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Neutrality, a Really Dead Concept?*

LAURENT GOETSCHEL

ABSTRACT
Identity, norms, and values have become some of the most discussed topics in the field of international relations. Surprisingly, at the same time, neutrality has almost disappeared from the academic agenda on European security. Its discourse has narrowed down to mainstream discussions about NATO enlargement and military crisis management. Neutrality is not seriously discussed anymore, but seen as a relic from the Cold War, hampering participation in collective security endeavors. Concentrating on neutrality's political core rather than on its legal obligations, and differentiating its realistic functions from its idealistic ones, I argue that neutrality still offers an interesting alternative to security identities based on membership in military alliances. Its role conceptions provide clear guidelines for constructive participation of neutral states in multilateral security frameworks such as the EU's Common Foreign and Security Policy and NATO’s Partnership for Peace initiative.

Introduction
Neutrality used to be an eminent component of discussions on European security: for centuries it was the alternative to membership in military alliances and a safety belt in the case of collective security failures. This has changed with the end of the Cold War: neutrality has disappeared de facto from the official security discourse. West European neutral states briefly discussed what they perceived as their new political liberty resulting from the end of the East–West stalemate. A couple of papers were written on the challenges and possibilities facing neutrality (see, for example, Bissel and Gasteyger, 1990; Gärtnner, 1991). But the neutrals quickly shifted to a policy aimed at becoming as 'normal' as possible: they started accession negotiations with the European Union (EU) and strengthened cooperation with NATO.¹ Interestingly, however, none of these states has aban-
doned neutrality: Austria, Finland, and Sweden, which joined the EU in 1995, as well as Ireland, which has been a member since 1973, still call themselves neutral or alliance-free. The same is true of Switzerland, which has remained outside the EU after a negative popular referendum on the European Economic Area (EEA) in 1993. None of these states has joined NATO or the Western European Union (WEU), but, with the exception of Ireland,\(^2\) they all participate in NATO’s Partnership for Peace (PfP) initiative.

Central European states, such as Hungary, had been interested in neutrality as long as this concept seemed to offer an alternative to membership in the Warsaw Pact Treaty. However, once the Cold War was really over, Hungary’s interest in neutrality vanished, being superseded by the aim of joining the EU and NATO (Zellner and Dunay, 1998: 148–51; Gatelyger, 1993). Only a few scholars maintained neutrality as a security policy option for central European states at the beginning of the 1990s. It was suggested as a policy aimed at securing the independence of these states while both restraining Soviet adventurism and assuaging possible Soviet fears (Bitzinger, 1991: 282). But even these authors saw neutrality as only a second best and temporary strategy, implying that quick expansion of Western organizations might provoke Soviet criticism (Bitzinger, 1991: 285).

So apparently nobody is really interested in neutrality anymore, yet the concept continues to exist as a European reality and still forms a central part of several small states’ security policy.\(^3\) How can this be explained, and what could neutrality possibly contribute to European security? I attempt to answer these questions by first conceptualizing neutrality as a belief anchored in the political identity of states, which helps me to separate neutrality’s legal requirements from its political core. I then distinguish different role conceptions of neutral states, focusing on those which still seem of relevance in today’s European international system. The points made are illustrated in discussion on the future of the Common Foreign and Security Policy (CFSP) and on the ‘new’ NATO.

Conceptualizing Neutrality

*Neutrality as ‘Principled Belief’*

The function of neutrality is better understood by looking briefly at the role of identity and beliefs in international relations. According to
the constructivist approach, identities are assumed to influence the formation of states' interests, which are not just given, as assumed by realist scholars, but the product of assessing a state's needs and objectives in a given cultural and historical environment. Social construction of identities necessarily occurs prior to conception of interest (see, for example, Smith, 1997; Wendt, 1994, 1995).

The political identity of a community has been defined as 'the way its political life is constituted, and includes the manner in which it conceptualizes and demarcates its political life, organizes and manages its collective affairs, structures its legal and political institutions, and conducts its political discourse. It also includes the values to which the polity is collectively committed (...) [and] refers to its deepest fears, ambitions, anxieties, tendencies, dominant myths, traumatic historical experiences, and collective memories' (Parekh, 1995: 260–1). This definition encompasses the identity of a community in both the sense of the community's self-image and the behavior patterns identified by observers (Goldmann, 1998: 3).

Obviously, such identities do not come out of the blue: their construction is the result of a historical process consisting of continued interaction of states with their internal and external environment, whereby consolidated practices, which may be labeled 'constitutive norms' and which are anchored in belief systems, help generate new identities (Katzenstein, 1996: 25–26; Hall, 1993: 51; see also Wendt, 1994: 385). On an operational level, constitutive norms generate specific role conceptions of states which form the core of their foreign policy. These roles are conditioned by existing national identity and the prevailing international system, because roles involve a notion of the structure within which they operate (Hollis and Smith, 1990: 14). Goldstein and Keohane (1993) distinguish three types of beliefs: world views, such as major religions or fundamentals of the international system, principled beliefs, consisting of normative ideas that specify criteria for distinguishing right from wrong or just from unjust, and causal beliefs, which imply strategies for attaining goals, themselves valued because of shared principled beliefs, and understandable only within the context of broader world views (pp. 8–10).

