans for the governance of “Neighbourhood” as a political community that lies beyond the EU’s enlarging border. It is argued that this strategy is what defines the EU’s liberal identity as a global power. As Hiskki Hakulla observes, it is also what makes the EU an exponent of a “regional normative hegemony” in the Union’s relationship with Russia (2010b)7.

Justification for this kind of relationship practice is, inevitably, individuated and in-between. Individuated because it requires the articulation by the agent of the self-determined reason, or logos, for this practice. ‘In-between’ because it attaches unreserved commitment to an entity larger than one-self that implicates another self. The EU’s advocacy for the community building of “Neighbourhood” is the transformative driver of this global relationship. It contains an “injunction to complete inclusion” (Habermas 2001, p.148) on the EU’s cosmopolitan liberal terms. This globally self-determined desire for inclusion does not mean all the boundaries between the EU and Russia disappear. What it does mean is that the boundaries that separate a Western-centred Regional security order begin to be redrawn in a way that alters the unity of this order to regionally include what had previously been excluded. The way this regional inclusion is initiated demands subordination to the EU’s global liberal identity. It kicks off a responsive, governance struggle with Russia. Moscow responds contemptuously to this imposition. The ultimate reason for this, it is argued, is that Russia harbours a similar global self-determined desire for the regional inclusion of the EU – albeit in strategic subordination to Russia’s global realist identity.

7 It is unfortunate that Hakulla did not incorporate this analysis into his book-length study of The EU-Russia Strategic Partnership (2010a). This book looks to offer a history of this relationship from the end of the Cold War to the recent past. Quite clearly, as his argument in this essay indicates, the dynamic of this “strategic partnership” changes radically after 2003, but this is not something he takes into account in his book.
The Russian government does want to be included in a global community with the EU. But the strategic demand is that this is on realist terms of collective security. Terms that, it is believed, have been purposefully excluded from the contemporary Regional security order and repeatedly violated in the United Nations Security Council. As will be argued in the second half of this section, Russia wants to constitute a new Regional security order with the EU around a permanent, unreserved commitment to “Multipolarity”. This is the same realist idea that Russia had been championing in the United Nations Security Council in demands for Western observance to the ‘procedural rules of collective security’ since the mid 1990’s (see I.3.1).

The logic of all strategic associations is defined by contradiction, argues Edward Luttwak (2001). Contradiction pervades the discourse of strategy, viz: the rhetoric of “we fight for peace” from George Bush. The strategic agendas for inclusion between the EU and Russia advance a beguiling contradiction about how ‘We’ are to be in this global relationship together. The strategic contradiction of the ‘We’ is what gives this relationship its animating spark. But it also explains why an institutionally stable global ‘partnership’ between these two agents is a logical impossibility.

For the EU, the basic “strategic” intention of this “partnership” is to support the extension of the *pax Europea* to the East (Tsoukalis 2006, pp. 167-192) in a way that limits any potential border-disruptions caused by the EU’s largest ever enlargement. This ‘big bang’ Enlargement would almost double the size of the EU. It was destined to incorporate ten new former communist states, and create a potentially destabilising boundary situation at the edge of the Union’s enlarging Schengen border and, *in extensu*, at Russia’s Western and Southern international border.

The intentionality of both parties in reaching out to the global other in “strategic partnership” was to bring peace and stability to this region in-between their borders. And, yet, the inclusive liberal and realist global identities of this relationship were asserted in a way that sought to ‘rise above’ the other. This globally self-determined struggle would make the joint governing of the region ‘in-between’ the EU and Russia fraught with strategic tension.
1.1.1. The Strategic Tension of a Wartime ‘We’

“The Strategy is aimed at the development and strengthening of strategic partnership between Russia and the EU in world affairs and prevention and settlement, through common efforts, of local conflicts in Europe with an emphasis on the supremacy of international law and non-use of force. It provides for the construction of a united Europe without dividing lines and the interrelated and balanced strengthening of the positions of Russia and the EU within the international community of the 21st Century.”

Russia’s Midterm Strategy towards the EU, 1999

“There are few if any problems we can deal with on our own. The threats described above [N.B. there are five in total, a) terrorism, b) the proliferation of weapons of mass destruction, c) regional conflicts, d) state failure, and e) organised crime] are common threats, shared with all our closest partners. International cooperation is a necessity. We need to pursue our objectives both through multilateral cooperation in international organisations and through partnerships with key actors.

…We should continue to work for closer relations with Russia, a major factor in our security and prosperity. Respect for common values will reinforce progress towards a strategic partnership.”

The EU’s European Security Strategy, 2003

“Russia is an important partner, with which there is considerable interest to engage and build a genuine strategic partnership on the basis of positive interdependence.”

European Commission statement on Relations with Russia, 2004

It is not immediately obvious from these official statements, issued around the time of the most controversial US-led wars of the post-Cold War era, in Kosovo in 1999 and Iraq in 2003, that what Russia and the EU were striving for through a ‘balanced and interrelated’ (Russia) ‘positive interdependence’ (EU) between the ‘closest partners’ (EU)
of the ‘international community of the 21st Century’ (Russia) was in a strategic tension. The idea in this section is clarify how and why this was, actually, the case.

There is an important difference in the global self-understandings of this ‘We’. Both the EU and Russia’s advanced conceptions of a collective agency of the ‘We’ in the form of self-exteriorisations of the ‘I’s of their strategic grand narratives. These narratives of global self-determination affirmed the existence of a collective ‘We’ of “strategic partnership”. But, crucially, this was a collective ‘We’ that was conceived of from two very different first-person perspectives.

Each agent was speaking to the other from a particular standpoint of a first-person indexical (the self of ‘I’, ‘me’, ‘mine’) while advancing a universalistic and inclusive strategic telos of the ‘We’. This ‘We’ represents a collective agent that is plural – the ‘our’ of more than one self – but not in a way that could ever hope to sustain loyalty to a singular collective endeavour.

Each agent would pursue inclusive strategic agendas according to their own principled grand narratives at the expense of the global otherness of the other. These strategic moves of global self-determination would inevitably jeopardise the stability of this “strategic partnership”. A situation that can be explained in simple relational terms: each global self in this relationship was working under the assumption that the other global self could and would come to share ‘our’ strategic intentions as the fundamental basis for ‘our’ partnership. All the global other needed was a little direction from our self.

Michael Bratman (1999) writes that: “shared intentions are intentions of the group. But...they consist in a public, interlocking web of intentions of individuals” (Bratman 1999, p.143). What he calls the “shared intentional activity” (ibid.) of collective action turns on the both/and reciprocity of rational discourse in-between individual selves. In this case, one global self’s strategic intention to act would be co-determined by the other global self, and vice versa. Neither of these global identities was being conceived of in exclusionary terms. The claims to universality that both agents advanced had the intention of generating a global solidarity of fellowship and cooperation by which each individual agent could honour the legitimate expectations of the ‘strategy’ of the other as political equals within the same ‘partnership’.

The trouble was that this bilateral search for global solidarity is that is actively antagonistic towards global individuality. The solidaristic “injunction to complete
inclusion” (Habermas 2001, p.148) in-between these agents demands a reductive conformity to the other’s strategic agenda. This would not leave much *regional space* in the middle for divergent opinions. It would set these would-be ‘strategic partners’ towards the fundamental extremes of two strategic grand narratives.

The historical argument of this chapter focuses on the EU. It was the Union that initiated the move towards the re-energising of this “strategic partnership” with its quest to form a regional order of *human security* beyond its Schengen border, but within an emerging political community of “Neighbourhood”. This was the grand strategic agenda of the Union’s global identity of ‘normative power’ (Manners 2002, 2006, 2008) in the first decade of the 21st Century. In the external projection of this global identity, the Union appeared very assured about its legitimate role in determining the terms of ‘humanitarian governance’ (Barnett 2012) outside of its Enlarging Schengen border. But behind this external assuredness, it is suggested, were internal concerns about the constitutional future of the European polity and of the limits of the integration project of ‘Enlargement’ (Blokker and Delanty 2010, Thomas forthcoming).

This project had been pursued unquestioningly from the end of the Cold War. But in 2003, on the eve of the EU’s largest ever-enlargement, major doubts arose about whether ‘Enlargement’ had a future. As Blokker and Delanty (2010, p.132) put it, with the ‘big bang’ Enlargement shifting the EU’s centre of gravity to the East it was becoming: “increasingly difficult to portray [the EU] as either the ‘home of civilization’, as the ‘true West’, or as the inheritor of a more-or-less singular civilizational background…based on a definable, substantive set of European values”.

This uncertainty would be sublimated through the project of an inclusive, new foreign policy. The European Security Strategy (COM 2003a) and the evolving Neighbourhood Policy (COM 2003b, COM 2004, COM 2013) offered the first glimpses of a post-Enlargement grand narrative about the EU’s role in the 21st Century. The claim is that these policy documents attempted to reinvigorate confidence in the future of the European project with a global commitment to a cosmopolitan liberal sense of the “European self” (Herzfeld 2002) in world politics. This global identity of ‘normative power’ helped to mobilise the executive bureaucracy of the Union and project its authority in ways that justified a liberal “moral crusade” (Hyde-Price 2008, p.40), or civilizing mission. This civilizing mission opposed the kind of war launched by the United States, and all aspects of racial, national or ethnic tribalism that might pose a threat to the achievement of *human security* on the EU’s periphery within a newly conceived community of
The EU was by far the more driven of the two ‘strategic partners’ in the search to establish a regional security order in the shadow of the war in Iraq. Some commentators have argued that the Union’s progressive, strategic aspirations were nothing short of revolutionary (Danreuther and Peterson 2006). Those who more sympathetic to the overall European project, and its need for liberal renewal in the 21st Century, declared the EU’s strategic grand narrative of ‘normative power’ was “marvellous news” (Biscop 2005, p.1). It signalled the ‘coming of age’ of this global “positive power” (ibid.), and was something that the whole world would welcome. This ecstatic speculation is bound up with a neo-Kantian line of thinking about the project of the “Neighbourhood” as an emerging ‘civilizational community of practice’ (Adler 2010).

Emmanuel Adler (2010) describes this project of a new Enlightenment as the EU’s progressive reinvention of a liberal ‘security community’ for the 21st Century. The intention, to ensure “peaceful change...[in the wider region of the Union that is] grounded in self-restraint.” Adler admits that, “this experiment [is] progressive because some practices are better, or less bad, than others.” Nevertheless, he argues that this liberal project presents a unique: “opportunity to establish civilizational encounters of mutual dignity and respect” (Adler 2010, pp.89-90). These mutually respectful encounters were, he hoped, going to emerge: “with ‘neighbouring’ cultures with which [there are] historical ties...to Europe’s own past” (Adler 2010, p.75).

The following analysis of the emergence of the EU’s global ‘normative power’ identity and progressive reinvention of the liberal ‘security community’ of “Neighbourhood” takes a far more sceptical view than Emmaneul Adler (2010). ‘Civilization’, from this community-building perspective, implies the subordination of the legal orders of a group of nation-states outside of the EU to a constantly evolving ‘human security’ agenda. The grand strategic narrative of “Neighbourhood” would privilege the Union’s cosmopolitan liberal self-coherence as a global pioneer of this 21st Century agenda; a leader in the transitional becoming of a new collective security system that was enthusiastically endorsed by the UN Secretariat.

There was a weak disposition to constitutional ‘self-restraint’ in this liberal reaching out to ‘neighbours’. Teleologically speaking, a far stronger commitment to securing human rights would come first and last. It is this overriding commitment to securing the human rights of others explains why the EU’s liberal reaching out across
borders was not going to be conducted in a spirit of ‘mutual dignity and respect’. Instead, it is argued, the strategic re-invention of a liberal ‘security community’ as a ‘civilizational community’ after 2003 would involve the ultimate assertion of a practice of ‘hegemonic collective security’ (see I.3.2.) with the aim of progressively including nation-states into the commonwealth of the “Neighbourhood” that the Union was simultaneously excluding by setting finalised historical boundaries around Enlargement.

The Union’s post-Enlargement strategy would involve an attempt to institutionalise a ‘regional normative hegemony’ (Hakulinen 2010b) that included Russia as the global ‘strategic partner’ in the governing of this post-Enlargment security order. The main strategic problem from the Russian perspective, as we shall discover, was not that this liberal politics pointed out beyond the enlarging Eastern border of the EU. But that is also pointed out beyond the international legal order of UN Charter and its commitment to state sovereignty, state security and the civilized restraint on the use of force. While the Union was hardening its border around the project of Eastern Enlargement, it was expanding its frontier of “Neighbourhood”, mainly to the East.

1.1.2. “Effective Multilateralism” and the Search for a United Consensus

“The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.”

Article 1 of The UN Charter (emphasis added)

The 2003 European Security Strategy (ESS) reads like it was written with these four teleocratic principles of the United Nations on the desktop. The document extols the need for ‘effective multilateralism’ (COM 2003a, p.1) in what seems to be a direct reference to the first of the four principles in Article 1 of the UN Charter. In the same way that this principle appears above all the other teleoratic points of the Charter, the desire to ‘take effective collective measures’ through the coordinated actions of ‘multilateralism’ features prominently at the beginning of the ESS.

At several moments in this document, there are statements about how the EU wants to work closely with UN (COM 2003a, pp.1, 2, 3, 5, 7) to support the strengthening of international order in the 21st Century. Crucially, it is the progressive character of this support for order-building that gives this document its internationalist sensibility and universal narrative of inexorable trend. The ESS pledges to effectively make the EU the ‘centre for harmonizing actions’ on the global reform of the international order – the norms, rules and governance structures – of the contemporary UN system at a time when many analysts, and UN officials, were openly talking about a profound crisis in the existing arrangement of liberal internationalism (see Ikenberry et al 2008, Newman 2009, Mazower 2012). With the publishing of this strategic plan, the EU sought to place the Union at the very centre of a political movement for global reform of the international order. As the subtitle of this document makes explicit, A Secure Europe in a Better World, the writers of this strategic text clearly imagined they had a grasp on the plot of world history and were writing the story of the future of global politics.

The liberal aspirations set out in the ESS were validated and endorsed in a document published by a High-Level Commission reporting to the UN Secretariat a year later (UN 2004). In what almost feels like reverse plagiarism, the titles of these two
documents are so close that it is inconceivable that the later was not written with a view to ‘harmonizing’ with the former. Also, many of the key words and phrases in these two strategic texts are also remarkably similar\(^8\). There is no coincidence, here. As noted by Sven Biscop (2006), a Brussels-based academic and advisor to the EU on the drafting of the strategic manifesto for *A Secure Europe in a Better World*, representatives from the Commission and the UN Secretariat were involved in a series of negotiations from the Spring of 2003 on what would be the core strategic principle in the forthcoming 2004 UN report, *A More Secure World: Our Shared Responsibility*. The UN report called for a broad-based agreement on a new “comprehensive system of collective security” and was endorsed by the UN Secretary-General, Koffi Anan, in an effusive foreword (UN 2004, p.vii).

This ‘comprehensive system’ called for “comprehensive strategies” (note the plural) along with “institutions to overcome narrow preoccupations and learn to work across a whole range of issues in concerted fashion” (ibid.). The overall aim of this strategic collaboration was to provide a “broader meaning to ‘collective security’ for the 21\(^{st}\) Century” (UN 2004, p.7) that recognised how much the world had changed since 1945 and how ‘ineffective’ the current collective security system had become in coping with familiar interstate conflicts of the 19\(^{th}\) and 20\(^{th}\) Centuries as well as the (apparently) new intrastate threats to peace of ethnic conflict and civil war (UN 2004, pp.7-55). In the recurring slogan of the report: “We all share responsibility for each other’s security.” (UN 2004, p.2, p.55, p.134). What was needed to create the platform for this strategic collaboration in the 21\(^{st}\) Century was a “new consensus” (UN 2004, p.2.).

Koffi Annan wrote this report presented: “an opportunity to refashion and renew the United Nations, which world leaders defined...in the Millennium Declaration as ‘the indispensable common house for the entire human family’” (emphasis added, UN 2004, p.vii). He personally pledged to work hard to support its proposals in the lead up to the World Summit of 2005. This was going to be largest peace conference of its kind in world history, and offered the perfect moment to crystallise this ‘new consensus’ and take ‘effective collective measures’ to implement its advancing goals for common good of all humanity.

This new thinking on collective security was every bit as bold as Gorbachev’s ‘new thinking’ at the end of the Cold War (English 2000, Brown 1996, Chilton 1996,

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\(^8\) One phrase, “the front line in today’s combat must be manned by capable and responsible states, and the frequent use of one word “effective” stand out (see UN 2004, p vii –x).
Frederking 2007). In the late 1980’s, Gorbachev made a plea on behalf of the ‘international community’ for the institutionalisation of a ‘Common European Home’. His ‘comprehensive vision of collective security’ had a global and regional dimension that was not so dissimilar to this progressive plan.

His global dimension sought to support “wider use of...the institution of UN military observers and UN peacekeeping forces in disengaging the troops of the warring sides, observing cease fires and armistice agreements” (Gorbachev 1987, p.1). To this end, he sought to overcome what Frederking (2007, p.31) calls the “rivalry rules” that had effectively created a *liberum veto* in the UN Security Council between the ‘warring sides’ in the Cold War. Consensus had been impossible to reach within the most powerful international organisation in world politics because one side (the US or the Soviet Union) was always likely to move to authoritatively block the others claims for the legitimate use of force. The shared perception of the threat of mutually assured destruction had rendered the possibility of achieving a fully functioning Security Council a practical impossibility. This ‘comprehensive vision of collective security’ sought to bring together the rival factions, US and Soviet, into a higher, more encompassing, institutional order that centred on a mutual recognition of the global political authority of the United Nations Security Council itself. Loyalty to this institution, and helping to make it work in a more concerted fashion, was the global dimension of this comprehensive vision. In effect, it proposed to concentrate, consolidate and maximise the ‘superpower’ authority that both sides already had, with the UNSC as the institutional locus where this cooperation would evolve.

The global solidarity of “Common European Home” was expected to ultimately overcome the rivalry and division in the UNSC. However, the progressive journey to the improvement of the global relationship in-between the superpowers would, according to this grand narrative, begin at the regional level. Like the ‘comprehensive vision’ set out by the UN Secretariat in 2004, Gorbachev’s ideal of ‘Common European Home’ had an ending that was clearly imagined from its narratable beginning. The ‘common destination’ was at the summit of a reformed UN. Within this common *cosmion* was an imagined political space within which the ‘two sides’ in the Cold War could come together to overcome their differences for their mutual strategic advantage and for the global common good (Chilton 1996, pp. 264-280).

Gorbachev expounded his comprehensive vision on a diplomatic grand tour that took him from Vaclav Havel’s side in Prague to announcements in the UN General
Assembly, the Council of Europe, and intimate dinners with Mitterand in Paris and Strasbourg and with Thatcher and her cabinet at Chequers (Chilton 1996, pp. 278-80). He was desperate to talk to any major political power of the time that would listen about what he enthusiastically called the “logic of European development prompted by life itself” (cited in Chilton 1996, pp. 276). Russia, he declared, was looking to join the “common stream of civilization” (cited in English 2000, p.132). She was ‘returning to Europe’. And on her return, she had the solution to end the Cold War, create a stronger UN-centred international order, and end the hostile, geopolitical division of the Eurasian landmass into Eastern and Western blocs.

This entire diplomatic effort of Gorbachev’s was being pursued in a way that is typical of the progressive strategy of ‘reaching out’ to the West from Russia’s political leaders (Morozov 2010, p.56). Gorbachev believed that the world could be made a more secure place and raised to a higher level of civilization under Russia’s inclusive global leadership.

What is clearly evident, however, in Gorbachev’s comprehensive vision and also in the UN’s from 2004 is the interstate / intrastate tension between adapting the existing international system of the Security Council from within and pushing for cross-boundary reform at the regional level. On the one hand, Gorbachev denied any “hegemonic plans” (cited in Chilton 1996, pp. 277) on the part of Russia or any intention to exclude the United States from this regional security space.

The cooperation in what he called, in classic Marxist-Leninist terms, the “superstructure” of this system would be based around the existing UN Charter commitment to restraint. This juridically based international order would foster a “high degree of interdependence between its Eastern and Western parts” (cited in Chilton 1996, p.276) inside of the “law-governed community” of the United Nations. Within this higher, global community, he made plain: “any interference in domestic affairs and any attempts to restrict the sovereignty of states – friends, allies or any others – [would be] inadmissible” (cited in Chilton 1996, p.275).

Overcoming the division and rivalry in the United Nations Security Council through a strategic commitment to, what has since become known, as the practices of ‘procedural collective security’ might seem fairly conservative. Idealistic, it certainly was, but in a way that looked to reinforce the constitutional foundations and hierarchical unity of the status quo. The drive to build a ‘Common European home’, in this instance,
looked back rather than forward. In its anti-progressive disposition to the UN Charter commitment to state sovereignty – and in its rejection of the hegemonic restriction of the sovereignty of states – it is closest to the realist position advocated by the Russian government today (see 1.1.5-8 and Chapter Two).

This was the global side to the vision, and its interstate focus on collective security made it clear that the ‘common home’ that was imagined was the Security Council. But there was another side to this vision, the more localised or regional dimension of this comprehensive ideal for a new beginning in collective security. It is here where the truly radical implications of this vision are apparent.

As Gorbachev himself put it: “Does there exist a more revolutionary approach to the overcoming of the boundaries separating the peoples that our conception of the construction of a common European house?” (cited in Chilton 1996, p. 284, emphasis added). This revolutionary desire to change the boundaries that divided East from West in a regional security space – the Western insiders from the Eastern outsiders – Gorbachev moved to advocate what he called the “all-human interest” for the security of the peoples (cited in Brown 1996, p.222) of a “common civilization” (cited in English 2000, p.132). This would become the primary goal of Soviet foreign policy. But of course all this diplomatic effort and all this grand strategic narration was happening as the Soviet Union was convulsing, and Gorbachev’s leadership was under severe strain. He would never get to implement this new Soviet foreign policy. But he may – it has been suggested – be regarded as the first exponent of the revolutionary agenda of what Ruti Tietel (2011) has called the human security movement of ‘humanity’s law’.

Just as Gorbachev imagined it, this movement was not a project that could be supported by a juridical commitment to the UN Charter with its focus on the nation-state as the basic unit of the international legal order. The grand strategic narrative of “Common European House” was caught in the same bind as the UN’s plan in 2004 and the EU’s of 2003. How was it going to be possible to simultaneously strengthen a state-centric idea of international security that was narrowly focussed on interstate cooperation and decision-making and move to a way of thinking about dealing with the kind of “threats without boundaries” (UN 2004, pp.17-24) that demand a different, intrastate engagement and focus of collective security? Gorbachev’s call for making “all-human interests” the fundamental concern for Soviet Foreign policy was arguably a sign of things to come. The UN report of 2004, and a EU report from the same year would both refer to a very similar idea, but giving it the more precise and intelligible title of

With its progressive ambitions for leading a global reform of the UN from the regional ‘below’, through a strategically binding association with its largest and most powerful global neighbour, the EU’s own version of the grand narrative of the ‘Common European House’ was infused with much of the same future-oriented goals for global politics as Gorbachev’s original. The most obvious difference between these strategic scripts is that the poles of global leadership had been reversed. The global neighbour that was being embraced by the revolutionary agent that was working to overcome the boundaries outside of a ‘union of states’ was Russia. Russia was, of course, not the only neighbour being included in this liberal project. All the nation-states on the periphery of the EU that were being made ‘outsiders’ (Smith 2005) in the largest, and seemingly last, wave of Enlargement in history were also being made ‘insiders’ in a nebulous regional security space of the “Neighbourhood”, about which there will be more to follow.

Drawing these connections between Gorbachev’s “new thinking” at the end of the Cold War, the EU and the UN-thinking about the global reform for the ‘common house’ at the turn of the 21st Century is not an exact science. Sven Biscop (2006) is right to caution against drawing a strong a cause-and-effect argument between, for example, the contents of EU’s A Secure Europe for a Better World (COM 2003a) and the UN’s A More Secure World (UN 2004). But in the realm of ideas and aspirations there is no question these ways of thinking about the possibilities of collective security are all part of the same broad church. They use similar slogans, they call for similar changes, they invoke the centrality of the United Nations and of the ‘common house’ in which a concerted, comprehensive and transformative change can and should be directed by global powers for the common good of human progress in A More Secure World. It might be wrong to draw any scientific casualty about this progressive and internationalist ideas of collective security. But they are, nevertheless, part of the same moral sensibility and normative consciousness in global politics.
1.1.3. The Regional-Global Intersection of “Effective Multilateralism”

Several meetings occurred between the representatives of the Union and the UN Secretariat in the year between the publication of the two, aforementioned, reports on collective security. These meetings were done in the collegiate spirit of trying to forge a new liberal internationalist consensus. Consultation does not mean direct influence, as any diplomat can tell you. The extent that the UN Secretariat was swayed by the lobbying of the likes of Javier Solana, the EU's then High Representative on Foreign Affairs, can never be known for sure.

But what is clear is that the EU advanced its security agenda with an open, moral and institutional allegiance to the UN Secretariat. The European Security Strategy (ESS) declared its implicit rejection of America’s military policy and its challenge to the functioning of the UN, stating there was no need for security threats to “be tackled by purely military means” (COM 2003a, p.4). The feeling in Brussels was that the questions over the legality of the Iraq war, and the existential-institutional crisis it had caused the UN, could have been avoided if a more concerted European presence had been felt in the Security Council.

On the 24th March 2003, in an interview with Die Welt, Javier Solana suggested that a permanent seat for the EU in the United Nations Security Council (UNSC) would, at the very least, have been able to establish a common European position (Biscop and Drieskens 2006, p.118-9). Differences of opinion for and against the Iraq war had run between the four EU member-states in the UNSC (two permanent, France and the UK, and two non-permanent, Germany and Spain). He suggested that part of the solution to overcoming the division that had paralysed the Security Council was to have a single EU representation in the future.

“The EU is not represented by one seat in the UN. Yet, the problems started in the UN. What makes it difficult for the EU and me is that the EU has four members in the UNSC…. Imagine what influence Europe could have had if it had spoken with one voice. The lesson we learnt [from the Iraq crisis] is that Europe is losing influence when it does not speak with one voice” (cited in Biscop and Drieskens 2006, p.118-9).

A year later, Solana presented his argument in strikingly Hegelian terms. There was a need, he suggested, to overcome the self-division in the European consciousness
with the higher representation of the common Geist, or spirit, of the EU.

“If France and the UK do not reach a common position, there will be no common EU position. Therefore, I advise all permanent and non-permanent members of the UNSC to be aware that they are not just representing their own country but also the spirit of the EU – or at least should be representing the spirit of the EU” (cited in Biscop and Drieskens 2006, p.119).

Solana’s call for a common European voice provides a fascinating insight into the emergence of the EU’s global identity after the crisis over the war in Iraq. It identifies two key aspects of what “effective multilateralism” meant for him personally and for the Union as the collective agency that would act on behalf of the EU’s member-states. First was the normative desire for a global identity of the ‘European voice’ (or self). This could provide a unifying global discourse that could overcome the dissensus in-between the nation-state members of the Union. Second, linked to this, was an institutional demand for a ‘permanent seat’ in the UNSC that would guarantee the global influence of this ‘one European voice’ on collective security issues.

As with Gorbachev’s strategy, Solana’s privileged a regional-global move to hierarchical unity. And just as in Gorbachev’s strategy, there would be a more radical side to this vision. This issued from a recognition the Iraq crisis had exposed the weakness of the EU to be, a “strategic culture that fosters an early, rapid and, when necessary, robust intervention” (COM 2003a, p.6).

All three of these aspects to the ESS (COM 2003a) contributed to the ‘comprehensive vision’ for the collective agency of the Union that would be demanding in its expectation from others. All would have an important part to play in explaining the troubled character of the EU-Russia relationship after 2003. But it is the last of these that would be the most significant. A Security Europe for a Better World (COM 2003a) stated, the global order of multilateralism can only be effective if the EU was: “ready to act when [the] rules are broken” (COM 2003a, p.3). It added this warning: “there is a price to be paid” for those nation-states that place themselves “outside of the bounds of international society” (ibid.).

In other words, the strategic agenda of “effective multilateralism” was understood as a movement to support the reform the global institutional order of the United Nations and to advance a common interest that was enforceable ‘outside’ of the boundary of
international society. Every claim that is made in politics about the inside/outside is relative to the agent that is advancing the claim. What matters in this context is, not so much who is inside and who is outside, but what legal basis there is for a decision to enforce ‘effective multilateralism’. In the hypothetical situation of making this decision, will the Union be acting as the collective subject of its own European legal order, or as the collective subject of a higher, international legal order? All the focus on the European Security Strategy was about making the Union a representative of an international legal order that was coming into being. This emerging legal order would – potentially – permit the Union to enforce the terms of the ESS without any need for the agreement between the EU’s member-states.

This logic of asserting the global will of the Union above its own member states, and above its own legal order, could – if pursued – see this executive bureaucracy overcome an inoperative wartime tension. The Union had been rendered unable to act decisively in war by the constitutional restraints imposed by two established rule-governed communities, one centred on the UN Security Council and the other centred on the EU itself.

As was obvious almost from day one, the terms of the Maastricht Treaty of 1992 declared that the member states had agreed: “to support the Union’s external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity.” In the spirit of this mutual solidarity, all member states had pledged: “to ensure that their national policies conform to common positions.” In a not-dissimilar manner to the ‘procedural security rules’ in the UN Security Council, decisions on the actions to be taken under the then new Common Foreign and Security Policy were to be taken through qualified majority voting except in the situation where one state objected. At the first test of the strength of the Union to act as one, this ‘mutual solidarity’ dissipated.

Britain and France refused to authorise the Union’s use of a pooled multinational army of ‘Eurocorps’ against Milosevic. They preferred to act through the Security Council, although that proved equally inconclusive. In what had been called the ‘hour of Europe’, there was a profound experience of wartime disarray and disappointment in Brussels. The former European commissioner for external relations, Chris Patten, described this experience, “as the lowest point in Europe’s post-war history, exposing the gap between our pretensions as Europeans and our ability to act decisively together” (cited in Simms 2013, p.489).
Javier Solana, the first EU High Representative for foreign affairs took a more positive view. He described the Balkan wars in Bosnia and Kosovo as the “the birthplace of true European foreign policy” (cited in Simms 2013, p.495). Matched with a feeling of immense disappointment, was a determined belief that, under his leadership, the Union would never again be humiliated in the way that it was over Bosnia. The Kosovo war was generally seen among EU officials as a much more ‘effective’ pulling together in ‘mutual solidarity’, but there was still a lot it was felt, could have been done better.

Two of the key planks of what would later become the European Security Strategy have their origins in 1999. German and French representatives both made calls for less reliance on US military power during the NATO campaign. The German EU Presidency stressed that the EU had a moral obligation to end the violence against Kosovo’s civilians. Germany’s defence minister, Rudolf Scharping, noted in his diary that at the height of the Kosovo war: “At last, we appear not, as so often before 1945, as aggressor, but rather as a defender of human rights” (cited in Simms 2013, p.505).

Indeed, Germany would be the most vocal supporter of the move towards embracing the new ‘human security’ agenda. Germany’s foreign minister, Joskua Fisher, gave a speech to the European parliament in Strasbourg where he said that it might be necessary to establish a “core Europe” of states that was committed to further political-military integration and NATO enlargement, taking some of the responsibility for governing the future of this ‘liberal security community’ away from the Americans. His French counterpart, Jacques Santer, agreed. He argued the EU must make much more of an effort to ensure stability on the continent as a whole, by which he primarily meant the Balkans. The military action in Kosovo had alerted the Union to the cosmopolitan liberal principles and norms that should be the EU’s “raison d’être” (cited in Wagnosson 2008, p. 15). “The ongoing military action underlines by force the principles and values which are the raison d’être for Europe: Not to act is to accept. Europe and its partners do not accept murderers, do not accept deportations, do not accept dread and hate between peoples” (ibid.)

As the historian Brendan Simms (2013 p.506) writes, perceptively, in 1999 German and French leaders: “felt that the continent had pioneered a new form of ‘civilian’ power, transcending traditional geopolitics, and should not attempt to turn itself into a superpower on American lines. They wanted Europe to become, or remain,

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9 Thanks to Antti Seppo, PhD Candidate at the University of Helsinki for this observation. He is doing research in Germany on “Human Security and Strategic Culture in the 21st Century”.

Global ‘Sweet Enemies’
something more resembling the old Holy Roman Empire, a legal order rather than a great power." But this left open the question of how this vision of the ‘good Union’ could be military effective - in the way a ‘great power’ like the United States was - as well as being a positive magnet that might transform its regional surroundings by becoming a representative of this emerging order of ‘humanity’s law’ (Tietel 2011).

At the EU Council meetings in Cologne and then in Helsinki in 1999, came part of the answer. Former NATO chief, Javier Solana was appointed as the first High Representative for the Common Foreign and Security Policy. To support him in this job, a commitment was laid down to create a 60,000 strong ‘Rapid Reaction Force’ that would be capable of undertaking humanitarian interventions in complex civil conflicts.

But the events of 2003 exposed the familiar weaknesses in the collective action of the Union. Solana, as noted above, complained that the EU was, once again, failing to act with one voice. Once more, the Union was rendered impotent in a military ‘hour of Europe’. Millions of protestors, and the EU’s founding couple Franco-Allemande, had declared the common voice of Europe should be unequivocally against the war in Iraq. But Britain, especially, and Spain, less significantly, had declared the opposite view.

There were only two options for Brussels strategists. Either they accept a familiar wartime impotency to act “unreservedly in a spirit of loyalty and mutual solidarity”, or they move to impose a hierarchical unity that would enable the Union to reach a new consensus on collective security with its global partners.

The European Security Strategy (COM 2003a) provided the grand narrative script that would enable the Union to move beyond the constitutional constraints of the Maastricht Treaty of 1992. Acting as the ‘voice of Europe’ this legal personality and executive bureaucracy could become a more decisive actor in global politics. But it could not do this alone, nor did the Union want to do this alone. A mutually supportive, strategic relationship was sought with the Secretariat at the global level and with Russia at the regional level.

The EU’s submission to the UN’s High-Level Panel welcomed the proposals outlined by the Secretary General in his efforts to reform the universal system of collective security. “It is crucial to agree on a package of development, human rights, security and United Nations reforms. The result should be a strengthened and more effective [UN] better able to address the interconnected and multidimensional threats
and challenged to international peace, security and development” (Council of the European Union, 2005b).

As some commentators remarked, there was a hubristic subtext to the EU’s desire to support the Secretariat’s reforms; a belief that the executive bureaucracy of the Union could act as the regional multilateral institution that would “lead the larger multilateral institution of the UN [Secretariat], and ensure that the UN ‘remains effective.” (Laatinkainen and Smith, p.3). One former British diplomat to the UN even went so far as to say that the Union was best placed agent in global politics to rescue the whole of the UN, in this, the hour of its greatest ever crisis (Hannay, 2005).

The global relationship in-between the Union and the Secretariat would be crucial in clearing up the ambiguity over the Union’s ‘actorness’ in global politics; its ability to speak with one ‘voice’ in the global representation of its member states. This relationship would do much the same for the UN Secretariat, bolstering this internal bureaucracy of the UN to act as a one ‘voice’ on behalf of a much larger body of member-states. In this regional-global ‘intersection’ (Laatinkainen and Smith 2006) of liberal internationalism a reform movement started to take shape that would have a genuinely transformative effect in global politics.

The tension that had bedevilled the Union’s capacity to use force legitimately and act collectively could – to follow the logic of this strategic narrative – be solved through an alliance with the Secretariat. The Union was effectively closing its executive authority into the inside of a global international society that - it was hoped - would emerge through a transformative relationship the Secretariat. This global self-enclosure was being matched with a progressive and hierarchical claim for the governance of a space that was outside of the Union’s borders, but still inside of this globalising international society. This global self-determination would legitimise the Union’s freedom to act against those nation-states that behaved ‘outside’ of what was considered acceptable behaviour from the inside of this ever-becoming, law-governed community of ‘humanity’s law’ (Tietel 2011).

