The European Union as a Risk Community. Outline for an Empirical Research Program

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1. Introduction

Taking the risk discourse in social sciences as its conceptual point of departure, this paper will argue that the European Union (EU) constitutes a risk community. It will analyze the EU's policies regarding energy and terrorism as empirical examples. Being rooted in different public and academic discourses, both issues were recently highly politicized and even securitized in Europe. The main aim of the paper will be to identify the risk assessment and specific forms of risk governance in the EU.

The paper will proceed in three steps: (1) it will develop the theoretical propositions defining risks and risk governance as characteristic aspects of modern societies and political affairs; (2) this conceptual apparatus will be applied to the study of the EU and delineate a research program on the EU's role in risk governance; (3) and finally, to demonstrate the plausibility of the research program, it will conduct empirical studies on European risk governance in the cases of terrorism and energy security.

Beyond its scientific value for the research on European integration, framing the EU as a risk community will attain a twofold outcome: In practical terms this concept can help make European risk management more effective. At a more abstract level, the concept of a risk community may create a new narrative for European integration.

2. Theoretical propositions

Research and theorizing on risk and uncertainty has become a major field of social sciences. There are many approaches and differing focuses, depending on particular schools of thought and levels of analysis (c.f. Zinn 2008). The works of Ulrich Beck (1986, 2007), Francois Ewald (1989), Wolfgang Bonß (1995), and others who have described the manufacturing as well as the managing of risks and uncertainties as a central or even a defining aspect of modern societies will serve as the proposed paper's point of departure. Following the work of Charles Perrow (1984) they display a systemic perspective on the subject and expand Perrow's focus on social systems as such. A systemic approach on risk does not focus on individual decisions made under uncertainty but instead on the structures that shape the environment in which decisions are taken and which link these decisions to each other. Depending on the complexity of the system, e.g. the interdependencies of elements that constitute the system, or outside interference into the system, such as the linkage of different systems of risk, these structures do not fully determine the scope of possible outcomes (Bonß 1995: 62-84). Even though this perspective was initially developed through social scientific research on organizations and complex technological systems it is applicable to social systems like families, companies, research groups, or modern industrialized societies in general, too.

One characteristic of modernization is the incremental process of creating material as well as social structures (from the industrial power plant to the system of a market-based economy) that contribute to the enhancement of economic, technological, scientific and thereby societal, as well as individual performance. At the same time this process creates new risks and uncertainties. These include the environmental risks from industrial plants or social risks like

unemployment or illness, both of which the individual is being confronted with alone and not, as in traditionally organized societies, with the support of his family. These ecological, social, economic, or technological risks constitute the externalities of modernity.

Associations, social network segments of society that share a perception of being commonly affected by risks and, based on that perception, develop a willingness to act can be conceptualized as risk communities. It is a central political task to contain these undesired consequences of modernization. In the process of modernization the nation-state became the primary institution for addressing these risks and uncertainties and developing the main mechanisms for risk governance (Beck/Bonß/Lau 2004, Jasanoff 2006). Political measures for addressing risks take on different shapes: security standards indicate the requirements that need to be observed when operating industrial facilities, or which rules need to be obeyed when producing food or manufacturing toys. The establishment of capacities for crisis management ensures that in the event of damage the consequences can be contained. Moreover, instruments like the liability law define who will be held accountable in the event of damage and what this will implicate exactly. Social risks like unemployment or illness are addressed by labor market measures, healthcare, or social policy. Given that illness and unemployment cannot be eradicated by these measures altogether, the individual receives additional protection through the community's social security system that takes effect in the event of damage.[1]

Risk governance usually includes both public and private measures to decrease the likelihood of the event of damage to materialize (i.e. prevention) or measures to decrease the scale of the expected damage through adequate capacities of consequence management or insurances (i.e. precaution). Paradoxically, the politics of prevention and precaution can result in the creation of new risks. For instance, the global promotion of nuclear power to reduce energy shortages boosts the risk of nuclear proliferation, and the creation of instruments to offset fluctuation of exchange rates and commodity prices or insurances against credit defaulting have contributed to a virtual expansion of liquidity that has turned into a destabilizing factor for international finance.