Turning to neutrality, I see the latter as a principled belief whose political core consists of interest-based, normative ideas on foreign and security-policy orientation. The legal requirements resulting from neutrality's core belong to the category of causal beliefs. As will be shown later, both categories of beliefs are only understandable within
the context of the modern state system based on the concept of sovereignty, which, according to Keohane and Goldstein, reflects the corresponding world view.

*Neutrality’s Legal Dimension*

The political practice of neutrality has been legally codified, the main basis being the fairly outdated Hague Conventions of 1907 on sea and land war. This legal attribute differentiates neutrality from most other foreign and security-policy concepts. According to the conventions, neutral states are required not to participate in wars either directly or indirectly. They should not support or favor war parties with military forces. Nor should they make their territory available to them, supply them with weapons or credits, or restrict private weapon exports in a one-sided way. Neutrals are also required to defend themselves against violations of their neutrality. So-called ‘permanently’ neutral states — already in peace time — must conduct a foreign and security policy enabling them to remain neutral in a potential conflict: they should not take part in a military alliance or allow foreign powers to establish military bases on their territory, and they should possess adequate military forces. These so-called ‘pre-effects’ (*Vorwirkungen*) of neutrality form the nucleus of neutrality policy, which is the policy permanently neutral states follow already in peace time with the objective of securing the credibility of their neutrality in the case of war (Schindler, 1975; Thürer, 1989). If a state adopts an even more extensive neutrality policy, it does not do this out of legal considerations but for political purposes such as internal or external appeasement not required by neutrality obligations. Neutrality according to international law is a clearly and narrowly defined status which allows the conduct of many different policies of neutrality. These policies are to be defined in line with the interests of each state and according to the prevailing international order.

During the Cold War, the legal dimension of neutrality has been over-emphasized compared to the concept’s political value. Discussions about neutrality’s implications were always linked to what were perceived as legal obligations. The aim was to avoid complicated and delicate political discussions. It also helped underline the distinction between neutral and non-aligned states, which openly declared their stance to be of a purely political nature (Brailard and Djalili, 1988). Today, the heritage of this over-legalized tradition hampers
constructive and meaningful discussion about neutrality: with the exception of the obligation not to participate in a military alliance, the focus on neutrality’s legal basis provides hardly any guidelines for orienting a state’s foreign and security policy. According to Goldstein and Keohane’s categorization, this lack of orientation is explained by the fact that neutrality’s legal obligations represent only causal beliefs, i.e., strategies for attaining goals whose relevance and logic cannot be understood without reference to the overarching principled belief which is neutrality’s political core.

*Neutrality’s Political Core*

In short, being neutral means not taking part in a military conflict between third-party states. But to understand the deeper meaning of this foreign and security policy stance, it is necessary to be aware of neutrality’s roots. Neutrality as a foreign and security policy concept originated at the same time as the concept of state sovereignty, which dates from the end of the Middle Ages, when the universal authority of the Church began to fade. Sovereignty was consolidated until the 19th century, when the last limitations imposed by natural law were abolished. Sovereignty meant authority over all matters, and foremost the right of states to wage war whenever they thought this would fit their interests.⁶ As a correlative, neutrality represented the right of states to abstain from war whenever this seemed to better fit their interests. Thus neutrality is an expression of sovereignty and can only be understood within this context: its original purpose was to help states defend their interests in an international environment marked by conflicts and the preponderance of states as international actors (Frei, 1968: 14–15).

Militarily weaker states in particular welcomed neutrality as an instrument by which to maintain their sovereignty in an international environment in which the splitting or ‘swallowing’ of such states was nothing but a regular feature of the balancing process between major powers. Maintenance of international order was seen as more important than the right of small states to exist (Bull, 1977: 17). Also, weaker states were more often coerced to enter contractual arrangements violating their autonomy but not that of the other parties (Krasner, 1995: 148). These states therefore saw neutrality as a legally founded instrument limiting the use of force within international society.

Thus, stemming from its *raison d’être*, neutrality traditionally ful-
filled several political functions which I call realistic, its independence function being the most important: neutrality had to guarantee a country’s political independence. Neutrality also had to enable a country to maintain its basic trade relationships during times of war. Inside the country, neutrality contributed to political cohesion by preventing fights over the question of which side to support in wars between third-party states. In order to be respected and effective, neutrality also had to offer third-party states something: best known in this respect was neutrality’s international equilibrium function: Switzerland as the guardian of the Alpine passes in monarchical Europe, together with Austria as the ‘neutral separator’ (neuteraler Riegel) in Cold War Europe, or Sweden as the centerpiece of the ‘Nordic balance’ in the same period are classic images of this role of neutrality (Riklin, 1992: 199–204; Thomas, 1996: 20).