The European Security Strategy stated: “Our traditional concept of self-defence – up to and including the Cold War was based on the threat of invasion. With the new threats [of the 21st Century], the first line of defence will often be abroad” (COM 2003a, p.9). This strategic intention quite clearly indicates that in the minds of those leading the Union into this new global age, that it was no longer strategically responsible for the
Union to sit back and patrol the perimeter line of the European legal order. Effective collective action would require the ability to engage, militarily, beyond the enlarging Schengen border. “Even in an era of globalisation”, the document argued, “geography is still important. It is in the European interest that countries on our borders are well governed” (COM 2003a, pp.7-8). Here was an explicit strategic commitment that the Union would expand not only territorially after 2003 with the last wave of Enlargement, but also to the outer fringes of international legality with its new project of “Neighbourhood”.

1.1.4. ‘Normative Power Hegemon’: The Progressive Identity of a Liberal ‘We’

The Union’s political representatives conceived of their expansive global identity as the ‘local carrier of the global message’ (Hurrell 2007, p.253). The Union would be the agent to provide the normative reinforcement and institution-building reality at the regional-level to back up the Secretariat’s progressive, collective security agenda at the global-level. Javier Solana summed up this perspective well when he said that: “The EU has a responsibility to work for the ‘global common good’. That is a fitting way of describing the EU’s global role and ambition” beyond its borders (cited in Aggestam 2008, p.6).

The term most frequently used to refer to this transborder identity of the EU was no longer ‘civilian power’. Since 2003, this idea of identity had been replaced in political discourse with the term ‘normative power’ or ‘normative power Europe’; a concept invented by the British academic Ian Manners (2002, 2006, 2008). In a remarkable story of how an idea of global identity took on a practical life of its own, Brussels-based policy makers and leading authority figures of the Union, like the new President of the European Commission, Manuel Barosso, openly declared that from 2003 the EU had been behaving just as the political theory of ‘Normative Power’ said it should (see Forsberg 2011).

On Ian Manner’s terms, this meant that the EU’s policymakers were acting with a progressive capacity to affect a change in “the norms, standards and prescriptions of world politics away from bounded expectations of state-centricity”. But this was not a movement for change that could be effected from ‘outside’ of what was: “generally acknowledged, within the United Nations system, to be universally applicable” (2008, pp.
Herein is the global-regional problem of this normative project. What Brussels-based policymakers assumed to be ‘generally acknowledged with the United Nations system, as being universally applicable’ would not be based on a close reading of the UN Charter. A quick glance at the general teleocratic principles of Article 1 is as much attention as ‘normative power’ thinking would give to this document. Practical concerns about the evolving relationship with the Secretariat would determine what was understood to be ‘universally applicable’. This global self-determination would not involve consultation with any members of the UN Security Council. Not just including Russia, but also the participants in the UNSC that actually were member-states of the EU.

Everything about this assertion of the ‘EU’s global role and ambition’ emerged solely through a mutually supportive relationship in-between the Union and the UN Secretariat. Each looked to resolve the collective action dilemmas of the other by elevating these bureaucracies above the constraints of constitutional-legal treaties that had created these offices of government. The Union acting as a ‘normative power’ to support – perhaps even lead – a change in global politics away from the ‘bounded expectations of state-centricity’ would mean moving beyond the remit of the Maastricht Treaty in a way that was assumed to be universally desirable and legitimate. But, effectively, the Union was replacing one set of collective action dilemmas within European jurisdiction with another on the outside of it.

Coinciding with the publishing of the European Security Strategy in 2003 was the first of several iterations of a European Neighbourhood Policy (COM 2004, COM 2005, COM 2013). This policy was intended to support the governing of the Union’s “first line of defence” by creating a buffer around the Union’s Schengen border during the biggest (and it would seem, the last) phase of EU Enlargement.

The Neighbourhood Policy (ENP) sought to include all the countries within what was originally termed “Wider Europe” (COM 2003b). The aim was to bring nation-states in this inner space of global international society as “close to the Union [as they possibly] can be without being a member” (COM 2003b p.10). However, this policy created two fundamental boundary problems that the Union could not solve on its own. The most obvious being: who exactly are these ‘neighbours’? And the second, how are these ‘neighbours’ going to be simultaneously included in this emerging global international society, but still excluded from being a member of the Union?
While the possibility of Union membership was not explicitly ruled out for those included in this policy initiative, no ‘accession perspective’ was mentioned in the ENP (Smith 2005, p.758). All the rhetoric that surrounded the launch of this global policy was very lofty and vague. As this press release indicates, there were plenty of good intentions behind this initiative, intentions that stretched out far into the future and far beyond the EU’s Schengen border.

“Over the coming decades, the EU should aim to work in partnership to develop a zone of prosperity and a friendly neighbourhood – a “ring of friends” – with whom the EU enjoys close, peaceful and peaceful relations...In return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, all the neighbouring countries should be offered a stake in the EU’s internal market” (COM 2004, p.4).

This strategic aim to create a ring of “well-governed and friendly” countries applied to all the nation-states along the EU’s Eastern, South Eastern and Southern frontiers. Belonging within this ‘civilizational community’ (Adler 2010) was assumed to be something that would be desired by all of the ‘neighbouring countries’ that were included within its orbit by the will of the Union. The documentation supporting this policy initiative went to extraordinary lengths to invoke the commonality and shared nature of the goals, interests and underpinning values of this globally re-invented liberal ‘security community’. But all of these had already been predetermined by the policy that brought it into existence. In other words, there was no means or mechanism by which the ‘neighbours’ might formally interrogate or amend the strategic agenda of the ENP to better reflect their own assessment of its ‘shared and common’ interests.

The assumption was that working in ‘partnership’ with the EU was going to provide all the nation-states in the “Neighbourhood” with the sense they were sharing in the ‘global common good’ of strengthening ‘our security’. This relationship with the EU would give all these ‘neighbours’ a chance of joining a civilized inside and moving away from an uncivilized outside. Like Gorbachev had said about the possibility of a Common European House, here was an opportunity for those that had been previously excluded from a restricted, European legal order to join in the global ‘common stream of civilization’.

There would be conditions attached, of course. Standards of civilized conduct to achieve that accorded with a cosmopolitan liberal idea of ‘good neighbourliness’ (Honig
Good-neighbourliness is, of course, a very abstract notion. But it is one that is upheld by the UN and, since 2003, by the EU in the attempts to govern this space (see Tonra 2010). What it would take to attain this cosmopolitan standard of civilized conduct is and was very hard to pin down. It would be decided by the executive of the Union in a circuitous logic that fed back into the terms of ‘soft’ conditionality in the governing of the “Neighbourhood” (as opposed to the ‘hard’ conditionality predicated on accession into the Union) (Tonra 2010).

Access to EU policy fields – most notably the Single Market – for the neighbours, would be based on the achievement of governance targets. All these targets of governance conditionality were laid out in individual action plans “tailored to reflect the specific state of relations with each country, its needs and capacities, as well as the interests of the EU and the partner country concerned” (COM 2004, p.3).

The kind of association that was being proposed here was more tailored and more substantive than a regular bilateral partnership with the EU, but it still fell short of a membership association. Membership strategies are – or, one should say, were – driven by an expectation of ultimate accession into the European Union. While never linked to any predetermined timing, they set out a process of actionable steps that nation-states were expected to take if they wanted to reach the ‘common destination’ of being inside the European legal order of the ‘acquis communitaire’.

In extending some limited and conditional privileges of being a member of the Union to these ‘neighbours’, Brussels policy-makers believed the nation-states in this border region would see the global benefits of participating in this liberal project without (in all likelihood) ever being offered the chance to enter into the Union. The move to construct this “Neighbourhood” was replete with the promise of extending “everything but [the] institutions [of membership]” (COM 2003b) to these ‘neighbours’.

Effectively, the ENP signalled a strategic desire to set a bounding international closure on the European legal order. But putting the brakes on European enlargement required starting a new European project that went beyond the jurisdictional limits of Europe. The end of Enlargement was the beginning of a new phase of modernisation; one that was strategic, concerned with collective security and the governing of the ‘first-line of defence’ outside of the Schengen border regime. The boundary effects of this development have been significant. The Union’s legal border became far less blurred. As seen with the subsequent instutionalisation of FRONTEX in 2005 (see Vaughan-
Williams 2009), the EU’s border security force, headquartered in Poland, tasked with defending the Enlarging border of Schengen as it extended toward the Balkan Peninsula to integrate Romania and Bulgaria in 2007. The job of this border force: ‘to defend against the first line of threats’ outlined in the European Security Strategy, of unauthorised migration, organised crime, and terrorism.

This hardening of the EU’s border would make the distinction between ‘members’ / ‘neighbours’ in the Enlargement of the Union something to be genuinely felt along the edge of the European legal order, especially as the “Neighbourhood” began to extend its permeable boundary on the outside.

This indefinite expansion on the outside of this EU would incur the most significant test of the Union’s new ‘normative power’ identity. This space of the “Neighbourhood” was, as already noted, inside of globalising international society that was tied to the reforms of the UN Secretariat. The Union’s commitment to imposing governance conditionality on its ‘neighbours’ to be ‘well-governed and friendly’, required the assertion of a distinct form of law that could claim validity independently of the European law of the acquis, while also not being reducible to state-centred international law.

The legal scholar Gunther Teubner (1997) described the emergence of what Ruti Tietel (2011) has since called ‘humanity’s law’ as emerging in a way that posed a considerable challenge to the state-centred international legal order of the UN Charter and the limits of its authority. This expression of law, he wrote, was a: “self-reproducing worldwide legal discourse which closes its meaning boundaries by the use of the legal / illegal binary code and reproduces itself by processing a symbol of global (not national) validity” (Teubner 1997, p.14).

There are two important implications that lead off from this for understanding the Union’s governance of the “Neighbourhood”. First, the issue of legal closure, or what the political-legal space of the “Neighbourhood” was being closed off from in the determination of its ‘meaning boundaries’. This determination was contingent on the global self-ordering of the Union distinguishing this space as apart from the European legal order. But the most significant boundary marker was with the national validity of state law and the positive international law of the UN Charter. As Tubner (1997, p.xiii) suggests, the closure of a humanitarian legal space would only be possible through a political association that transcended the “law of nation-states” and carved out its
boundaries “in relative distance to the rules of international law.”

This development of this legal-political order would be irreducibly ‘in-between’. In-between the ‘rules of international law’ that were state-centric and the emerging ‘rules of international law’ that were peoples-centric and concerned with human rights and human security. But this would also be ‘in-between’ in the spatial sense. Being between the Union’s legal border and that of what would prove to be its closest and most important ‘strategic partner’.

The Union needed a ‘strategic partner’ to complete the building of the “Neighbourhood”. A strategic partner that was a nation-state in possession of its own constitutional legal code, but also in a position of global authority such that it could legitimately transcend the law of most other nation-states. This strategic partner would also be able to sustain a relative distance to the EU’s Schengen border through its own global self-ordering practices of the rules of international law.

Only one nation-state was specified by name in the initial statements about the “Neighbourhood”. That was, of course, Russia. All the other states were referred to in very vague geopolitical categories. One grouping was referred to as the “Western Newly Independent States” (WNIS) (COM 2004, p.9). The second geopolitical category is to be of less interest to this investigation. This was defined as the “Southern Mediterranean Countries” (ibid.). It included Morocco, Tunisia, Egypt, Israel, the Palestinian Authority, Jordan, Lebanon, *Libya and Syria*10.

Inclusion in the WNIS was initially restricted to Ukraine Moldova and Belarus. But this category was expanded a year later to include the Southern Caucuses states of

10 Many of these countries would go through the major upheavals of the Arab spring after 2010. The Libyan civil war of 2011 was described by an influential Brussels-based think tank as “the most serious in the *neighbourhood* since the Balkan wars” (emphasis added, EPC 2011). An EU rapid reaction force, EUFOR Libya, was proposed by the Union by it was never mobilised. The familiar criticism of the EU’s indecision and passivity were made, and the Balkans was again cited as the shameful reference point. Other global powers did the military task independently of the EU – Britain and France operating in tandem with NATO. Two years on and there are signs that in the Syria crisis that the EU is being much more militarily direct. Under pressure from Britain and France, the EU arms embargo was lifted, allowing for the flow of arms to the Free Syrian army through an innovation in the Common Foreign and Security Policy. Under international law, this is the equivalent to the use of force, but it was not authorised by the UN Security Council. The move was publicly welcomed by the United States, and just as publicly condemned by Russia. Meanwhile, Russia continues to supply arms to the Assad regime. Under international law, this is not an intervention that requires authorisation from the Security Council. Yet Putin has been accused by Britain’s Prime Minister, David Cameron, of “having [Syrian] blood on his hands”. The diplomatic temperature is rising between the EU and Russia. Arms are flowing in to a country within their shared “Neighbourhood” in a way that has never happened before. A much touted Russia-led peace conference initiative - “Geneva Two” - seems to have stalled. Quite evidently, the EU-Russia relationship has entered a new phase of militancy. But, as noted above, these events fall outside of the time frame covered in this particular investigation.
Armenia, Azerbaijan and Georgia. It was expected, in 2003, that Russia would also be part of this grouping along with what the core members of what Russian geo-strategists called the ‘Slav Triangle’ (Ukraine and Belarus) (see Baranovsky 1997, pp.268-299). Russia, however, rejected the assumption of inclusion and self-excluded. It would not be participating in this project – at least not straight away. For reasons that will be explained more in the next section, this rejection was justified for positive and negative reasons. Positive in the sense of Russia’s great power role as a defender of the existing international legal order; negative for reasons that formed around a hostile, negative attitude to the reduction of Russia’s national otherness to the EU’s globalising, liberal project.

The ENP proposed a very one-sided and hierarchical association with its ‘neighbours’. Hisssi Hakulla (2010b) described this as the self-determined governance project of a ‘Regional Normative Power Hegemon’. The Neighbourhood policy and its grand narrative sought, he argued, to establish the EU’s leadership role by the “unidirectional imposition of its norms and values” (Hakulla 2010b emphasis added, p.162), asserting the Union’s primacy through a liberal expansion of international society. Russia was to be cooperated with in peaceful, friendly relations provided that she adhered to the “Union’s insistence on the universal applicability of its own internal mode of governance” (Hakulla 2010b p.163). This exteriorisation of the EU’s authority, he remarked: “resides at the heart of [the EU’s Neighbourhood] claim to regional normative hegemony” (ibid.). By treating all the non-candidate countries (including Russia) as members of what is, in effect, a geopolitical estate attached directly to the outside of the Union’s border regime, the suggestion was that the ENP presented: “a conscious attempt at squaring the circle of relinquishing enlargement while retaining the Union’s normative power in Europe” (ibid.).

While agreeing with Hakulla’s argument that this was an attempt at regional ‘normative power hegemony’, the analysis that has been set out here disagrees with his interpretation about why this was the case, how it was being operationalised and, most significantly, why Russia was being roped in. He constantly emphasised the egotistical ‘I’ of the Union’s hegemonic assertiveness, rather than the mutual solidarity of the collective ‘we’. All the discourse surrounding the bounded ordering of the “Neighbourhood” employed the imagined grammatical person of the ‘we’. It has been littered throughout the policy statements quoted above. There has been almost no mention in any of them of the Union exclusively in the first-person. This was unquestionably a EU policy initiative; based on the authoritative expansion of
international society, led by the Union and authorised by a strategic agenda of ‘effective multilateralism’. But none of these actions were meant to be just about expanding the authority of the EU. Multilateralism, by definition, was an “institutional form” that involved three or more actors organised around “generalised principles of conduct” (Ruggie 1992, p.4)

It was not the EU’s ‘internal mode of governance’ that was being projected into this space, but an institutional form internal to a regional-global intersection of “effective multilateralism” between the EU and the UN Secretariat. This was the relationship that could be found ‘at the heart’ of the EU’s claim to normative hegemony. The hierarchical demand that this EU-UN association placed on Russia was to support ‘generalised principles of conduct’ in a global reform movement that Moscow had no prior knowledge of.

However, these were not exclusively the EU’s ‘norms and values’. The whole tenor to the governance of the “Neighbourhood” – why it could be said to be a normative hegemony – was the injunction of inclusion on these liberal cosmopolitan terms. This injunction was in no way conceived of as narrowly tribal, be that Western, European, national, racial or ethnic. Russia received a special mention in the planning of the “Neighbourhood” because it was quite clearly the case that policymakers in Brussels hoped Russia would respond favourably to the progressive opportunity to share responsibility in the governance of ‘effective multilateralism’. As a member of the UNSC, there was a degree of deference to Russia’s position for already being in global authority. In a statement released in 2003, the EU stated that it acknowledged the UNSC as the “international community’s collective security voice.” By singling out Russia as the only recognisable partner in the “Neighbourhood”, the Union took this reasoning one step further. Moscow was been granted the global right to ‘speak for the international community’, and speak with that voice back to the Union.

Russia was being considered a state apart from than all the other nation-states in the “Neighbourhood”. Here was a partner that the Union strategically needed. Russia is the global other that had to be included. Russia could determine - and thereby finalise and close-off - the boundary of the “Neighbourhood”. The Union needed this global other to complete ‘our’ liberal project of collective security. Only with Russia as a ‘strategic partner’ could the “Neighbourhood” become more than just an idea. The only way for this idea to take on concrete institutional form as an entity larger than its own global self and the ‘first line of defence’ around the Union’s enlarging border was for Russia
But she was being brought in quite late in the day. This was after a year of consultations and backroom diplomacy between representatives of the EU and the UN Secretariat. Russia had been given no input into the initial design of this liberal project, and as we shall see, it would have precious little influence on the future direction it would take. Russia was being singled out as different. But just the other ‘neighbours’, here was the same basic pattern of hierarchical association. Being presented with a pre-determined plan that this ‘neighbour’ was expected to go along with because this project was self-evidently for the global ‘common good’ of ‘our security’.

The Union’s expectation was that the governing of this space would be jointly organised within a framework of law subordinate to the Union’s strategic commitment to UN-centred multilateralism. As Helene Sjursen (2006) suggested: this commitment inevitably pushed the Union, in its external relations, towards recognising the legitimacy of cosmopolitan norms of humanitarian law that were not exclusively European, but were part of the normative consciousness within the universal international organisation of the UN.

In a 2004, Javier Solana commissioned a report that would offer the clearest indication yet of the cosmopolitan liberal rationale to the European Security Strategy. Entitled a Human Security Doctrine for Europe, the idea of the Bareclona Report (2004) was to investigate how the concept of “human security” – first mentioned in a UN international development document a decade earlier, and reiterated here report – could be considered the central paradigm, or model, for operationalizing the European Security Strategy inside the “Neighbourhood”. The team that wrote the report was led by Professor Mary Kaldor of the London School of Economics, co-director of the pioneering research Centre for Global Governance. The challenge they faced was how to turn an idea that in its original conception had no military implications and was defined entirely as a ‘civilian concept’ into something that could help to frame a military response that was justifiable in terms of ‘humanity’s law’ (Tietel 2011).

The report began with a clear attempt to make a normative alignment with UN’s A More Secure World: Our Shared Responsibility: “To be secure, in today’s world,

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11 This centre has been much imitated. Within the EU-zone there are three such centres, at Helsinki – where Kaldor and her team were invited next, in 2006 – in Florence, at the EU subsidised European University Institute; and in Leuven, Belgium, another healthy recipient of EU funds. The LSE centre was dissolved in 2011.
Europeans need to make a contribution to global security. Europe needs military forces but they need to be configured in quite new ways” (Barcelona Report 2004, p.1). ‘Human security’ is presented as this new way. Rather than make the locus of security the state, the point of reference in this paradigm is the individual person and his or her right to personal security. Like in the 2004 UN report, this EU report works from the assumption that the interstate system is being challenged by the claims of new subjects, persons and peoples, organized along affiliative lines of race and ethnicity that extend beyond the nation-state and even beyond nationality. These claims place new demands on the global representatives of the ‘international community’ to modify their whole understanding – as the report argues, to make a ‘paradigm shift’ – in how security is to be conceived. This shift grows from an awareness of the need to find a superior way of addressing the failure of traditional state-based processes, rules of international law and institutions to cope with, and adjust to, changing political realities.

In zones where non-state centric subjectivity was being exercised, in demands for secession and statehood, in cultural rights claims, and in claims for protection, assistance, and accountability for past wrongs, the report argued that: “state collapse is becoming the most likely alternative to democratic transition. This is why preventive engagement is a better approach then containment.” (Barcelona Report 2004, emphasis added, p.3).

The document went on to list several reasons that could support decision-making framework for ‘preventive engagement’. There are five in total, but the first three are the most important:

“The first is the gravity and urgency of the situation. A looming genocide would nearly always deserve priority over a chronic situation of widespread, even severe, insecurity.

The second factor concerns the practicality of the mission, the risks, the chances of success and the availability of other actors. On this basis, a mission to Macedonia will be likely to deserve priority over a mission to Burma, Tibet or Chechnya, even if the security situation in the latter places is much worse, and no other actors are available…

The third factor is a special responsibility for neighbouring countries. There is a clear self-interest argument here: the effects of insecurity and disorder in the Balkans for instance, are more strongly felt in Europe in terms of crime, refugee flows and human trafficking than effects of conflicts further away. Beyond the self-interest argument,
however, European citizens simply feel a stronger moral responsibility towards helping those in Europe’s neighbourhood, as has been very clear in the wars in Yugoslavia.” (Barcelona Report 2004, p.5).

This report brought together many of the threads of argument that had run throughout the thinking about the ‘raison d’être’ of European foreign policy since 1999. There was a “clear self-interest”, or instrumental argument, for preventive engagements in the self-defence of human security. This was self-defence where the self in question, a European self, was the collective agency of the Union. This self-determined, transnational actor was not a state, not a great power, but ‘normative power Europe’, new global power for the 21st Century. Most significantly, the role of this global power came with “a special responsibility for neighbouring countries.”

The most interesting point in this whole report was the admittance that the Union might never be able to put this new paradigm into action. The moral case for the preventive military engagement in the “Neighbourhood” was: “hindered by the absence of a single and coherent body of international law governing foreign deployments”. The authors noted this body of law explicitly declares that states are the subject of international law on the use of force.

1.1.5. Securing ‘Humanity’s Law’? The Civilization of “Neighbourhood”

There was a chance this would change. As Ruti Tietel (2011) argues in her excellent book about the global legal-political movement towards Humanity’s Law in international relations, the legitimacy of the human security argument has been challenging, and even in some cases, superseding, the statism of international law that has been in place for two hundred years. She argues, that this 19th Century vision of civilization: “is now in the process of being transformed and relativized by a normative order that is grounded in the protection of humanity” (Tietel 2011, p.9). She goes on to add that: “of course, sovereignty is in no way disappearing, but it is losing its traditional status of primacy in the legal ordering that governs matters that occur beyond the level of the individual state” (Tietel 2011, pp.9-10).

This takes us back to the “Neighbourhood”. Ben Tonra (2010, p.66) argues that the overall aim of the Union’s regional governance project in the “Neighbourhood” was:
"to manage the transformation of the neighbouring states", but he does not make it clear where this transformation was seen to be heading, why this was a desired destination, or how this radical change could realistically be achieved. To justify this managerial process of transformation required a cosmopolitan conception of the European self that went beyond, or post-, the conditionality, institutional forms, varieties of association, and legal rules of ‘Enlargement’. This comprehensive reform of the “Neighbourhood” would place demands on the Union, as a collective subject in global politics, and its executive, as its decision-makers, to put the progressive and globalising rhetoric of the European Security Strategic into action by institutionalising this ‘normative order grounded in the protection of humanity’.

The moral efficacy of this order-building project could not legitimately rest on ‘European’ common values, but must increasingly orient towards the new ‘Global’ common values that were being championed by the United Nations Secretariat. The strategic and institutional efficacy of the Union’s global ‘normative power’ identity would be judged on its ability to create and defend the “Neighbourhood” effectively. If the Union could not put its global will into action in the “Neighbourhood”, at the Union’s ‘first line of defence’, then where could it?

The neighbouring ‘cultures’ that the EU encountered in the creation and defence of this “civilizational community” were certainly not going to be embraced with ‘mutual dignity and respect’ in the manner that Emmaneul Adler (2010) suggested. All of these nation-states were being asked to adapt to the global standards of ‘good neighbourliness’, evoked by this ideated European self. Behind all the warm and lofty words about cultivating a ‘ring of friends’ was a hierarchical and inherently militant threat towards these ‘neighbours’ for “the price to be paid” for not accepting the Union’s terms of governance conditionality. After the crisis in Iraq, the European Security Strategy made it clear that “early, rapid and, when necessary, robust intervention” would be used against those that act outside the bounds of civilized behaviour, as the Union understood it.

With the subsequent conception of the ENP of 2004, and the Barcelona report of 2004 on Human Security, what was meant by civilized behaviour became clearer. Those who threatened to carry out gross human rights violations, like genocide, would be in breach of ‘our human security’. They would effectively be excluding themselves from this ‘civilizational community’ and could the legitimately be on the receiving end of an ‘early, rapid and robust’ preventive engagement.
But if Union were to use military force in this situation, as NATO did in 1999, without a UNSC authorisation, it would risk contradicting its global ‘normative power’ self and definitively ending the dream of becoming a permanent member of the Security Council. The only way that this ‘human security’ agenda could ever become legally enforceable would be if the Union played an active role in reforming the ‘collective security rules’ through its ‘strategic partnerships’.

As noted above, the implications of the 2003-4 development of the European Security Strategy was that the Union needed the ‘mutual solidarity’ of Russia, more than it did from any of its other ‘neighbours’ and its other nine “strategic partners” to secure its global identity and its double institutional goals of ‘normative power’. The first goal mentioned in this discussion was perhaps the hardest to achieve, a permanent seat for the Union in the most powerful international organisation in world politics. This interstate goal of political association has been cited as the explanation for the Union’s pursuit of multiple “strategic partnerships”, including with all of the permanent members of the United Nations Security Council that are outside of the European legal order. These partnerships promised to get the Union a little closer to being inside the Security Council. Association with Russia was no different to the United States and China in this respect. But Russia was strategically ‘special’ because only Russia could help the Union achieve its second institutional goal of ‘normative power’. This intrastate goal of political association was going to place heavy demands on Russia to help the Union achieve its cosmopolitan self-coherence. Russia was expected to be a co-creator of the “Neighbourhood”, as a ‘civilizational community’ of international humanitarian law. This community-building was all apiece with the progressive desire by the Union to be recognised as working responsibly to implement reforms, not just for the sake of a Secure Europe in a Better World (COM 2003a), but more importantly for the sake of the UN Secretariat’s (2004) vision of More Secure World – [as a] Shared Responsibility.

To conclude, some remarks on the why the EU’s demands to ‘share responsibility’ with Russia can be understood as the expression of a familiar teleocratic disposition to governing. With its cosmopolitan liberal intentions, this relationship project was closest to what Michael Oakeshott (1975, pp. 286-7) calls: “The idea of ‘enlightened’ government [that] now constitutes the strongest strand of teleocratic belief in modern European thought…[This idea] is specified, not in terms of its ‘constitution’, but by the particular purpose jointly pursued…[A] purpose… [that has to be seen] as plausible in term of current beliefs.”
This purpose, as has been suggested here, was the dialectic of cosmopolitan liberalism (see Lindahl 2010, pp.139-143). In the Theodor Adorno and Max Horkheimer’s famous argument about the ‘dialectic of Enlightenment’, the self-affirmation of humanity by means of modern instrumental rationality only led to its opposite: human self-destruction and the destruction of nature. The Union’s quest to secure ‘humanity’s law’ might be pregnant with a similar possibility. As Michael Barnett (2011, p.222) has argued every project of “humanitarian governance…is dedicated to its own destruction”.

This destructive dialectic of liberal politics has run through the development of the Union as a global identity. It has pulled this executive authority of ‘normative power’ in two directions at once, both of them steered by the instrumental rationality of the European Security Strategy and the progressive, constantly deferred meaning of “effective multilateralism”. In interstate terms this progressive dialectic supported the beginning of a mutually reinforcing relationship between the Union and the UN Secretariat. Both liberal multilateral institutions had a vested interest in a comprehensive reform of the existing arrangements of collective security at the interstate level. Bringing a unifying consensus where there had been dissensus and division would consolidate the authority of these bureaucracies. The assumption was that this programme could be continued, through their combined leadership within existing international institutions (namely the UN Security Council) and alongside nation-states, most importantly for the Union, Russia. But this ‘normative power’ leadership assumed that the nation-states in the most powerful international institution in global politics would cooperate with the reform programme because it was for the ‘global common good’ of ‘our shared security’. Was this a reasonable assumption to make? It hardly seems likely when, as noted above, the ultimately transformative, intrastate telos to this strategic agenda is to enforce human security through preventive military engagements at the outer-edge of the “Neighbourhood”.

This discussion has highlighted two reasons why lasting cooperation in-between the EU and Russia is going to be unlikely in the course of this regional transformation. The first was the ‘normative power hegemony’ argument. To implement this transformation successfully there would have to be a ‘thick’ set of shared, common values. But, as noted above, the ‘human security’ agenda was a very nascent idea, certainly in 2004. There had been no mention of this concept in connection with ‘collective security’ before this year. One can draw parallels with Gorbachev’s notion of ‘all-human interests’. This was also a very vague concept, infused with progressive
connotations about joining the ‘common stream of civilization’. But in the absence of shared common values on this humanitarian ideal of ‘civilization’, this move would likely to be seen as the bellicose imposition of the Union’s global identity. The hierarchical and military-minded community-building of the “Neighbourhood” and the humanitarian governance conditionality that has been described above makes the rhetoric about cultivating a ‘ring of friends’ appear at best a progressive delusion, and at worst a strategic counterfeit.

The second problem has been hinted at in the official discourse. There are serious doubts about the international legality to the use of force in protecting human security. The spectre of NATO’s humanitarian intervention in 1999 has been raised again by the civilization of “Neighbourhood”. As we shall discover in the next section, the Russian government certainly did not see the Kosovo war in anything like same way as the German and French ‘core states’ of the EU. This was not the ‘true beginning’ of a ‘civilizational community’ as far as the Yeltsin or the Putin administration was concerned.

1.1.6. The Global-Regional Origin to the Nemesis of “New Realism”

Russia’s initial response to the EU’s Neighbourhood Policy [the ENP] was not at all what Brussels had hoped for. According to Russia’s, then, Deputy Foreign Minister Vladimir Chizhov: “This [the ENP] is an attempt to reduce to the least common denominator groups of countries and individual states that are entirely different in their level of development and that, in addition to this, have different objectives with respect to the EU itself – objectives that are oftentimes incompatible with one another” (Chizov 2004, p.85). To which he then added, tellingly, “Russia is neither a subject nor an object of the European Neighbourhood Policy” (Chizov 2004, p.81).

Russia was globally above the EU’s control, and would not be taking part in this “Neighbourhood” project. Least of all as a member of the “Western Newly Independent States”, along with Russia’s Slavic neighbours, Ukraine, Belarus and Moldova, which, as we shall discover, were considered part of Russia’s blizhnee narod. While Moscow’s complaint about being made a subject of the EU’s policies was not new (see Hakulla 2010a), but the level of hostility to the EU’s governance suggestion surprised many in Brussels (see Hakulla 2010b).
The analysis in following sub-sections aims to explain the anti-progressive emergence of Russia’s global identity and why it finds its voice through a regional response to the EU. It is argued that the Russian government has conceived of her collective identity after 2003 as the global restorative other to the EU’s global reformative self. Where the latter has asserted its global identity of ‘normative power’ with a progressive and ascending commitment to the UN Secretariat’s reforms, Russia has conceived of her realist global identity as a ‘great power’ with an anti-progressive and descending commitment to restoring the status quo ante of the UN Charter and its international legal order.

There are three interlinked points made in the following sub-sections about the origins and strategic agenda of this global identity of the Russian self. First, that it has a historicist and legal attachment to a Russian idea of the state, and state security that has been championed through an ideology of “New Realism”. Second, that this global identity has supported the projection of a regionally inclusive ‘civilizational community’ towards the EU that appeals to an unfashionable idea about international law. These facets of Russia’s global identity have coalesced in a grand narrative of “Multipolarity”. In every conceivable sense, this grand narrative is the nemesis of the EU’s grand narrative of “Neighbourhood”. Behind Russia’s realist project of “Multipolarity” is an absolutely opposing desire for a new global consensus and unity on collective security to that which has been pushed for by the EU. This second point will be taken up in the second part of this discussion. A third point will be taken up in the final sub-section. It offers an opportunity to offer theoretical reflections on this narratable beginning. The argument is that Russia’s realist project has been characterised by the moral identity and institutional or governance aspirations of the “great power manquee”. This is a global identity with ‘issues’; a great power that is more than a little resentful towards its Western neighbours for what is perceived as a repeated and uncivilized disregard for the ‘collective security rules’ that aim to restrain the use of force.

In sum, Russia has acted from an established position of global authority to regionally contain what has been seen, under these realist eyes, as a revolutionary challenge to the UN Charter system and with it ‘our security’. This response has never once been framed as a nationalist project. Yet that is inevitably how it has appeared to all political actors ‘outside’ the boundaries of this global subject’s legal space. The Russian idea of ‘state security’ as a global ‘common good’ has emerged from within a bounded, global political imagination. The only way to understanding this idea and how it has been wrapped up in universalising discourse of a grand narrative of “Multipolarity” is
by juxtaposition to the global other that Russia ultimately desires to institutionally exclude by including.

Everything about Russia's 'containment-like' global movement has been aimed at restoring a universal commitment in global politics to the existing 'collective security rules'. “Strategic Partnership” from this realist perspective has always been about more than a resistance to Western liberal hegemony (Morozov 2010). As is explained in more detail in this next chapter, the realist aspiration has descended from within the UN Security Council with the quest to constitute a superior, more durable regional security order.

The origins of this realist movement can be traced back to the conservative rejection of Gorbachev's intention to make “all-human values” the cornerstone of Russian Foreign Policy after the Cold War (Malcolm 1994). Every step of the way, this realist, global movement has developed in responsive difference to a global reform movement that can count Gorbachev as one of its earliest advocates. As the latter has grown in strength and certainty, galvanizing around the reform agenda of the UN Secretariat, so the former has descended from its global heights. Where the liberal movement has sought to “reaffirm a fundamental faith in human rights” (UN 2004, especially p.78) with new, enforceable rules of collective security that are – it has been argued, hegemonic – the realist movement has sought to 'reaffirm a fundamental faith' in the UN Charter core principle of state sovereignty through enforceable procedural rules of collective security.

The discussion in these next three sub-sections provides an historical explanation for this global movement based on reflections on Russian political thought. Russia has a distinctive global identity that has emerged through strategic reflections on the political experience of war from its geographical position on the periphery of continental Europe. The discourse that has emerged to support this identity construction looks back to the brutal chaos of Napoleon and Hitler's expansive quests for imperial domination. Arguably, Russia's finest strategic hour came when the largest and best-equipped army in the world was pushed back from Russia's Western borderland until it surrendered in Paris in 1815 (Lieven 2010). Russia's military defeat of Napoleon ranks alongside Russia’s military defeat of Hitler’s Wehrmacht in the Eastern marchlands. Again, Russia's army managed to push back this invading army from whence it came.

These military events have been somewhat distorted and mythologized in a
realist grand narrative that has been cultivated, particularly under Putin. This matters, in terms of our discussion, because of the universalisng dimension that is contained in this discourse. Beyond the narrow patriotic aspect of this narrative, is a pressing case for why Russia ‘ought to’ be considered a great power of the first rank by the West. And, in extensu, why Russia ‘ought to’ have unrestricted and continuous participation in the global and regional security order.

Belying these ‘ought claims’ is a deep sense of frustration and perplexity about how and why Russia had been “included out” (Webber 2007, pp.141-175) of European security affairs since the end of the Cold War, and has witnessed its authority in the UN Security Council overruled. As with the EU’s discovery of its global ‘raison d’être’, the backdrop to the Balkan wars of the 1990’s was the time when Russia began to find its global voice. All the romantic historicism about Russia’s identity as a global ‘great power’ would be projected by the state in terms of how this historic right was being denied by ‘Western liberal hegemony’ (Morozov 2010).

This realist grand narrative about the quest for global freedom accounts for the emphasis – initially placed by Yeltsin from the mid 1990’s and Putin in his first term – on the need for strong government within the Russian Federation and also in the near abroad. As we shall discover, the Tsarist overtones to this realist project are unmistakable and important for understanding the character of the civilizational claim that the Russian government was making in the self-narration of its global identity for the 21st Century.