In the debates on reflexive modernity and a world risk society it is being argued that we have been witnessing an exponentiated increase of the existing risks, as well as the development of new risks that elude the established procedures and institutions of risk management since the 1970s (Beck 2007). The Organization for Economic Cooperation and Development reaches a similar diagnosis in its survey on systemic risks (OECD 2003). Well-known examples for this are the debates on nuclear energy or genetic engineering, economic aspects of globalization, climate change, or – most recently – the so-called new terrorism. Once these potentially catastrophic risks win political recognition and manifest themselves in public imagination they force political action (Beck 1996). Indeed, today risks and uncertainties are among the main driving forces of politics and the transformation of institutional arrangements, in the national domain as well as in international relations. Risk governance is a central aspect of political activity in today's societies, not only on the nation-state level, but also for the European Union (EU) as a political entity.

3. Applicability to European Integration

The process of European integration that once started as a quite narrow approach of cooperation on coal and steal and later on customs and nuclear power today covers a wide range of policies, including economics, trade, welfare, consumer protection, environmental issues, and security. Hence, over the first few years integration meant tearing down trade

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[1] In case of these social risks, ideally speaking, it is not a question of who is to be held accountable for the case, but in which way the costs will be apportioned to the society.

barriers and creating a common market, and establishing coherence of national policies. Thus, integration was a process based on mainly economic interests that should create profits and a common international reputation for all participants. As the scope of duties grew, so did the claim for a EU actorness, which was seen as a necessary prerequisite for the Union to become an actor in global affairs. So the main development that led to the EU's framing as a political community these days is the transition from negative to positive integration (Scharpf 1996). Nowadays the EU is not limited to free trade and the regional harmonization of policies any longer. Europe has become a political actor itself, one that deals with many problems as a substitute to the nation-states and has its own means of 'doing' politics. This new form of European governance includes several aspects of risk governance. Since many of the uncertainties that the EU member states are confronted with are transnational and not limited to one country alone there is some awareness of mutual dependencies on tackling these risks. This common risk perception altered the way European integration is looked at.

Against this understanding of European integration and the theoretical propositions sketched out above the argument that the EU constitutes a risk community is based on four assumptions: (1) the EU is functionally, geographically, or politically affected by common risks; (2) EU member states and/or European citizens perceive themselves as being commonly affected; (3) the European level is regarded to be the adequate framework to decide how to address these risks; (4) the dialectics of enhanced productivity and performance and the creation of risks is to be found in the process of European integration, too.

Risk community in this sense means a common awareness of risks that affect all or at least some states of the community. These risks will be addressed by joint policies that regard the transnational, European dimension of possible damages and harms. This does not follow a merely instrumental logic of joining forces; there is rather an inherent community-building momentum. While the European Community, and later on the EU, was perceived as a security community in the sense of Deutsch (1957) or more specifically as a non-war community (Wæver 2000), these days it is risks that are the trigger for community formation.

If the EU proves to be an effective institution of risk governance a new narrative of the integration process may evolve, a new foundation of legitimacy as to why so many sovereign countries transfer some of their competences to the European level. The long-term "permissive consensus" does not hold any longer (Lindberg/Scheingold 1977: 277) and the prevalent Euro-skepticism could be eased if the EU provided something that cannot otherwise be provided by the nation state on its own.