However, beside these realistic functions, neutrality also has an idealistic side, which originated from neutral states’ renunciation of their own military power projection and from their commitment to restrict and regulate use of force in international relations (Joenniemi, 1993: 289). Neutral states were also subject to internal and external pressure to justify their policy: internally, the fact of standing aside from military battles, often based on conflicting world views, had to be compensated by some other fundamentals or ideas of ‘grandness’. Externally, neutral states were accused of not participating in ‘just’ wars. Dante criticized the neutrals in his Divina Commedia as ‘tepid’ and ‘justly punished’ (Dante Alighieri [1320]: 11). For the Swiss intellectual Carl Spitteler, neutrals seemed like indifferent people in a house of mourning to countries engaged in war (1915: 13). The more a war had the character of a conflict of world views, the more neutrals felt the need to highlight their own role in the international system, and for this purpose they conceived their policy as something ‘higher’, like an ideal of justice (Frei, 1968: 56).

During World War I, certain Swiss extrapolated the content of neutrality from non-participation and impartiality to the vocation of justice and arbitration: ‘Many thought, Switzerland had the right and the duty to make the war parties (...) end their hostilities and to prepare the future peace’ (Frei, 1968: 56). The attitude which saw neutrality only as a passive stance had already been overcome in the 19th century: Switzerland, standing aside from major power rivalries, was seen as a country entrusted with an active role and a moral obligation to establish justice, law, and peace (Droz, 1895).
As part of this, neutral states have always tried to underline their policy's usefulness for the international system. These services consisted of far more than just military protection and equilibrium functions. Neutral states also qualified for arbitration and mediation duties as well as other so-called 'good offices' (Probst, 1989). Within international organizations, neutrals — individually or as a group — played the role of initiators or bridge builders. A well-known example was the group of Neutral and Non-Aligned States (N+N) in the Conference for Security and Cooperation in Europe (CSCE), the latter OSCE (Laumer, 1997: 43–6; Renk, 1996: 185–90).

Cultivating their special role on the international scene and the image associated with it helped the neutrals justify their policy towards third-party states. Also, they fostered internal acceptance of neutrality and its role as an identity provider for the population: neutral states distinguished themselves from their environment. They acquired their own foreign and security-policy identity, according to which neutral states, although staying aside from traditional interstate military conflicts, make their own contribution to the promotion of international peace.

Thus, neutrality's contribution to a nation's political identity and to its role conceptions builds on neutrality's political core and not on its legal dimension. Neutrality has an important impact on a nation’s political values, its myths and ambitions. By influencing a community's self-image as well as its behavior patterns, neutrality covers both sides of a nation’s identity (Goldmann, 1998: 3). Neutrality produces several constitutive norms in a sense that these norms contribute to a nation’s political identity. What I call realistic role conceptions linked to these norms are compensations for what are perceived as political and military absenteeism of neutral states in a conflict-laden international environment. These roles are justified by the position of neutrals in military conflicts. What I call idealistic role conceptions originated in the basic commitment of neutral states to regulate and limit the use of force. Both categories of role conceptions depend on the international structure in which neutral states operate (Hollis and Smith, 1990: 14).

I argue that, due to evolution of the international system, role conceptions of neutral states linked to their non-participation in a military conflict (realistic roles) have lost their significance. However, the same does not count for the role conceptions of neutral states which reflect an attempt to transcend traditional war conditions between states (idealistic roles). Due to the same evolution of international structure,
those roles and functions of neutrality may have become even more important on a concrete policy level than they were in the past. In explaining my argument, I first underline some important similarities between the concepts of neutrality and collective security. I proceed by showing what idealistic role conceptions of neutral states could contribute to shaping the CFSP and NATO.

The Future of Neutrality

Neutrality and Collective Security

From a legal point of view, neutrality has undoubtedly lost most of its significance in today’s Europe. This is linked to the fact that the institution of neutrality was part of the law of war, which departed from a clear distinction between war and peace in interstate relations. These wars have largely disappeared in both a European and worldwide context.\(^9\) Conflicts still occur between European states, but they are carried out with non-military means. Conflicts involving use of military power are almost exclusively fought within states. These conflicts do not correspond to the classical definition of war. Neutrality does not apply in these cases (Thürer, 1995: 122–3). In regard to secessionary conflicts, third-party states are required to respect OSCE obligations stipulating support of a state’s territorial integrity. Neutrality does not apply either in the case of multilateral military measures undertaken in the framework of collective security. Such operations are not classical interstate conflicts; they serve to fulfill international legal obligations according to the UN Charter. Neutrality law may be called ‘irrelevant’ in such cases (Gabriel, 1997: 79–81). So it is of no importance whether corresponding operations or sanctions are military or economic in nature: the relevance of neutrality depends on the operations framework and objective, not on the quality of the means used (Thürer, 1995: 127).