The easiest place to begin this discussion is where we began with the analysis of the EU’s assertion of its global identity, with Gorbachev and his vision of “Common European House”. There was always opposition to this ‘new thinking’ within Russian political society. What began as a small band of conservatives, disaffected generals, and nationalist intellectuals (Malcolm 1994) in the late 1980’s would grow into a globally influential political movement by the mid to late 90’s. This change from a minority intellectual movement to the mainstream ideological direction in Russian politics came quickly. The shock of Russia’s dire economic collapse was an important trigger. The tumble in the value of Rouble coupled with low oil prices led one commentator to talk about the emergence of a ‘Wiemar on the Volga’ (Ferguson 2000).

What had been a strongly pro-Western, pro-liberal government in the early Yeltsin years changed its ideological tone abruptly towards what was being called “New
Global ‘Sweet Enemies’

This ideology initially expressed itself within the national security establishment in defensive hostility towards NATO expansion. Yeltsin had initially welcomed the enlargement of NATO, at least to Poland, but had changed his mind. “Those who insist on the expansion of NATO”, he warned, “are making a major political mistake. The flames of war could soon burst out across the whole of Europe” (cited in Wagnusson 2008, p.30).

The ‘new realist’ commitment in Russian foreign policy to the UN Charter provisions on ‘war prevention’ led to a two-pronged strategy under Yeltsin that would be mirrored by his carefully selected successor, President Putin. There would be an active support for the Serbs in the Bosnian war under Yeltsin, and the Serbs in the Kosovo war under Putin. But as many commentators have remarked, this foreign policy was not pursued primarily out of a pan-Slavic sympathy for the plight of their brethren, but out of Russia’s own desire to be fully consulted on the military policies of the West. Plain and simple, Russia wanted a deciding vote on the use of force by its Western neighbours.

This claim to having this global right to stop or permit military projection had a legal grounding in positive international law. The Russian Federation was granted its permanent seat at the United Nations Security Council in 1991 as the legitimate heir to the Soviet Union. This recognition of the self-determination of the Russian state as a successor state is the basis for all the claims made under Yeltsin and Putin about the need for a return to ‘strong government’ at home and in the blizhnee narod (the inner or near abroad). This legal framework of collective security has been the historicist font of this ‘fundamental faith’ in the Russian state.

The Russian word that has become most connected with this anti-progressive faith in ‘state security’ is derzhavnost, and it is almost untranslatable. As Irina Papovka (2008, p.70) writes: this word has come, “laden with [historical] connotations…[It] loosely translates as the ‘quality of being a power’…In the prerevolutionary hymn ‘God Save the Tsar’, the Tsar is addressed as s’il nyi derzhavyni, or literally ‘the strong one holding the orb of power’.”

Yeltsin invoked this Tsarist claim to ‘state security’ in the winter of 1993 when he pushed through a new constitution that strengthened his executive powers in the Kremlin

over and above those of the Russian parliament, the Duma. By the mid-1990’s his former liberal, Westernising rhetoric about allowing the regions of the Russian Federation ‘as much sovereignty as they could digest’ have been replaced by an emphasis on an indivisible ‘Great Russia’.

Throughout the next decade, the Russian government would look to tighten its grip on the provinces. Its domestic transformation steered by what came to be known as “sovereign democracy”, a concept that had very little to do with ‘democratic representation’ and everything to do with preserving the existential integrity of the state. Under Putin, himself a former KGB officer, the security service of the Russian state, the Federal Security Service (the FSB, the successor to the KGB), would be elevated into a “power vertical” as the Siloviki of this interior ministry became an almost unchallengable executive authority within the boundaries of the Russian Federation. The international borders of the vast Russian state would become far more heavily policed during Putin’s first term.

Many of the studies of Russia’s troubled relationship with the EU have tended to focus on this internal realist assertion of the centralising control of the state. The ‘soveriegntisation’ (Medvevev 2008, p104) as one commentator rather inelegantly described it, could be understood, in part, through a rejection of the EU’s active attempts to promote democracy and human rights in Russia (see Saari 2009). Not wishing in any way to downplay the significance of this political development of ‘new realism’, it was not the most significant aspect of Russia’s relationship with the EU or with the West more broadly.

1.1.7. Securing ‘The Empire of Law’? The Civilization of “Multipolarity”

“Whichever state claims the cause of the [1874] Brussels [Peace] Conference,” wrote the eminent Russian jurist, Fedor Martens, “will claim first place among those states which understand the true goals of modern civilization and which respect the lawful aspirations of civilized peoples” (cited in Mazower 2011, p.70). This 19th Century idealism about the civilizing possibilities of international law made a very important connection that has returned with Russia’s ‘great power’ pretensions in the 21st Century. If Russia could successfully establish the code by which all other states were willing to bind themselves in wartime, then she could achieve two global, strategic gains. She
could contribute to the creation and consolidation of durable international institutions, which would help to guarantee Russia’s security as state in a period of rapid colonial expansion and revolutionary disturbances in the West. But just as important, Russia could gain the kind of standing that had often been denied – the recognition from the other great powers that here was an equal. Russia was a global other like ourselves.

It is argued here that the positive side to Russia’s ‘new realism’ is a claim to civilization in global politics that is modelled on this 19th Century idea about the ‘standard of civilization’. It is smuggled into the quote cited before about Russia’s desire for “strategic partnership”. This was issued by the Russian Federation in a 1999 communication about its future relationship with the EU:

“The Strategy is aimed at the development and strengthening of strategic partnership between Russia and the EU in world affairs and prevention and settlement, through common efforts, of local conflicts in Europe with an emphasis on the supremacy of international law and non-use of force. It provides for the construction of a united Europe without dividing lines and the interrelated and balanced strengthening of the positions of Russia and the EU within the international community of the 21st Century.”

It is no coincidence that this statement was issued within a couple of months of NATO’s humanitarian intervention in Kosovo, and with it the dissolution of the NATO-Russia Council. The justification for that intervention was summed up best by Tony Blair (1999) in his famous Chicago speech13. In it he proclaimed a “doctrine of international community”, in which global interdependence and the increasing reach of communications technologies made every state a neighbour of every other. He called for a move beyond the Westphalian insistence on sovereignty and the priority it placed on the rights of territorial authority and self-defence over and above the responsibility to protect human rights. The gross violation of human rights was not merely a moral outrage, he argued, but it threatened the stability of the entire developed world. “In the end”, Blair said, “values and interests merge. If we can spread the values of liberty, the rule of law, human rights and an open society then that is in our interests too. The spread of our values makes us safer.” He then added that acts of genocide “can never be a purely internal matter.” New, legally-binding rules that placed humanitarian intervention above the principle of sovereignty would, he hoped, go on to “become the basis for any approach to future conflict” by the representatives of the international

13 Full reference can be found at www.number10.gov.uk/Page1297
Yeltsin could not disagree more. When NATO ignored Russia's objections to humanitarian intervention in the Partnership Council, and Russia's emphasis on its right of veto in the United Nations Security Council, Yeltsin made a televised appeal to "the whole world" (cited in Wagnusson 2008, p.30). He urged the US president, Bill Clinton, to refrain from bombing Serb positions in Kosovo, as had happened before in Bosnia, since any such attack would signify a "tragic step" and put the entire system of collective security at risk (ibid.). He was completely ignored. This led to some very angry remarks from his foreign minister, Sergei Ivanov. NATO's intervention signalled, he argued: a "return to the [19th Century] era of colonialism, dividing European states into some kind of protectorates" (cited in Wagnusson 2008, p.31). Russia's leaders emphasised that if Serbian territorial integrity could be violated without a mandate from the UN Security Council then Russian territory – or at least its blizhnee narod – might well be next.

Yeltsin argued that it would be intolerable if NATO's: "open aggression against a sovereign country" were taken and consolidated as an international legal precedent. What is often been called the 'Kosovo Precedent' (Wagnusson 2008, p.30). In perhaps the most clarifying of all his statements on this war, he said that the "right of law" enshrined by the UN and OSCE and not a "primitive right of force" should prevail in settling international conflicts in the future. In his view, speaking for all Russians, NATO's actions constituted a "barbarian aggression against a sovereign state" that should never be allowed to happen again (cited in Wagnusson 2008, p.33).

Reflecting the standard-of-civilization approach of the 19th Century, Russia's answer to this event was to seek a new 'strategic partner' that could be relied on to uphold the 'right of law' in the regulation of conflicts. “Strategic partnership” from this perspective meant an association between two "civilized" powers. In the words of the historian Mark Mazower (2011, pp.77), "reciprocity was the fundamental condition for inclusion within the ‘empire of law’, and in its absence, some argued that anything was permitted that was necessary to compel obedience”.

Inclusion in an 'international community for the 21st Century' that was nothing like what Blair had imagined. Nor for that matter what the EU had imagined in trying to civilize Russia in a humanitarian direction. As Vladimir Chizhov had said, this was an attempt to “reduce [Russia] to the least common denominator”. In other words, it was a demand that Russia remove herself from ‘the empire of law’ of the United Nations and
the OSCE. What this 1999 Strategic document was proposing was that the EU ought to welcome the prospect of being *include with Russia in this ‘civilizational community’.*

As all of Russia’s foreign policy discourse surrounding the “strategic partnership” made plain, the Russian government saw no incompatibility between being a strong (‘civilized’) state with strong borders, with a deep sense of its history, and a historical right to being the first-ranking ‘great power’ in its near abroad, and being closely interrelated with the EU in “an international community of the 21st Century”.

The aim, for the Russian self, was to prove its global standing and ability to bring peace between nations by leading the “construction of a united Europe[an order] without dividing lines”. This institution-building activity would be pursued with a view to embracing the Union in a “civilizational community” that would prize the supremacy of the *existing* code of international law on the rules of war.

Since 1996, the Russian government had persistently voiced this idea of civilization in a grand narrative of “Multipolarity”. At the centre of this narrative was the concept of a “security model” for the twenty-first century that it was hoped would be realised in a broadly European context. The timing of the initial conception of this idea was significant. It was announced just weeks after a bill was passed in the American congress (the NATO Enlargement Facilitation Act) that would expedite the transition to full membership of all the countries in Central and Eastern Europe that wanted to be members of NATO. From this moment on, the question was not ‘whether’ the states of the old Soviet bloc would be admitted into NATO, but when, and where, exactly this process would end. The relentless logic of NATO’s Eastwards enlargement would, it was feared in Moscow, only terminate when NATO bordered Russia and perhaps even incorporated her.

The very foundations of the international legal order of the UN Charter with its commitment to ‘state sovereignty’, the inviolability of borders, the restraint on the use of force and its systematic philosophy of stable, and the boundaries of its inter-state relations of government were all under threat. Russia was, it was feared in Moscow, being ‘encircled’ in a way that shut her out of the *blizhnee narod* and destabilised her vast borders.

“Multipolarity” became the main foreign policy idea in Russia’s relations with the West under Yeltsin and it would continue to be elaborated under Putin. It is important not
to confuse ‘Multipolarity’ with ‘Multilateralism’. They sound the same, but from the Russian perspective they mean completely opposite things (Tysgankov 2009). Multipolarity is what neo-realists in IR theory have referred to, since the end of the Cold War, as a conception about the proper distribution of “power among the members of the state system” (Kegley and Raymond 1994, p.12). It is closely tied to thinking in international relations theory in the early 1990’s about how great power politics might shape up in the 21st Century.

There were three key assumptions to Russia’s realist idea of Multipolarity. First, that it would involve the recognition of ‘great power’ hierarchy of the contemporary international system. Russia was at the top, along with other members of the Security Council, and beneath this top tier were lesser powers. The prerequisite to joining this ‘civilizational community’ was that the participating powers recognised each other as already possessing the attributes of ‘great power’ status, which essentially meant territorial sovereignty. The second assumption was about membership. Russia was a leading ‘great power’. She had played a formative role in the creation of the contemporary international system. She was a member of the existing international legal-political order of collective security at the global (the UN) and at the regional (the OSCE) level. The EU did not have this membership status. The logic of this association is that Russia could include the EU into this international legal space. Or at least it could attempt to include this global other from a ‘civilizational community’ from which the Union had hitherto been excluded.

The last point draws attention to a theme that neo-realists in IR tend to ignore. There is a moral or normative component to this kind of international system or order-building project. “Multipolarity” has to be considered desirable for all its associates. It has to set out a ‘common goal’ that is appealing to all who are expected to make the journey to its ‘common destination’. In the early post-Cold War years, when this concept was being talked about from its potential to foster the conditions for a ‘Multipolar Peace’ (Kegley and Raymond 1994) the normative appeal of this order-building project seemed fairly self-evident. Multipolarity was better than the two most obvious alternatives, bipolarity and unipolarity.

Kenneth Waltz (1964) conceived of bipolarity in the 1950’s as the distribution of power in the international system between the two Cold War superpowers. With the Soviet Union gone, the prospect of a return to bipolarity seemed not only unrealistic, but also normatively undesirable. A return to a Cold War condition of war, with its division of
Europe, crippling rivalry in the UNSC, and the proxy wars in the Third World – nobody seriously wanted that. However, what most commentators expected, well before the events of 2003, was the emergence of a state system of Unipolarity with America as the unrivalled global superpower. The US would be able to overrule any other members of the international order. With no international legal checks and balances offering effective institutional restraints, America would act untamed by the ‘international community’. The international system itself would be completely ‘out of balance’ (Wolforth 2010).

Multipolarity was normatively attractive because it offered a post-Cold War strategic alternative to Unipolarity. It was the most explicitly equalising, and power-distributive of all the models for the international system that have been given serious consideration by scholars and policy analysts since the end of the Cold War. But it has not been without its critics. Conceivably, it was argued, the move to instigate a multipolar distribution of power could culminate in a renewed struggle for supremacy, characterised by great-power conflict and confrontation. Only with a strong commitment to binding international legal rules, particular on the restraint on the use of force, could this system be a source of stability.

That was the basic thinking behind Multipolarity in theory, and it is close to how Russia’s strategists thought about it too. When it was presented in 1996, “Multipolarity” was articulated as the key principle for a “new security system” that would be elaborated in a legally-based “European Security Charter”. A communiqué from the Russian Federation14 described this system as allowing for the: "coordination and allocation of functions between existing European and Euro-Atlantic institutions and structures," and a Security Council with "appropriate powers."

It was quite deliberately set out as a rival to what Yeltsin called, in 1999, the “NATO-centric model” of unipolarity. Russia, he complained, had never had any kind of recognition of its global right to participate as a member in this system. The ‘great power’ status that Russia felt it unquestionably had by being in global authority as a permanent member of the UNSC, and as a founding member of the Organisation for Security and Cooperation in Europe, was being completely ignored. This unipolar model threatened not just Russian security interests, but European and global security interests. The future stability of the universal collective security of ‘the empire of law’ was at stake.

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14 Russian Federation, ‘Memorandum on Devising a Common and Comprehensive Security Model for Europe for the Twenty-First Century,’ 21 March 1996
1.1.8. ‘Great Power Manquéé’: The Anti-Progressive Identity of a Realist ‘We’

Yeltin’s realist, moral argument for “Multipolarity” was that a more inclusive, less Western-centric system could link together European and global security interests in a way that would be desirable for all “civilized” states who had a stake in the durability of international institutions. But, of course, he primarily meant by that the Russian state. Through Russia’s global leadership within what was being called, since 1999, the multipolar space of ‘Greater Europe’ (Wagnusson 2008), this ‘great power’ balance between Russia and its Western neighbours would work to uphold widely shared and universal norms such as democracy, international cooperation and, most importantly, the UN charter’s code of positive international law.

As shall be argued in the next chapter, under Putin’s leadership, the appeal to “Multipolarity” aimed to achieve the same outcome that Yeltsin failed to achieve through the NATO-Russia Joint Council (1997-9). Essentially, the strategic intention was to institutionally bind a Western neighbour into a ‘civilizational community’ on the terms of this strategic grand narrative. This ambition would be pursued through an historic response to what was perceived as an expansionist, bellicose and revolutionary upheaval of the existing international legal-political order by the EU. To include the EU in this ‘civilizational community’ would, it was hoped, put the breaks on the EU’s plans for governing the “Neighbourhood”.

At its simplest, Russia would be attempting to do much the same thing as the EU through “strategic partnership” – privilege Russia’s own internal self-coherence and global power base. But it would do so expressly with reference to Russia’s constitutional model of governance as a ‘strong state’ and committed defender of the positive international law of the UN Charter and its systemic guarantees for securing closely binding bilateral associations ‘in-between’ civilized powers.

Just as 2003 marked the beginning of the EU’s quest to fulfil a strategic grand narrative, and its geopolitical implications for governing beyond its borders, so Russia’s response would re-ignite a quest to revive a ‘great-power’ managerial capacity and role in global political life in the 21st Century. Where this quest begins, alongside a Western European power, is where this ‘great power’ concern would be at its strongest, most institutionally creative, and most volatile.
As has been argued, this grand narrative about Russia’s leadership role in the creation of a mutually-binding security order harks back to the 19th Century for its inspiration. The long forgotten morality of this standard-of-civilization thinking was being actively revived by Russia. But it remained to be seen whether it had any place in the 21st Century. Perhaps, like all the language of Russia’s ‘great power’ status, it seemed curiously out-of-time; a rather plaintive attempt to revive the memory of past glories.

By looking back 200 years into its own glorious past, Russia was hoping to restore a state-centric ideal of the international legal order that, although still modernising, was on a very different modernising trajectory to that of her global neighbour to the West. The EU conceived of itself as a rising global power of the 21st Century, but not a ‘great power’. Here was a global ‘normative power’ that was unlike anything the world had seen before. Russia’s appeals to existing and pre-existing global ‘great power’ status were unlikely to mean very much to the policymakers in Brussels. Similarly, the arguments for the merits of 19th Century idealism of international law as the binding between civilized powers, would not mean very much from the neo-Kantian worldview in Brussels and its visions of globalising of ‘humanity’s law’ (Tietel 2011).

Russia’s policymakers may have assumed too much about what the EU might be willing to build in terms of a new regional order. But EU policymakers were, frankly, deluded in their thinking that the Russian government, still smarting from its experience with NATO in 1997-9, would not mind being a junior partner in a scheme of ‘humanitarian’ governance in a space that encircled her borders.

In concluding remarks on this responsive construction of Russian global identity, our analysis shall turn to Iver Neumann’s (2008) thoughtful considerations of Russia’s ‘great power’ status and its struggle to be recognised as a civilizing force. He has argued that Russia’s position on the wing of expanding, international society is her ‘great power’ predicament. Impinged upon by the modernising, progressive aspirations of Western powers, she - Russia is always referred to as the ‘mother’ of all powers - has responded by cultivating the tortured identity of the “great power manquée” (Neumann 2008, p.32). Defiantly non-Western, but desperately wanting the recognition of being a representative of pan-European civilization, as the truly great power that she thinks she is, and the deserving equal of any other; staunchly protective of her sovereign autonomy and territorial integrity, but always looking to “share in the management of the [international] system and to share a principle of legitimacy with other great powers” (Neumann 2008,
This is a very complex and contradicted realist identity of the ‘We’. This realist voice of ‘international community’ simultaneously extols Russia’s non-Western model of internal governance and Russia’s universal model of constitutional governance as two sides to the same global Russian self. In a quest to control and manage an encroaching, and seemingly disruptive expansion of international society, this appeal to “Multipolarity” would pull Russia into the communal embrace of the Union even though this would also mean bringing her closer to the humanitarian governance of the “Neighbourhood” and its ‘Western liberal hegemony’.

Despite all the rhetoric of peaceful intentions about ‘war prevention’, of upholding democracy and seeking international cooperation, there was more than hint of aggression in Russia’s insistence to ‘share in the management’ of collective security. This was the kind of communal aggression that comes from being partly or completely excluded from decision-making in Western-dominated institutional structures, and wanting to overcome this by establishing a more perfectly inclusive system. The main desire for this ‘Multipolar’ system was for Russia to be consulted on the most important question in global security affairs: what is a legitimate use of collective force? The only answer that has been presented, since 1996, has been to institutionalise its relationship on the basis of a realist collective identity that looks to contain Western projection of force, preventing any conflicts across Russia’s encircled borders. The old vision of international law that is appealed to here, with its aim to shore up state sovereignty and provide ‘procedural’ collective security through adherence to the rules of war, has been revived to meet its 21st Century equivalent (Mazower 2012, pp.378-406). But can any other global power, let alone the EU, really be expected to see this as being in ‘our’ security interests?

Russia’s predicament puts one in mind of what Oakehsott (1975) had to say about the identity of the individual manqué. As he wrote, this political persona: “no doubt...reflect(s) in some measure the common anxiety of one who finds himself saddled with the unsought and inescapable ‘freedom’ of human agency and is hesitant about being able to respond; but he is a historic and derivative character, the victim not only of the dissolution of familiar beliefs and relationships but also of another’s more lively response to this dissolution. And hidden in his character [is] a small seed of
resentment” (Oakeshott 1975, p.277).

The EU is from a Kantian world of regional governance that Gorbachev embraced, as have humanitarian reformists, ever since. These radical cosmopolitans have the sense that the future was definitely on their side. Yeltsin’s later Presidency and, more importantly, Putin’s first term as the President of Russia, emerged from a Rousseauean world that looked to restore a past model of international order that would universalise Russian ideas about blizhnee narod and derzhnavnost. But these ideas have been hard enough to translate into English. How could they form the multipolar basis for a shared system of governance?

The disjuncture in-between Russia’s realist ideas for “civilizational community” and what the rest of the world might be ready to accept, explains why Russia’s global self has tended act in a radically defensive and ‘self-determinedly’ tragic manner. This great power has a grudge. Deeply misunderstood and ignored by the West, this is the global identity that was described by Iver Neumann (2008, p.32) as the “great power manqué".

1.2. The ‘Double Transition’ of Regional Governance

“The positing of the totality requires the double transition, not only of one determinateness into its other, but equally the transition of this other, its return, into the first.”

G.W. Hegel, The Science of Logic (emphasis added)

This section moves beyond history, to present an argument about the ‘in-between’ logic of the collective agency to the two movements in regional governance outlined above. The argument advanced here is this governance dynamic can be interpreted through an evaluation of an overlapping political communities of a ‘double transition’ in the EU-Russia relationship.

Put simply, a ‘double transition’ means a mutual, joint and reciprocal mediation (Williams 2007, Hegel 2010) in which the principles of both of the agents in a
relationship sublimate and combine in the creation of a new, systemic whole. The key to understanding this kind of systematising transition, Hegel notes, is that: “it is only through this double movement that the difference [of each agent] gets its due...[as] this totality works out its unity with the other” (2010, p. 241).

This double movement requires a felt-contradiction of the differences between the agents it involves. Without this initial perception of difference, there can be no transition and no dynamically evolving relationship. Each self-determined agent is engaged in a struggle to overcome this contradiction; to transcend the polarised ‘either/or’ of their political association. They hope to achieve this through the eventual realisation of a mutual recognition that is notably absent at the beginning. This desire for recognition draws them together. But it also explains why each position in this relationship is irrefutable.

The initial, absolute difference of external identities of these agents discloses the contradiction of this relationship. As Hegel writes, this felt contradiction: “is the root of all movement and vitality; it is only insofar as something has a contradiction within it that it moves, has a drive and activity” (2010, p. 439).

Double transition evolves from an initial, contradictory encounter of these self-determined exteriorisations. The subsequent constitution of the relation between these agents and their substantive principles of political community is one in which the ‘difference [of each self-determination] gets its due’. The whole point (quite literally) of Hegel’s logical argument is to emphasise that one-sidedness, the domination of one determinate identity and thus one political community, is prevented in the double transition of one agent’s terms into the other’s. As he writes, this relation must be two-sided and reciprocal, because: “a one-sided relation is no relation at all” (quoted in Williams 2007, p. 41).

The first transition, he says, yields the implicit but one-sided identity of both principles of the agents. This ‘constitutional moment’ recognises the difference of the two agents and provides the relationship with an institutional reality. Nevertheless, by the two-sided logic of the ‘double transition’ this moment has to privilege one of the parties over the other (in this case Russia over the EU). The second transition corrects this one-sidedness in articulating a difference that moves beyond this ‘constitutional moment’; thereby privileging the terms of the other agent, the initiator of this transition (in this case the EU). This second transition is necessarily destructive of the closed system
that is constituted in the first transition.

There are two possible ways of interpreting the destructive outcome of a double transition, as Hegel imagines them. One scenario imagines that in the event of destruction both parties have stopped their struggle for recognition, short of death. They have managed to retain their identities and their principles, but have given up on the possibility of achieving mutual recognition. The other scenario, more widely known, is that one party kills the other. In both cases, the contradiction that set this double transition in motion remains unresolved. If there is an ultimate victor, this agent will go on to the next mortal conflict to once again test their powers of collective mastery. In the inconclusive scenario, of a ‘peace without winning’ (Urban 1949, p.4), the relationship remains frozen in contradiction. Exhausted, the agents have abandoned their struggle. But their relationship is – and this is the tragic voice of Hegel – ultimately doomed to failure. The contradiction that appears at the beginning of this association remains unreconciled. And the struggle of these agents is destined to flare up again in the future.

There are many critiques of Hegel’s logic. Most of them repeat a very similar argument. He affirms the absolute objectivity of thought in a way that privileges identity over difference. For Lyotard, Hegel is the prime exponent of the grand narrative form (Browling 2000, pp. 106-127). His systemic, logical philosophy is the “distillation of speculative modernity...[that] totalises all grand narratives” (cited in Browling 2000, p.112). In privileging forms of ethical community (the corporate totality of the ‘state’) over individual freedom (the difference of the related agents) he is an apologist for forms of totalitarianism. It is a simplistic reading that does a great disservice to his thought. Hegel does not actually advocate the reduction of all otherness to monistic or totalitarian identities. But his logic of ‘double transition’ can show how this might happen, and where it might lead. As one political theorist writes, though the recourse to “grand narration [as] the collective form of human self-consciousness” (Bernstein 1991, p.120).

The point being that it is the quest for self-consciousness in its most absolute, most determined sense that gives the ‘double transition’ its logos. The development of the kind of a supra-human subject that can direct the course of human affairs are identities that can form not from necessary development of the course of modern history, but purely from the contingent encounters of self-conscious agents with an uncompromising mentality.
Where Hegel (2010) is most open to critique is from a narratological perspective. His tragic ‘sense of an ending’ to a double transition is the grand narrative of grand narratives. In a similar way to how Lyotard has been critiqued in the introduction to this thesis (and far more impressively in Browling 2000) for his tendency to present a sweeping, absolutising account of grand narratives as a problem of modernity, as such: here we have Hegel’s attempt to insist on the repetition of a narratable struggle of ‘double transition’ when the only narratable conclusion – in the situation where there is no victor – is open ended. It is not possible to know what is going to happen next. It all depends on the agents in the relationship.

Hegel’s (2010) logic of ‘double transition’ - if not his tragic conclusions - has significant implications for narrative, agency-centred investigations of international relations in general, and global relationships of the contemporary UN era in particular. In the double transition, there is always a dissolving of the mutual externality of the agents. They move closer together in their co-constitutive communal embrace. The political space at the middle of their relationship is jointly and reciprocally institutionalised from and by both sides. This in-between political space is, as has been suggested above, a space of the international legal order of the UN Charter. It is in this space where, in this example, the global dispute of collective security plays out.

Of the two scenarios that Hegel depicts about the ‘life and death struggle’ of a relationship, only one concerns us here. The EU and Russia are – at the time of writing! – still in political existence. Almost five years after the most dramatic event in their relationship, they remain unavoidably side-by-side, two global powers in continental proximity. The event of conflict in the political space between these parties did not result in a victory for either side. This was not a conflict waged by one agent against the other. It was a conflict of the political space ‘in-between’, the product of the transition in contradictory modes of regional governance in this relationship. The agents themselves have still not understood this conflict. They have not mutually recognised, or faced up to, the existence of the irrefutable differences in their grand narratives at any point. Not at the narratable beginning of this relationship in 2003-4, as just discussed. Not in the narratable middle of this double transition, to be covered in the next two chapters. Not at the narratable end of this double transition when the destructive implications can be fully visible; as will be discussed in the fourth and final chapter.

The grand narrative differences that ‘drive this activity’ remain a mystery throughout this global relationship. Their discord of otherness is experienced, but this
experience has lacked what Hegel - scholar, and critic - William Desmond, describe as a moment of plural inter-mediation where each side fully acknowledges their self-determined differences as destabilising for ‘our’ relationship (1995, p. xiv).

Without this civil eventuality, the logic of transition proceeds by: “the doubleness of the self and the other …not [being] fully recognised as the basis of a togetherness that is irreducibly plural”. The consistently inconsistent character of this uncivil association moves in-between the extremes of the collective self-determination of each agent where each “includes a reference to what is other, but also always ends by including that other as a subordinate moment within a more encompassing self (determined) whole” (Hegel 2010, p.32). At each extreme, there is an absolute position where the collective ‘we’ is determined by the will and desire of one subordinating ‘self’. Instead of the realisation of a ‘togetherness that is irreducibly plural’, in the uncivil eventum of this relationship there is only a togetherness that is subordinately plural. This subordination renders the middle of this relationship a site of overlapping movements that is accompanied with the collective denial of the individual freedom of one agent, and then the other, with the most unfortunate results awaiting those caught in the middle.

1.2.1. Transition of Dual Universitas: The Logic of Enterprise Associations

“Enterprise association” writes Michael Oakeshott (1975, p.317), is a mode of governing “in which agents are joined in seeking to procure the satisfaction of a chosen common want or to promote a common interest.” Such associates may compose themselves into, “a fellowship, a guild, a society, a party, a league, an alliance or a community” (emphasis added). They have “a common purpose to the pursuit of which each associate undertakes to devote…his time, energy, means, skill and so on…The engagement occupies time, it is a call upon resources, it looks to a future, it is inherently terminable and may terminate with the achievement of its purpose or the dissolution of the association” (Oakeshott 1983, pp.122-3).

What defines an enterprise association more than any particular claim to common purpose is that it is a political movement that corresponds to the totalising ‘corporate aggregate’ identity of a universitas. Members in an enterprise association demand a form of government that can guarantee themselves and others a collective salvation from the burdens of individuality. This state-like order is most frequently found
during times of war amid the weakening of established and comforting bonds of political community. In events of wartime disruption, advocates of enterprise association are likely to be at their most active and vociferous, championing the virtues of equality and solidarity as the inter-subjective “freedom(s) of…warm, compensated servility” (Oakeshott 1975, p.317).

As noted in the Introduction (1.2), Oakeshott (1975) is keen to distinguish this collectivist mode of political association from its individuating counterpart, the mode of political association that is tied together by little else than the loyalty of affection and conduct; of a pluralistic respect for inter-subjective freedom. He sees these sharply contrasting modes of relationship in terms of antinomies, a politics of collectivism and a politics of individualism, of teleocratic goals of policy and the nomocratic regard for the rule of law, of the political association of “pilgrims travelling to a common destination” and the political association of “adventurers each responding the best he can to the ordeal of consciousness” (Oakeshott 1975, p.243). All are variations on the same theme. These two modes of association are the embodiment of the polarized consciousness of the modern political experience. They are polarized because they are not mutually supportive. Indeed, they are fundamentally opposed and ultimately irreconciliable.

What Oakeshott (1975) is saying is that there is no option, when recognising the existence of these two alternatives, to make a choice between them, for one and against the other. He is unequivocal about which of the two he prefers. “No European alive to his inheritance of moral understanding has ever found it possible to deny the superior desirability of civil association without a profound feeling of guilt” (Oakeshott 1975, p.321).

However, in this relationship case-study of global ‘sweet enemies’ the polarized self-consciousness that is being described is not between enterprise and civil associations, but between two globally self-determined modes of enterprise association. These modes uphold global teleocratic goals that are not mutually supportive. But they are, nevertheless, mutually inclusive. In Hegelian terms, they explain the ‘double transition’ of a dual universitas in regional governance.

Each pole of this dual universitas is the regional governance nemesis of the other. To achieve the regional governance of Russia’s “Multipolarity” will require the subordination of the progressive goals for collective security advanced through the EU’s
“Neighbourhood” project. As noted above, Russia’s realist response was to make a comprehensive demand for a constitutional settlement on collective security not on the EU’s humanitarian terms, but on the universal terms of positive international law within the UN Charter system. Why, you might ask, would the EU accept this subordination? The answer to this question comes in the next chapter. Safe to say that this was a constitutional moment borne of expediency. And what has been made in haste, can be overturned just a quickly. For the EU to realise its progressive goals of governing the “Neighbourhood” in a way that keeps to the European strategic plan for collective security then the relationship has to move on from here. As covered in Chapter Three, emerging circumstances from 2005 were understood, from the EU’s perspective, as necessitating a preventive humanitarian engagement that would terminate this constitutional settlement with Russia.

So much for the EU’s felt-need to get beyond “Multipolarity”, but why, you might ask, would Russia go along with this? After all the Russian government was quick in 2003 to declare it wanted nothing to do with this EU-scheme, and wished to exclude out. Without giving too much away at this stage, the simplest answer is that Russia was struggling not just against the EU, but against the UN bureaucracy, and the whole progressive tide of liberal politics.

For this global relationship to go through its complete eventum then both of these movements of ‘double transition’ in regional governance will have to be realised, by both the participating agents. The EU will have to become included in Russia’s political community of “Multipolarity”, and Russia will have to become included in the EU’s political community of “Neighbourhood”. Arriving at each ‘common destination’ in regional governance is the teleocratic requirement for the completion of this global relationship.

1.2.2. “Multipolarity” – “Neighbourhood”: The Plural Conflict of ‘Civilizational Communities’

Picking up on the logical argument from the previous section, the idea here is to present a logical argument about the inherent incompatibilities of regional governance in the EU-Russia relationship that clarifies what has been referred to rather loosely throughout as realist and liberal ‘civilizational communities’.
In an excellent tour d’ horizon of civilizational analysis in world politics, Peter Katzenstein (2010) sets out an important distinction between two political ontologies about how one can interpret and frames this kind of analysis. “In one view, civilizations are like states and other political communities that exist by virtue of a pre-existing consensus on core values. In the other, civilizations are marked by traditions, processes and practices that are mobilised discursively to create socially significant boundaries. For one, civilizational actors derive from objective demarcations of sociocultural space. For the other, civilizational actors are the result of intersubjective understandings that are produced discursively” (Katzenstein 2010, pp. 6-7).

He goes on to argue that the problem with Huntington’s Clash of Civilizations thesis is that it is ontologically of the first, actor-oriented, dispositional kind of analysis. It treats civilizations as-if they are ‘like states and other political communities that exist by virtue of a pre-existing consensus on core values’. As a result, it interprets the emergence of plural civilizations in the post-Cold War international order as tending, ineluctably, towards a clash of culturally coherent, territorially bounded, political communities. It is on the basis of this interstate logical argument that Huntington makes his bold claim that the major conflicts of the 21st Century are going to occur between civilizations: when what he means by civilizations is the bounded collectives of supra nation-states.

Katzenstein (2010) presents an alternative logic of identity that assumes civilizations are not state-like, bounded wholes that move along just one horizontal plain of the between. They are, according to his theory, supra-national institutional forms that are constantly coming in an out of existence in encounters of global political discourse. With this discursive framing, he aims to shift the emphasis away from the interstate idea of the violent coming together of civilizations towards an understanding of the contingent possibilities that arise from the intertwining plurality of civilisations. This plurality may turn violent, he suggests, but this is not the only possible outcome. “The significant insight that [Huntington] missed was the key importance of the internal pluralism of civilizational constellations”. By understanding civilizations as the inter-subjective construction of discursive encounters in global politics, the question of conflict in the encounter of civilizations moves into the interior middle. As he writes, if: “violent clashes happen [they happen] for the most part within rather than between civilizations” (Katzenstein 2010, p.7).
What is not clear is why Katzenstein (2010) thinks these two framings of civilizational analysis cannot be combined. Indeed, the very way he sets up his entire logical argument, as ‘going beyond Huntington’, implies a Hegelian ‘double transition’ of dissensus that blurs the boundaries between A and non-A. Rather than the A of a collision of consensually unified, state-like entities with clearly demarcated inside/outside boundaries, we get the non-A, a picture of disruptive crossing points and contested fragmentation within bounded spaces.

It is the non-A picture that has also been presented here. However, it has presented from the understanding that civilizations are dispositional and ‘exist by virtue of a pre-existing consensus on core values’. This consensus is itself a contingent discursive creation, the product of global self-regarding, grand narratives of collective security that will have direct implications for the ordering of international legal spaces. These self-determined dispositions seek to establish the supreme authority of collective security rules for the governing of most, but not all, nation-states within their orbit. The form these civilizations take is as all-embracing political communities that are the extension of the collective ‘We’ determining identities of both the agents in this relationship.