Conceptualization of the EU as a risk community is organized along two sets of questions: The *first* complex of questions will analyze which risks affect EU member states and citizens. In this context one can distinguish between risks that are generated by the European integration process itself (e.g. economic or social risks resulting from major European projects, such as the common market or the Euro) and risks that are induced on the outside or are merely influenced by the EU (e.g. climate change, economic risks related to global finance, etc.). Moreover, one must ask whether the risks affect the EU as a whole or only groups of member states or segments of society. The *second* set of questions will address the EU's role as an institution for risk governance, i.e. the generation and implementation of preventive and/or precautionary measures. In this context it has to be analyzed how risks win public recognition in the EU, how strategies to counter theses risks are developed and implemented within the European multilevel system, and whether there is a common European risk hierarchy or a specific European culture of risk governance. Moreover, it has to be analyzed how rules and proceedings for handling risks are established and if, in this context, there are conflicts between member states, social groups, or other sub-state actors within the EU and how the EU cooperates with third parties outside the EU.

Depicting the EU as a risk community promises a progressive problem shift (Lakatos 1974) for research on European affairs. Based on the theoretical propositions introduced above, the concept of the EU as a risk community allows the development of a comparative perspective and empirical research program on European policies along the differentiated notions of prevention and precaution. Moreover, this research program will develop an encompassing perspective on European policies and will not confine itself on a single set of risks, e.g. security issues (c.f. Weiss 2004). At the same time, the restriction on these two categories will ensure that it will be a parsimonious approach. Moreover, it is expected that the notion of risk also contribute to the conceptual debates in other fields of political sciences. In security studies for instance, a shift from an orientation on states and military capabilities as the primary objects of research to an approach that focuses on risks like terrorism, state failure, or proliferation is in the making (e.g. Baldwin 1997, Daase/ Feske/ Peters 2002, Croker 2002). Challenges like these cannot be dealt with through the traditional security political practices like deterrence, arms build-up, and other means of defense, but require risk-management techniques that include political instruments that are more diverse than military means.[2]

Approaching the EU as a risk community differs from the classic functionalist approach on European integration in two important ways: Functionalism saw European integration as a vehicle to pursue national interests, being driven by spill-over effects from one issue area to the next one. The political processes, which actually led to ever-increasing integration, were more often than not seen as proceeding quasi-automatically. Also, from the risk community-perspective, the process of European integration contributed to the management of risks that the member states were being faced with. However, in this context European integration has created structures and institutions that themselves became sources of risks and uncertainties that needed to be handled. Hence, depicting the EU as a risk community differs form classic functionalist approaches, as it develops an ambiguous picture of European integration on the one hand, but on the other hand the risk community approach argues that shared challenges and common potentials will only become politically relevant if they are winning recognition in public and political discourse. Hence, other than the quasi-automatism of functionalism, the perspective of the risk community includes the social and political processes that lead to spill-over or spill-back effects in its analysis.

4. Preliminary Case Studies

The political discourse today observes old problems from a new perspective and focuses on new challenges. Among them are classic threats and dangers, like military attacks and natural disasters, as well as novel risks, such as social insecurity, epidemics, transnational terrorism, or energy insecurity. This paper will briefly introduce two examples and apply the concept of the EU as a risk community on them. Our analysis will elaborate the European dimension of transnational terrorism and energy security and discuss how these issues have been securitized and socialized in the EU-context. Moreover, it will analyze what the specifics of the EU's risk governance are.

Transnational Terrorism

Counterterrorism efforts are situated at the interface of foreign policy and home affairs. Containing terrorism had already been an issue for European cooperation back in the 1970s. Within the so-called TREVI framework ministries of the interior of the then-European

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[2] Traditional security policies were focused on threats, determined by an adverse actor's capabilities to harm, while risks are the non-intended results of intended decisions (Zangl/Zürn 1997: 160). Thus, security mutated from actor centrism to issue orientation.