In principle, the central objectives of collective security and neutrality are similar. Both aim to regulate and limit use of force in interstate relations, and also to promote peaceful resolution of conflicts (Bennet and Lepgold, 1991: 213–15; Joenniemi, 1993: 289). They differ mainly in regard to the means favored towards attaining these objectives: whereas collective security suggests active implication of all states, neutrality used to be based largely on individual abstention. It
is therefore of great importance to be clear about the criteria of collective security: a system of collective security generally means a legal treaty aiming to guarantee prohibiting use of force between its members by means of common actions against the aggressor (Jaberg, 1998: 154). A military alliance which does not have a mechanism to resolve conflict peacefully, and whose primary goal is not solving problems between its members but defense coordination against third-party states, will never form a collective security system. The option of rapid intervention forces should always be the second-best option after that of peaceful conflict resolution. If this is not the case, they become all too easily orchestrated for collective power projection in the interests of the states involved, which has nothing to do with collective security (Senghaas, 1991: 316).

During the interwar period, verbal and practical attempts were undertaken to bridge the cleavage between collective security and neutrality: the Pact of the League of Nations did not ban all wars but outlawed aggression. In principle, war remained permissible only for purposes of self-defense. This was quite close to the objectives of neutrality: ‘The League of Nations and neutrality were seen as equal expressions of a higher culture of international life, comparable to the rule of law versus the rule of force’ (Frei, 1969: 58).10

If the ambitions of neutral states take on quasi-universal forms and approach the objective of furthering establishment of a worldwide peace order, they get close to the concept of collective security: the idea of a defensive link between all neutrals is similar to the objective of reconciling the war parties or bringing their hostilities to an end by means of collective actions (Frei, 1969: 176, 178). In this regard, Georg Cohn — again in the interwar period — introduced the concept of neo-neutrality. Contrary to the tradition of individual abstention inherent to the conventional concept of neutrality, neo-neutrality meant the active and collective disqualification of war parties by the neutrals, including the use of sanctions (Cohn, 1939: 253; see also Wright, 1964: 139). Neutral states had to stay outside the war, and their sanctions had not to be of a military nature. They were not compelled to treat the war parties equally, however: the aggressor was to be sanctioned. Also here, war remained permissible only in the case of self-defense (Cohn, 1939: 282, 308, 337).

Following this line of thought, it has been suggested that neutral states in today’s Europe could play the role of a historical avant garde in a process in which all European states would progressively turn to
a policy of neutrality. Yet neutrality could only be seen as a moral quality as long as it actively promoted peaceful relations and not if it encouraged passive contemplation of injustice, violence, and oppression (Müller-Funk, 1997: 120–1). Put differently, such a neutrality would exclude a neutral attitude towards attempts at preventing military conflicts (Müller-Funk, 1997: 119).

In the next section, I analyze how neutrality can contribute to shaping the policies of states within the EU and towards NATO and its possible effects on evolution of the institutional setting as well as the policies of these organizations.

Neutrality and the CFSP

From a legal point of view, the CFSP contains no military assistance clause. The Amsterdam Treaty foresees stronger cooperation between the EU and the WEU (Art. 17 (ex-J.7) EUT). However, there are no plans to incorporate the WEU assistance clause (Art. 5, Brussels Treaty) into the EU Treaty. A proposal to progressively merge both organizations did not gain the approval of the member states at the '96/97 intergovernmental conference.11 The Amsterdam Treaty only mentions the possibility of a common defense, yet it would necessitate a unanimous decision of the European Council, i.e. the heads of states and chiefs of governments in accordance with member states’ constitutional rules (Art. 17 section 1 (ex-J.7) EUT). This article only gives member states the possibility of deciding to introduce a common defense without having to convene an intergovernmental conference for that purpose (Regelsberger and Jopp, 1997: 261).

Also under the new treaty, the principle of unanimity prevails for decision-making in the CFSP (Art. 23 section 1 (ex-J.13) EUT). Joint actions or common positions can be decided with qualified majority in policy fields, for which so-called common strategies exist (Art. 23 section 2 (ex-J.13) EUT). Such strategies are decided with unanimity by the European Council in policy fields in which important common interests exist between member states (Art. 13 section 2 (ex-J.3) EUT). Qualified majority decisions may also execute joint actions or common positions previously decided with unanimity (Art. 23 section 2 (ex-J.13) EUT). But even when qualified majority decisions are possible, each member state keeps the option to prevent this kind of decision-making by declaring that it would oppose such a decision for 'important reasons of national policy'. Qualified majority decisions are
excluded anyway for all matters related to military or defense policy aspects (Art. 23 section 2 (ex-J.13) EUT).