Everything about this Hegelian argument of ‘double transition’ has emphasised the two-sided, in-between plural conflict of this encounter of civilizations. The political theorist Richard Bellamy (2002, p.8) writes that, “plural conflicts possess a singularly intractable character.” Typically they involve the “clash of incommensurable values….from more than one source” (Bellamy 2002, p.9). This means a clash of values that are neither better nor equal to any other. They are equally authoritative in their own right, or within their own moral sphere. But there is no overall locus of authority that can satisfactorily adjudicate between them. There is no greatest global ‘common good’, no grand narrative of grand narratives, no community of communities, to which all human projects should contribute or tend, and against which they might be evaluated. Nor is there any higher ‘global’ rule of law or global institution that might present a neutral meeting ground or moral language of plural inter-mediation. However, it is important to be clear - the ultimate concern and legal indeterminacy of incommensurable values is not, in itself, a source of conflict. As Richard Bellamy (2002, p.9) writes, “incommensurability only becomes problematic when linked to either logical or practical incompatibility, so that choosing some good or value partially or totally excludes others”.

Global ‘Sweet Enemies’
The logic to the plural conflict of ‘civilizational communities’ set out here is that the transition in-between these two communities will be globally exclusionary of the values of the other in an overlapping and hierarchical sequence of regional governance. This change in regional governance – it has been surmised – will involve: a) the discursive clash of incompatible “Multipolarity” and “Neighbourhood” values of collective security in-between the EU and Russia; b) the progressive imposition of humanitarian governance that will fragment the international legal space constituted in the first transition; c) the termination of the collective ‘We’ of a “strategic partnership”.

1.2.3. Realist – Liberal Movements: The Teleocratic Character(s) of “Strategic Partnership”

This chapter has explained the origins of the EU-Russia “strategic partnership” and its overlapping logic of regional governance. The realist and liberal tendencies that have been surveyed disclose the Janus-faced quality to the collective agency of this relationship and its interlocking movements of “strategic partnership”.

To quote Michael Oakeshott (1975, p.203) these are: “persons associated in a manner such as to constitute them a natural person, a partnership of persons which is itself a person;…an association of intelligent agents who recognise themselves to be engaged upon the joint enterprise of seeking the satisfaction of some common substantive want…Government here may be said to be teleocratic, the management of a purposive concern.”

The management of this purposive concern is tricky when it is understood from two very different teleocratic angles of vision, from two very different worldviews of what a “strategic partnership” entails and how its institutionalised governance structure ought to determine the ultimate goal of collectively securing the regional order in-between borders. Like the characters in a Platonic dialogue, the agents in this relationship advance the embodiment of a general idea, and their encounter proceeds by a refutation of the other’s claim by demonstrating the meaningfulness of its opposite. This relationship dynamic proceeds by sequential reasoning and alternating rejoinders, an interaction that is always transitioning to the other. Neither participant stands still. Nor do they keep quiet. They always speak to and from the other. But the trouble is that neither agent is really listening. They are both totally self-regarding.
It is this in-between teleocratic character of regional governance that the rest of this dissertation will focus on. The ancient Greek term for “character” is proposon, which means “mask”, a facial appearance that is worn and assumed by an actor in order to represent a character. The point about the characters in a Platonic dialogue is that these ‘masks’ of dialogical identity do not stay in place. They are in mutual reliance, contingent on something like a ‘double transition’ in-between the interlocutors.

To follow the characters in this global relationship as they come together and overlap is to understand how opposing, realist-liberal extremes of collective security blend into each other in the enveloping movement of a regional governance transition. This transitional ‘in-between’ comprises teleocratic character(s) that mutually implicate and overrule each other. Neither the realist ‘we’ nor the liberal ‘we’ is capable of sustaining the collective goals of regional governance. The ‘security dilemma’ to this global relationship can only be fully understood by following the mutually refuting positions of this “permanent dialogue” (Hoffman 1965, p.86).
"The gravest and most painful testimony of the modern world, the one that possibly gathers together all other testimonies which this epoch finds itself charged with assuming, by virtue of who knows what decree or necessity [for we bear witness also to the exhaustion of thinking by way of History], is the testimony of the dissolution, the dislocation, or the conflagration of community."

Jean Luc Nancy, *The Inoperative Community*
Chapter 2. Necessary Partners: The Transition of Russia–EU Governance

2.1. The ‘Border Politics’ of Russia-EU Governance
    *Pessimistic Self-Determination: The Border Politics of “Multipolarity”*

2.2. The ‘Multipolar Constitution’ of “Common Spaces”
    *After Constitutional Finalité?*
    *Finalité of “Common Spaces”: The Constitutional Event of “Multipolarity”*

2.3. The Constitutional Transition of Regional Governance
    *Treaty of “Multipolarity”: The Juridical Consensus of Regional Governance*

2.4. The Weak Cooperation of a New ‘Holy Alliance’
When NATO bypassed the Security Council in 1999, it undermined Russia’s global authority in a way that shocked policymakers in Moscow (Averre 2009). The expectation in the Kremlin was the war in Kosovo had set a worrying ‘precedent’ (see 1.1.6.). From here on in, Russia’s participation in global politics was expected to be a constant struggle, primarily against the humanitarian expansion of Western-led political organisations.

The Russian government saw NATO’s humanitarian intervention as a world-changing event; the beginning of an anarchical challenge to existing international institutions, the rule of international law and evolved patterns of governance in global politics (see 1.1.6 – 8). This event also signalled the replacement of what had already been an uncomfortable post-Cold War relationship between Russia and the West with something even less desirable. At his inaugural address in 1999, President Putin spoke of the “negative tendencies” that were shaping the world at the outset of the new millennium. He insisted that Russia had to be ready to act in anticipation of the challenges that came her way.

This chapter is about Russia’s anticipatory response to these external challenges of the 21st Century, especially the prospect of the rise of Western liberal hegemony (Morozov 2010) from within the institutions of European and global security. The narratological focus of this chapter is organised around understanding Russia’s pursuit of “Multipolarity” as a way of restoring an idealised vision of collective security in the 21st Century.

All the developments detailed in this chapter are predicated on this grand strategic intention of “Multipolarity”. References are made throughout to the unifying discourse of this grand narrative (see I.2) for how it explains a realist desire for a ‘civilizational community’ (see 1.2.2) based on neo-Roussean thinking about necessity to contractually

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15 Speech of President Putin, cited in White, Stephen (2006) “Russia: Diminished Power”, in Rick Fawn and Raymond Hinnebusch, eds. The Iraq War: Causes and Consequences. Boulder, Colorado, US: Lynne Rienner Publishers Inc., 2006, p.73. The same phrase was included in the first strategic document on foreign policy during his Presidency: “The international situation that has taken shape by the beginning of the XXI century has required re-evaluation of the overall situation around the Russian Federation, of the priorities of Russian foreign policy and the possibilities of ensuring it with resources. Along with certain strengthening of the international positions of the Russian Federation, negative tendencies are in evidence as well.” This is an extract from The Foreign Policy Concept of the Russian Federation (2000), available online in English: http://www.fas.org/nuke/guide/russia/doctrine/econcept.htm [last accessed 15th August 2013].
bind with external aggressors as a form of interstate defence (see I.3.1). This desire to defend the Russian state supports a regional governance activity of a ‘balance of power’ that is pursued in pessimistic anticipation of the unrestrained and uncivilized use of force that will directly impact on Russia’s border.

For policymakers in the Kremlin, the civilized aim of foreign policy from 1996 was to secure an inclusive and stable ‘balance of power’ with Russia’s global neighbours as part of a plan to restore the foundations of what Foreign minister, Ivanov described as a: “multipolar world based on the strict observance to the UN Charter and the primacy of international law”16 (see 1.1.6 – 1.1.8). The pessimistic expectation about the future intentions of Western powers – in particular – to depart from this ‘strict observance to the UN Charter’ and a civilizational understanding about the supremacy of international law provided all the justification needed for a governance project that sought to keep Russia’s most assertive global neighbour (the EU) in check.

The border politics (Vaughan-Williams 2009) of this regional governance project began during the Yeltsin administration after the anger and disappointment of the failure of the ‘strategic partnership’ with NATO in the mid to late 90’s (see especially Pouillot 2009). But it would be during Putin’s first term that this project really took shape. Domestically, Putin’s strategic agenda would be overshadowed by the second war in Chechyna. Internationally, the Anglo-American war in Iraq in 2003 followed by the EU and NATO’s proposed Eastern enlargements (see 1.1.1 – 1.1.4) made for a wartime situation that was expected to place ever-increasing strain on Russia’s already unstable borderlands.

Putin would push “Multipolarity” harder and with a far clearer regional governance commitment than had been the case under the Yeltsin administration (Isakova 2005). The global unpopularity of the war in Iraq and the discontent among its opponents in the Security Council (see I.1.) engendered a climate of opinion that would incline both of Russia’s global neighbours towards this realist idea of cooperation. China, a fellow permanent member in the Security Council, and a global power with a similar history of

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wariness towards the West (Treadgold 1973) would go on to support Putin’s efforts in strengthening the ‘multipolar’ foundations of a regional security order that included the nation-states of Central Asia.\footnote{This is a theme that deserves more research. This footnote is indicative of a trend that this author has observed. It lacks references. But these will be filled out as part of an effort to turn this brief ‘thinkpiece’ into a research proposal for ‘visiting researcher’ applications to institutes in Bishkek, Moscow, Tartu and Helsinki in the coming months. An examination of the institutionalised connections in-between the EU-Russia and the Russia-China ‘strategic partnerships’ intimated above has the potential to provide a much clearer picture on the European – Asian balancing act that remade the a regional security order from 2003-8, with Russia at the centre and ‘Multipolarity’ as the teleocratic, operative principle. The history that is traced in this chapter focuses entirely on the European side of this balancing act. However, the indications are that this Russia-led effort of stabilising her Western border was continued through to the eve of the war in Georgia with the signing of a border stability pact with China in early August 2008. In the same way that Russia’s regional order treaty with the EU seems to have swung the balance of power in Russia’s favour on European side of the Eurasian steppe, the agreement with China seems to have reversed the Sino-centric terms of the Shanghai Cooperation Organisation of 2001 with an agreement that was far more in Russia’s favour. Of course, as the next two chapters outline, Russia’s ‘constitutional moment’ of supremacy in Eurasian security came with a violent cost. The proposal for further research would explore the ‘strategic triangle’ in regional order-building that links the EU, Russia and China in the political constitution of a New ‘Holy Alliance’.}

The main historical argument in this chapter is that what would become the most significant, realist governance project of the early 21\textsuperscript{st} Century – with profound implications for security and economic cooperation right across the Eurasian landmass – began on the periphery of an enlarging European Union. This chapter presents the story of the geo-strategic origins of this regional security order. It concentrates on how and why Russia’s strategic appeal to “Multipolarity” underpinned the constitution of this order with the EU as an extra-territorial jurisdiction of ‘necessary partners’.

The creation of a jointly governed regional area in-between Russia’s and the EU’s borders is, it is argued, the most important outcome of the “Common Spaces” treaty negotiated from May 2003 to October 2005. The “Common Spaces” is interpreted, here, as regional order treaty that is consistent with the positive legal framework of the United Nations charter. Its creation through a realist association in-between Russia and the EU provided a geopolitical defence of the existing collective security rules, norms and institutions of the UN Charter system at this regional level.

The composition of a joint Russia-EU political authority of “Permanent Partnership” tasked with governing “Common Spaces” was hailed, in Moscow, as an event that successfully restored civilized cooperation in-between Russia and the West after the crisis over Iraq. But, as we shall discover, the basis of this restoration was a remarkably weak juridical consensus.
The reason the “Common Spaces” treaty was so inherently weak, it is argued, is due to one-sided character of its constitution. The constitutional process of “Common Spaces” was entirely contingent on a predetermined commitment to a strategic idea (Multipolarity) that had developed entirely within Russian policy-making circles as a way to try to bring order where there was disorder. This strategic idea and its imperative to restore order in the inter-state system did not mean a great deal to elites in Brussels. But the most important reason why this regional order was weak is the relationship logic of its association. “Multipolarity” was deliberately pushed as a foundation of this order at the expense of the Union’s progressive and humanitarian commitment to the “Neighbourhood”. As noted earlier, this realist governance idea and its collective security agenda was, in every sense, the nemesis of the EU’s (see 1.1.5).

The following discussion about this realist association of regional governance is in three parts. Part one explains Russia’s geostrategic aspirations for “Multipolarity”. The general idea of this strategy is set out in terms of a political association that aims to bring Russia’s global neighbours, primarily the Union (but also China), into a border pact for the global common good of collective security. This ‘good’ is of course seen entirely from Russia’s statist, or realist, worldview about the common purpose (the teleocratic goal) of political association in the 21st Century. The wartime aim was to secure Russia’s ‘state sovereignty’ at the crossing-points with her ambitious and expansive global neighbours, i.e. at the borders with the EU and China. Part two explains the significance of “Multipolarity” as a teleocratic principle of ‘finalité’ (Castiglione 2007, Walker 2007) in the constitutionalism of the “Common Spaces” treaty with the EU. The argument is that this political constitutionalism (Bellamy 2007) brought the EU and Russia together as the joint authorities in the governing of a regional domain in-between their borders. Part three offers an historical critique of this entire, Russia-led transition in regional governance. It is argued that Russia’s quest to secure a regional order with the EU involved a practice of institutionalised cooperation that amounted to ‘regional containment’. The critique is that this enterprise suffers from a familiar weakness of regional cooperation. In this schema, regional cooperation is the means to institutional subordination. Cooperation is not sought as a way of negotiating co-existence with others (Sennett 2012), but as way to impose the collective will of one political community over and above that of another. Not only does this make a meaningful commitment to regional cooperation highly unlikely from the particular global other which has been
contained by this political order; but it also makes the emancipatory movement of this global other’s humanitarian project - precisely what this political order looks to suppress - immediately more radical and closer than ever to Russia’s border. The concluding remarks in this chapter reflect on this teleocratic predicament to Russia’s regional governance project of “Multipolarity”. These last words connect back into the discussion in the previous chapter about the problem of Russia’s global identity as the ‘great power manquéé’ (see 1.1.5).
2.1. The ‘Border Politics’ of Russia-EU Governance

In *Border Politics* (2009) Nick Vaughan-Williams presents an elegant theoretical inquiry into how and why the border is being reconfigured in the 21st Century. He argues that borders are becoming far less easy to place. The idea in this section is to provide the context for understanding Russia’s border politics in the contemporary era of the United Nations and, especially, against the backdrop of Western-led wars.

Russia’s state border during the early noughties was in restless flux (Trenin and Malashenko 2004). Internally, this was the due to the political violence in the Northern Caucuses. Externally, Russia’s state line was being impinged by what was an increasingly globally assertive China to the East. But it was the intentions of the global powers from the West that most concerned Moscow. The EU’s Eastern enlargement would bring the blurred borders of a neo-medieval global polity (Rengger 2000, Zielonka 2006) right up to the edge of Russia’s Baltic state frontier. The EU’s extra-Enlargement plans for governing the “Neighbourhood” projected a commonweal of liberal governance conditionality along Russia’s Southern state frontier, taking in Belarus, the Ukraine, Moldova, Georgia and Azerbaijan (see 1.1.3). Russia was effectively being flanked to the West and South by the EU’s liberal geopolitics.

Locating where the border is in-between these neighbouring global powers is far from easy. During this period, the EU was constantly expanding beyond its European domestic jurisdiction while Russia was waging an unfinished war with a separatist group within its Russian domestic jurisdiction. It is precisely the uncertainty about where this border lies - and therefore where one global power’s jurisdiction ends and the others begins - that explains the character of the ‘border politics’ discussed in this chapter.

The general assumption in globalisation and governance literature is that the world is moving to a borderless age of interdependence. In other words, borders are becoming less and less relevant. Vaughan-Williams (2009) argues that quite the reverse is going on. Borders are becoming more important than ever in global politics. What is changing is where we look to find these borders. The conventional, modern understanding of the border as an external, interstate, and international demarcation is under siege. The inside/outside logic is supposed to make a modern state border a legally and politically transparent dividing line that clarifies where one government’s authority begins and a neighbouring government’s authority ends. If things ever were
ever so simple at the border of a modern state, they certainly are not that straightforward in the 21st Century. The borders that exist on a map of a standard political map of the world are facing multiple global challenges. Cross-border flows of goods and people are the well-documented aspect of an intensifying age of economic globalisation. What is less well understood is that, since 9/11, this economic pressure has been coupled with the military-security pressure of what Carol Galli (2010) describes as the current age of global conflict. This conflict is being waged within the global political community of the United Nations. Its spatio-temporal disjunctions are being felt on either side of every state border that is a recognised member in this ‘common global home’ (see 1.1.1).

The key question in the 21st Century is not, do state borders still matter, but where are the state borders that matter? The argument that is advanced here is that they exist within an all-pervasive global political space of the United Nations. As Vaughn-Williams suggests (2009), the borders in this global space do what borders have always done. They have an important, constitutive role in framing the jurisdictional inside and outside of political orders. But where this inside / outside demarcation is drawn is not, for example, where an enlarging EU is about to meet Russia at Estonia, or in Russia’s exclave oblast of Kaliningrad, or at any point along Russia’s Southern border where it meets the planned EU buffer zone of “Neighbourhood”. Each of these crossing-points is a strategically sensitive location on this border and a potential flashpoint in a global conflict in-between Russia’s realism and the agents of Western liberalism. It is precisely these sort of ‘negative tendencies’ that Putin’s administration wanted to nullify through a realist grand strategy of “Multipolarity”.

Contrary to many criticisms of Putin’s presidency, Russia has never wanted a new Cold War (Lucas 2008), or a confrontation with the EU, the United States or any other political representative of the West (Averre 2009). What this administration wanted - more than anything - was to prevent a potential conflict with the West and the further instability this would bring to Russia’s international border. Russia’s strategy of global conflict prevention would take very seriously the UN Charter’s commitment to ‘state sovereignty’ and all this entailed about preserving territorial integrity and insuring the legal existence and equality of all states under the ‘supremacy of international law’. Russia would take it upon herself as the agency of global ‘great power’ to defend that supremacy in association with the EU. The alternative was considered strategically unthinkable. To just allow this global conflict to happen would endanger Russia’s juridical-political existence. A global relationship with the EU was self-understood from this realist worldview as a fundamental necessity. Lurking behind this grand strategy
was, however, a ‘great power’ protest against insignificance in global politics. Pursuing the goal of “Multipolarity” would help to bolster Russia’s fragile sense of agency, and give the Putin administration a sense of purpose on the world stage.

According to the Russianist and historian of political thought, Johnathan Haslam (2002), the necessity to this kind of realist position is contingent on the historical experience of war. The wartime necessity of realist statecraft has its roots in “the belief that, where international relations are concerned, the interests of the state should predominate over all other interests and values. For it is plain to see that an alternative view has periodically prevailed, not least in the mind of our predecessors reflecting on the conduct of foreign policy” (Haslam 2002, p.17).

Who ‘our predecessors’ are, Haslam does not specify. But the articulation of this grand strategic narrative of realist thought is always a response. Not just to an experience of war, but to a challenge to the supremacy of what Haslam calls ‘reasons of state’ (2002, pp. 17-88). This is a strategic way of thinking about foreign policy that has “turned on assumptions about the origins of the drive to war”. Assumptions that have in turn sought to legitimise the “security of the community within state frontiers” (Haslam 2002, p.17). When Haslam says ‘frontiers’, what he ought to have said was ‘borders’. Only non-state polities that present the universalist alternative to the modern state have frontiers. The EU, for example, has typically been defined by its external ‘frontiers’ (Anderson and Bort 2001), whereas ‘borders’ frame the modern Russian state. But on much else, Haslam’s (2002) study is excellent for clarifying the kind of defensive relationship that a realist agent looks for with a universalising and unbordered neighbour.

This relationship can be best understood by a focus on border politics because the border sets the limits to the realist ability to manage and control the outside / inside of a juridical-political order. In this context, this outside is the global space that is beyond Russia’s state border and, by extension, potentially inside of the EU’s Eastern frontier. The argument that develops over the rest of this chapter looks to emphasise: a) the realist reasons for Russia’s border politics of “Multipolarity”; b) the constituting effect of this teleocratic politics had on the regional order of “Common Spaces”; c) and the associational limits of this institutional arrangement in regional governance for securing a political community at the point where Russia’s border meets the EU’s Eastern frontier. As Johnathan Haslam writes, the fundamentalist belief in the necessity of realist politics is that it can and should deal with the “universalist disposition to conflict” (p.17) that comes from a progressive, outside source.
2.1.1. Pessimistic Self-Determination: Russia’s ‘Border Politics’ of “Multipolarity”

Several observers on Russian foreign policy have been drawn to comment on the language of pessimism in the Kremlin’s key strategic texts of the post-Cold war years (see Webber 2007, White 2006). It is surely no coincidence these documents appeared after American-led military campaigns that were unauthorised by the United Nations Security Council and that violated the international law of territorial integrity enshrined in Article 2, Paragraph 4, of the United Nations (UN) Charter. This legal rule of state sovereignty has been the cornerstone for the discursive claims made by the Russian government in expounding the grand strategic narrative of “Multipolarity”. The need to defend territorial integrity informs the strategic discourse of the National Security Concept, the Military Doctrine and the Foreign Policy Concept of 2000, issued after the invasion of Kosovo, and the Defence White Paper of 2003, published after the invasion of Iraq. According to Mark Webber’s (2007) reading, these statements reveal the degree to which the Russian government’s “official thinking is…characterised by a suspicious threat-based culture” (2007, p.269). A strategic mindset that is distrustful “of actions and organisations that Russia is not a part” and is “informed by an inescapable feeling of beleaguerment and danger.” (Webber 2007, p.270).

In a survey on pessimism in political thought, Joshua Foa Dienstag (2009) suggests that the discursive expressions of this kind are about much more than fretful worrying and general mistrust. There is a positive agenda behind every expression of pessimism in political thought. While the pessimist fears for the future, there is defiance in this fear. There is recourse to mobilise around an ultimate and universalistic concern that is the equal to any progressive, universalist alternative.

Pessimism has always coloured realist thought (Clark 1989, pp.67-91). It is the animating spirit of realist foreign policy, and helps to explain moves to shape the existing political order on the outside of a modern state in anticipation of an existential ‘threat’ that is assumed to be on the horizon. The belief that history is moving in this dangerous direction is central to the realist political movement that is examined in this chapter. The agent that belongs to this movement, and spearheads this movement, does not passively wait for the worst to happen.

The pessimism to Russia’s strategic grand narrative of “Multipolarity” explains the government’s proactive actions towards the EU. The border politics of this inclusive
movement has a simple narrative logic. Continued exclusion from Western-dominated institutions on the outside of Russia’s borders will deny the Kremlin the ability to impose and maintain constitutional order within the Russian Federation. It will also restrict the ability of Russia to have a role in global politics. To not act proactively in international relations with the West will confirm the prognosis of a number of commentators on Russia’s position in the 21st Century that this is a ‘diminished global power’ (White 2006, Averre 2010).

Rather than remain on the margins, and act out this narrative of relative decline, Russia looks to secure an order with the EU that upholds a rather old-fashioned, civilizational understanding about the function of international law. This was referred to in the previous chapter as the conceit of ‘Empire of Law’ (see 1.1.6). It is states that are the defenders of this idea of international law. Under the banner of “Multipolarity” this legalism combines with what the neo-realist scholar, Kenneth Waltz describes as the interstate plan of governing the international system as way of balancing against the anarchy of world hegemony (1986, p.116).

In the time period covered here, most writers have identified this hegemony and its anarchical implications as being embodied by the United States and by American foreign policy towards Iraq (see especially Gray 2007). But from the Russian realist worldview, it is not just the United States that is the world hegemonic threat. The entire, progressive movement of and from the West (Morozov 2010) and its reductive, universal civilization in and of collective security is the other that has to be contained in some way. Those that are part of this hegemonic movement have included the United States, but as we discovered in the previous chapter, the EU was the leading regional voice of this movement from 2003. The distinguishing feature of this movement is its commitment to the achievement of a new liberal world order in the 21st Century (Sørensen 2010), and with that a comprehensive, system-transforming change on the way the United Nations is governed.

Russia’s defence of “Multipolarity” aims to prevent the international system being transformed into a universal or world empire of humanity, which is the realist’s worst fear (Bull 1977, p.102). Mark Webber (2007) is right to see in Russia’s pessimism an exaggerated sense of danger from the West. However, what he has not picked up on is how and why this pessimism animates a global counter-movement that makes a positive, order-building defence of the international law of the UN Charter.
Within the UN Charter framework, the idea of multipolarity has this positive, foundationalism. It supports the constitutional existence of a balance of power as an informal, interstate institution. For legal scholars, particularly those that have considered the connection between law and practice of collective security, this political order has been seen as necessary for international law to exist, operate and survive (Orakhelashvili 2011). The foundational, mutually supportive connection between a realist ‘balance of power’ and the system of positive international law has perhaps never been more elegantly defined than in these words of a famous textbook on international law from the turn of the 20th Century. The renowned German jurist, Lassa Oppenheim (2008) wrote that:

“Law of Nations can exist only if there is an equilibrium, a balance of power, between the members of the Family of Nations. If the powers cannot keep one another in check, no rules of law will have any force, since an over-powerful State will naturally try to act according to discretion and disobey the law” (Oppenheim 2008, p. 73).

When Russia’s strategists argue for ‘supremacy of international law’ (footnote 13), what they really mean is that a positivist obedience to international law is expected from all those who belong or wish to belong in the ‘family of nations’. This is the irreducible and foundational requirement of international order of the UN Charter - to prevent war by preventing the actions of any one member in this global ‘family of nations’ acting according to their own discretion. This demand for obedient solidarity under the supremacy of international law is Russia’s ultimate ideal of global self-determination. It justifies taking on the role of a Rousseauan, legislator-nation that looks to exclude external aggressors by including the most likely transgressors of ‘the empire of law’ (i.e. Western liberal powers) in an institutionalising embrace of “Multipolarity”.

This order-building project operates on the outside of the borders of the Russian state but insider of a global community of international law that appeals to the legality of the UN Charter system and the legitimacy of its crowning institution, the Security Council (SC). Formally speaking, the powers of the SC to decide on the legitimate use of force follow from Article 24 of the UN Charter18, it is member states of the United Nations acting collectively that have endowed the SC with these powers. As a permanent member of the SC, and the member that has most consistently resisted the liberal

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18 It reads as follows: “In order to ensure prompt and effective action by the United Nations, its members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree in carrying out its duties under this responsibility that the Security Council acts on their behalf.”
argument of humanitarian necessity in the use of force, Russia has emerged as the
global leader of a non-Western, non-liberal ‘civilizational community’ (see 1.2.2).

This chapter argues that the determinate origin of this realist civilization begins at
Russia’s border. Every border establishes a political space for the territorial existence of
distinctive political communities on the inside and on the outside. When this border
politics is tied up with the civilizational aspirations of “Multipolarity” it implies the
distribution of political, economic and military power in-between distinctive and
authoritative civilizational communities in a way that precludes the domination of an
outside civilization over and above the civilization on the inside.

Typically borders are located in-between states. But that is not an associational
requirement. The only associational requirement is that at least one state is involved in
any bordering activity. All borders mark the outer-limits to the territorial jurisdictions of
political communities that are statist. When the border is defended as a jurisdiction of
“Multipolarity” the intention is to prevent the hegemony of external claims to territorial
jurisdiction over and above those of a Roussean community of a ‘state of war’ (see I.3).

The political theorist, John Williams (2002), presents the moral case for a state,
like Russia, to defend its borders in this civilizational way. Unless a state acts to defend
the continuation of its borders at their outer limits, he argues, the juridical-political
system of the UN Charter would be unable to ensure the most basic conditions for a
tolerable coexistence in global politics, which he defines as: “state independence, limits
on violence, the sanctity of [international] agreement [and] the stability of [territorial]
possession” (Williams 2002, pp.739-40).

The irony, in practice, is that this moralising insistence on the basic conditions of
tolerable coexistence is very intolerant of those who do not bend their will to suit the
demand. Russia’s border politics has this hard outer-edge to it. At the border, realist
morality blends with strategy, foreign policy with positive international law, in a
teleocratic politics of “Multipolarity” that places the Russian state at the centre of regional
governance project that aims to inclusively balance with Europe and Asia. This project
looks to include the global others, primarily the EU and secondarily China, on Russia’s
terms of collective security. There is nothing especially new or spectacular about this
project. But, the point that this discussion has raised is that behind the mundane, often
quite dry and bureaucratic technicalities of this project is an intolerant pessimism. To not
go along with Russia’s commitment to “Multipolarity” is about more than a rejection of
closer cooperation and better partnership. It is a rejection of a universal civilization that is concerned with ‘state independence, the limits on violence, the sanctity of international agreements, and the stability of territorial possession.’ To reject or abandon a commitment to “Multipolarity” can be seen – by a committed believer – as a betrayal of all these global common goods of the juridical-political system of the United Nations. But the flipside of this is to endorse and validate this commitment is to tacitly agree to join Russia in a civilizational community in the restoration of international order during a period that is defined by continuous war.
2.2. The ‘Multipolar Constitution’ of “Common Spaces”

As the reader may be aware, there are many, perhaps too many\(^{19}\), definitions of ‘constitution’ and ‘constitutionalism’ in the academic literature. This pair of complex normative concepts have been mobilised by scholars to support a great variety of arguments, for and against, the political and legal structuring of polities and institutions in global politics. The literature on ‘constitutional studies’ – it even has its own recognised sub-specialism – is vast and growing. As sceptics have been quick to point it, those writing under the ‘constitutional’ banner have been known to make over-inflated claims about the normative regulation and institutional stability of the relationships in-between the many different kinds of authority that co-exist within the contemporary international order (Werner 2007).

There are two significant criticisms of this work, and its limits for explaining the ‘constitutional’ character to how the world is governed. The one this Russia-centred discussion helps to bring to light is the historical and epistemological bias of this field of inquiry. It is far too EU-centric (see Tsagourias 2007; and Burca and Weiler 2012). The other criticism is more general, and also more familiar (Werner 2007). Reflections on the theory and practice of constitutionalism in international relations tend to live in the future, often blithely unaware of their indebtedness to the past. Constitutionalism follows in the tracks of the normative sensibilities and sensitivities of the founding fathers of modern international law in the 19th Century (see Koskenniemi 2002). Understood in this way, constitutionalism is a modernising political project that looks to ‘gently civilize’ (ibid.) the family of nations, bringing political order and stability where there is disorder and conflict. There is a political faith at work here; a teleocratic expectation that through constitutionalism a law-governed community of rules, norms and institutions can be established that is concerted only with maintaining the peace. This is what the theorist Phillip Allot (1990) describes as the politics of an ideal constitution that presents “to society and idea of what society might be” (Allot 1990, p.135). This is a vision of a kind of collective salvation, a religion of international law.

\(^{19}\) The literature on ‘constitutional studies’ is vast and growing, but there are a number of authors who complain about its faddishness and conceptual anarchy. The contributions to two edited volumes that have been referenced in this dissertation are quite even handed in terms of their advocates and sceptics, and the quality of contributions in both is generally very high. Those volumes are Tsagourias, Nicholas, ed. *Transnational Constitutionalism: International and European Perspectives*. New York: Cambridge University Press, 2007; and Gráinne de Burca and Weiler, Joseph H., eds. *The Worlds of European Constitutionalism*. Cambridge: Cambridge University Press, 2012.
Wouter Werner (2007) makes a sceptical argument about the whole field of constitutional studies, which this section takes as a jump off point. He argues that “the language of constitutionalism is based on two desiderata: to remain within the boundaries of positive law, and to contribute to a normative, internationalist project” (Werner p.330). By considering these two desiderata together one get a much better picture on what is creative and interesting in the normatively-infused constitutional politics at Russia's border with the EU. The first of these – the concern with positive international law – is axiomatic, but the second is completely the opposite of what is desired by the main constituent power in this particular relationship context.

As was suggested in the previous section, Russia’s pursuit of “Multipolarity” does make a very strong appeal to a politics that ‘remains within the boundaries of positive law’. However, the normativity to this project is *flatly opposed* to a ‘normative, internationalist project’ that has been taken up with gusto by the EU since 2003. Indeed, more than just opposed to it. The desire is to prevent any further advances of this liberal internationalist project, through a form of constitutional containment. This modality of political constitutionalism (Bellamy 2007) looks to assert collective authority *over and above* internationalism.

### 2.2.1. After Constitutional Finalité?

This way of seeing and understanding the practice of constitutionalism on the EU’s periphery builds on the insights about constitutional politics by Professors Richard Bellamy (2007), Mark Tushnet (2012) and Dario Castiglionne (2007). From Bellamy (2007) comes the theoretical framework of ‘political constitutionalism’. As he defines it, this is a normative project that is led by politicians in the *defence* of republican virtues of non-domination and political equality (Bellamy 2007, pp. 145-176). It is advocated through articulations of public reason and is often embodied in political arrangements of ‘balance of power’ (Bellamy 2007, pp. 176-209).

From Tushnet (2012) comes a conceptual argument about how a normatively infused politics can be the basis for the expansion and regulation of the executive authority of government in times of emergency. Crucially, this form of political constitutionalism does not require the participants in this practice to consider the democratic mandate to their course of action or to look to the courts for judicial approval.
In conditions of emergency – and what makes for an emergency, Tushnet (2012) leaves to one side – expediency dictates that executive decisions have to be made to ensure the basic constitutional order of the polity. In times like this the imposition of a clear and convincing normative foundation on which a constitutional order can securely rest is generally seen as superior to having no order at all, and therefore the bypassing of the demos and courts is perfectly justified.

From Castiglionne (2007) comes the historical insight about constitutional politics unfolding in a single ‘moment’, which may or may not involve the sort of foundational agreement that Werner (2007) and, to a lesser extent, Tushnet (2012) suggests is integral to this kind of teleocratic activity. As Castiglionne (2007) suggests, there can be an elite-led political constitutionalism without a constitution. There can be constitutional events that are clearly normatively-infused, but where there is no consensus on a clear and convincing foundational ‘principle’ that can validate a constitutional text with reference to a body of law and enshrine it within an institutional framework that composes a new governing authority. This is his finding from the history of the constitutional experiment of the European convention at the turn of the 21st Century. Here was a moment of political constitutionalism without any such foundation, or finalité (Walker 2007).

In May 2000, the then German foreign minister, Joschka Fisher made a speech at Humboldt University in Berlin. He called for an urgent political debate on the constitutional ‘future of Europe’. His plea coincided with the establishment of a committee, called ‘the Convention on the Future of Europe’, and a period of constitutional politics that Castiglionne (2007) describes as one, unbroken ‘constitutional moment’. This moment occurred from May 2003 to October 2004, from the first draft of the preamble to the ‘Convention for Europe’ to the final draft of the preamble in the ‘Treaty establishing a constitution for Europe’. This entire event-ism was ultimately inconclusive. A constitutional text was produced at the end, but there was no substantive closure that would embed its values in European institutions.

The twenty-five EU member states were meant to ratify the constitution by the end of October 2006 - two years after they signed it. But a referendum on the ‘constitution for Europe’ delivered a resounding ‘no’ vote from citizens in France and the Netherlands in May 2005. The constitution-making process of the Convention was put on hold, indefinitely. Now that voters had rejected its proposal, the way forward was unclear. These countries could decide to hold a second vote. But if they did not, the
constitutional text agreed to by elite committee in 2004 could not come into force in its current form. If the text were altered, the ratification process would have to start again from scratch. The constitutional future of the EU entered into an official “period of reflection”. But as Castiglionne (2007) wryly observes, for many political elites in Brussels this chance to reflect was not particular welcome.

The ‘no vote’ was taken as evidence of political failure. One ‘constitutional moment’ had come to an end, but the hope among many elites in Brussels was that this project of constitutionalism would not be the end of the story. The constitutional process could - it was hoped - start up again in the not so distant future. Indeed, that is precisely what happened. This internal, elite-led, European constitutional project did start over with a revised mandate shortly after Castiglionne’s history was published in 2007. This new chapter in the history of European constitutionalism does not take anything away from the political experience of what came before. To switch to the constitutional history of the Lisbon Treaty from February 2007 to December 2009 is to jump from the narrative of one discreet episode in the search for constitutional order, to another.