Community's member states supported each other in their efforts to counter the terrorist campaigns they had been confronted with in their respective territories. Given the primarily national agendas of the various groups, terrorism was perceived to be by and large a national challenge and not a common European concern at the time. This perception changed after the attacks of September 11, 2001. The terrorist attacks in Madrid (2004) and London (2005), as well as numerous other thwarted or failed attacks in Europe, underscored the sense of vulnerability and secured counterterrorism a place at the top of the European security agenda. Even though for historical and geographic reasons there are different national hierarchies of security risk, member states as well as citizens regard terrorism a shared challenge. This is mirrored in the European Security Strategy (ESS) of December 2003, in which terrorism is listed among the main risks to European security (p. 3). Moreover, the EU Counter-Terrorism Strategy of 2005 states that "[t]errorism is a threat to all States and all peoples. It poses a serious threat to our security, to the values of our democratic societies and to the rights of freedoms of our citizens, especially through the indiscriminate targeting of innocent people. Terrorism is criminal and unjustifiable under any circumstances." (p. 6) Thus, even though it can be noted that the European discourse on terrorism was somewhat reluctant to buy into the US' rhetoric of a war on terror, it indeed interpreted terrorism as an existential threat in the sense of Buzan, Wæver, and de Wilde (1998), and also as Gheciu notes as a threat "to the values of civilization itself" (2008: p. 41). Moreover, the Counter-Terrorism Strategy stipulates further that some of the main achievements of European Integration created an opportunity structure on which terrorism depends: "The European Union is an area of increasing openness (…) and interdependence, allowing for free movement of people, ideas, technology, and resources. This is an environment which terrorists abuse to pursue their objectives." (ibid.) Hence, terrorism is at least to a certain extent interpreted as a risk inherent to the logic and principles of European integration. As a common concern, counter-terrorism requires joint European action: "In this context concerted and collective European action, in the spirit of solidarity, is indispensable to combat terrorism." (ibid.) This analysis is mirrored in various security documents at member-state levels (e.g. German Ministry of Defence 2006, UK Home Department 2009) and also supported by the European public, who demands a common European approach to counter terrorism (European Commission 2008a: p. 15).

Against this background intensive cooperation on counter-terrorism developed on the European level. The guidelines of European counterterrorism were first set up in an extraordinary Council meeting on September 21, 2001 and then refined in ensuing documents, most recently in the above quoted European Union Counter-Terrorism Strategy of December 2005. The overarching documents are substantiated with specific strategy papers of more detailed character. A key document to translate strategies into political and legal practices is the biannually updated Action Plan to combat terrorism (e.g. Council of the European Union 2005b).

As a tool for primary prevention the EU wants to thwart efforts aimed at recruiting or radicalizing the Muslim population in Europe (Council of the EU 2005c). Moreover, the EU wants to contribute to the resolution of regional conflicts that are also perceived as potential sources for radicalization and terrorism (European Council 2003, p. 4). The main focus of European counter-terrorism efforts, however, rests on justice and home affairs and, related to that, on secondary and tertiary prevention, i.e. on actions against actors that have become radicalized and violence-prone already and who are willing and able to conduct terrorist attacks or already have done so. To this end, the capabilities and legal options of law enforcement and security agencies have been considerably expanded. This includes a framework decision on combating terrorism by the Council of the European Union in June 2002, which established a legal definition of terrorism and minimum sentences and other legal provisions. Moreover, decisions were taken to facilitate the extradition of terrorist suspects, to pass on evidence, or to establish a European arrest warrant. In addition to that, common

institutions such as Europol and Eurojust were strengthened, joint databases expanded, and national databases more closely linked. Moreover, the member states agreed on a directive on the retention of telecommunication data that will oblige the service providers to store such data for a period of between six months and two years. In addition to the measures specifically related to counter-terrorism, the decision to establish the European Union as an "Area of Freedom, Security, and Justice" as stipulated in the Treaty of Amsterdam, and the ensuing action plans to implement this project strongly contribute to the political dynamic in the field of justice and home affairs.