A novelty is the possibility of ‘constructive abstention’: in the case of a decision which has to be taken unanimously, a member state can abstain from the vote in order to avoid participating in the execution of the decision. However, it accepts the decision to bind the Union (Art. 23 section 1 (ex-J.13) EUT). Yet a neutral member state could abstain ‘constructively’ on actions with military or defense policy aspects and would not be required to contribute financially to the operation, as such measures are not financed by the regular EC budget (Art. 28 section 3 (ex-J.18) EUT). In sum, legally speaking, the Amsterdam Treaty is fully compatible with neutrality obligations.

From a political point of view, neutrality has to be seen as just one foreign and security-policy concept among others. Concentrating on a military alliance like NATO is another example. Certain EU member states which belong to this alliance, such as Denmark or the UK, have been as much opposed to granting military defense authority to the EU as were neutral members. Neutrality is not perceived by non-neutral member states or EU officials as a specially difficult or complicated security identity. This is exemplified by their slightly cynical statement that there are no neutral states in the EU.\textsuperscript{12} It is therefore emphasized that the EU hardly ever acts contrary to the core interests of member states. Member states hardly ever make explicit use of their veto right. There will always be an attempt to find a consensual solution.

The CFSP has not fulfilled all expectations by far; nonetheless, member states have managed to agree on joint actions and common positions in quite a variety of fields.\textsuperscript{13} Coordination of positions in international organizations such as the UN or the OSCE has been especially successful (Stadler, 1993). Member states have also coordinated their positions in multilateral conferences on disarmament, arms control, and non-proliferation. Taking into account the largely inter-governmental structure of the CFSP, the results obtained mean that member states (in more recent times including several neutral ones) do have common interests in these security domains.

Not only do neutral states not feel excluded; they even contribute actively to evolution of the CFSP’s operational capabilities: integrating WEU’s so-called ‘Petersberg’ tasks into peace-keeping, humanitarian and rescue operations and crisis management into the Amsterdam Treaty was strongly supported by a joint Finnish and
Swedish proposal (Ojanen, 1998: 7). Under the Amsterdam Treaty, the WEU can be mandated by the Union to execute such operations, whereby all EU member states, even those which do not belong to a military alliance, can participate fully in planning and decision-making (Art. 17 section 3 (ex-J.7) EUT). In practice, it can be assumed that cooperation between the WEU and its ‘observers’ for planning and executing such operations will rely on structures and mechanisms established within the framework of NATO’s Partnership for Peace Initiative.

In the past, EU member states have never managed to find a consensual basis on which to act within reasonable time in crisis situations, be it in the former Yugoslavia, in Rwanda, or in Albania. However, this was not the fault of small or neutral member states but much more that of larger members belonging to NATO (Gordon, 1997: 88). Reforms of the Amsterdam Treaty provide neutral states with additional institutional opportunities to favor emergence of common ground between all members, one of their traditional idealistic role concepts. The creation of a Policy Planning and Early Warning Unit (PPEWU), in particular, facilitates working in this direction. The definition of common crisis-management criteria could progressively establish a reaction practice which could develop into constitutive norms promoting a common identity among member states and finally development of common interests. This would underline the CFSP’s added value compared to national foreign policies (Goetschel, 1998b).

Regarding the content of emerging crisis-management practice, neutrality’s political core offers a basis for combating the frequent attitude which sees regional integration processes as per se peace-promoting arrangements: regime building does not always enhance peaceful relations. Interdependence and interaction are socially blind; they do not replace political guidance (Brock, 1990). In relation to the CFSP, neutral member states can promote use of non-military crisis-management instruments such as humanitarian help, political mediation, and economic interventions. Early intervention can very often be executed by civilian means, whereas late reaction is frequently military in nature. Thus, an orientation of the CFSP towards civil crisis management would save the human and financial costs linked to delayed military operations. It would also fit the CFSP’s evolution, which has always focused on civilian measures and instruments.

The inclusion of the WEU’s Petersberg Tasks in the Treaty of Amsterdam also provides neutral states with the possibility of partici-
pating in military crisis management. Neutral states can do this on the basis of equality with other states without having to be members of a military alliance. In order to fit neutrality’s political core, such operations have to respect the principles of collective security. According to the UN Charter, regional agreements may only play a limited role in operations designed to secure and maintain peace. They can be requested by the Security Council to implement coercive measures under its authority (Art. 53 clause 1 UN Charter). The Security Council extends its control more and more to inner-state conflicts when organized violence leads to severe violations of human rights or is seen as a threat to world peace (Delbrück, 1997: 487). As long as regional organizations are acting on their own they are supposed to remain under the level of coercion (Delbrück, 1997: 505). In the case of evolution allowing regional organizations such as the EU or NATO to guarantee international law outside the UN institutional order, including the use of military sanctions, the corresponding regional norms would have to fulfill the material norms, objectives, and principles of the UN: they should only be enforced collectively within the setting of institutionalized cooperation. Enforcement should only take place once all other means and procedures have been exhausted and in proportion to the violation of law. The political and human costs of intervention should be weighed carefully against those produced by prolonging the prevailing situation (Delbrück, 1997: 507–8; Hoffmann, 1995: 44). Intervention should also be qualitatively differentiated from international ‘punitive expeditions’: military engagements should be oriented towards peace maintenance and defensive support of local forces and not towards power projection of participating states, which would only hinder or prevent implementation of peace agreements (Unterseher, 1997). Enforcement of law outside the UN framework should in no way be used to legitimize one-sided national measures (Delbrück, 1997: 507).