Castiglionne (2007) is fair to narrate the history of the ‘Convention on Europe’ as a moment of ‘constitutionalism without a constitution’. Because was no final, definitive, collective consensus on this elite-crafted constitutional text, it is also fair to say this episode of constitutionalism does not fit the ‘foundational’ category that is central to Werner’s (2007) normative critique. After all, how can there be an event of foundational constitutionalism that has no foundation to it? Not only was there no agreed ‘text’, but there was no institutional outcome or any kind. No political authority was composed in this event with a mandate to govern a bounded political community.

The historical narrative in the next section argues that there is an important chapter of constitutional history missing if we take the Convention and the Lisbon Treaty as the interrupted episodes in political constitutionalism that began at the start of the new century. There was an in-between episode (in more ways than one) that involved the EU. It occurred in-between the May 2005 ‘non’ vote and the beginning of the Lisbon constitutional process two years later. The ‘official period of reflection’ was not a fallow period of constitutional inactivity for Brussels bureaucrats. The constitutional project did continue. But it continued in the political space outside of the EU’s Eastern frontier. This phase of constitutional history had a clear and conclusive result.
The following narrative about the constitution of the EU and Russia’s ‘Common Spaces Treaty’ makes for an intriguing comparison with the Convention. Here was a constitutional moment that unfolded *almost* at the same time as the EU’s internal process in what might be regarded as a parallel, international universe of constitutionalism. Unlike with the Convention, the negotiations on Common Spaces produced an elite-composed constitutional text that *was ratified by all the members bound by it*.

Between May and October 2005, the diplomats from Brussels and Moscow hastily concluded protracted negotiations that had hitherto seemed as if they were going nowhere. One key reason there was resolution to this constitutional process is there was now bothersome democratic referendum to get in the way of achieving a *finalité* (Walker 2007). This was an executive-level agreement reached in-between the representatives of these two executive bureaucracies. It was a moment of political representation without democracy, of regional governance without any consultation with those who are going to be regionally governed. To turn Castiglionne’s phrase on its head, this was an event of ‘constitutionalism with a constitution’ as political evidence for the efforts put in by those elites involved.

Compared with the project of the ‘Convention of Europe’, ‘Common Spaces’ was certainly the stronger constitutional moment. But its executive-legislative strength would also be a source of weakness. The negotiations were concluded by Russia, on Russia’s terms of “Multipolarity”. While this ‘constitutional moment’ was *comparatively* stronger than that of the Convention, the relative strength of this political constitutionalism was *determined* by the desire of the Russian government to act as the supreme ‘great power’ defender of the UN Charter system *over and above* domestic interference from the EU and with a view to insuring political equality in arrangements of security governance for a region just outside of Russia’s border and within the *blizhnee narod* of the post-Soviet space.

All the constitutional theorists mentioned in this section agree on one issue: to focus solely on questions of law and legality cannot offer an adequate account of the whole range of constitutional practices. Conceptual and empirical room has to be made for a purposeful or *teleocratic* mode of politics that can steer through constitutionalism as a political project. This project will have definitive goals, or ends, in mind. But whether it achieves these desired ends cannot be known in advance. Chance and choice have a role to play.
In constitutional politics, timing is everything. The EU-Russia summit that was due to be held in St.Petersburg in May 2003 coincided with the three hundredth anniversary of the founding of the city as Peter the Great’s ‘window on the West’. For the EU it was to be the first summit involving the leaders of all the 25 current and future member states after the signing of the Treaty of Accession the previous month. What a perfect occasion to announce the most ambitious, most comprehensive package of cooperation between these two neighbours, ever conceived. The ‘St. Petersburg four common spaces’ was launched amid new and bold statements about the promise of partnership. But the buoyant sentiment that surrounded the announcement of the Joint Declaration (COM 2003b) would evaporate almost overnight.

Nobody on either side seemed very sure about what these common spaces were going to be filled with. The ‘big idea’ seemed to be just that, big, and particularly empty. Two years of working groups and intense shuttle diplomacy produced limited gains on the Common Economic Space and the Common Space on Research and Education, but sticking points remained on the two Common Spaces that covered issues of external security. At a testy summit in The Hague in November 2004, the Russian delegation was told by Brussels that they could not pick and choose their common spaces (Hakulla 2010b, pp.135-6). This was an all or nothing package. The delegation from Moscow answered back that it was prevarication on the part of EU bureaucrats was at the root of the impasse. There was an answer to the problem of how to jointly govern with a view to common external security, but Brussels was not willing to listen (Gower 2007).

However, in the spring of 2005, the dynamic of negotiations changed completely. Russia’s new foreign minister, Sergei Lavrov, gave an interview where he announced the Kremlin’s fresh resolve on world affairs. In it he declared that Russia no longer had an “inferiority complex” when dealing with the major issues in global politics20. From now on there would be “no alternative to multipolar diplomacy” in any of Russia’s dealings with others. He went on to make a couple of telling remarks about the changes that Koffi Anan had recently proposed to reform the United Nations: “No other universal

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20 All the quotes in this paragraph come from an interview with Sergei Lavrov that was published in the Russian weekly current affairs magazine Argumenty i Fakty on April 13, 2005. The English version is available online at the website of the Ministry of Foreign Affairs of the Russian Federation: http://www.mid.ru/Brp_4.nsf/arih/EB243EF7AC9E4696C3256FE3003B105C?OpenDocument [Accessed 17th August 2013].
mechanism for ensuring universal security exists [than the United Nations]. Present-day international relations are not noted for stability anyway, and without the UN chaos would prevail.” He stated that the position of the Russian government was that the best chance of maintaining international order at a time like this was to ensure the: “resolutions of the UN Security Council are binding on everyone. It is within the UN legal framework that international cooperation is pursued”, and would be pursued by Russia from now on. As for the proposed reforms of the UN that the EU and the Secretariat clearly wanted, he added that any such reforms, “including the enlargement of the Security Council, should come as a result, if not of a total consensus at least of the broadest agreement”. By implication, Russia would have to be involved in this broadest possible agreement.

Between the EU-Russia summit in Moscow in May 2005 and the London summit in October of the same year, Russia’s ‘multipolar diplomacy’ steered the way to an international constitutional settlement. In Moscow, agreement on the ‘road maps’ on the four Common Spaces was officially announced. A few months later in London, the first concrete achievement of this new-look ‘strategic partnership’ was confirmed. Both sides agreed to a visa-facilitation and readmission agreement that would ease the flow of migrants across the EU’s post-enlargement border regime. An announcement was also made about the establishment of the first diplomatic round of negotiations to discuss energy relations between the two parties.

These were not quite the transformative results that matched the speech by the new President of the European Commission, Manuel Barosso, to mark the occasion. He said that the Common Spaces agreement would “revitalise the EU-Russia partnership giving it the tools it needs to meet the challenge of the new century” (cited in Frellesen and Rontoyanni 2007, p.238). Perhaps such oratorical flourishes can be excused, however, since both sides were relieved to have found consensus at last.

But this consensus would reverse the asymmetry to the EU-centred legal and political framework to this relationship that had been in place since the Partnership and Cooperation Agreement (PCA) of 1994. This agreement from the immediate post-Cold War years was very much of its time; a period after the break up of the Soviet Union and during the EU’s initial plans for Eastern enlargement. A joint declaration signalled the constitutionalism of this treaty as well. This was the first-ever treaty relationship with the European Union. ‘Partnership’ with Russia was announced after Yeltsin’s visit to
Brussels in 1993 (Hilton 1998). As the preamble to the PCA makes clear, the terms of this treaty were linked very closely to the EU’s internal legal structure (the *acquis communitaire*) and the EU’s self-understanding as a progressive, liberal internationalist actor in world politics. This neo-Kantian “law-governed external relationship” (Kant 1991, p. 47) made it clear that the EU was on hand to offer assistance to Russia as it made a Liberal journey of political and economic transition from Communism. Together with the strengthening of democratic values, respect for the rule of law and human rights, the key objective that was set out in this preamble was that the EU would assist, “Russia’s progressive integration in the open international trading system” (cited in Hilton 1998, p. 400).

The Russian government had been demanding, since 1999, a “joint elaboration and conclusion of a new framework agreement...[for the] 21st Century” that reflected where Russia was now, in the post-liberal regime of the Yeltsin administration (see 1.1.5). But it was the Putin regime that achieved the concrete result, altering the treaty relationship with the EU in a new realist and Rousseauan direction. On Russia’s insistence the principle of “equality between partners and mutual respect of interests” would appear above the EU’s wish to keep the partnership in line with a familiar liberal internationalist commitment to “common values” (cited in Averre 2007, p.174). As Derek Averre identifies, this was evidence that “although the road maps contain references to broad shared values, the dominant motif...is one of functional cooperation between two sovereign, equal subjects of the international order”(ibid.). This ‘dominant motif’ was Russia’s. The EU had effectively been forced into a transitional climb down. The constitutional of this external treaty relationship would make the EU the subject of Russia’s realist largesse and transitional support in the *anti-progressive* international constitutionalism of “Multipolarity”.

In his critical discussion of the idea of constitutional *finalité*, Dario Castiglionne (2007) argues there is a tendency to stretch this concept too far and to be too casual in accepting its teleological claims. In a careful reading of the legal scholar Neil Walker’s critique of the role of this directive idea in constitutional politics (2007), he hones in on a crucial issue that this legal scholar – one of the founding fathers of ‘constitutional studies’ – has not fully thought-through.

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21 From the ‘Medium-Term Strategy for Development of Relations between the Russian Federation and the European Union, 1999, available at the website of the Moscow State Academy of Law:
“This conundrum is perhaps [best] explained by paying attention to a linguistic point...raised by Walker in a footnote...There is in fact a difference between ‘finality’ as it is used in the English language and the equivalent (finalite, finalitat, finalita) in most other European languages. The latter meanings refer to an ‘ultimate aim or purpose’, while in the English language ‘finality’ refers to the ‘quality of being final’” (Castiglionne 2007, p.29).

In other words, to describe an event of constitution-making in terms of finalité is to claim to be able to identify the telos (the ultimate aim or purpose) that guides this activity from the beginning to its constitutional conclusion. But this conclusion may not be ‘final’, as in the historical end of a transitional process. The movement that is inherent in any constitutional transition is a normative motion of change from actuality to possibility, from a self-determined is-to-ought. To talk of an event in these terms brings a certain temporal ambiguity about what makes for a new beginning and what is an end result. Every constitution is by definition a foundation, but not every constitution needs to be regarded as the temporal becoming of a transitional process that is meaningless without reference to an all-embracing teleocratic idea. Not every constitution can be narrated as an historical emergence that ends with silent self-enclosure. However, that is precisely what the concept of constitutional finalité implies.

Castiglionne’s (2007) objection to the use of this transitional concept to explain constitutional politics within the EU is that it closes off any consideration of the role of flexible, democratic decision-making. Rather than being an expression of open-ended politics of deliberation and negotiation, a constitutional finalité describes an historical experience that can only be explained with reference to a definitive principle of teleocratic order that overrides all other values and considerations that the participants in this ‘moment’ might have.

From his perspective, the problem with this kind of constitutional explanation is both normative and historical. Historically, he argues there was no teleocratic principle to the ‘Convention Moment’ that might explain the character to the political constitutionalism of this event. His normative objection is that to accept this interpretation of what happens during a ‘constitutional moment’ is to accept that there might be a wholly anti-democratic, transitional mode of constitutional politics. He does not quite put it in these terms, but clearly this would be a movement of political constitutionalism that
served only the interests of elites for an enclosed stability and order – a constitutionalism that was bureaucratic, managerial, hierarchical and containment-like in its injunction of inclusion.

Castiglionne (2007) seems to think this teleocratic mode of constitutional politics could never involve the European Union. Internally, he might be right, but externally has been a different story. The next section interprets the constitutional moment, outside and between Russia’s border and the EU’s Eastern frontier. This international constitutional moment is premised on the overriding priority of Russia’s ‘balance of power’ principle of “Multipolarity”. As the reader will discover, the finalité that is arrived at under Russia’s regional governance transition was neither democratic nor liberal. But the problem with this practice of international constitutionalism goes further than that. The suggestion is that the contractual treaty to the relationship of “Common Spaces” established an extra-territorial jurisdiction that converted the EU’s hitherto blurred, legal frontier into a state-like border, just like Russia’s. This was perhaps the most significant transitional effect of this new treaty on the EU, itself. The establishment of the FRONTEX border-security regime shortly after the conclusion of the Common Spaces negotiation is the most visible evidence of this (see 1.1.3).

But what interests us more in this discussion is the transitional effect this agreement had on the constitution of the ‘common space’ in-between Russia and the EU’s borders. It is argued that the finalité of “Multipolarity” enclosed a jointly governed area, making “Common Spaces” into a form of collective security state with its own jurisdiction. This moment when “Common Spaces” came into existence represented the end the first transition in regional governance in the EU-Russia relationship and prepared the ground – quite literally – for the second.

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22 Headquartered, where else, but Poland! For those who know their modern European history, this geopolitical point needs no elaboration. The history of modern Europe is the history of Poland writ large.
2.3. The Constitutional Transition of Regional Governance

The legal theorist Anne Orford (2004, p.193) describes the political project of international constitutionalism as: “a gift of faith, of careful and loving attention to an organisation [the UN] and the ideals it embodies”. But she also adds words of caution on the limitations of constitutionalism to unify and restrain, to limit politics and to limit the possibilities of governing. The history of constitutional experiments offer a reminder, she argues, “of that which cannot be enclosed, of that which escapes the law, of the unknown…[of] the impossibility of ever finally securing the grounds of law” (Orford 2004, p.195). It is to this enclosed perplexity of international constitutionalism that we now turn.

It is argued in this section that the ‘gift of faith’ of “Common Spaces” was a teleocratic gift that President Putin presented to the EU. He described this gift of “Multipolarity” as the “political zenith” (cited in Hakulla 2010b, p.157) in the relationship between Russia and her ‘normative power’ neighbour (see 1.1.1-4). And so he might, because this was the first time since this relationship in-between these two associates was formally established in 1994 - under the Partnership and Cooperation Agreement - that Russia had managed to assert its ‘gift of faith’ over the EU. As Hiskki Hakulla’s detailed study of the “baseline” treaty (Hakulla 2010b, pp 12-60) of this relationship makes plain, the original constitutional text of this relationship made some very strong, transborder demands on Russia to transition towards the ‘common values’ of liberal internationalism (an aggregated combination of democracy, human rights, the free market and the rule of law). The EU’s gift to Russia in 1994 was this liberal civilizational gift of instruction on good governance.

Now it was Russia’s turn to return the favour. This realist civilizational agenda of good governance primarily served Russia’s security concerns about preserving the UN Charter system from the ‘chaos’ that might emerge from the liberal, comprehensive reform the EU was pushing for. The positive element of this anti-progressive good governance agenda relied heavily on what Phillip Bobbit (1982, p.94) calls “ethical constitutional arguments”; arguments that advance the ethos to the character of ‘the international community’ as a source from which particular decisions derive. Like the idealised notion of constitutionalism mentioned in the previous section, there is a normative abstraction to this civilizational discourse on good governance.
2.3.1. Treaty of “Multipolarity”: The Juridical Consensus of Regional Governance

“[W]hen statesmen belonged to a community transcending national boundaries, there tended to be consensus on the criteria of what constituted a reasonable proposal.”

Henry Kissinger, *Domestic Structure and Foreign Policy*

A consensus is a substantive agreement. A juridical consensus is a substantive agreement of international law that embodies the constitutional unity of law in a single, foundational document. As commentators on international constitutionalism have suggested, the *sin qua non* of any juridical consensus in the contemporary era is the UN Charter (Werner 2007, Orford 2004). But what Kissinger’s (1956) perspective on the 19th Century origins of such an agreement helps to illuminate is that the UN Charter is itself the product of a contractarian way of thinking about international relations that goes back to the beginning of the international experiment in government (Mazower 2011). This way of thinking about determinate origins of a treaty relationship is tinged with nostalgia about a bilateral practice of statecraft that ‘transcends national boundaries’. Kissinger (1956) looks to the 19th Century past to find a firm standpoint from which to achieve this agreement in his own time; a stable form of international cooperation that he believes has been lost and needs to be restored for the sake of bilateral relations in the UN era. The virtues that Kissinger (1956) identifies in what he dubs the ‘Aristocratic’ way of forging this kind of comprehensive, bilateral arrangement is that of a contractual solidarity, agreed to by a determined minority of foreign policy decision-makers who act as the representatives of a mythic, supra-national or global political community.

Writing about this kind of far-reaching proposal, the legal scholar Tomuschat (1999, p.281) described it as an idea of a legal order that “comprises a comprehensive blueprint for social life.” This ‘comprehensive blueprint’ not only serves the interests of states, like Russia, but also the interests of all other members of the ‘international community’ that do not fit into that political profile, like the EU. By taking up values that go beyond the existing framework of political order, Tomuschat (1999) argues, that international law becomes a potentially transformative force. “Instead of being a set of rules limiting and guiding States in their foreign policies, international law becomes a multi-faceted body of law that permeates all fields of life, wherever governments act for promoting a public purpose” (Tomuschat 1999, p.281). International law, as the title of
his article put it, became a means of ‘ensuring the survival of mankind on the eve of a new century’.

Is this kind of ‘comprehensive blueprint’, pushed through foreign policy, really the origins of a “reasonable proposal” as Kissinger suggests? For sure, it is a proposal concerned with reason, but if we mean by reasonableness what Stephen Toulmin (2009) suggests - a method of arriving at humane judgements based on personal experience and the practice of compromise - then the kind of juridical consensus that is being proposed in this kind of relationship situation is not reasonable. This is the teleocratic ‘blueprint’ of a bilateral agreement that elevates the proposal of a single foreign policy beyond the borders of a single nation-state and asserts a substantively higher controlling authority onto its neighbour.

Russia’s realist intentions for this kind of relationship with the EU had been strongly shaped by geo-strategic concerns about enlargement (see Allison et al 2006). While there were several facets to Russia’s enlargement issues, they crystallised in a foreign policy imperative to “overcome politico-security dividing lines” (Allison 2006, p.72) between the EU’s Eastern frontier and Russia’s Western border. Of all the frontiers of the European Union, the Eastern one has always been the most mobile (Anderson and Bort 2001). With the “big-bang” Enlargement planned for 2004, this frontier was due to lurch very quickly towards Russia.

According to Roy Allison (2006, p.89), among Russian policymakers, “evaluations of the emerging East European geopolitical landscape tend[ed] to be sweeping and gloomy. By 2004 some Russian analysts argued bluntly that for many in Europe ‘the dividing line’ between integrable and unintegrable spaces lies along Russia’s western border.” Under the plans for enlargement, the EU and Russia would come to share over 2000 kilometres of contiguous territory, and more significantly a ‘common space’ of ‘non-integrable’ states that was being dubbed, in Russian foreign policy circles, as the ‘new Eastern Europe’ (Trenin and Lieven 2003). This consisted of the core states of Ukraine, Belarus and Moldova and a less clearly defined periphery that extended down to the Black Sea and into the Southern Caucuses. However, as far as the EU was concerned, these countries – along with Russia – all belonged in the community of “Neighbourhood” and ought to be governed by the liberal internationalist terms of its Neighbourhood Policy (see 1.1.3).
As already noted (see 1.1.4), Moscow’s assertion of “Multipolarity” was the positive side of its global self-exclusion from being made a subject to this EU governance project. The global ethical argument that Moscow presented about the governing of this ‘common space’ with the EU involved hard lobbying for a joint constitutional framework that would give Russia “an equal voice on all European security issues” (Allison 2006, p.84). It was hoped that this bilateral arrangement would be the platform to then extend Russia’s own governance project across the whole of what foreign policy officials in Moscow had been calling, since 1999, “Greater Europe” (ibid. p.84).

For the EU to enter into this kind of treaty relationship with Russia would mean going beyond anything the Maastricht Treaty of 1992 could accommodate. In the words of Joseph Weiler this was “not a treaty governed by international law but…a constitutional charter governed by a form of constitutional law” (Weiler 1999, p.221), the acquis communitaire. To try to accommodate an external treaty relationship governed by obedience to the international law of the UN Charter would mean comprehensively transforming the Union from the outside in. It would also mean granting Russia a more elevated, legal-political authority in decision-making on matters relating to the common European Security and Defence Policy (ESDP) than was on offer to any of the Union’s own member states.

The opportunities for third country political association with the EU in areas related to the ESDP had hitherto been limited to offering military contributions to external peacekeeping operations; missions that would be planned exclusively within the boundaries of the existing European jurisdiction, and by the liberal rules, norms and institutions of the acquis. As far as the EU was concerned, to change this would be a direct challenge to the Union’s ‘sovereignty of the law’ (Jacobs 2007). Russia was asking far too much. International constitutionalism was not going to change the ‘domestic’ constitutional structure of the EU. Within the European legal space there would be could only be one executive authority, the Union.

However, Russia did manage to secure a watered-down version of this treaty relationship outside of the European jurisdiction. During the negotiations on the Common Space on External Security, Russia’s policymakers blocked the EU’s attempts to change the terms of mediation in the so-called ‘frozen conflicts’ in post-Soviet territory, in Transdneistria, Abkhazia and Nagorno-Karabkh. A clause was added to this aspect of the new treaty relationship that was particularly significant. It states that the signatories
to the treaty of Common Spaces agree to enhanced “dialogue and cooperation in the settlement of regional conflicts, inter alia, in regions adjacent to the EU and Russian borders” (cited in Hakulla 2010b, p. 137).

The precise wording to this clause was the source of the most “bitterly contested” (Averre 2007, p. 177) negotiations in the constitution of Common Spaces. Russia flatly refused to accept the formulation being proposed by the European Union that this entire space be called “the common neighbourhood” (Hakulla 2010b, p. 136). By clearly spelling out the extra-territorial terms for the jurisdiction of the ‘common space on external security’ a settlement was reached that would loosely bind together these associates in a political order that was outside of European and Russian borders, but inside of an international legal space of the UN Charter.

When Russia’s foreign minister, Sergei Lavrov proudly declared at a meeting in Luxembourg in February 2005 that the idea of common neighbourhood “no longer existed” (ibid.), it was clear that Moscow believed it had scored a moral and geo-strategic victory in the constitution of “Common Spaces”.
2.4. The Weak Cooperation of a ‘New’ Holy Alliance

“From Alexander I’s Holy Alliance to Vladimir Putin’s pragmatic concentration of power and recent international assertiveness, Russia has strived to bridge principles of multilateral decision-making with those of multipolar balance of power. Not infrequently, Russia’s efforts to maximise power have been a response to failed attempts of entering West-centred international arrangements, such as NATO and the European Union. Independently of those efforts, Russia has also sought to preserve the great power capabilities essential for securing the border and meeting other security challenges.”

Andrei Tysgankov, *Russia in Global Governance*

These closing remarks offer critical reflections on the institutional and geopolitical outcome of the constitutional transition in regional governance led by Putin’s Russia. No scholar has been more insightful on the governance dimension to Russia’s relationships with the West, and its historical parallels, than Andrei Tsygankov (2009, 2012). The evaluation in this chapter agrees with much of what he has to say, in the quote above, about the character of Russia’s search for international cooperation when it comes to constituting a treaty relationship with the EU. This pursuit of a ‘multipolar balance of power’ was aimed at bridging ‘the principles multilateral decision-making’ that the EU sought to establish regionally and globally (see 1.1.1 - 1.1.4). This whole transition has been pursued in ‘response to a failed attempt’ at gaining more of a decisive voice within West-centred international arrangements, especially with NATO in 1997-9, but also with the EU under the terms of the Partnership and Cooperation Agreement of 1994. He is also right to focus on how this movement comprises a reprisal of the post-war 19th Century ideal of ‘Holy Alliance’ under Putin’s quest to restore Russia’s ‘great power’ status in the 21st Century. He is also exactly right to focus on why it is in the border politics of collective security where these efforts are at their most forceful.

In his book (Tsygankov 2012) about Russia’s relationships with the West since the constitution of the Holy Alliance in 1815, Tsygankov argues that this ‘constitutional moment’ is the point of constant return in Russian foreign policy. Like a true faith, as
Dostoyevsky put it, this is *recollection* that “bursts forth from the crucible of doubt”\(^{23}\). It is a master narrative, or grand strategic narrative, that looks backward rather than forward in the search for an answer to the potential disorder and chaos of a new millennium. “Multipolarity” recollects this past achievement as an anterior state of perfection – as in Plato’s *anamnesis*, where ‘We’ remember our pre-existence with timeless forms.

The Holy Alliance is *not* a model of political association that is *pre-modern*. This was an institutional order from the inaugural foundation of what Mark Mazower (2012) calls the 200-year project of ‘governing the world’ through international institutions. It pre-exists the United Nations and the League of Nations, but it does not pre-exist international law or international political order. Rather, it has served as a consistent *counterpart and counterpoint* to the progressive movement of *internationalism* from the West that has advanced its own vision for how the world ought to be governed to the East of an expanding international society.

The suggestion in this chapter is that this is the archetypical mode of political association with the West that is defensive of territorial integrity and *state* sovereignty, while at the same time committed to a positive legal *ethos* of international cooperation. However, there is something *nostalgic* and *dogmatic* about this Russian way of international cooperation. The ‘We’ is conceived of as a collective ‘I’ of Russia’s global self-determination. There is a holy insecurity to this appeal to the perfect origin of cooperation with the West. Pessimism about the future, explains this recourse to past certainties. The re-creation of a Holy Alliance is guided above all by worries of how the world is changing beyond the control of the Kremlin. As was noted in the introductory remarks, ‘negative tendencies’, especially those pertaining to the Enlightenment-inspired, revolutionary humanitarianism, appears to be what this quest to *restore international order* through appeals to the supremacy of international law and the geo-governance of an external treaty relationship of “Common Spaces” is all about. As with all grand narratives, there is a perfect origin and perfect end conceived of in this transition. But it is also an origin and an end that is only *meaningful* to the Russian government. In relational terms that is the reason this model of political association and its realist tendencies may be based on firmly held convictions and universalising

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\(^{23}\) See Nicholas Berdyaev (1934), *Dostoyevsky: An Interpretation*, trans. Donald Attwater, London: Sheed and Ward, p.78: “The Faith which Dostoyevsky wished to see established was a free faith, buttressed by liberty of conscience; his own had ‘burst forth from a huge furnace of doubt’ and he wanted all faith to be tried in the same fire.”
aspirations, yet fail to achieve the *teleocratic* objective that is so desired – a more inclusive, more stable, law-governed and *permanent partnership* with a Western neighbour.

The Permanent Partnership Council (PPC) was established following the Joint Declaration of 31st May 2003. It was described in this declaration as “a clearing house for all issues of our cooperation” that ought to meet “frequently and in different formats, backed up by thorough preparation and policy co-ordination on both sides” (COM 2003b, p.2). In a signal of the stronger foundation that both sides believed was being put down in the treaty of “Common Spaces”, this political institution replaced the more modestly titled ‘Cooperation Council’. Although this institution was intended to reinforce official interactions between the executive offices of government in Brussels and Moscow, it did not meet for a year after its creation; and to this day remains a fairly underused and ineffective ‘clearing house’ for dialogue that seems to be restricted largely to discussing energy policy.

The institutional character of the PPC mirrors the constitutional character of the Common Spaces treaty. Russia led its establishment despite there being not a great deal of evidence that the EU felt it was actually necessary. What this international institution was designed to do was provide the framework for an authoritative, intergovernmental executive charged with making joint-decisions on common external security affairs. But since the EU was reluctant to change its existing framework on European security governance to accommodate this, external, additional dimension of regional security, this institution for all its claims to ‘permanence’, and all the grand standing rhetoric of the Joint Declaration of 2003 that brought it into being, remains pretty much an empty shell.

The historian Paul Shroeder (1994, p.430) describes the original project of the Holy Alliance as a non-liberal attempt at collective salvation through international government. This project that was based on an expectation of the possibility of a supranational alliance of between Russia and the West that could bring an end to international disorder by, in one fell sweep, creating a perfect form of inter-state government that could: “surmount international anarchy and go beyond the normal limits of conflictual politics: to solve the problem, end the threat, and prevent its recurrence through some institutional arrangement involving an international consensus or formal agreement on norms, rules and procedures for these purposes.”
The parallels with this Putin era project of regional governance are striking. As mentioned in the Introduction of this dissertation, Russia had emerged as the strongest advocate of procedural approach to collective security within the Security Council in response to the recurring, unauthorised uses of force led by the United States. NATO’s war in Kosovo stood out as the most flagrant and profound challenge to this institutional grand strategy of "Multipolarity". The implications for the governing of the international system of the UN Charter, and for the very existence of the Russian state, demanded a commitment to what the late Yeltsin and the early Putin administration argued were civilized restraints on the use of force. The nostalgic appeal to 19th Century idea of the ‘empire of law’, and the supreme obedience to the law helped to provide Russia with a narrative about her 21st Century role as the global ‘great power’ defender of the international legal order of the United Nations.

This realist position emerged with much greater global assertiveness under Putin, in response to the double threat to the UN Charter system from Bush’s neo-conservative militarism in Iraq and the EU’s liberal internationalist ambitions of reform. Alliance with the EU was sought out of a perceived necessity that the change this reform programme sought, regionally, in the shape of the ‘Neighbourhood Policy’ and, globally, in the close ties with the UN Secretariat, would lead to an existentially challenging conflict. The security of Russia’s border, and the security of Russia’s position of global authority were both at stake. With so much seemingly riding on institutional cooperation with the EU, it is not surprising that Russia sought to pursue an association of a ‘multipolar balance of power’ that aimed at bridging ‘the principles multilateral decision-making’. However, contrary to Tysgankov’s (2009) interpretation of this bridging, this was not some form of compromise with the West. This was quite clearly an attempt to contain the progressive expansion of liberal internationalist movement.

The weakness of Russia’s realist counter-movement of institutionalised cooperation would become more obvious in the three years after the constitution of Common Spaces treaty. This theme will be picked up in Chapter Four. Perhaps the most significant theoretical conclusion from the discussion in this chapter is about the origins and character of international constitutionalism. The constitutional transition that has been described here was unquestionably a Russian project of the 21st Century, with Russian antecedents in the 19th Century. But the limits it highlights are of a universal kind. It speaks to the collective self-ordering and constitutional enclosure that is
characteristic of the hierarchy that is validated by the UN Charter, and its derivatives (like the Common Spaces Treaty). This constitutionalism establishes foundations for an enclosed political community where agents, who might become enemies in the future, are bound together in an institutional order that is supposed to be for the global common good of international peace and security.

Within this ‘blueprint’ of an international government for peace, there is a rejection of plurality and difference of the ‘permanent members’ in preference for a uniformity of thought and purpose through an obedience to the law. The desire to establish a single and permanent basis for authority appeals to an idea of international law as resolving inconsistencies in-between associates, transcending their conflicts, and hierarchically organising forms of political order that unify the ‘international community’ and limit the exercise of the most powerful, while simultaneously making them the most powerful. This is a pure fantasy of civilization. It that has roots in the 19th Century international thought, and has surfaced again in the 21st Century in the form of myth of international constitutionalism.

Andrei Tyskangov (2009, 2012) complains that Russia has not been taken seriously by the West, and has been shunned by Western-centric institutions since the end of the Cold War. The project of a new Holy Alliance is a response to this uncomfortable situation and the feeling of powerlessness that comes with it. He is quite clearly put his finger on something here. But at the same time, he seems to support a position that Russia’s global identity crisis of the “great power manquée” (see 1.1.7) is somehow the fault of the West. The argument that has been made in this chapter is that the Russian government can blame no other for this situation. The pessimism of seeing the world through the eyes of being excluded, encircled and ignored, has issued into a demand for partnership from the likes of the EU that, despite all the talk of the pragmatism to the Putin era, ‘new realism’ is a wholly unrealistic foundation for cooperation. The effect of seeking refuge in an imaginary global community of a new ‘Holy Alliance’ only binds Russia to the conflicts and disappointments of the past. Instead of stabilising and securing Russia’s border, the constitution of a regional arrangement in collective security only brought this self-styled global ‘great power’ closer to a global neighbour that it could not restrain.
Chapter 3. Hostile Neighbours: The Transition of EU–Russia Governance

3.1. The ‘Humanitarian Occupation’ of EU-Russia Governance
3.2. The ‘Neighbourhood Spheres of Influence’ of “Common Spaces”
3.3. The Strong Paternalism of a New ‘Security Community’
3.4. The Liberal Myth of Reform
The assumption that guided the constitution of “Common Spaces” - as a regional order of collective security - was a righteous and realist claim to the supremacy of positive international law. This would be the normative foundation for a treaty relationship in-between Russia and the EU in the 21st Century. This foundation was achieved through a juridical consensus reached in May 2005, in Moscow, and re-enforced in the subsequent EU-Russia summit, in London.

However, as noted towards the end of the last chapter, this was not the containment-like, regional order that Russia was hoping for. The treaty of “Common Spaces” established a weak, realist political association in-between Russia and the EU. It was based on a commitment to “Multipolarity” and international constitutionalism that was strongly believed by only one of the bilateral parties in this arrangement of regional security.

A constitutional transition in regional governance had brought Russia close to the EU and created a ‘common space of external security’ in-between the 2000 kilometres of borders that these global neighbours now shared. The inherent weakness of international cooperation in governing this common space would be violently exposed in the second transition of regional governance. This humanitarian transition is the subject of this chapter. In historical and relationship terms, it begins where the first transition left off. The movement of travel in this chapter is from the EU to Russia. We are going to be traversing the ‘common space’ in-between the EU’s interests in the Western Balkans and Russia’s in the Southern Caucuses.
3.1. The 'Humanitarian Occupation' of EU-Russia Governance

This chapter explains how and why this second transition in regional governance, led by the EU and aimed at transforming the newly constituted order of “Common Spaces” led to the ‘humanitarian occupation’ (Fox 2008) of ‘spheres of influence’ in a shared “Neighbourhood” with Russia.

There is an interwoven historical and theoretical argument in this chapter. The historical argument about the institutional change in the EU-Russia relationship is rounded off with theoretical reflections about how to understand the narrative of this institutionalised occupation. The history covers the period from just after London summit in October 2005 to shortly after the EU operationalised its peacekeeping mission in Kosovo in the summer of 2009. The explanation of this change develops through an evaluation of a West-to-East humanitarian transition in regional governance guided by the EU’s progressive, liberal internationalist commitment to governing the “Neighbourhood”. It is argued that this humanitarian transition is globally self-determined by the EU’s optimistic expectation that peace and stability can be secured within this political community. To move towards realising this teleocratic goal, the EU self-authorises a succession from UN Secretariat’s territorial administration of Kosovo. This strategy of succession is directly supported by diplomatic representation of the Secretariat in the Kosovo Status Talks by former Finnish Prime Minister, Marti Ahtisaari, during the Finnish Presidency of the EU (see Ker-Lindsay 2009). As in 2003-4, during the crafting of a liberal grand strategy in collective security in the 21st Century; in 2005-9, in the operationalising of this strategy, the mutually supportive relationship of the EU and the Secretariat was very strong. Professor Mary Kaldor was also invited


25 Ahtisaari is a self-identifying Karelian, a Finnish ethnicity that has one of the most pronounced ethnic grievances with ethnic Russians. Karlelia was part of Finland until it was annexed during the Second World War by the Soviet Union. It remains a territory of contestation. Tensions in this borderland – which remains heavily mined from World War Two – is something that both the government’s in Helsinki and Moscow have tried to ease with various cross-border initiatives. One of these was the “Northern Dimension”, a scheme of economic cooperation that was subsumed under the “Common Spaces” Treaty in 2005.
back (Malory 2008) to offer further advice on how the UN ideal of ‘human security’ could be effectively implemented by the EU in its peacekeeping missions in the Neighbourhood.  

The discourse to this ‘missionary liberalism’ (Gray 2007, pp.161-174) rests on a grand strategic narrative about the ‘true European policy’ and the ‘raison d’être’ of for the coming millennium, which we first encountered in Chapter One (see 1.1.3-4). This teleocratic faith of liberal civilization rests on a neo-Kantian vision of collective security in the 21st Century. A vision in which the EU has the leading role to play in ensuring that the kind of brutal chaos that unfolded in the Balkans in the mid to late 1990’s never happens again. This teleocratic faith justifies a progressive liberal movement that goes beyond, not just the borders of the EU, but beyond the existing legal and political framework of collective security of the United Nations Charter system. This liberal movement is the driving force of a humanitarian transition in the governance of “Common Spaces”. It helps to illuminate the character to the liberal politics of occupation in the 21st Century. This liberal politics manifests in the reciprocal expansions of the executive bureaucracies of the Union and the Kremlin in the reform of ‘spheres of influence’.

3.2. The ‘Neighbourhood Spheres of Influence’ of “Common Spaces”

This argument develops through a critique of the evaluation of this event by the legal scholar James Summers (2011). According to his narrative history, there is a “significant legal difference…between [the occupation of] Kosovo and [of] South Ossetia and Abkhazia” (Summers 2011, p.112). Although they happened concurrently, he argues they happened according to the logic of different legal rules, norms and institutional forms. They were, in other words, not two sides to the same event, but two discrete events that unfolded simultaneously. Summers (2011) argues, not very convincingly, that Russia and the EU’s actions of occupation reveal a fundamental

difference between a Russian way of intrastate governance that is unilateral and of
dubious legality, and a European way that is multilateral and uncontroversial in legal
terms. Uncontroversial because, as he correctly identifies, the EU’s intrastate
governance practice was self-understood as being consistent with the legal terms of the
UN peacekeeping mission in Kosovo (UNMIK) established in 1999 and the general
tenets of multilateralism in contemporary global politics (see 1.1.1.). Whereas the
practice of Russia’s intrastate governance went beyond the terms of the UN
peacekeeping mission in Georgia (UNOMIG). Russia declared the legal treaty
relationship established with the Secretariat in 1993 null in void in June 2009\textsuperscript{27}. An act
that in Summers’ (2011) view represented the historical culmination of Russia’s violent
politics of unilateral hegemony.

In violating this legal treaty, which had been facilitated with the UN Secretariat
and in concert with the ‘Group of Friends’ (a concert of Russia and Western powers)
shortly after the break up of the Soviet Union, Summers (2011) argues that Russia acted
unilaterally and with hostile intent. On the other hand, the EU acted within the
boundaries of international law in a politics of multilateral continuation with the
international administration of Kosovo under the UN Security Council resolution 1244.
Where Russia broke the legal treaty it had agreed with the UN Secretariat, there was no
such legal equivalence in the EU’s relationship with the Secretariat.

The EULEX Kosovo Mission became fully operational in April 2009. By June
2009, Russia’s mission in Georgia had also become fully operation, but only by
publically severing all ties with the previous UN intrastate mission governing inside this
nation-state and extending its scope to include the previously excluded territory of South
Ossetia. In Summers (2011) assessment, Russia’s replacement of the UN Mission in
Georgia with its own mission, on an expanded territorial scale and in clear breach of the
treaty relationship with the Secretariat, marks a world-historical event. The “case of
Georgia illustrates how states [like Russia] can construct spheres of influence in the UN
era” in a way that represents a “serious violation” of international law in the 21st Century

\textsuperscript{27} Russia vetoed the renewal of the UN Mission in Georgia in the Security Council in what was the biannual
review of this mission (UNSC Verbatim Record, 15th June 2009, UN Doc. S/PV.6143, 2-3). This veto
terminated the international territorial administration established in 1993, ending the UN Secretariat’s
involvement within the territory of Georgia, and effectively replacing this with a Russian mission.
This international violation of a treaty relationship is simultaneously an act of political violence that moves from “within [to] outside the UN system” (Summers 2011, p.91).

This article appears in an edited collection entitled *International Law in a Multipolar World* (Happold 2011). According to this account of narrative history, Russia’s military occupation of South Ossetia and Abkhazia demonstrates the darker side to the Kremlin’s strategic commitment to “Multipolarity”. Acting from a position of global authority in the UN Security Council, Russia’s belligerence presents a cautionary tale about how certain states can transcend legally binding limits of the UN Charter system in order to “pursue and defend their spheres of influence through unilateral doctrines of the use of force, such as expansive interpretations of self-defence or humanitarian intervention” (Summers 2011, p.91). Russia’s actions in this ‘great power’ assertion of the ultimate, global right to govern her “near abroad” (Summers 2011, p.91) effectively made South Ossetia and Abkhazia “strategic territories” and “protectorates” (Summers 2011, pp.112-3). These were ward territories annexed on the outside of Russia’s state borders, and annexed on the outside of the legality of the UN Charter system.

There are two problems with this interpretation of Russia’s occupation of South Ossetia and Abkhazia. The first is that Summers (2011) tries to argue (against the Russian government’s official line28) that there was no legal parallel with the EU’s occupation of Kosovo. This disregard for the legal case the Russian government presented to the world reveals far more about the Western liberal bias in judging this case than it does in considering the international legality to Russia’s use of force (see Petro 2008). There is no political discourse supporting this action by Russia that looks ‘outside’ of international law. Nor is this discourse in any substantive way different from the discourse that justified the EU’s actions as a continuation of the

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28 Russia advanced three legal justifications for its actions: the self-defence of Russian peacekeeping troops in Abkhazia; the self-defence of Russian citizens abroad in South Ossetia and Abkhazia; and the prevention of genocide in South Ossetia by Georgian forces. All were set out in UNSC, ‘Letter from the Permanent Representative of the Russian Federation to the UN’ (11 August 2008), UN Doc. S/2008/545. The last of these three is the most controversial because it justified the military expansion and, thereby, violation of the treaty arrangements for the UN brokered Mission in Georgia of 1993. However, the point that is made in this chapter is that this justification, on *grounds of humanitarian necessity*, was in keeping with legal argumentation of the liberal politics of occupation that the EU was pressing for at the same time. Any judgment of the evaluation of the reasoning and the legality of this action has to be comparative and relational. But Summers (2011) and others (see the review of the literature by Petro 2008) seem unwilling to acknowledge this moral relativism.
United Nations Mission in Kosovo. This *succession* of international territorial administration happened without the authorisation of the United Nations Security Council. The EU acted in the ‘spirit of UN Resolution 1244’. But this was an action that was *self-authorised* by an appeal to civilizational code of international law that goes beyond the positive legal restrictions of the UN Charter system and, more importantly, of Common Spaces treaty of 2005 agreed to with Russia. It was the EU that acted first in violating *positive* international law, and Russia followed suit.

The question then becomes whether this action was illegal, or not? The answer can only be the equivocal ‘Yes and No’. Yes, it was illegal if one takes the positive international law of the UN Charter, and its commitment to defending state sovereignty, the inviolability of borders and the sanctity of treaty relationships as the parameters on how to judge what is legal and what is illegal international relations. But the answer is ‘No’ if one accepts the EU’s legal reasoning, that by acting in the ‘spirit of UN Resolution 1244’, it was possible to justify the re-organisation of the territorial authority of the “Common Spaces” in-between the EU and Russia’s borders on humanitarian grounds. Summer’s objection to this is that Russia’s actions – unlike the EU’s – involved the political violence of “massive human rights violations” (Summers 2011, p.112). But the crucial point is that the collective intention was humanitarian and appealed to nascent international humanitarian law. Whether the outcome of this collective action supported the initial intention is a secondary matter, in history as in law.

The other problem is closely connected to this EU-Russia *reciprocal* interpretation. According to Summers (2011) ‘unilateral’ interpretation, the occupation of South Ossetia and Abkhazia can be explained in terms of the strategic expansion of “Multipolarity”. Russia’s actions thereby reveals how appeals to a strategic grand narrative of collective security that Sergei Lavrov said - when he was Russia’s ambassador to the United Nations - provides “no room for unilateral diktat or

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29 Most of the international law literature on this event tends to focus on the remedial, national right of *secession* (c.f. French 2013), but the argument that has been presented here is that from the perspective of the regional governors, rather than the regionally governed, the key issue of international law pertains to the global right of *succession*. This point deserves more elaboration. Like the strategic ideas of ’Multipolarity’ and ’Multilateralism’, there is a very different substantive meaning to this language of national and global rights, and to their practical implications. Put plainly, *succession* in this context refers to the contunity of *humanitarian occupations* (Fox 2008) and the logic of inclusion within international legal boundaries (Lindahl 2010).
attempts at domination by force”\textsuperscript{30} can do precisely that and justify the “dominance of some states over others” (Summers 2011, p.91). This explanation for Russia’s violent politics of ‘spheres of influence’ implies a transition of “Multipolarity” from a Charter friendly defence of collective security to a Charter violating defence of unilateral hegemony. In other words, this strategic grand narrative of collective security is, according to Summers (2011), radically inconsistent. It supports the UN system’s restraints on the use of force and it overrules these same restraints through ‘unilateral attempts at domination by force’. According to this logic, Russia is cast as the source of an institutionally destructive tendency in the contemporary UN era. It follows that the pursuit of the idea of “Multipolarity” in global politics is the source of violent instability in the international order that has undermined the global authority of the Security Council. If this were true, it would mean that the Russian government is guilty of a fickle grand strategy that is extremely reckless. The trouble is that Summers (2011) offers no evidence to back up this claim.

The argument that is presented here is that the idea and politics of “Multipolarity” has no direct bearing on the Georgia case. The rationality to the politics of “Multipolarity” stops at Russia’s border, with the constitution of a legal treaty that supports the procedural rules of the UN Security Council (see I.3.1). The source of the destructive tendency that Summers (2011) identifies comes from beyond Russia’s border, through a political transition that is guided by a contrary, foundational idea about the international legality of collective security in the 21\textsuperscript{st} Century. This idea is not pushed for by Russia, and has no roots in Russian strategic thought. This is an idea that is completely alien to Russian political society. It comes the West, and is advanced by the EU with a view to radically reorganising the international administration of territorial authority outside of the EU’s Eastern border, which as of 2005 shared 2000 kilometres of contiguity with Russia’s Western border.

There is no unilateral action in the creation of ‘spheres of influence’ in this event of transition. This is an entirely collective action of regional governance that is tied into a liberal reform of the collective security order of “Common Spaces” towards the progressive terms of the EU’s strategic grand narrative of “Neighbourhood”. The radical

\textsuperscript{30} UNSC Verbatim Record (10th June 1999) UN Doc S/PV 4011 8
inconsistency happens ‘in-between’ the EU and Russia; in-between the strategic realism of “Multipolarity” and the strategic liberalism of “Neighbourhood”. This is why the EU’s occupation of Kosovo in 2008-9 cannot be understood apart from Russia’s simultaneous occupation of South Ossetia and Abkhazia. And also why both occupations are validated by a strategic line of argument about the civilizing mission of international humanitarian law.

3.3. The Strong Paternalism of a New ‘Security Community’

This historical argument leads into the second part of the argument in this chapter, which is more theoretical in nature. In reflecting on the historical experience of this humanitarian transition of regional governance, this chapter makes a contribution to the literature on the ‘in-between’ origins of ‘security communities’ (Adler and Barnett 1998) and to studies on the connection the ‘in-between’ civilizational codes of international law and the practice of executive expansions of governance (Fox 2008, Orford 2011, Mazower 2012).

The overall argument ties the historical aspect about the replacement of the UN mission in Kosovo with theoretical understanding about the liberal politics of this institutional change. This second transition of regional governance is understood to be one of ‘hostile neighbours’ because it forcefully expands the liberal governance practice of ‘humanitarian occupation’ (Fox 2008) East of the Western Balkans and inside the recently constituted jurisdiction of “Common Spaces”.

This transition is understood to be the reason for an institutionalised ‘use of force’ that is validated by an argument of exceptional international legality, a justification about the sui generis protection of ‘humanity’s law’ (Tietel 2011) that overrules and violates the supremacy of the international law of the UN Charter and its prohibitions on the use of force against member-states of the United Nations. As with previous humanitarian occupations this exceptionalism was normatively justified by a form of legal argumentation that is the expression of a progressive faith in the civilization of ‘humanity’s law’ that is revolutionary in its demands. This teleocratic politics of
**governance insists on the transcendence of state-centric norms that pose a restriction on the use of force.** The only real difference to this particular episode of humanitarian occupation and the ones that have preceded it is that this is first of its kind to involve an actor other than the UN Secretariat or the EU31.

The explanation for this event is contingent on, and secondary to, the political constitution of “Common Spaces” in 2005. This ‘humanitarian occupation’ happened within a sphere of action – the jurisdiction of “Common Spaces” – constituted on Russia’s insistence (see Chapter Two). The origins of the ‘spheres of influence’ of the EU in Kosovo and Russia in South Ossetia and Abkazia are doubly contingent on constitutional transition that of “Common Spaces” that was determined by Russia and humanitarian transition that was determined by the EU.

There remains considerable ambiguity over whether this humanitarian transition was illegal under international law. The key point that has been clarified in this discussion is that this action was justified by a normative or ‘ought’ commitment to a different code of international law than supported the existing joint governance of the regional order of “Common Spaces”.

31 Gregory Fox’s book *Humanitarian Occupation* (Cambridge: Cambridge University Press, 2008) analyses the cases of Bosnia, Eastern Slavonia, Kosovo and East Timor in aiming to make sense of international administration of territory since the end of the Cold War. This phenomenon, he rightly suggests, has challenged traditional notions of state sovereignty and autonomy in global politics. He makes a significant contribution to existing scholarship on ‘international territorial administration’ by advancing a theory about the liberal, normative foundations of this practice. In an analysis of both the aims and the means of these projects, Fox (2008) starts by defining the temporary administration of territory by an international actor for the express purpose of creating a liberal, democratic order as ‘humanitarian occupation’ (p.4). His main argument is that humanitarian occupation is a phenomenon of an exceptional character and of an irreducible collective nature. As such, it can be fully explained only through exceptional legal justifications, which depart from traditional state-centric norms. In his view, the practice of humanitarian occupation is revolutionary because the Security Council has undertaken new legislative functions to regulate it, and has done so in the name of collective security interests.

There are two points at which the interpretation of humanitarian occupation in this chapter differs from the practice presented by Fox (2008). First, in the cases – all those that form the basis of Fox’s (2008) interpretation, with the exception of East Timor, are in what the EU terms the ‘Western Balkans’. They are all, also, with the exception of Bosnia, administered by the UN Secretariat under Chapter VII of the UN Charter concerning the international law of occupation. They all – without exception - have UN Security Council authorisation.

The practice of the succession of humanitarian occupations that has been analysed in this chapter has been enforced without SC authorisation. This, it has been suggested, marks an even more radical move in the revolutionary advancement of collective security interests in global politics from the original cases that Fox analyses (2008). This point is picked up on and explored more in the next chapter. In the revised version of this chapter and the next, this point will be made much more central to the argument of the dissertation.
This code of ‘humanity’s law’ has emerged strongly in recent years as the normative justification for a liberal movement in global politics that transcends the realist restrictions of positive international law (Tietel 2011). This liberal movement has the teleocratic purpose of advancing collective security interests through the creation of new, self-sustaining nation-states (Fox 2008, Mayall and Soara de Oliveira 2011). The problem with this liberal movement is highlighted in the jurisdictional interdependence by which the progressive advancement of this missionary liberalism is achieved.

The humanitarian transition in regional governance that has been described and explained in this chapter is hostile because it asserts the EU’s global self-determination of universal jurisdiction of “Neighbourhood” as the only legitimate foundation for the organisation of territorial authority in the bilaterally governed “Common Spaces” in-between the EU’s and Russia’s borders. One could understand this transition simply in terms of civilizational codes of international law: the supremacy of international law of political constitutionalism being effectively replaced with supremacy of the international law of humanitarian occupation. But this would be a rather bloodless, analytical way of understanding this change. A more meaningful interpretation of this transition is that it represented a radical inconsistency in global relationship from a realist association of ‘weak cooperation’ (see 2.3) that is committed to a treaty of “Multipolarity” to a liberal association of ‘strong paternalism’ (Barnett 2012) that is committed to a mission of “Neighbourhood”. This liberal reform of “Common Spaces” involves a revolutionary institutional change. It is a change comes at considerable cost for those nations on the inside and on the outside of the enforcement of this new ‘security community’, none of whom are consulted in this event.

It is hard to say whether the proto nation-states that are included in the orbit of this ‘new’ security community (Kosovo, South Ossetia and Abkhazia) are any better off than the existing nation-states that are de facto broken up by it (Serbia and Georgia) – the de jure decision covering all of these cases is still pending. What is without doubt is that the progressive theory about the transitional becoming of a ‘security community’ as the realisation of “dependable expectations of peaceful change” (Adler and Barnett 1998, p.4) is a liberal myth of the contemporary UN era.
The concluding remarks in this chapter connect back to the discussion in Chapter One about the EU’s Enlightenment-inspired, neo-Kantian project of governance as the justification for a regional ‘normative power hegemony’ (1.1.4). It is argued that this liberal hegemony has found its apogee in an expansive practice of regional governance that is self-authorised by the EU in appealing to the grand strategic narrative of this liberal myth of “Neighbourhood”. This myth and its aggregating ideas of human security, territorial administration and the civilization of ‘security community’ in the 21st Century was reciprocally enforced, in association with Russia, in a bilateral mission of humanitarian occupation. Not only was this governance activity revolutionary, paternalistic and freedom-denying, but it was also, unquestionably, belligerent.

The radical change in the political association of a global relationship (from a Russia-EU treaty to a EU-Russia mission) has been explained as the reason political violence in the territory East of the EU’s Schengen border regime. This account of this violent change has disclosed two issues about the liberal myth of regional governance. One concerns the liberal politics of international law. The critique of the narrative history presented by James Summers (2011) has disclosed a reluctance to acknowledge that the violent politics of ‘spheres of influence in the UN era’ can be justified through a civilizational discourse of international humanitarian law. This violent politics is not beyond international law, per se, but is beyond one code of international law that is familiar and integral to the procedural and legislative functioning of the Security Council. In 2008-9, the experience of this violent politics can only be understood through a mission relationship that is irreducibly in-between the EU and Russia’s borders.

The second aspect of this liberal myth is about the origins of ‘security communities’ (Adler and Barnett 1998). The idea that this kind of activity can be routinely described in academic research in the language of ‘liberal peace transition’ (Richmond and Franks 2009) points to an aspect of normative consciousness in contemporary global politics that is arguably more disquieting than the violence that happened in the EU-Russia “Common Spaces”. The narrative conclusion of this chapter is that this teleocratic reading of history as a Kantian progress towards a future of ‘perpetual peace’ only goes to show the extent to which the myth of ‘humanity’s law’ (Tietel 2011) has
established a strong hold on the progressive political imagination in the 21st Century. This is how the cosmopolitan teleocrat likes to read history, as the benign and world-improving story of a liberal movement of comprehensive peace, democratic freedom, and the protection of human rights that is always repeating forward, always continuing on a journey that edges its global pilgrims closer to collective salvation.

More than just wishful thinking, this belief in the transitional becoming of a ‘security community’ is a form of secular religion that appeals to international humanitarian law as its irrefutable, doctrinal source of certainty. But this teleocratic faith has not brought forth any of its millenarian promises of 1999. A decade on, this faith had been strategically endorsed to justify the expansion of the executive bureaucracies of the Union and the Kremlin that was undemocratic, freedom-denying and the reason for a ‘massive violation of human rights’. The enforcement of the civilization of ‘humanity’s law’ (Tietel 2011) had undermined all of the most cherished goals of liberal internationalism, in a region of the Eurasian landmass to the East of the EU’s Schengen border. This event of the belligerent occupation of ‘hostile neighbours’ was the first of its kind, but it might not be the last.
Chapter 4. The Overlap of EU–Russia ‘Strategic Dissonance’

4.1. Understanding the EU-Russia ‘Strategic Dissonance’
4.2. Uncivilized Restraint: The Indeterminacy of a ‘Dialogue of the Deaf’
4.3. Uncivilized Protection: The Overdeterminacy of a ‘Humanitarian Occupation’
4.4. The Irredeemable ‘We’ of ‘Strategic Dissonance’
“We get into this position of double passivity vis a vis the past, where we imagine that violence is essentially over, and so reframeable by our gaze. We then do violence to the past, because we render it too different from our present and fail to sympathise with its dilemmas.”

John Milbank, *Being Reconciled*

Doubling has been the consistent narratological motif of this dissertation. In this final chapter on the historical narrative of the EU-Russia relationship, the overlap of the ‘double transition’ in regional governance that was introduced in Chapter One (see 1.2) is brought to its double conclusion. This chapter completes the study of the overlapping transitions covered in the previous two chapters with a focus on the relationship history of their crossing-points. These are the sites of mutual contact in the *eventum* of ‘overlap’ (see I.2) in regional governance. In examining the interdependencies of these sites, this chapter looks to theorise, anew, about the condition of ‘strategic dissonance’ (Herd 2008, Herd and Foursberg 2005, 2008) in global politics.

Previous analyses of this discordant condition (ibid.) suggest that it is a feature of the relationship crises of the war in Iraq (Herd and Foursberg 2005) and of the war in Georgia (Herd 2008, Herd and Foursberg 2008). Where the first occurrence helps to explain the discord of the global relationship in-between the Atlantic powers, Britain and the United States, and the other permanent members of the Security Council (Herd and Foursberg 2005), the second occurrence explains the discord within a re-energised EU-Russia relationship (Herd 2008).

These evaluations are quite clearly referring to the same global relationship problematic. But they involve different combinations of global powers. They describe different relationship situations. These episodes in global political life in the 21st Century are separated in space and in time. Yet, the assumption is – and it is one that is supported in this chapter – there is continuity and change between these episodes. They refer to the same global relationship problematic.
The continuity and change in-between these episodes is the undertheorised aspect to the concept of ‘strategic dissonance’ that this chapter looks to fill out by suggesting a ‘global theory’ (Browling 2011) about this condition. This theorising it looks to explain why “the trauma that emerged over the Iraq war remains unresolved” (Herd and Forsberg 2005, p.1) and why this unresolved condition has relocated from the Security Council, and from a US-centred predicament to a permanently ungovernable space East of the EU’s Schengen border.

The overall argument is that the evolution of this condition of ‘strategic dissonance’ is an institutionalised problem of a double movement of teleocratic politics – a politics that stresses ‘our’ common purposes and ‘our’ common engagements – in collective security in the 21st Century. This politics allows no room for individual diversity and imposes a uniformity of thought and action on a given collective ‘We’ in the contemporary UN era of wartime (see 1.1.). This global experience is only experienced by a very select few. A minority of determined, global powers that are in either in global authority already (i.e. they are members of the Security Council) or they covet this position of authority, and wish to reform the governance arrangements at the top of the UN, from below.

The ascent of the EU as a global ‘normative power’ in response to the first crisis of ‘strategic dissonance’ (Herd and Foursberg 2005) was aimed at overcoming the limitations of what the global theorist, Andrew Hurrell, has described as the “limited procedural rules governing co-existence…in the 21st Century” (2007, p.298). As Hurrell goes on to add (ibid.), this progressive, liberal project required, “the identification of substantive collective goals and the creation of institutionalised structures of governance to implement them.”

This use of the language of ‘creation’ is very significant in this context. To understand a work of ‘creation’ in global politics requires an appreciation of the coming into existence of an institutional form (see Rengger 2013). This transitional becoming of political order is only intelligible in terms of its meaning as a teleological process. This process of order-creation (or ‘building’) has a preordained end goal that is set at the very beginning of its process of creation.

The creation of ‘institutionalised structures of governance’ requires the agency of ‘governors’ to act as ‘collective’. They are the interrelated ‘We’ that give this institutional artifice its life. This ‘We’ is directed by a plan. Not just any plan, but a strategic plan that
is mutually implicating in its common purpose and creative objective. This plan looks to
direct a transitional process that is teleocratic in so far as it can be discriminated in
political thought by its strategic ‘common purpose’ from the governance means by which
it is pursued and the institutional order in which it is realised.

But as we have discovered in Chapters Two and Three, creation does not always
go according to plan. The EU's strategic plan set out in 2003 and discussed in Chapter
One did not imagine the outcome discussed in the previous chapter, nor either of the
episodes of mutual contact discussed in this one. The institutionalisation of governance
by the EU was complicated because the other half of the 'We', Russia, was being asked
to play out a role in the EU's strategic script about the change in collective security in the
21st Century that Moscow had not read, still less had a hand in writing. All the
consultation in the drafting of this strategic plan happened in a mutually supportive
relationship between the EU and the UN Secretariat. Russia was subsequently informed
of the role she was expected to play.

Initially, as we saw in Chapter One and Chapter Two, Russia refused to play this
supporting role. Only in Chapter Three, did Russia ‘return to Europe’ in a progressive
movement that completed the double teleocratic politics of a global relationship with the
EU. On this ‘return’, the plan for a re-energised “strategic partnership” was realised in an
institutionalised experience at the border in-between these global powers. This
experience was completely different from what had been expected by the EU in 2003 or
by Russia in 2005. Foursberg and Herd describe the experience of ‘strategic
dissonance’ as a ‘trauma’ – a word that befits the psychological language that they apply
to this concept. But this kind of dramatic terminology does not fit so well with this re-
interpretation of this concept in terms of agency, intentionality and political association.
There are two main points of clarification about the condition of ‘strategic dissonance’ that our narrative of the EU-Russia relationship has made visible. The first is that this is the product of conflicting convictions about the ‘common purpose’ of “strategic partnership”; what has been referred to as the realist and liberal teleocratic faiths. These teleocratic faiths are substantive beliefs in the ‘common purposes’ that ought to govern the actions of these two associates as a collective ‘We’ in global politics. The second clarification is that these ‘common purposes’ of wartime (Dudziak 2012) are both ultimately concerned with determining the terms of this relationship in a way that institutionally enshrines comprehensive ideas of collective security. The means of embedding these ideas is an all-inclusive teleocratic politics of regional governance.

The EU has one idea about what this involves, and it means going beyond the minimalist, existing procedural terms of governing collective security. These are terms that favour ‘state sovereignty’ and the positive international law of border politics. They are also terms that happen to mean a great deal to Russia. Hence, the beginning of the EU’s re-energising of the “strategic partnership” with Russia, comes with a counter-movement that looks to institutionally re-establish these terms with the EU; and perhaps convince the EU that the ‘procedural terms’ of governing collective security do not need to be overhauled. They can be strengthened by putting a much stronger, juridical emphasis on the international political order that the UN Charter supports. That means ensuring that the associative ties in global politics are more communally binding. It means ensuring that Security Council resolutions place a greater obligation on all members of the global community. It means that the existing legal rules on territorial integrity, non-interference and political equality in global politics, ought to be more seriously and vigorously observed. The alternative is to acknowledge that George Bush Jr. was right to question whether the United Nations has a purpose in the 21st Century. The purpose is a civilized state-centred restraint on the use of force.

But simply strengthening what already exists is not enough as far as the EU is concerned. The old rules have not worked. The institutional order at the top of the United Nations is out of date. ‘State sovereignty’ is no longer the self-evident foundation for international law or collective decision-making in global politics. As Ruti Tietel (2011)
suggests, there is global humanitarian movement that has emerged in the 21st Century. A movement that explains why “Security council actions are not just operating on the state but also – and increasingly – targeting individuals and holding them responsible….This shift is driving the move from a state-centric normative discourse of global politics – which had prevailed until recently – to a far-ranging, transnational discourse….that is constructed more along ‘humanity law’ lines” (Tietel 2011, p.10).

In Samuel Moyn’s (2010) excellent history of the human rights’ movement, he argues that it is a much younger, more recent phenomena than many commentators believe; appearing only in the mid 1970's and exploding onto the global scene at the turn of the 21st Century. The suggestion that has been made here is that the movement that Ruti Tietel (2011) describes as the profound, normative-political shift in global politics of ‘humanity’s law’ is younger still. She tries to trace it back to the end of the Cold War. There are, arguably, connections between Gorbachev’s idealism of ‘Common European Home’ and this recent progressive movement within global institutional life (see 1.1). But the suggestion that has been presented in this narrative history is that 2003 is ground zero for this movement. All the possible antecedents to this movement before the invasion and occupation of Iraq are aspects of what Michael Oakeshott calls the “practical past” (1999, p.42). Events prior to this beginning are marshalled in the progressive liberal narrative of this movement to give it added purpose, credibility and legitimacy. They are appropriated in the grand strategic narrative of a ‘missionary liberalism’ evokes an idea of civilization that goes beyond the state-centric restraints on the use of force.

The EU and Russia’s global self-determinations of civilization determine the collective ‘We’ of “strategic partnership” in two ways. They determine that this ‘We’ can be ‘taken seriously’, in the first instance. They also determine which contestations of this ‘We’ can be ‘taken seriously’, in the second instance. This double global self-determination of a “strategic partnership” creates what Philip Petit (2001, pp. 201-10) describes as a “discursive dilemma”. A term he reserves for the kind of dilemma that affects every collective or group when it is torn between convictions that are, at root, the self-chosen, reasoning giving articulations of normative discourse.

This dilemma manifests in the internal movement in-between two historic poles of a ‘We’, when: “a particular group will be unable to present itself as an effective promoter
of [a single common] purpose” (Petit 2001, p.203). In the in-between movement beyond its purposeful constitution, the group will experience the dissonance of “routinely seek[ing] to establish consistency and coherence…by renouncing its past commitments” (ibid.). By renouncing its own constitutional origin in a quest to realise its humanitarian future, the group faces the dilemma of relative constancy over time.

To be taken seriously as a collective ‘We’, this group of associates will need to stick to their prior commitment; the common purpose that constituted this entity as a collective in the first place. But this constitutional foundation will restrict the range of options available to the group when affronting the humanitarian challenges of a responsibility to act in accordance with the ulterior common purpose for directing the collective actions of the group.

In this scenario – of being permanently caught in-between two common purposes of a constitutional beginning and a humanitarian beyond – the ‘discursive dilemma’ makes this collective ‘We’ irredeemable. The associated group is either immobilised; or it makes a final surrender to one or other of its common purposes. Either way, this ‘We’ of “strategic partnership” cannot be ‘taken seriously’, in the sense that it cannot make an unequivocal pronouncement of the common, group position. This “We” is a ‘partnership’ without a unified ‘strategy’. That is the condition of ‘strategic dissonance’ in the EU-Russia relationship.
4.2. Uncivilized Restraint: The Indeterminacy of a ‘Dialogue of the Deaf’

“One feature of international relations, clear in retrospect, is that participants in policy-making and negotiations often had quite different views of what their interlocutors meant or intended. The basic conceptions of the two sides in confrontation may be so wholly different that no meeting of minds is possible.”

Lord Beloff, *Britain and the European Union: Dialogue of the Deaf*

‘Dialogue of the Deaf’ is a far more established interpretative frame in International Relations than ‘strategic dissonance’. Like the latter, it has appeared in historical studies of the EU-Russia relationship to refer to the diplomatic deadlock during the UN-brokered Kosovo Status Talks (2005-7) (see Chebakova 2011, Ker-Lindsay 2011, Berg and Molder 2012). The actual term ‘dialogue of the deaf’ is not always used, but these accounts of the diplomatic dispute between the EU and Russia present a very similar narrative of frustrated interaction that Lord Beloff (1992) describes above.

‘Dialogue of the Deaf’ involves a disagreement between two sides in which ‘no meeting of minds is possible’. It is a helpful framing device for describing and explaining why an activity of international diplomacy, between two parties, fails to arrive at a conclusion that satisfies either in a way that could be said provide an effable outcome of closure, conciliation or ‘settlement’. At the centre of every ‘dialogue of the deaf’ is a mutual incomprehension that is potentially, endlessly, repeatable. This arises from fundamental differences of policy outlook and strategic interest (Beloff 1992) that, because they have not been put to rest, could resurface in the same manner in the future. The key to understanding this kind of experience in international diplomacy is to hone in on what the binary opposition at the centre of this dispute.

James Ker-Lindsay is an expert on the much contested, international diplomacy surrounding Kosovo’s statehood (see Ker-Lindsay 2009, 2011a, 2011b). In his description of the failure of the Kosovo Status Talks (2005-2007), he identifies
two antithetical positions that each side puts forward, as he puts it, to ‘solve Kosovo’. Russia’s and the EU’s solutions are presented as mutually incompatible responses to the same international question, the one posed by the UN Secretariat – what is Kosovo’s future status to be? – Ker-Lindsay’s analysis is perceptive, but, as we shall see, it does not capture the positions of both sides as well it might.

Russia’s position is described under the heading ‘constitutionalist’ because its particular solution to the ‘Kosovo Question’ is to ensure that whatever changes there are to Kosovo’s political status are not so radical as affect Serbia’s constitutionally guaranteed right to territorial integrity. This is a guarantee afforded by Serbia’s national constitution, but also, by Serbia’s membership as a fully-recognised member-state of the United Nations.

It is worth noting that this recognition of Serbia’s membership in the ‘common home’ of the United Nations has only been in place since 2000 when the Serbia (then Serbia and Montenegro) qualified for de jure statehood by the government’s acceptance of the conditions of the Security Council Resolution 757 (1992) concerning the legality of the international borders in-between the constituent republics of the former Yugoslavia.

Russia’s support of the government in Belgrade during the Kosovo Status Talks represented a form of global support for the legitimacy of the Serbian state within the UN system. But as Ker-Lindsay (2009) suggests, this support does not necessarily comprise a pan-Slavic reaching out towards Russia’s international brethren. The political discourse that animated Russia’s position in the Kosovo Status Talks makes no reference to this kind of cultural nationalism. Civilization in this context refers to a fundamental belief in a universal or global right to territorial integrity and the sovereign guarantees of non-intervention that are afforded to all member-states of the United Nations under positive international law. For Russia’s policymakers, the fundamental issue of ‘self-determination’ was defined by its prior commitment to what has been referred to as ‘The Empire of Law’ (see 1.5). The fundamentalist and uncompromising position that Russia maintained throughout the Kosovo Status Talks was that Kosovo should be allowed some form of enhanced autonomy within the Serbian state. The only area of agreement between Russia and its Troika partners in the UN-brokered talks (the EU and US) was that there ought to be no return to the pre-1999 status of Kosovo. The Putin administration signed off on a report by the UN envoy that stated: “Belgrade will not
There was no mention, however, of Kosovo's independence. The last conclusion of this report is probably the most significant for understanding the indeterminacy of these talks. It reads that the Troika "had no intention of imposing a solution", and that this restraint is consistent with terms that Russia, the EU and the United States entered into negotiations in 2005 (United Nations 2007b).

Ker-Lindsay’s (2009) ‘constitutionalist’ interpretation of the Russian position brings the focus onto the subject of ‘statehood’ and specifically the reason why Kosovo’s independence was excluded from consideration during these talks. The guidelines to the negotiations of 2005 stated that the aim was to leave “no stone unturned” in the search for the Kosovo solution. But in practice, the negotiations only considered two options: a) the status quo, where Kosovo remained an administrative province of the Serbian state with no special rights; b) autonomy, where there would be an internal, federal re-design of the Serbian state that would afford the Kosovo’s representatives more decision-making power in Belgrade. The aforementioned statement from the Troika, on the 27th September 2007, noted its support for the Secretary-General’s opinion that the "status quo is not sustainable”. But this was not the progressive conclusion it might seem. Russia’s position and that of the Troika as a whole was consistent with the support for the ‘supremacy of international law’ – the Serbian state would remain intact as of Security Council Resolution 757. The Troika would not impose a solution that in any way violated this resolution.

This ‘constitutionalist’ position effectively silenced the negotiations. Or at least, it did up to a point. As James Hughes observes, “In late 2007... a widespread discourse [emerged] among EU officials, and EU-focused academics, about how the rule of law mission ‘EULEX’ would displace the UNMIK administration and that [Kosovo’s] independence was a fait accompli” (Hughes 2013, p.1010). Ker-Lindsay notes something similar, but argues, baffling that the EU’s position was ‘Pragmatist’. Frustrated by the deadlock in the Kosovo Status Talks, the EU policy makers, he writes, “simply gave up” on trying to achieve an international consensus on the Kosovo question, even internally among the Union’s own member states. Deciding instead to focus "on forging [the Union’s] own [policy] unity in the face of growing US determination" to ensure the international recognition of Kosovo’s right of independence.
What is surprising about Ker-Lindsay (2009) ’s evaluation of the Union’s position is how muted it is. He acknowledges that the Union was not only: a) overstepping the 2005 terms of the Troika by seeking to ‘impose a solution’; b) going beyond the 2007 statement that Russia had agreed to about greater autonomy for Kosovo within the Serbian state, but, also, c) acting as unified policy actor without the consent of EU member states. The Union was a pursuing a course of action, as an executive bureaucracy, that challenged the limits of all domestic and international restraints of international law.