Due to their historical sensitivity to these questions and their awareness of neutrality’s remaining significance in the new international environment, neutral states are predestined to becoming a credible moral instance of the EU’s military crisis management (Thürer, 1993: 76). They could do this by using the PPEWU and the gradual participation in such operations offered to them by the Amsterdam Treaty: the more such operations conform with collective security according to the criteria listed, the more neutral states would get involved. Their participation would deliver a ‘quality stamp’ regarding the legitimacy
of such operations and thereby enhance their international acceptance. Neutral states would be especially keen to make sure such operations — disguised as peace operations — are not used to promote the interests of particular power constellations. An institutional safeguard for respecting these criteria could be provided by one neutral member state being constantly included in the EU Troika. Until the next enlargement occurs this will mostly be the case anyway.\textsuperscript{18}

\textit{Neutrality and NATO}

As NATO is a military alliance, neutrality is obviously incompatible with membership. Since the end of the Cold War, however, the alliance has developed various activities outside the scope of collective defense. It engaged in institutionalized relations with non-member states, mainly through its PfP initiative and the Euro-Atlantic Partnership Council (EAPC).\textsuperscript{19} NATO’s relations with Russia and the Ukraine were even further regulated by special documents and institutions.\textsuperscript{20}

NATO also worked on structures and mechanisms to enhance its operational and political capabilities to act outside the territory of its member states and for purposes other than purely collective self-defense. The Combined Joint Task Forces (CJTF) are designed to allow the Alliance to respond more rapidly and more efficiently to regional crises, possibly together with third-party states and maybe even under the political leadership of another organization, such as the WEU or ultimately the EU (Barry, 1996). NATO’s reflections on its new strategic concept include an increased role of crisis management. Together, these measures and new orientations are frequently subsumed under the slightly euphemistic heading ‘new’ NATO. Implicitly, this means that NATO increasingly takes care of security questions regarding the whole of Europe which lie outside the scope of collective defense and go in the direction of collective security. But in parallel the alliance also steadily prepared its enlargement.

So what could neutral states’ policy towards this ‘changing’ NATO look like? As mentioned previously, neutrality’s central objectives do not differ fundamentally from those of collective security. Reflections on collective neutrality even get quite close to collective security. However, they are incompatible with collective defense. It would therefore seem important for neutral states to know in which direction
NATO is moving and which kind of cooperation from their side could foster the alliance’s ‘metamorphosis’. This is not an easy task, as NATO has followed a twin-track strategy in all domains mentioned since the end of the Cold War.

The PfP framework document contained a clear commitment to the indivisibility of European security (NATO Handbook, 1995: 266–8). All OSCE states were invited to participate in the partnership, and almost all did. But NATO quickly entered into deepened relations with selected states within the PfP framework with the aim of enhancing the military interoperability needed for later membership. These states were also quickly included in NATO’s Planning and Review Process (PARP), which serves to determine the resources needed for the alliance’s functioning. Thus, the partnership had elements pointing in the direction of collective security and others clearly linked to enlargement of a traditional military alliance.

With respect to so-called ‘out of area’ missions, the fact that NATO has so far acted only with the backing of a UN mandate, and that it has always included non-member states in these operations, points in the direction of collective security. But NATO has not applied to become an organization under Chapter VIII of the UN Charter, which would have qualified it as a regional organization designed to help execute decisions of the Security Council. Nor has it introduced any mechanisms specifically designed to promote peaceful resolution of conflicts among its members. Thus it has at least partially acted like a collective military force accepting the danger of provoking an image of traditional power projection.

With respect to defining and implementing its new strategic concept, there are tendencies inside NATO advocating the alliance’s necessity to be able to intervene in third-party states without an explicit UN mandate, based on Article 51 of the UN Charter, which means the right of all states to collective defense. This would also allow NATO to act in cases where the UN Security Council could not agree on a mandate. It might also be a further step toward a de facto NATO commitment to an indivisible European security. But such an approach would have to be in line with the criteria listed in regard to the CFSP military crisis management. Otherwise, it would contain the potential danger of arbitrary collective use of military power, not just by NATO but also by other collective military forces: why should they not find ‘victims of attack’ needing their help? Furthermore, such an approach would not solve the problem of inner-state conflicts and preventive
military deployments, as collective self-defense according to the UN Charter can only occur once a UN member state has been attacked.