To describe this as position as ‘pragmatic’ belies just how radical the EU’s stance became in late 2007. As Ker-Lindsay (2009, p.176) himself admits, the EU’s move: “would pose a distinct challenge to prevailing international approaches towards secession.” Behind this policy choice (regardless of the affinities it may have with US policy), was a desire for a fundamental change, not only in Kosovo’s statehood, and not only in Serbia’s as well; but also in the constitutionally guaranteed, state-like arrangement, the EU had signed up to with Russia in 2005, and to which the Troika agreement was simply a continuation.

To make good on this radical commitment to solving the Kosovo problem would require the international territorial administration of Kosovo’s secession from Serbia. This plan was an elaboration on the proposal of ‘supervised independence’ – the title given to this policy by the UN’s special envoy Matti Attishaari – that had already been rejected as illegal by Russia on the grounds that it contravened all existing Security Council Resolution’s by suggesting “conditional independence” for Kosovo that would mean that this province would no longer be “part of Serbia” (Ker-Lindsay 2009). He also said in a lecture at the London School of Economics, in late 2007 (presumably arranged with Professor Mary Kaldor, who was his advisor on ‘human security’ at the time), that Kosovo was “primarily a European issue”, and therefore the aim of these negotiations was to secure a “UN exit and a EU takeover” (cited in Hughes 2013, p.1009).

This self-disclosure by the UN envoy reveals that the mutually supportive relationship in-between the Secretariat and the Union trumped all others in the Kosovo Status Talks. It was more important than any common cause the Union’s position might have had with the most powerful state in the world. It was certainly more powerful and directive than the treaty relationship that the Union had signed with Russia in 2005. The normative demands of this makes for reform are considerably more substantive than the slogan of ‘pragmatism’ conveys.
The unrestrained character of the Union’s position is more convincingly presented by Berg and Molder (2012) when they classify the EU’s position as the endorsement of the norm of ‘responsibility to protect’ that had just been endorsed at the World Summit of 2005, organised by the UN Secretariat. Applied to the question of Kosovo’s status, this norm translates into a support for what has typically been called the remedial right of secession, but is otherwise known as the positive right to self-determination (Fornby 2010). Advocacy for this right on Kosovo’s behalf would set the EU on a collision course with Russia’s principled stance on self-determination in support of Serbia and ultimately of the ‘constitutionalist’ transition that Moscow thought had only recently been ‘permanently’ guaranteed within the legal framework of the UN Charter (see 3.3).
4.3. Uncivilized Protection: The Overdeterminacy of ‘Humanitarian Occupation’

The internationalist norm of the ‘responsibility to protect’ was originally conceived of in response to NATO’s humanitarian intervention in Kosovo in 1999. As mentioned in the Introduction (see 1.3), the UN Secretariat Kofi Annan had moved to try and repair the relationship between his office and NATO. He declared at the time: “peacekeeping is not, and must not become, an arena of rivalry between the United Nations and NATO…We work best when we respect each other’s competence and avoid getting in each other’s way” (cited in Orford 2011, p. 178).

It was also mentioned in the introduction that NATO’s action had deeply concerned the Secretariat. Indeed, for precisely the same reason as the Russian government (see 1.5 and 2.1). By bypassing the UN Security Council and pursuing a war as a self-declared, Western collective security organisation outside of the UN Charter system, on grounds of humanitarian necessity, NATO was acting completely without any international legal restraint. The implications of this humanitarian militarism for international order - with a self-authorising, collective security organisation waging ‘war for humanity’ (Heinze 2009) as, and when, it saw fit - prompted the Secretariat to try and reassert an authoritative primacy over this collective security institution.

The norm of the ‘responsibility to protect’ would become the central organising principle of the UN Secretariat’s subsequent lobbying for comprehensive reform of the collective security in 2003. And it would be re-enforced in 2005 at the UN World Summit – the largest international summit in world history – where all of the member states of the United Nations would pledge to support its general normative intention to: “protect…populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it.”

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In 2003-5, the ‘We’ in question had been constituted by the treaty relationship of “Common Spaces”. From 2008-9, this ‘We’ would fulfil the mandate of ‘normative power’ protection in the mission relationship of “Common Spaces” (see Chapter Three). The threat to international order from humanitarian intervention had been successfully replaced with another threat - the belligerence of humanitarian occupation. Carried out by the bilateral association of two occupying global powers - the executive bureaucracies of the Union and the Kremlin - in the shared extra-territorial jurisdiction of “Common Spaces”, this would be a collective security dilemma even more vexing than the one it replaced. This was a ‘We' that was acting with the internationalist approval of the UN Secretariat, in a movement of missionary liberalism that had been endorsed by all the member states of the UN General Assembly. This was not the same dilemma as in 1999. This was not a problem that emerged from outside the UN system. This was a radical, belligerent movement from the self-enclosed inside that was breaking out. This was an event of violent politics that was not beyond international law, but an extension of international law. This was the first sighting of a violent global politics of the 21st Century. It had burst onto the global scene East of the EU’s Schengen border, and to the West and South of Russia’s border.

The war in Georgia was dubbed in Brussels policy circles as the ‘Little War’ in contradistinction to the ‘Major War’ in Iraq five years earlier. In terms of the number killed, and the duration of the military operation, this was indeed far smaller in scale. But in the long run, this ‘Little War’ may prove to be the more devastating for the international order of the United Nations.
4.4. The Irredeemable ‘We’ of ‘Strategic Dissonance’

Herd and Foursberg (2008), in their second co-authored piece on the subject of ‘strategic dissonance’, make a couple of additional clarifications to their original argument. The event-phenomenon identified in 2003 is taken to be the source of “continued turbulence” and has “become the default transatlantic condition” (Herd and Foursberg 2008, p.364, emphasis added). They add: “the dynamics that generate its power still have the potential to resurface and further fragment and paralyse the unity of purpose and action of the transatlantic security community." But in a more optimistic tone, they add there is also a latent “constructive potential that can be harnessed” (ibid.) that could change this dynamic for the better.

In this concluding section, the aim is to complete the global theoretical re-interpretation of the historical significance of ‘strategic dissonance’. The question of whether 2003 was the first time this event happened is open to question – 1999 is probably the better place to begin – but that is not something that concerns us here. What is of more interest is the change between 2003 and 2009. This first episode of ‘strategic dissonance’ did not – it has been suggested – happen within a ‘transatlantic security community’, but within a global political community that centred on the Security Council. The effect was to ‘fragment and paralyse’ the collectively self-legislated unity of an established group; the members of the Security Council.

The historic response to this fragmentation of the most powerful collective ‘We’ in global politics was to search to restore unity of a common purpose. This movement of global restoration was, it has been argued, led above all by Russia. Acting as a global ‘great power’ defender of the UN Charter system, under the grand strategic narrative of “Multipolarity”, Russia led the international constitutionalism of the treaty of “Common Spaces” as a part of realist regional governance project to restore international order along Russia’s border. This involved a balancing act with a rising global power in the West, the EU. But this would only be the first act in the institutionalised cooperation of a new ‘Holy Alliance’ in the 21st Century that would span the Eurasian steppe right up to the border with China.
No sooner had this unity of collective security been restored, than it would be paralysed and fragmented again. The reason for this radical instability is, appropriately enough, two-fold. As noted in Chapter Two, the cooperation constituted by this new ‘Holy Alliance’ was weak. The teleocratic conviction about the supremacy of international law of the UN Charter and all that comes with that, in terms of the treaty relationships of a balance of power, rests on a state-centric, normative commitment that the Russian government had, and still has, in abundance; but is largely alien to contemporary European strategic thought.

Russia acted to contain and restrain the progressive advances of a new expansion of international society. Launched from the Western extremity of the Eurasian landmass, the EU’s liberal commitment to a non-state centric subjectivity made it the perfect ‘normative power’ leader for civilization of ‘humanity’s law’. It would pioneer the shift that Ruti Tietel (2011) narrates, from prioritising state security to protecting human security. But as the European Security Strategy of 2003 clearly stated, ‘we cannot act alone’. The EU’s mutual supportive relationship with the UN Secretariat would form the Western axis of this global movement. But it would take cooperation with Russia and the constitution of “Common Spaces” to give this movement a political reality and area of operations.

The ‘little war’ of the humanitarian occupation of “Common Spaces” was the second instance of ‘strategic dissonance’ in the 21st Century: its roots like the European Security Strategy of 2003. It happened not within a ‘transatlantic’ security community, but within a “Neighbourhood” security community. In geopolitical terms, the field had moved East. But it had also changed from being a maritime to a continental predicament of ‘security community’.

It is hard to share Foursberg and Herd’s (2008) optimism that the transitional dynamic that led to this second ‘strategic dissonance’ can be harnessed for the better. Since it was an effort to do precisely that – to respond creatively and constructively to the previous event of ‘strategic dissonance’ by harnessing its energies under the authority of the United Nations, which initiated this re-beginning. In its recollection backward and repetition forward the only change that happened was to geo-strategically shift the location of an episode of ‘strategic dissonance’ into the Eurasian interior. To respond to this further episode with the same intentionality of a collective ‘We’ would risk repeating this beginning. As noted above, this teleocratic politics of the ‘We’ is irredeemable. The time has come to think again.
The Global End of Sweet Enemies

"One had an impression of a process of ceaseless gradation... The last word never seemed to be able to be uttered, for every end was a beginning, every last result the first of a new opening."

Robert Musil, *The Man Without Qualities*
Conclusion

C.1. The 'In-Between' of the EU-Russia Security Dilemma

*Driving the Teleocratic Dynamic: The Progressive Liberal Desire*

*The Teleocratic Beginning: The Logic of Hegemony*

*The Teleocratic Middle: The Logic of Overlap*

*The Teleocratic Ending: The Liberal Illusion of Transcendence*

C.2. The Realist – Liberal Experience of Global ‘Sweet Enemies’

*Radical Indeterminacy: The Self-Determinations of Global ‘Sweet Enemies’*

*Teleocratic State Failure: The Realist-Liberal Disorder of “Common Spaces”*

C.3. The Beginning of a Global ‘Civil Conversation’
“Broadly speaking…the entire ‘noughties’ have been a period of disillusionment in EU-Russia relations…This mutual frustration is all the more striking, considering the fact that the EU and Russia are vitally interdependent of their external and domestic security and humanitarian issues, and because the EU accounts for over 50% of Russia’s external trade as well as most of the FDI (Foreign Direct Investment) in Russia. The paradox of the situation is that the closer the EU and Russia get to each other territorially or economically, the more problematic their relationship becomes, so that interdependence and contiguity turn into a source of permanent frustration.”

*Sergei Medvedev, The Stalemate in EU-Russia Relations*

Much of what Sergei Medvedev (2008) says has been corroborated in the narrative of this dissertation. Taking in almost the entire ‘noughties’, this inquiry has focussed in on the problematic of this *global relationship*. As the last chapter demonstrated, the changes of ‘interdependence and contiguity’ in-between the EU and Russia have, indeed, been a ‘source of permanent frustration’ to both parties. But the historical explanation that has been narrated in these pages about the origin and experience of this situation is more troubling than Sergei Medvedev’s suggests. The frustrations in this relationship are more perplexing than a ‘stalemate’. What is more, they show no signs of going away.

The reason Professor Medvedev has underestimated this problem of this relationship is that his evaluation - and indeed all the others that have been referred to in this study (esp. Hakulla 2010a, 2010b) - focuses too narrowly on the exclusive, bordered concerns of these political associates. As was noted in Chapter One, the dilemmatic situation that emerges *in-between* the EU and Russia crosses international borders and appeals to higher, global concerns than the domestic affairs of these neighbouring powers. In their *global proximity*, the EU and Russia have been – and remain to this day – the central *regional* figures in a *conflict* that began in the United Nations Security

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33 Incidentally, I have been in conversation with Professor Medvedev on and off for some time, as I have with many of the other commentators on the EU-Russia relationship mentioned above; namely, Professors Hiskki Hakulla and Vatcheslav Morozov. All have been very forthcoming, and it has been a pleasure talking with them all. These comments on Sergei’s interpretation of the problem in the EU-Russia relationship are not intended as a criticism, as I think I make quite clear.
Council, but has since threatened to permanently undermine the functioning of this most powerful institution in world politics.

These concluding remarks summarise what Oakeshott calls the “full account of change” (1933, p.143) that any historical narrative tries to deliver. The last words revisit a theme that was stressed at the very beginning of this investigation. The EU-Russia relationship problematic is not something that can be understood outside of the political discourse of this global relationship. Whatever possible understandings and misunderstandings in-between the EU and Russia are entirely contingent on the content of what each individual agent says to the other. As per the narratological terms outline in the Introduction (see I.2.) the substance of the content of this political ‘discourse’ has explained every single event in this relationship ‘story’: from the narratable beginning (Introduction and Chapter One), through the narrative middle (Chapters Two, Three and Four) to the narratable ending, which is where we are now. The last words of this dissertation consider what exceeds all attempts at the narration of contemporary global politics: whether that comes from the participants in history; or from a narrator, such as myself, who looks to impose some overall pattern onto the political experience of a global relationship.

These final words lead us into a deeper appreciation of the middle of this particular global relationship. ‘Middle’ is one of many words for the ‘in-between’; in ancient Greek, the metaxy, where our narratological ‘assays of bias’ have moved over and over. Rather than trying to think about what might lie ‘beyond’ this middle, it is suggested this middle is the space of contemporary global politics. It is the teleocratic or purposeful attempts to collectively master this space that have been the source of ‘permanent frustration’ in the EU-Russia relationship. This teleocratic politics and its disorder, it is argued, has characterised the ‘security dilemma’ of the 21st Century and the EU-Russia relationship of global ‘sweet enemies’.

The historical record of this relationship only goes to show that this global political space cannot be mastered. Every attempt to do just that shall only re-affirm the ‘permanent frustration’ that the EU and Russia have, jointly, already experienced. This relationship experience was freedom-denying and militant. It proved an enormous drain on the resources of the executive bureaucracies of both the Union and the Kremlin. It
brought both of these offices of government closer together in a way that resulted in the interlinked governance failure of their respective strategies of collective security. But in spite of this relatively recent experience of collective self-defeat, neither party appears, so far, to have learnt anything from it.

This shared ignorance about what actually happened during the most eventful years in the EU-Russia relationship, to date, helps to explain why both parties now stand on the verge of repeating their mistakes. As tensions rise today over what to do to try to prevent the escalation of conflict within another “Neighbourhood” country in-between the EU and Russia, the problematic of this global relationship threatens to go down a similar route as it did over Kosovo-Georgia.

Sergei Medvedev (2008) suggests that the EU-Russia relationship has reached a ‘stalemate’. It did when he was writing about this relationship during the diplomatic deadlock over the Kosovo Question, but the event of war in Georgia in August 2008 ended that particular ‘stalemate’. All the signs are that, five years on from this war, the EU-Russia relationship is lurching towards another violent stalemate-dispute. If this conflagration happens, it could be the beginning of the end of the United Nations Security Council as the political body that has assumed ultimate control in the 200-year old project of ‘governing the world’ (Mazower 2011).

Any historian will tell you, it is unwise to prophesise. Institutions change, but seldom do they appear or disappear completely. The United Nations Security Council is still attempting to call the shots on the absolute rules governing collective security. But the Syria Question that is currently preoccupying diplomats in Brussels and Moscow has the potential to be far more damaging to the legitimate authority of this global institution than any of the situations concerning the unauthorised use of force covered in this dissertation, the crisis over Iraq in 2003 and over Kosovo-Georgia in 2008.

There is always a danger – perhaps it has crept into the tone of this dissertation\(^\text{34}\) – to exaggerate the implications of past events in considering what tomorrow might bring. Rather than speculate on how the conflict in Syria may or may not manifest at the

\(^{34}\) My PhD supervisor, Professor John Anderson, has suggested it has.
interstices of the EU-Russia relationship, this dissertation closes on a more contemplative, theoretical note. These final words consider the possibility of a meaningful dialogue in-between global others.

The Oakeshottean question raised in these closing remarks invites reflection on whether the EU and Russia can move beyond the global indeterminacy of a ‘dialogue of the deaf’ to a genuinely two-sided global conversation; a conversation that takes each speaker at their word, in their own terms, as a voice that is independently intelligible yet meaningful in the contemporary *global community*. This beginning of a global conversation is unnarratable, and thus marks the definitive end of this narrative investigation. There is no more plotting of possibilities, because there are no determinate origins in a global conversation. There is nowhere to go. There are no transitions that articulate the foundation of global identities or point the way to the creation of all-embracing institutional forms. There are no grand narrative ideas of common purpose(s) to provide this beginning with a double teleocratic direction. This origin is articulated with a different stress on otherness. It looks to explore the global space of the middle as a space of ‘in-between’ mediation that does not take sides, and does not engage in the kind of dualistic opposition of interstate realism v. intrastate liberalism that has marked the volatility of the EU-Russia relationship. This voice of conversation contemplates an intermediation in an inconclusive, argumentative ‘stalemate’ as an infinite opening.
C.1. The ‘In-Between’ of the EU-Russia ‘Security Dilemma’

“The question is never about security versus something else, but about ‘whose security’, and at what cost.”

Martti Koskenniemi, *The Place of Law in Collective Security*

The question of ‘whose security’ is supposed to be cleared up by the universal system of collective security. The answer to the question is meant to be all ‘our security’, as a non-divisible, interdependent, law-governed and universalistic international order. But as noted in the Introduction and Chapter One, the shared intentionality of ‘our security’ is not a straightforward matter. Since the end of the Cold War there has been a dispute that has cut to the axiomatic, institutional foundations of the universal system of collective security (Frederking 2007). This dispute has brought a bifurcation on the instrumental rules and norms governing the legitimate use of force. Events of the unauthorised use of force – especially the war in Iraq in 2003 – divided loyalties within the United Nations Security Council and in global politics more broadly. The faultline that opened up over the war in Iraq became bound up with particularistic grand narratives of the ‘We’ in the EU-Russia relationship and how they encountered and opposed each other. Comprehensive and uncompromising, these grand narratives of realist and liberal global identity generated a dynamic and polarising tension in the governing of collective security.

At the centre of this tension was the question: will the EU’s liberal vision of ‘collective security’ with its progressive, cosmopolitan commitment to human rights set the ultimate terms for governing this relationship, or will it be Russia’s realist vision of collective security with its anti-progressive commitment to state sovereignty? All the events of this relationship, from the narratable beginning to where we are now have moved from pole to pole within the frame of this wartime tension.

The grand narrative of Russia’s realist ‘great power’ identity conceived of the purpose of collective security in a very different way to the grand narrative of the EU’s
liberal ‘normative power’ identity. The question of ‘whose idea of collective security’ would prevail in this global relationship has been answered in the narrative testimony of this dissertation. The answer is that both will be secured. To be more precise, attempts were made to secure both of these visions. The trouble with trying to satisfy two comprehensive and foundational demands for the governing of collective security is that they cannot possibly be mutually supportive. To secure one global identity and its institutional idea about the common purpose of collective security is to comprehensively deny the other. This quest to secure these common purposes spurred a teleocratic dynamic that oscillated sharply and discontinuously from one collectivist pole in a global relationship to another. The cost is dynamic has been most keenly felt by those caught in the political space in-between.

This section looks to summarise and explain the narrative logic of this teleocratic dynamic. It does so in terms of a ‘versus’. Every ‘versus’ of the in-between presents the agents with a choice: one global way or the other, but not both together; or at least, not both together at the same time. The both - and to the relationship choice that is reviewed here draws attention to the hyphenated middle in the both - and dispute over collective security that divides vertically (in-between UN agencies at the global level) and, more importantly, horizontally (in-between the EU and Russia at the regional level). This divided middle is a political space that is permanently unstable.

The discussion that follows comprises the first of a three-part narrative conclusion on the EU-Russia relationship experience. It focuses on bringing together the findings in the historical chapters in the middle part of this dissertation with the teleocratic logical argument in the Introduction on the interstate – intrastate poles of the security dilemma (see I.3) and on the ‘double transition’ of regional governance from Chapter One (see 1.2).
The collective action problem in global politics, as Jürgen Habermas (2005) understands it, has nothing to do with the absence of an overarching global institution that can organise common solutions to common problems. Like many neo-Kantian’s, he argues that any such teleocratic institution of world government is practically impossible and normatively undesirable. Yet he does insist that cosmopolitan liberal institutions and their associated normative political communities have a collective priority over non-liberal institutions.

This practice of progressive liberal politics cannot possibly support the creation of an overarching world government. Since, as this dissertation has discovered, this liberal politics permanently quests to reform the established institutions of political order at the global and regional levels. It thereby undercuts the kind of institutional consolidation that might lead to the creation of a world government. This liberal politics denies this grand institutional settlement, by pushing a grand institution-building project that is limitless in scope and unrestrained in its collective security agenda.

To put this neo-Kantian argument in the context of our case study, an agent that is committed to an institutional vision of collective security that is grounded in the progressive grand narrative of “Neighbourhood” (the EU) has a legitimate priority over an agent that is committed to an institutional vision of collective security that is grounded in the anti-progressive grand narrative of “Multipolarity” (Russia). The justification for this assertion of the supremacy of one agent’s project over the other rests on a fundamental faith in the value of what Habermas calls: “the normative model for a community that exists without any possible exclusions; [...] a global political community] of human rights” (2001, p. 108).

It will be argued that there is one, quite literally, overriding problem with the logic of this liberal project. Its discursive power to mobilise collective action is entirely contingent upon the existence of a non-liberal institution and associated global political community that it can replace. Only by replacing an equally universal non-liberal institution and global political community, may the agent that is behind this neo-Kantian
movement for change achieve the satisfaction that progress is being made. Concrete steps towards replacing an existing political order of universal collective security are the only possible evidence of movement towards the ultimate goal of securing a global political community of human rights. For some critics, this explains why this teleocratic movement can be considered the driving force of a “recognisably utopian programme: for the political standards [of human rights] it champions and the emotional passion it inspires, this program draws on the image of a place that has not yet been called into being” (Moyn 2010, p. 1). The global political community it appeals to uses the promised and constantly deferred language of the ‘not-yet’ and ‘to come’. This eschatological discourse simultaneously sets out a secular hope for a better, global future and demands more action, now, from everyone, to move the world closer to this common destination. The constant deferral to a future is always far-off can make this progressive movement seem, to disbelieving sceptics, like a lot of fuss about nothing (Matalry 2008). But the human rights movement is about much more than the lofty, aspirational signs and signifiers of what can seem like rhetorical hot air. There is a fast-paced political reality to this movement. What is more, it is far more powerful in its political organisation and influence today than it was when it originated at the tail end of the Cold War (see Moyn 2010). One of most significant reasons why the human rights movement has risen to its current position of global and regional prominence - it has been suggested here - is the mutually supportive relationship of the UN Secretariat and the EU in the quest to secure ‘humanity’s law’ (Tietel 2011) since 2003.

The joining of forces in-between these self-styled regional and global multilateral institutions has changed the human rights movement in the 21st Century in ways that this dissertation has only been able to touch on. There is much more to be said in this regard that could compliment the best of the new histories of human rights (Moyn 2010, Tietel 2011). The basic observation is that since the invasion of Iraq, this movement has gone from being the preserve of non-governmental activist organisations to being an inter-governmental activist operation with executive bureaucracies headquartered in New York and Brussels. These bureaucracies have complementary strategic agendas and institutional demands for changing the way the universal system of collective security is governed. The main objective of this governance wing of the human rights movement is to reform the established political-legal order that centres on the United Nations Security Council. The neo-Rousseauian, realist defenders of this order are understood from this
neo-Kantian, liberal activist perspective - and it cuts both ways (see I.1.5) - as the ultimate nemesis in the achievement of collective security in the 21st Century. Each of these standpoints represents, to the other, the major impediment to international peace and security in a time of continuous war. Quite clearly, these movements are uncompromising and absolutely opposed. But they are also interlocking. Each movement looks to strategically include the other within all-embracing institutions of political order as a means of suppressing the other’s opposition.

The focus in this section is on the liberal driving force of this teleocratic dynamic, and what this tells us about the EU-Russia relationship. The discussion raises three problems about the liberal politics of this movement; all of which refer directly to the political theory of the ‘security dilemma’ (especially Booth and Wheeler 2008) and the narrative of the EU-Russia relationship set out in this dissertation. The first problem is of the EU’s liberal hegemony of ‘normative power’ governance, alluded to in Chapter One. The second was revealed in Chapter Four, in the narrative of the radical rupture that accompanied the overlap of ‘normative power’ governance in-between the EU and Russia. The third problem is with the meta-narrative of the ‘security dilemma’ itself. It concerns the progressive liberal illusion about the transcendence of this strategic perplexity in the 21st Century. The claim is that this secular argument about ‘transcendence’ is a dangerous myth precisely because it raises strategic expectations about a global community of human rights can never be fully satisfied.

C.1.2. The Teleocratic Beginning: The Logic of Hegemony

If the reader recalls, in Chapter One, the discussion of the re-energising of the “strategic partnership” in-between the EU and Russia began with the assertion of the EU’s ‘normative power hegemony’ (Hakulla 2010b). The progressive commitment, set out in the European Security Strategy (COM 2003) to “effective multilateralism” and global reform, was followed with a desire to realise these goals within the “Neighbourhood” (COM 2004) beyond the Union’s enlarging border. This frontier zone would be the ‘first line of defence’ for the EU’s liberal project of human security (Barcelona Report 2004). It was argued that there was a lack of awareness in Brussels
about how and why this project was relatively hegemonic. The idea that the countries outside of the EU that would accept the governance conditionality of this self-declared ‘normative power’ simply because of its civilizational power of attraction (Adler 2010) only displayed its liberal hubris. This was called out by Russia’s initial refusal to have anything to do with the EU’s project.

This self-exclusion from the “Neighbourhood” by the EU’s most important ‘strategic partner’ set in motion the teleocratic dynamic of this global relationship. The only way for Russia to self-exclude without facing the hostility of being on the receiving end of the EU’s collective self-defence at the outer-edge of the “Neighbourhood” was to launch a strategic counter-movement that sought to assert a higher, global claim to collective security that superseded the EU’s, or at least sought to contain its Eastern expansion.

Chapter Two described Russia’s quest to assert the supremacy of “Multipolarity” over and above the EU’s “Neighbourhood” as a commitment to state security, territorial integrity and, most importantly, the procedural practice of collective security that localised the UN Charter’s commitment to positive international law. This counter-movement of ‘great power governance’ managed to stop the EU’s plans for the governance of the “Neighbourhood”. It pinned the EU back, but only for three years. What this amounted to was the ‘in-between’ suspension of ‘normative power’ hegemony, rather than its termination.

C.1.3. The Teleocratic Middle: The Logic of Liberal Overlap

Chapters Three and, especially, Four, outlined the destructive significance of teleocratic logic of ‘overlap’ in the EU-Russia relationship. In his cosmopolitan liberal thought about governance, David Held has a phrase that he is fond of using, “overlapping communities of fate” (Held 2003, pp. 177, 522-5; Held & McGrew 2003, p. 485; Held 2004, p.x). He claims that this is a fact of global political life in the 21st Century. The interests and needs of different political communities are involved with each other, they co-exist and they overlap. Faced with this situation of interdependence,
the governing bodies of these political communities ought to act in such a way that this 'overlap' is recognised and not thwarted or resisted. His neo-Kantian argument about the necessity of this overlapping situation maintains that the traditional principle of external sovereignty in global politics can no longer be viewed as a countervailing principle of equal weight to the needs of what Gorbachev had called "all-human interests" (Brown 1996, p.222); the interests of humanity. To grant legitimacy to this principle of communitarian exclusion is to accept the existence of regimes, securely ensconced behind international borders, which are defiantly undemocratic and lack a basic respect for human rights. Since these regimes are within touching distance of the transformative influence of multilateral institutions, there is a responsibility for liberal agents to do something about this situation, to try to affect liberal change.

There are two practical implications from this line of cosmopolitan reasoning that are germane to the 'overlap' in the EU-Russia relationship. The first applies to the use of the term 'fate'. The historical assumption here is that the meeting between a normative, progressive liberal community and one that is non-liberal is an inevitable 'fact' of coexistence in contemporary global politics. But as Oakeshott famously said about facts; they never speak for themselves. In *Experience and its Modes*, he wrote: "Fact, whatever else it may be, is experience; without thought there can be no fact…Fact is what has been made or achieved; it is the product of judgement…Facts are never merely observed, remembered or combined; they are always made" (1933 p.42). In other words, there is no historical inevitability to the overlapping of political communities. The overlap of these communities is not fated to happen, it is an event that is powered by the actions of a liberal agent. This agent is intent on reaching out to a non-liberal other: only because it supports a sense of global self-coherence and furthers a strategic agenda to act as a representative of the global common good. Encountering the difference of this global other allows for collective self-validation. It confirms what, strategically, 'We' already knew.

This *eventum* of overlap (see I.2) in-between the EU and Russia is contingent upon precisely this strategic kind of neo-Kantian thinking. The EU's liberal strategic agenda of 2003 (COM 2003) drives the governance agenda of the Union's "Neighbourhood" project (COM 2004, Barcelona Report 2004). David Held's co-director
for the centre for Global Governance at the London School of Economics, Mary Kaldor, led the team that helped to provide the ‘human security’ rationale for this project (see 1.1.4). This suggests the line between theorising about cosmopolitan liberalism and having an active, instrumental role in trying to implement its ideas, is as close as one gets to tempting ‘fate’.

The second point concerns the radical element to this push towards overlap. As was argued in Chapter Four, the teleocratic discourse that provided the momentum to this Eastern movement of ‘normative power’ governance involved the transitional overcoming of the juridical consensus that Russia had achieved through its diplomacy of ‘great power’ governance in-between 2003 and 2005.

The liberal theorist, John Rawls, suggests that contractual arrangements involving liberal institutions, like the EU, can be achieved through an “overlapping consensus” in-between the associates (1987). The assumption being that a benign and stable political order can be created in something akin to Gadamer’s ‘fusion of horizons’. But as was argued in Chapter Two, the consensus that constituted the political order in-between Russia’s Western and the EU’s Eastern borders was entirely one-sided. This was the imposition of a juridical consensus on collective security that was the East-West extension of the horizon of realist agency. The overcoming of this consensus, discussed in Chapter Four, marked the final event in the eventum of overlap. The EU’s violation and Russia’s violence of ‘normative power’ governance terminated the uneasy dynamic of “strategic partnership” that had begun five years earlier. This moment of ‘strategic dissonance’ (Herd 2008, Herd and Forsberg 2008) comprised an event of belligerence in the “Neighbourhood” that neither side expected to happen at the outset of their entirely teleocratic relationship experience following the liberal institutional crisis over the war in Iraq (Newman et al 2006, Newman 2007).
C.1.4. The Teleocratic Ending: The Liberal Illusion of Transcendence

“[The rationalist or teleocrat] has no sense of the cumulation of experience, only of the readiness of experience when it has been converted into a formula: the past is significant to him only as an encumbrance. He has none of that negative capability (which Keats attributed to Shakespeare), the power of accepting the mysteries and uncertainties of experience without any irritable search for order and distinctness [. He has] only the capability of subjugating experience…[in] a tour de rais on.”

Michael Oakeshott, *Rationalism in Politics*

The ‘security dilemma’ is just such a formula. As was suggested in the Introduction, it compresses and synthesises observations about the historical experience of global relationships in a densely institutionalised period of almost continuous war. The concept of the ‘security dilemma’ was conceived of within a year of the founding of both the United Nations and what would become the European Union after the armistice that brought an end to World War Two (Herz 1946, Butterfield 1946). There is far more that could be said about the intellectual history of this idea than has been presented here. But the general observation about the conceptual history of the ‘security dilemma’ suggests that this formula is best seen as the product of reflective consciousness on the problem of post-war international order. The original thinkers on this theme were broadly realist and anti-progressive. For them, the experience of war in the 20th Century urged an appreciation of the *interstate* limits and uncertainties of trying to address the possibilities of violent conflict in-between powers. More recent theorising about the ‘security dilemma’ has, however, been broadly liberal and progressive. They have been responding to a different kind of war. Famously described by Mary Kaldor as the ‘new wars’ (2007) – these *intrastate* wars of ethnic conflict (Roe 1999) and so-called weak states (Sørenson 2011) have encouraged a different way of thinking about what the scope and responsibilities of agents of the post-war international order. If the dilemma of violent instability in contemporary global politics comes from within nation-states, rather than among them, then the search for international peace and security has to adjust to this 21st Century reality.

These old and new ways of thinking about the ‘security dilemma’ in the UN era have helped to provide a narrative framework to organise this analysis of the EU-Russia
relationship problematic. This narrative explains the ‘why’; it illuminates the meanings that are at stake in the life of practices maintained by the rules, norms and institutions of collective security. All institutional structures – whether of the family or, as shall be argued in the next section, of a kind of supranational state – requires a mythical super structure, as Gorbachev knew only to well when he spoke of our “Common European Home”. The interstate and intrastate overlapping narrative(s) of the ‘security dilemma’ set out in the Introduction allowed for an appreciation of the boundaries of what is desirable in a global relationship of the ‘common house’ of the United Nations. These narratives move towards common limits and crossing-points, and bring attention to the collective intentions for the ‘in-between’. This has been the main value of engaging with this theoretical debate. Now the time has come to add something back.

The idea here is to make a small contribution to this debate by turning the ‘negative capability’ of narrative – of which Oakeshott speaks - back onto a recent statement about why the ‘security dilemma’ matters in the 21st Century. The focus of these brief sceptical remarks are on Booth and Wheeler’s (2008, pp. 261-299) conclusion to their seminal study The Security Dilemma. In their summing up, they present a case for why thinking about the ‘security dilemma’ is actually more important in the 21st Century than it was in the 20th. Their reasoning rests on a progressive narrative certainty that the world is a more dangerous place now than when the concept of the ‘security dilemma’ was first conceived. To survive in the contemporary international order, requires a more proactive approach to addressing the intrastate roots of political violence and to cultivating interstate trust between global powers. What could be wrong with that?

Simply put, behind this proposal for global hospitality in the interstate reaching out to others is a radical intrastate agenda. Both of these moves can be mapped onto common purposes of the institutional order of the United Nations system of collective security. These moves, like the purposes of collective security to which they refer, are ambiguous or equivocal. Meaning that they can be read to provide legalistic and legitimate political arguments, and political associations, that equivocate in-between being against and for the use of force.

Booth and Wheeler would no doubt disagree that this is what they have proposed, or at least argue that this is not what they intended. Since they claim with a rather confused, equivocal confidence that: “the security dilemma cannot be ultimately escaped, but it can be transcended” (Booth and Wheeler 2008, p.296). To put the same
point, perhaps, less elliptically, the problems surrounding the legitimate use of force cannot be avoided in the near term. However, this can be addressed through legal changes in the longer term. This longer view holds to an abstract vision of the system-transforming aspirations of liberal world order. It has been suggested that this neo-Kantian, transcendental idealism of liberal politics is the revolutionary agenda to the governance movement of ‘humanity’s law’ (Tietel 2011).

Both and Wheeler do not venture into the discussion on the politics of international law. This is a weakness in their argument, given how important legal rules are in contemporary global politics in evaluations of the use of force. They concentrate on the liberal mode of governance that drives this movement and its finality in the transcendence of the problems of interstate – intrastate war. As they see it: "security communities…[are] the working model for what [the transcendence of the security dilemma] might look like…Within [the existing institutions of] security communities international politics continues to take place, but the fatalist logic of anarchy has disappeared, and with it the threat and use of force. Under such conditions…war has become ‘unthinkable’ and a higher identity has replaced the warring ones" (Booth and Wheeler 2008 p.295-6).

There are two problems with this judgement about ‘security communities’. The first is a narratological one, about the promise of ‘transcendence’. The second is more empirical, about what the interstate - intrastate practices of liberal ‘security community’ involve and the perplexity of ordered disorder they create. These two issues are closely interlinked, but the second will be explored in more detail in the next section.

Let us concentrate, for now, on the narratological illusion of transcendence. In the quote above, Booth and Wheeler (2008) criticise the tragic or fatalist perspective about the persistence of the ‘security dilemma’ for its fundamental interstate despair. As was made clear in the Introduction of this dissertation, there are good reasons to be sceptical about the foregone conclusions to this tragic, realist view on the ‘security dilemma’. It presents an argument about the historical inevitability of conflict that is based on a pessimism. This belief holds to unshakeable, foundational ideas about the reoccurring ‘facts’ of war in global politics and the need to defend the rules, norms and institutions of the existing state system. The important point that Booth and Wheeler’s
Global 'Sweet Enemies' (2008) argument discloses is that the optimism of the progressive understanding about the role of a liberal ‘security community’ is ultimately dismissive of this interstate belief. It looks to move beyond this pessimism in order to provide a remedial remedy to the intrastate problem of war inside of the boundaries of a ‘security community’.