Regarding enlargement, the declared process character not fixing any limit contains an element of indivisible security. However, its rapidity and geographic limitation clearly follow the logic of an expanding collective defense organization provoking the creation of new dividing lines (Brown, 1995). This point is closely linked to the question about the future significance of the mutual assistance clause. So far, NATO has argued that this clause represented the unnegotiable core of its membership. The main reason invoked was the difficulty of separating collective defense from non-collective defense engagements, because there might be changes in the course of one operation (Yost, 1998: 147–9). Largely for the same reason, NATO also insisted on keeping a unique decision procedure for all kinds of alliance force engagements.

The overall appraisal of NATO’s balance sheet is mixed: on the one hand, ‘new’ NATO has largely remained like the old NATO, as verbal rhetoric close to collective security has been followed by practical behavior typical of an expanding military alliance. This has provoked the expected negative Russian reactions (Averre, 1998; Puschkow, 1997). On the other hand, NATO has enhanced its flexibility and means of acting outside its member states’ territory with objectives other than purely collective self-defense. But there is still a long way to go for NATO to arrive at a credible commitment to collective security (Lepgold, 1998). Enhanced participation of non-member states, especially neutral ones, in NATO activities within the framework of PfP and EAPC has a double significance: it supports NATO’s ambition to evolve into something more than a military alliance, and it strengthens these states’ legitimacy to discuss NATO’s future role in European security. Being aware of the first point, neutral states should have an eye particularly on the second one: their participation should be qualified and based on medium to long-term policies with the objective of promoting NATO’s role in European collective security. Otherwise, their engagement risks being used by NATO to improve its international image without the organization changing its central characteristics.

Neutral states should therefore make their participation in NATO crisis management conditional on fulfillment of the same criteria as mentioned in regard to CFSP’s operations. Obviously, they should support all reforms pointing in the direction of collective security.
They should also vindicate the right to be included in the corresponding decision mechanisms. This would necessitate at least partial separation of crisis-management procedures from those for collective defense operations. Thus, the distinct importance of crisis management as a NATO task would be underscored. This could prepare the way for stronger integration of other non-member states, such as Russia or the Ukraine, into NATO crisis-management operations, through which the alliance would definitively start to lose its old image of a Cold War alliance.

Conclusion

Goldstein and Keohane's (1993) concept helps to categorize the different attributes of neutrality and their significance in today's Europe. It underscores the importance of state sovereignty as a prerequisite for the emergence of neutrality as a foreign and security-policy concept. It also furthers the distinction between neutrality's normative political core and its legal dimension. Due to the general evolution of the international system, the latter has become outdated, while the former maintains its value as a security identity. Rather than an environment marked by conflict, Europe today represents a region with an unknown degree of institutionalized cooperation among states which share their role as international actors with intergovernmental and supranational international bodies. In this context, the meaning of the concept of sovereignty has changed in order to prevent sovereignty from becoming meaningless or even dysfunctional; it is now exercised in different ways (Keohane, 1995: 174–7). This does not mean that sovereignty is being diminished; on the contrary, precisely in the case of the EU and in regard to the CFSP, it may ultimately even be strengthened (Goetschel, 1996; Zürn, 1995). This has two major consequences for neutrality.

First, the quasi-disappearance of classical interstate wars, the rise of other forms of military conflicts, and the enhanced collective capacities of the international community force neutral states to return to the idealistic political roots of neutrality. In the past these have all too often been hidden by over-legalized discussions and political practices seen as granted and unalterable. Neutrality's idealistic role conceptions have become far more important than its realistic functions linked to traditional interstate warfare. This helps to show why public
opinion in neutral states keeps sticking to what it sees as an inherent moral value of neutrality, while at the same time it attributes only minor relevance to neutrality's traditional security policy functions (Haltiner et al., 1997: 29; Luif, 1995: 237–53). Its role as an identity provider has become neutrality's most important function since the end of the Cold War. It is based on neutrality's idealism, its 'missionary belief', which used to see neutral states as international referees and peace promoters (Frei, 1966: 104). It is therefore striking that neutrality has almost disappeared as a research object in international relations in this high time of norms, values, and identity.