This narrative about the inside, or ‘common destination’ of a ‘security community’ requires a double transcendence of liberal inclusion. On the one hand, an interstate transcendence of the boundaries that excludes conflicted nation-states from inclusion in a liberal ‘security community’. Followed, more radically, with an intrastate transcendence of the boundaries of conflicted nation-states that excludes the governing authority of a liberal ‘security community’ from inclusion in the administration of these nation-states.

As was suggested in Chapter One, the boundary changes that are implied in this liberal injunction of inclusion are highly controversial, precisely because of their doubling over. The EU is the liberal agent of ‘security community’ in the narrative of this dissertation. It reached out as a global self towards a global other (Russia) and sought to include that other in a “Neighbourhood” community along with several nation-states with a recent history of internal conflict. As was suggested in Chapter One, this move was aimed at stabilising the EU’s enlarging border. Behind all the warm words of cosmopolitan hospitality - about engendering a ‘circle of friends’, and promoting a new politics of human security for the mutual advantage of peace - was a hostile threat. If a given ‘neighbour’ did not adjust to the intrusive governance conditionality of the Union and approximate to an abstract and constantly changing idea of ‘good neighbourliness’ they would find themselves in the crosshairs of the ‘first line’ of the intrastate defence of this ‘security community’. Far from rendering ‘war unthinkable’, the perspective of this project of ‘normative power’ governance was explicit. Preventive military engagements within the jurisdiction of this ‘security community’ would be justifiable in intrastate situations of humanitarian necessity.

NATO’s operation in Kosovo in 1999 was the implicit reference point for the legitimacy of this kind of use of force. From the EU side, this was not only a legitimate war. It was an experience of war where the common purpose of European foreign policy and global identity of new millennium were borne. This entire movement of ‘normative
power’ governance is inherently militant precisely because at the root of its articulation is a justification for war. This justification was controversial in 1999 and it remains controversial to this day. However, the advocacy of ‘normative power’ governance has emerged as a strong voice in global politics, with its executive champions, the EU at the regional level and the Secretariat at the global level. This advocacy looks to change what is considered a normal – and therefore universally acceptable – use of force in global politics by closing the gap in-between the international legality of the UN Charter on the prohibition of the use of force against member-states of the UN and the civilization of ‘humanity’s law’ (Tietel 2011) that is promoted within the boundaries of a liberal ‘security community’. The assertion made in political discourse that drives the inclusive expansions of this ‘security community’ presents an ever more assured case for why the intrastate management of weak or failing states ought to be considered legal when this action is self-evidently legitimate. Of course, one has to accept the self-evident premise about legitimacy to buy the legal argument.

The point about the progressive illusion of transcendence is that the liberal politics of ‘security community’ demands radical changes that are inherently militant. Not only does this movement demand changes in interstate and intrastate boundaries at the outer-edges of its regional point of origin at the Western extremity of the Eurasian landmass; it also demands changes in the global rules governing collective security where the existing commitment to ‘state sovereignty’ is to replaced by ‘human rights’. These proposed changes are radical, but the reason they are militant is about the root of articulation of this movement. The pursuit of the neo-Kantian dream of ‘perpetual peace’ has a very clear threat about the use of force behind. It always has since this movement was first conceived of in the West during the post-war situations of 1999 and 2003.

Booth and Wheeler’s narrative conclusion that the ‘security community’ provides the working model of how the problems of unauthorised political violence within the ‘common home’ of the United Nations can be transcended, but not escaped, has been shown to be pure fiction and a rather dangerous in wishful thinking. Rather than narrating the ending of political violence ‘in-between’ global others, their sense of an ending to the ‘security dilemma’ is best read as the narrative of its 21st Century re-beginning. It has been argued the teleocratic narrative logic of liberal hegemony, liberal overlap and liberal transcendence provides the beginning, middle and end to the story of
a ‘security dilemma’ of the new millennium. The ‘in-between’ expansion of liberal ‘security community’ is the governance movement that makes the theoretical framework and formula of the ‘security dilemma’ relevant once again. Instead of edging beyond the political experience of the ‘security dilemma’ this cosmopolitan liberal project internalises the transcendence of the United Nations Security Council. In other words, it renders the problem of unauthorised political violence an inclusive possibility within the regional order of a new liberal ‘security community’.

The next section considers the relational and institutional dimensions to this story of a ‘security dilemma’. It offers more detailed reflections on the history of the EU-Russia relationship and on the regional disorder that accompanied the institutionalisation of a new liberal ‘security community’ in-between the EU and Russia’s borders.

C.2. The Realist – Liberal Experience of Global ‘Sweet Enemies’

“The persons brought together and held together in a modern European state are notably various in their self-understandings…Each is a historic character and a character on the wing continuously exposed to modification in intercourse with the other…They are not friends, nor are they exactly foes; perhaps as was said of Britain and France in the sixteenth century, their relationship is that of ‘sweet enemies’.”

Michael Oakeshott, The Character of a Modern European State

It is only in the last page of this essay that Oakeshott provides a poetic metaphor that sums up all that he had been saying over the course of nearly one and hundred and forty pages of unbroken prose. ‘Sweet enemies’ is a metaphor for what he calls earlier the “equivocal character of a modern European state and its office of government” (Oakeshott 1975, p.325). It provides an interactive narrative frame for understanding the meeting of “two powerful and contrary dispositions, neither strong enough to defeat or put to flight the other” (Oakeshott 1975, p.323). These tendencies coexist in the tension of a dual state that displays the “equivocal mixture…of a guardian of a system…[and] the custody of a corporate purpose” (Oakeshott 1975, p.232).
These double tendencies and their modes of political association have a fundamental or permanent significance from the political experience of ‘sweet enemies’. For Oakeshott, all political experience – like all practical experience – involves the quest for, but never the achievement of, coherence. The ‘equivocal mixture’ of this relationship is a situation that neither ‘sweet enemy’ is entirely comfortable with. But this tension is inescapable. It exists from the moment of the simultaneous articulation of these contrary dispositions. From this tensional beginning, the relationship of this pair is permanently on its way to overcoming the interdependent, equivocal mix of its origin. The quest to overcome this fundamental contradiction is always out of reach. But it explains the univocal assertion of both a political association of the ‘guardianship of the system’ and a political association of the ‘custody of the corporate purpose’.

There are always two political associations in a relationship of ‘sweet enemies’, and they roughly accord to this ‘guardianship of the system’ and ‘custody of the corporate purpose’. The narrative characterisation of the experience of a relationship of ‘sweet enemies’, tries to capture why these associates are not ‘exactly friends, not exactly foes’. The reason is they mutually implicate each other, but are permanently dissatisfied with the ‘in-between’ results of their relationship. Each is always striving to close the gap between an existing ‘is’ and a transitional ‘ought’ to be as defined by each agent’s initial and contrary worldview. The most that can ever be achieved through this endeavour is the partial, systemic closure and corporate possession of the in-between. Partial, rather than complete, because any move towards one univocal pole that might complete the unity of this relationship will only prompt a counter-movement towards the other univocal pole that will by logical succession bring disunity. This back and forth of unifying movement and disunifying counter-movement only re-affirms the ‘equivocal mixture’ of these associations and brings the related agents back to where they started.

Oakeshott contrasts the political life and experience of ‘sweet enemies’ with the philosophical life where experience is conceived of “without presupposition, reservation, arrest or modification” (1933, p.2). The contemplations of philosophy articulate “knowledge that carries with it the evidence of its own completeness” (Oakeshott 1933, p.2). This distinction between these two worlds of experience was made very early on in Oakeshott’s career and would be maintained throughout all his philosophical writings on politics. At times, this separation of political theory and political practice can make Oakeshott seem very detached, almost as though – the racing man that he was – he could only ever see political life through philosophical binoculars. He wrote about teleocratic political movements and war, but always in the idiom of philosophical essays.
that were as open-ended as political life itself. Like one of his philosophical heroes, Montaigne (Coats 2000), he saw in the essay a medium with the capacity for accommodating ‘assays of bias’ in writing on politics. The etymologically close ‘assay’ and ‘essay’ suggestive of the freedom to explore without the restrictions of a narratable beginning, middle and end.

In his essay on ‘sweet enemies’, he sought to present a narrative inquiry into political life that offered a “critical engagement of understanding” on the modes of political association (1975, p.2), and theorised about its bounded character(s) of relationship. He added a narratological motto that summed up his approach. It has been stressed in different ways, at various stages, in this version of the Oakeshottian tale of ‘sweet enemies’. The guiding principle for any understanding explanation of a politics, he wrote, was to “never ask the end” (ibid.). The sense of an ending in the story of ‘sweet enemies’ is always a moment for contemplation on a beginning. There is no finality to any of Oakeshott’s writings.

All this open-endedness can make Oakeshott appear mystical at times (Bottwinick 2011). The negative capability that he saw in Keats – and by extensu in Shakespeare – he also saw in Augustine’s negative theology. One a poet, the other a playwright and the last a philosophical theologian most famous for his autobiographical reflections (The Confessions) and a book of narrative history (The City of God) that presents human civilization as torn by a conflict between the immanent life in The City of Man, with its earthly politics and fleeting desires; and the transcendent life in The City of God, with its eternal truths and forgotten earthly pleasures.

In his essay on ‘sweet enemies’, Oakeshott presents a narrative account of political life that clearly owes an intellectual debt to Augustine. Here is the tale of a pair of agents that are bound together in an uncomfortable political relationship that pulls in two directions at the same time. The ‘unconditional adventure’ in narrating the equivocal experience of this relationship is, accordingly, polarised in-between describing the events of the two modes of association of these agents and their corresponding state-like political communities.

In the original version of ‘sweet enemies’, one mode is guided by a civil morality of habit and affection. Non-purposive, and loosely tied together by the kind of conduct that can only be learnt through dialogical engagement with the other, the experience of this civil association and its accompanying civil political community of the state, centres
on a conversation in-between the associates. This civil political order of this relationship is still a state system, but it is an open system. The civil associates are brought together by the possibility of ‘being in’ conversation. The priority of this association is on the dialogical relationship of the guardians of a state system, rather than acting on the ‘corporate purposes’ and contestable claims to jurisdiction in-between.

The trouble with this tale of ‘sweet enemies’ that has been narrated in this dissertation is that this civil scenario has not transpired and looks unlikely to in the near future. The reason for that is the very existence of the ‘system’ in this global relationship is in question. Defence of the UN Charter system under Russia’s ‘guardianship’ is a closed corporate purpose. It involves a claim to jurisdiction in-between borders. The claim is defensive, about containing the expansion of the EU beyond its enlarging Eastern border. It is an expression of a teleocratic or enterprise mode of political association, one that is guided by a reflective moral consciousness that sets out a univocal first principle (in this case “Multipolarity”) and an instrumental plan for achieving it in the encounter with a global other. As already suggested in the previous section, the EU’s expansive move towards Russia is guided by a univocal first principle of “Neighbourhood” and an instrumental plan for achieving its ends in the encounter with this global other. These two global others and their corporate purposes conflict over the in-between jurisdiction.

When the governing of the in-between is completely determined by enterprise associations, as it is here, the ‘powerful and contrary disposition’ of ‘sweet enemies’ will be locked into the jurisdictional duality of a teleocratic state. This kind of order-building association can never achieve what the participating agents both want from it – to settle once and for all the equivocal mix of their relationship in favour of a univocal common purpose. In the quest to achieve this impossible end, the associates are going to jointly suffer major disappointment and disillusionment in the area that they jointly try to govern.

The termination of the first self-directed enterprise association (in this case, guided by Russia’s commitment to “Multipolarity”) is precisely the moment when the second completes its transition (guided by the EU’s commitment to “Neighbourhood”). The irreducible equivocity of this relationship means that the creation and destruction of a teleocratic state happens concurrently, in the area between the associates. It is to consideration of this political experience of global ‘sweet enemies’ and its radical character(s) that we now turn.
C.2.1. Radical Indeterminacy: The Self-Determinations of Global ‘Sweet Enemies’

The political idea of self-determination has played a vital role in the international relations of the UN era. As it was conceived of from the founding of the UN Charter up until the end of the Cold War, this idea mainly provided normative justification for national liberation movements, particularly those that sought to overcome colonial rule. Since the late 1950’s, international law has incorporated continual affirmations of the ‘self-determination of the peoples’. The ambiguity over the meaning of this ideal has hindered attempts to make it consistent with other international legal principles concerning ‘statehood’ (Skordas 2007). Nevertheless, few scholars of international law, at least, would deny self-determination has had a central role in shaping the contemporary international order.

A recent revival in the legal and political theorising on self-determination (Skordas 2007, Dahbour 2013) has sought to map how “self-determination has evolved” (Skordas 2007, p. 207) in step with a rapidly globalising world. From being a political declaration in the immediate post-war years of the UN, it shifted to being a legal principle in the 1970’s. The suggestion is that now, in the midst of the contemporary global wartime, self-determination within the UN charter system: “is assuming the rank of a foundational constitutional principle of global governance” (ibid.). In other words, a claim to self-determination is the authoritative foundation for all institutions in the ‘common home’ of the United Nations that seek to govern over and above certain nation-states. In becoming this ‘globalist’ ideal, self-determination has taken on meaning that – it was suggested in chapters one, two and three – present’s two 21st Century variations on the 19th Century notion of ‘standard of civilization’.

This civilizational discourse has become wedded to the political associations of global self-ordering in-between the EU and Russia. By tracing the movements and counter-movements of this ‘in-between’, the narrative in this dissertation has disclosed how the institutionalisation of “Common Spaces” was self-determined by projects of governance that pulled both agents to institutional extremes of necessary partners (Chapter Two) and hostile neighbours (Chapter Three).
The easiest way of explaining these institutional extremes and their characters of relationship, is through a clarification of what one legal theorist means when he says that: “governance emerges as the ‘horizon of all possibilities’ for self-determination” in contemporary global politics (Skordas 2007, pp.207-8). The notion of a ‘horizon of all possibilities’ suggests the limits of global thought and action as dictated by a particular viewpoint or perspective. One can agree with Hans Georg Gadamer that it is possible to speak of a ‘fusion of horizons’ as the overall narratological goal, in this situation, for considering the possibilities of a relationship in “Common Spaces”. But recognise that, in practice, the in-between of global horizons is more likely to issue into the equivocity of ‘two horizons’ and thus two global communities of “Common Spaces”, than the harmonious synthesis of one. These two horizons will never merge, become identical and loose all their distinctiveness. These global self-determinations of governance may extend their particular global horizon towards the other in a practice of inclusion, but that is as far as it goes. There is no conclusive event of complete coherence, communion of settlement within the political order of “Common Spaces”. To use the Hegellian terms of ‘double transition’ outlined in Chapter One, there is no reconciling event of mutual recognition in-between the agents that create this political order. Instead of an eventual ‘fusion’ in-between these inclusive practices, there is only the eventum of ‘overlap’ in governance.

This narrative testimony about the ‘in-between’ of the EU-Russia relationship has revealed that all the possibilities of global self-determination in governance boil down to just two. This overlapping of these governance movements has its own principled language (“Multipolarity” and “Neighbourhood”). It is creative of distinct supranational institutions (the two of “Common Spaces”, ‘Permanent Partnership’ and ‘Spheres of Interest’). It has the power to shape global political events in response to strategic questions, like the Kosovo question discussed in the previous chapter. This overlapping illuminates the pattern of institutional change in the jurisdiction in-between two of today’s most radically different global powers, Russia’s ‘great power’ and the EU’s ‘normative power’.

But in spite of the global newness to this relationship situation, the institutional problematic of self-determination remains much the same as it has always been. In the contemporary UN era, the demands for global self-determination conflict over the terms
of political authority. As with national self-determination disputes, there may be no options for a legal settlement by which this conflict can be resolved; since the political demands on either side are so absolutely opposed. As the legal scholar Pomerance wrote of the nationalist dimension to the problem of self-determination in the early 1980’s: "self-determination claims continue, as in Wilson's time, to present themselves in opposition to other self-determination claims and not to non-self-determination, or anti-self-determination, claims." (1982, p.73) Appeals to international law and legality, he argued, have consistently failed to resolve these questions. The ongoing vagueness and obfuscation within the international legal order – the equivocal indeterminacy on what self-determination actually means under international law – only fuels further conflict and instability. International law offers no recourse for self-determination disputes. If anything, the recourse of the disputants to international law is the moment when the conflict of self-determinations reaches its most polarised and intractable ‘stalemate’.

This indeterminacy has manifest in diplomatic deadlocks in-between many political representatives within the ‘common home’ of the United Nations over the years. The on again, off again, indeterminacy over the Kosovo Question has, arguably, been the most diplomatically fraught of all (Ker-Lindsay 2010, Weller 2010). At the centre of this dispute were – and still are – the most maximalist and binary claims to national self-determination imaginable. On the one side, the demand by the political representation of a secessionist group for a new nation-state within the United Nations state system, and on the other, the demand by the political representation of the mother nation-state for the integration of a breakaway region within an existing nation-state of the United Nations state system. There is no room for compromise in-between these positions. They are absolutely contradictory on the very question of change in the state system. To support the disunifying change that is called for by the secessionist group is to oppose the unifying change that is called for by the mother state.

The trouble with the international law of the UN era is that it is possible to argue both sides have legitimate collective claims to self-determination (for ‘statehood’ and ‘the peoples’) and both have a legal case for institutional and boundary change that would ‘unfreeze the political map’; reversing the Cold War territorial settlement (Mayall 1990, p.56) of the contemporary state system in a manner that had never previously been attempted. This is what has made the Kosovo Question so difficult to answer. And it also
helps to explain the connection between the dispute over Kosovo’s future status and its linked concerns over the so-called “frozen conflicts” in the political space in-between Russia and the EU.

The argument about permanent instability in this relationship is that the institutional creation of the teleocratic state or order of “Common Spaces” superimposed the indeterminacy about what to do about these contrary national self-determination claims with a higher indeterminacy of contrary global self-determination claims. Within the closed order of “Common Spaces”, the familiar anti-progressve and progressive lines of the dispute of a national self-determination struggle played out in-between the civilizational claims of a global relationship.

These maximalist and uncompromising positions of global self-determination were not about Kosovo’s fate, but what the Kosovo Question meant for the future governance of collective security in the UN Charter system. It has been suggested that civilizational claims of global self-determination are reserved for those agents that advocate opposing, governance cause(s) of collective security. These governance causes are strategic, equivocal and future-oriented. They generate a radical indeterminacy that cuts through the EU-Russia relationship experience.

The politics of governance pulls this relationship towards pledging collective loyalty to two distinct institutions of the ‘common home’ of the United Nations, the executive bureaucracy of the Secretariat in the case of the EU-led liberal civilization, and the legislative, decision-making organ of the Security Council in the case of the Russia-led realist civilization. What was referred to as the ‘global dialogue of the deaf’ in Chapter Four makes a contribution to the theoretical literature on civilizational analysis (see especially Dallmayr 2002, Katzenstein 2010). By linking civilizational claims in global politics directly to the standards of civilization in international law, this discussion has helped to clarify the radical polarisation of governance movements goes beyond what any appeal to international law can reconcile. There is considerably more that could be said on this link between the politics of international law and governance for the political theory of civilizations, and why Martti Koskenniemi’s famous thesis about international law as the ‘gentle civilizer of nations’ (2004) runs out at the supranational level. As he argued, international law is a 200-year-old political project that has
supported the governing of the modern world. The suggestion, to be followed up in future research, is that we have reached the endgame of this political project (Gray 1997) in-between these two universal civilizations. The inherited stock of political ideas of international law no longer tracks the world it has helped bring into existence.

The next section focuses on the exhaustion of these ideas in the final act in a relationship of global ‘sweet enemies’. The indeterminacy of civilizations was the end of the dialogue within “Common Spaces”, but it was not the end this political order. There was one more movement of the ‘in-between’. To understand how a diplomatic ‘stalemate’ of civilizations moved into a destabilising and violent crisis of humanitarian occupation, our discussion considers the failure of “Common Spaces” as a teleocratic state.

C.2.2. Teleocratic State Failure: The Realist-Liberal Disorder of “Common Spaces”

“Weak and failed states...will continue to work against any aspiration for a stable liberal world order,” writes George Sørenson (2011, p.116) in his concluding remarks on the security dilemma in the 21st Century. In his assessment, the problem posed by intra-state conflicts demands more robust action by the agents of liberal ‘security communities’. The trouble with the literature on failed states (Newman 2009) is that like the majority of the literature on self-determination, there is an assumption there are no larger political communities in world politics than those formed around ideas of the ‘nation’. Hence why the supranational actions demanded to address the problem of failed states are understood as happening outside of a state and thus requiring a supranational, independent actor, like NATO or the EU, to engage in a humanitarian intervention into a state.

As discussed in Chapter One, the distinction between ‘inside’ and ‘outside’ in global politics is always relative to a collective or common interest. With the constitution of the “Common Spaces” treaty in 2005, Russia and the EU collectively closed themselves into the inside of a state. This teleocratic state established the basic requirements of all modern states. It determined a jurisdiction. This is a territory defined
by the law of *ius* that is intimately connected to the kind of “private, bilateral relationships” (Tuck 1979, p.8) that can only come into existence through agreements in-between neighbours.

The juridical consensus on “Common Spaces” brought into existence a supranational jurisdiction in-between the EU’s enlarging Eastern border and Russia’s Western border. Russia’s strategic reasons for establishing the political order of “Common Spaces” was so that this jurisdiction would effectively contain both parties within their respective international borders and simultaneously ensure cross-border cooperation. By drawing the EU into this ‘private, bilateral relationship’, Russia had effectively constituted the unity of a *teleocratic* state and the unity of a collective or global self. The character of ‘necessary partners’ (see Chapter Two) captured the collective moral agency of this political association and how it accorded with a realist tradition that prioritised a common purpose on ‘reasons of state’ and the ‘balance of power’ (Haslam 2002, pp.17-127). The “necessity” to this partnership was predicated on a fundamental realist faith, or universalistic belief of civilization, that state sovereignty *should* predominate over all other interests and values of collective security. The jurisdiction of this ‘necessary partners’ sought to reaffirm this core claim of “Multipolarity” on the *inside* of state frontiers.

While this was unquestionably a meaningful political community for Russia, the EU has never conceived of its borders as a ‘state’ frontier. They are borders conceived of entirely in terms of ‘legal’ boundaries (Lindahl 2009). From the EU side, the validity of this *ius* was not based on a commitment to ‘state sovereignty’, but on the distinction between the international legality and illegality of war. The restoration of unity with Russia began with a strategic response to the unauthorised war in Iraq in 2003. The mutual expectation from the EU side was that the constitution of “Common Spaces” was predicated on the anti-war solidarity of ‘not in our name’, and its associated, universalistic belief of liberal civilization.

The subtle, but significant, differences of these two positions can be understood more clearly by considering the symbolic meaning to announcing this “partnership” in Kaliningrad in 2005. This was the birthplace of Immanuel Kant, author of *Perpetual Peace*. In his time, it was the capital of Prussia and went by the name of Konigsberg.
Today, it is Russia’s most Western territory, an exclave oblast, over a thousand miles from Moscow and two hundred miles from Russia’s main international border with the EU. For the Russian government, the Kantian significance of this meeting was utterly meaningless. The symbolic importance was entirely realist and Rousseauan. This was a meeting in-between the Russian President and the Presidents of the ‘core states’ of the EU, France and Germany, on Russian soil. It diplomatically symbolised the finality of a legislative act of “Multipolarity” and the beginning of ‘great power’ discussions about wider issues of international cooperation between Russia and the West, including the upcoming G8 summit; the first ever to be held on Russian soil. Ideas of Russian territoriality and the constitution of this jurisdiction are clearly quite important to getting a handle on this realist civilization. This was an event that secured a strategically significant Western outpost of the Russian Federation and brought to a close a period that had been overshadowed by the EU’s Eastern enlargement.

In 2004, this enlargement took in the Baltic states of Lithuania, Latvia and Estonia and separated the exclave of Kaliningrad from the main Russian border, thereby encircling this exclave with an extended European jurisdiction. Russia’s relations with the Baltic states had been especially troublesome in the period leading up to Enlargement (Kononenko 2006). The best way of guaranteeing the future territorial integrity of the Russian state and maintaining a transit corridor to Kaliningrad through the EU’s enlarged area was to constitute an interstate jurisdiction that appealed to a body of international law (the UN Charter) and a bilateral relationship (with the executive authority of the Union) that set it above interference from the Baltic states. That this meeting also led to the announcement of a marine, Russo-German gas-pipeline that would bypass the territory of the Baltic states (Kononenko 2006) provides further evidence of the collectively enclosed and supranational strategic thinking of this realist civilization. The meeting in Kaliningrad offered a diplomatic launchpad for wide-ranging, global talks about cooperation in-between the EU and Russia. But the main achievement of this event, from the Russian perspective, was the satisfaction that came for what had just been contractually enclosed. As noted in Chapter Two, Putin regarded the signing of “Common Spaces” treaty as the “zenith” in the bilateral relationship with the EU. In historic terms, it was suggested this event was the equivalent to the ‘great power’ founding of a new ‘Holy Alliance’. From this Russian perspective, the constitution of “Common Spaces” and the meeting in Kaliningrad signified the achievement of a ‘realist civilization’ along Rousseauan lines.
From the EU side, the constitution of “Common Spaces” had none of this civilizational significance. This was not about the restoration of a 19th Century platform for international cooperation, or about a permanent commitment to ‘great power’ governance, state sovereignty or “Multipolarity”. This was the coming of age of ‘normative power’ governance and of a new ‘security community’. Here was Russia doing what Gorbachev had said way back in the late 1980’s. Brussels welcomed this ‘return to Europe’, this moment of ‘joining in the common stream of civilization’. For this was the constitution of a ‘liberal civilization’ along Kantian lines.

Russia was, after all, making a commitment to what was a EU policy concept. It was the strategy team in Brussels that first came up with the idea of “Common Spaces” (see Chapter Two). The thinking behind this policy idea shared many elements with the later European Neighbourhood Policy (Tonra 2010). It is quite easy to see why this event was read in Brussels as the moment Moscow came round to ‘our’ way of thinking. Russia was taking seriously the collectively enclosed and supranational commitments of governing the “Neighbourhood”. Having shunned these commitments in 2003, two years later, Russia was voluntarily self-including into a EU-centred international society (Alto 2007).

Jürgen Habermas (2005) had celebrated this Kantian idea of common civilization in an essay to mark the bicentennial anniversary of Perpetual Peace. He marked this occasion with an argument for the supranational virtue to Kant’s vision of ‘state of the peoples’. He argued that what sets this vision of the teleocratic state apart is that it surpassed the national sovereignty of those it included: understanding this foundation of the interstate system as a transitory phenomenon in the journey towards a truly global political community of equal and free citizens. This liberal transition could and should be pursued, he argued, through a commitment to the inclusivity of ‘cosmopolitan law’; what has been referred to here as ‘humanity’s law’. “The point of cosmopolitan law is…that it bypasses the collective subjects of international law and directly establishes the legal status of the individual subjects by granting them unmediated membership in the association of free and equal citizens” (Habermas 2005, p.181).

The snag of this argument is the double transcendence mentioned earlier. This liberal transition goes beyond the outcome of a realist transition. It surpasses the neo-Rousseaun contract. But it also goes further than anything that Kant explicitly argued for
in the framework of a federation of the people. In Kant’s cosmopolitan framework, human rights are unenforceable moral rights. But in order to attain world peace through cosmopolitan law, Habermas rejected the distinction between human rights as moral rights and human rights as fundamental legal rights, audaciously proclaiming that “[h]uman rights are juridical by their very nature. What lends them the appearance of morals is…their mode of validity, which points beyond the legal orders of nation-states” (2005, p.190).

The jurisdiction that Russia had constituted as a bulwark against Western liberal hegemony, and a defence of her own international border, was open to precisely the opposite interpretation. If human rights are understood as juridical and enforceable within a supranational legal space, then “Common Spaces” could be that space. To pursue this cosmopolitan, or humanitarian, idea of law would mean disregarding the juridical interests of any nation-state within the “Neighbourhood” of this higher, supranational-state.

When Habermas wrote this essay, he was capturing the radical cosmopolitan mood of the time. In 2005, United Nations member states voted unanimously in the General Assembly to adopt a global reform proposal of the UN Secretariat. The norm of ‘responsibility to protect’ was declared as normative obligation on individual member-states of the United Nations and on the international community as a whole (see Orford 2009, 2011, 2013). In Anne Orford’s (2009) view, the World Summit Outcome35 presented a fundamental challenge to the jurisdiction of nation-states, but also to the supranational collective agency that possess the legitimate political authority to act for the ‘international community’.

“The legitimacy of authority - whether of States or of the international community- depends on the capacity to provide effective protection to populations at risk. By focusing upon de facto authority, the responsibility to protect concept implicitly asserts not only that an international community exists, but also that its authority to govern is, at least in situations of civil war and repression, superior to that of the State.” (emphasis in the original, Orford 2009, pp.1002-3).

The one problem with this interpretation is that it does not consider the possibility of precisely the kind of legitimate supranational-state authority that the EU and Russia shared as of the spring of 2005. As per Habermas’s neo-Kantian thinking, “Common Spaces” was both a ‘State’ and the embodiment of a form of ‘international community’ – specifically a liberal ‘security community’ – that was only superior to those that it assumed to include, such as the countries of the Western Balkans and the Southern Caucasuses. The jurisdictional conflict that Orford (2009) tries to highlight in this article is ‘in-between’ a sovereign nation-state that stands accused of failing to uphold a universal commitment to the ‘fact of protection’, and the collective agency of the ‘international community’ happened at the outer-edges of the “Neighbourhood” in 2009. As was suggested in Chapters Three and Four, this was the first war of the ‘Responsibility to Protect’. But more significantly for our relationship analysis, this was also a “Neighbourhood” war of the EU-Russia relationship, and the conclusion to a missionary liberalism that brought a violent end to “Common Spaces”.

This dissertation has disclosed the overlapping associations in the wartime creation and destruction of a teleocratic state that was suspended in-between the EU and Russia. There was no ‘outside’ to the constitution of this state. And there was no ‘intervention’ in its humanitarian mission. All the goings-on in the brief existence of this political order happened in the interior middle of the EU-Russia relationship. This ‘in-between’ was predicated on permanently opposed, universal civilizations concerning the corporate purpose of collective security. Another way of describing “Common Spaces” would be to call it a ‘collective security state’. All the rules and norms that went into the creation of its realist and liberal institutions sought to uphold an understanding of visions of collective security.

The failure of the ‘collective security state’ of “Common Spaces” came in the moment when the equivocality of these two visions ended in 2009. Eric Voegelin (1998) has a term for the occurrence of political violence in this kind of transformative event when a revolutionary will of progress emerges, unrestrained, as a force in world politics. “Eschatological violence” happens, he writes, whenever political representatives look to immanentise the transcendent and enforce “the transition from a world of iniquity to a world of light” (Voegelin 1998, p.81). This kind of violent episode will always guided by the ‘light’ of good intentions. In this case, about the protection of vulnerable groups at
risk from gross human rights violations within the jurisdiction of “Common Spaces”. This transition of ‘normative power’ governance was predicated on the emergence of an *is – ought* tension following the 2005 World Summit of the United Nations (see Chapter Three). A tension that could only be alleviated through a liberal movement that brought to completion the transformation of a *teleocratic* state. In-between the constitution and the mission of “Common Spaces, at the crossing point of a Russia-led new ‘Holy Alliance’ and an EU-led new ‘Security Community’ came the moment of a violent global politics. This was a global politics that was *for* the realisation of ‘humanity’s law’, *for* the institutionalisation of a global reform of the rules of collective security, and *for* a liberal world order in the 21st Century.

The opening quote in this section from George Sørenson (2011, p.116) highlighted a commonly held view amongst liberals, ‘weak or failed states pose a problem for any aspiration for a stable liberal world order’. The argument advanced here is that they do, but not in the way they think. The problem is immanent or internal to progressive liberalism. A problem that is deeply ingrained in an Enlightenment inspired way of thinking that presupposes the betterment of the species consists in approximation to a common civilization for all of humankind. Relinquishing this idea of progress does not mean giving up all attempts to ease the human lot. But it will take at least a step back, and a period of reflection, to understand more clearly why ‘weak or failed states pose a problem for the aspiration of a stable liberal world order’. This problem has manifest already in the EU-Russia experience. It may well do so again, if developments over Syria continue on the path they are on. But the key issue here is not that Syria is a weak or failed nation-state, or that Serbia or Georgia were weak or failed nation-states, but that “Common Spaces” was inherently weak and ultimately failed as a supranational, collective security-state. What Sørensen calls the new security dilemma of weak states; well, this is it. And it is not a problem that it is possible to remedy through the actions of a liberal ‘security community’, as he would like us to believe (Sørensen 2011, pp.167-187). It is impossible to ‘transcend’ the EU-Russia security dilemma with a move for a more progressive liberalism. This will only make the existing tension in this relationship more radically polarised than it is already.
C.3. The Beginning of a Global ‘Civil Conversation’

“As civilized human beings, we are inheritors, neither or an inquiry about ourselves and the world, nor of an accumulating body of information, but of a conversation.”

Michael Oakeshott, *Rationalism in Politics*

Many commentators on Oakeshott’s thought are drawn to the importance he places on ‘conversation’ (see especially Sullivan 2008 and Minch 2009). The clearest and simplest interpretation of the importance of this notion in Oakeshott’s thought comes from one of the best of a new group of his interpreters. Elizabeth Corey (2012) writes that: “[Oakeshott] maintains that the distinctive mark of being human is an ability to participate in conversation. Conversation is a metaphor, a recognition that the diverse voices of human experience…must somehow interact without one claiming dominance over the others. At the level of individual persons, those who participate in this ‘conversation of mankind’ ideally possess both education and the moral habits of patience, energy, self-restraint and tolerance. They must have something to say as well as an inclination to listen” (Corey 2012, p.87).

An Oakeshottean ‘civil conversation’ does not begin from scratch. Nor does it begin outside of human experience and relationships. Rather it begins without any determinate origin, within the existing consciousness that has emerged *inter-hominest*. Conversation as a civil mode of politics is an experienced response to the failure, frustration, disappointment and collective self-defeat of teleocratic modes of politics. This experienced response does not look to *transcend teleocratic* politics. To replace the kind of ‘fundamental faiths’ and strategically-directed civilizations of realism or liberalism that we have encountered in this inquiry with some other kind of political faith, or an even grander strategy. The experienced voice of civil politics recognises that any effort to escape from the tensional middle of a teleocratic dynamic can only be done by affirming another teleocratic mode of politics; and thus offers no escape and no genuine ‘transcendence’ at all.
The beginning of a civil conversation is not an attempt to transcend this kind of dynamic. Rather, it is an attempt to inter-mediate and open up the global space in the middle. For such an opening to happen, it requires the cultivation of an entirely different mentality in global politics; a different way of seeing the world from any possible teleocratic perspective on collective security.

Elizabeth Corey describes the civil voice of conversation as a “willed disposition to view the world poetically” (2012, p.97). This civil voice is content with the world as it is and not how it ought to be. There is no extrinsic purpose to civil politics. There is no desire to induce or prevent change in global politics. No overriding compulsion to try to make the world into a better place and to make others in it approximate to some abstract, intellectual ideal of perfection. The civil-minded agent is able to see that the world is a better place. The civil agent has a technicolour, political imagination that is able to see many forms of political life in this globalising and late modern world. For that reason alone, it feels superior to the teleocratic agent’s political imagination that can only work by the binaries of black and white. The civil worldview appeals because it is richer, more variegated, and infinitely more adaptable to our current global age; not just as an era of the United Nations.

This permanent openness to the plurivocal character of the global political community takes our present to be a global moment that is dense with possibilities for coexistence. A global civil conversation is a dialogue of this moment, of this middle. This is a limitless global political space filled with contemporary counter-lives; very few of which have not been disclosed, recognised or understood. In the process of discovering the richness of global political life, this civil voice of inquiry invites a move away from the self-regarding determination of teleocratic politics to the other-regarding mediation of a conversation that has no end in sight.
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Global ‘Sweet Enemies’