Secondly, as neutrality has always been an expression of sovereignty, neutral states have to adapt their role conceptions of neutrality to their new environment. It is becoming increasingly important for nation states to anchor their norms of behavior in international cooperation mechanisms, even if this occurs with a significant time-lag (Hall, 1993: 46). This will not have the effect of neutrality guidelines being overtaken mechanically by third-party states, but these states will increasingly endogenize the existence of neutral states and their cooperation conditions within their own norms and principles (Ruggie, 1993: 172). For this to happen, neutrality should not be seen as a political obstacle: the everlasting Cold War discussions on the 'compatibility' of neutrality with international organizations and other forms of international cooperation have given the concept a negative connotation in relation to common security and international solidarity. Neutrality's political core can no longer be interpreted as a device for standing apart from all political and military questions of international cooperation. Today, neutrality's main task is not securing individual state sovereignty but using neutrality's 'beliefs' for all Europe. It requires these states to become more assertive and to abandon some of their traditional reservations about operating beyond their own borders (Möller, 1997: 145). The importance of international structure to define the role conceptions of states explains why states may proceed to important changes in their foreign and security policy without renouncing important ideas of their political identity. On the contrary: in the case of neutrality, new structures may even promote revival of almost forgotten core elements of political concepts.

The international conditions for neutral states to play an active and constructive part look quite good: in the past, these states have been experts in compensating for their lack of military force with other
power dimensions. Such power is needed more than ever in today's Europe. The EU should be one of the first to profit from such advice. Neutral states could use the trust they enjoy to promote the formation of common norms and interests. NATO, too, could take advantage of the existence of neutral states in its environment: by staying outside the organization's formal hard core, these states can contribute tremendously to opening the alliance and strengthening its non-collective defense tasks, which would ultimately ease the way for a move towards collective security.

The stage of one common European foreign and security policy has not yet been reached. There is still room for national sensitivities due to 'old concepts' based on individual statehood. And they might even become more relevant, precisely because of the established institutional cooperation frameworks which enhance states' possibilities to act jointly by facilitating information exchange and enhancing legitimacy for common undertakings.

Notes

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1. While membership in a military alliance would clearly be incompatible with neutrality's legal prescriptions, membership in the EU had been excluded only for political reasons (Luif, 1995: 237–53).

2. Ireland has always focused its neutrality on the country's military relationship with Great Britain (Keatinge, 1984).

3. The expression 'small state' has become confusing, as the size of a nation has lost most of its direct impact on a state's power. I conceive a small state as one whose position towards its international environment is characterized by a relative deficit in influence and in autonomy compared to other states. Its foreign and security policy is assumed to minimize or to compensate this power deficit and the result is subject to a psychological feedback about the state's 'smallness' (Goetschel, 1998a: 19).

4. Constitutive norms as distinct from normative norms, which define standards of appropriate behavior (Katzenstein, 1996: 5). The distinction between 'constitutive' and 'regulative' rules was first formulated by John Rawls (1955).
5. The separate handling of neutrality’s normative political content and its legal dimension may be seen as an artificial separation. It occurs for analytical purposes only and should by no means be interpreted as implying a general separation between international law and political practice.

6. For an overview of the concept of sovereignty, see Philpott (1995).

7. The denomination is based on the realist nature of the corresponding objectives and of the assumptions about the international order. Realism itself leaves little room for the benefits of neutrality, since ‘... because any state may at any time use force, all states must constantly be ready either to counter force with force or to pay the cost of weakness’ (Waltz, 1959: 160).

8. Differentiation into realistic and idealistic neutrality functions occurs outside Goldstein and Keohane’s categorization of beliefs. Within its framework, functions as such would be tools belonging to the causal beliefs. However, looking at the function’s content blurs the distinction by bringing certain functions far closer to the principled beliefs than neutrality’s legal requirements.

9. For 1996, SIPRI recorded on a worldwide basis only one interstate conflict; the one between India and Pakistan (SIPRI Yearbook, 1997: 17).

10. In the case of Switzerland, the government argued that the very aims of the League of Nations required the country’s participation in this organization in the name of its neutrality (Botschaft des Bundesrates an die Bundesversammlung, 1919).


12. This statement was made by several EU officials in the Council’s Secretariat and in the European Commission as well as by representatives of member states in interviews conducted by the author in March and October 1998.

13. See the list of joint actions and common positions in the EU-Bulletin (http://europa.eu.int/pol/cfsp).


15. WEU confirmed this regulation in a declaration appended to the Amsterdam Treaty.


17. See, for example, the EU common position on conflict prevention and conflict resolution in Africa, in Agence Europe, 2/3 June 1997.

18. I am indebted to my colleague Martin Zbinden for this last suggestion.

19. Created in May 1997, the EAPC succeeded to the North Atlantic Cooperation Council (NACC) established in the immediate aftermath of the end of the Cold War. The EAPC serves mainly as a multilateral political coordination forum, whereas most concrete cooperation takes place within the PfP framework.

20. See the Founding Act on Mutual Relations, Cooperation and Security

21. The North-Atlantic Treaty is in principle committed to a comprehensive security approach. It is open for unlimited membership and its members declared already in the 1967 Harmel report that their ‘ultimate political purpose’ was ‘to achieve a just and lasting peaceful order in Europe accompanied by appropriate security guarantees’. However, not until the end of the Cold War did any of these options and objectives get even close to realization.

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