In its external relations the EU includes counterterrorism in its Political Dialogues with its international partners. The Council of the European Union developed a conceptual framework on the role of the European Security and Defense Policy for counterterrorism (European Council 2004), and there is cooperation going on with a number of countries, especially in the Middle East and North Africa and with the US.

Compared to prevention the joint activities on reducing vulnerabilities and establishing crisis management capacities are rather limited. Some measures to increase aviation security notwithstanding, the so-called solidarity clause in which the member states agree to support each other in the case of a terrorist attack or another catastrophic incident stands out. The clause was initially included in the Constitutional Treaty; however, it was singled out and adopted after the terrorist attacks in Madrid in 2004.

The focus of European measures to contain the risk of terrorism clearly rests on prevention, and in this regard on a strengthening of the legal provision and capabilities for law enforcement and security agencies. Indeed, De Goede even argues that these measures brought the EU to the forefront of a pre-emptive engagement with terrorism (2008). The European efforts focus on actors, terrorists, and their supporters – real, accused, and potential ones. Vis-à-vis these actors the EU pursues a strategy of inclusion or exclusion (Gheciu 2008). Individuals who seem to be at risk of being seduced or indoctrinated by terrorists are to be supported in order to ensure that they stay or become non-radical subjects. In contrast, actors who are suspected of having links to international Islamic terrorism are to be either expelled from European territory, arrested, or closely monitored so that they will not be able to engage in their potential socially and/or physically destructive activities – be it the conduction of terrorist attacks or the spread of hatred. Structural measures addressing what has been described as the root-causes of terrorism are envisaged, yet they are only scarcely implemented. Also, compared to preventive actions, precautionary measures only play a marginal role.

In general, the focus of European cooperation on prevention corresponds with the main findings of the political and societal discourse on terrorism (c.f. Bauer/ Beyer 2009): the risk of terrorism is seen to be an unacceptable risk for European states and citizens on the one hand, hence the event of damage needs to be prevented. On the other hand this risk is seen to be inherent in the structure of modern societies and hence nothing that could be avoided by a joint decision such as the pull-out of nuclear energy or the prohibition of genetic engineering. Moreover, this focus also fits the operational logic of transnational terrorism: terrorist attacks are prepared by actors whose patterns of communication and movement usually include different countries and who might not even reside in the country in which they plan to conduct their attack. It is argued that the exchange of information across borders is therefore crucial for the success of operative counter-terrorism (e.g. then-UK Home Secretary Charles Clarke. quoted by De Goede 2008, p. 171). By contrast, complex scenarios like the hijacking of airplanes notwithstanding, terrorist attacks are conducted locally and their consequences have to be managed locally, too. In this sense instruments like the solidarity clause are to be interpreted as political symbols that are to underscore the common risk perception, the decisiveness for common action, and by that contribute to a European identity.

Energy Security

According to Europe's energy suppliers the Russian-Ukrainian gas dispute in 2006 has been a wake-up call for the EU and its member states. Although energy has been on the agenda before – mostly in terms of sustainability and competitiveness – the Union still lacks a comprehensive framework for risk governance in this policy field. There is certainly a common awareness of insecurities and uncertainties, especially with regard to external supplies, but nonetheless the EU-members could still not bring themselves to do something about it. The Commission on the other hand has already published several proposals for joint activities to increase energy security. The interesting point about that is a trend towards a more comprehensive perspective that does not reduce energy security to the question of how to deal with foreign producers, but is instead looking for an arsenal of external and internal measures to tackle the various risks to steady and sufficient energy supplies.

What are the main challenges in the field of energy? First of all there is a growing and thus structural imbalance between demand and supply. This is on the one hand due to the fact that fossil fuels are not infinite, and on the other hand a consequence of the rising demand in emerging markets, particularly in Asia. This results in a tight market, a high volatility of prices, and the possibility of shortages in supply. Due to the fact that Europe has to import energy increasingly from sources outside the EU, which are more often than not characterized by political instability or authoritarian rule, there is a growing dependency on these countries and a rising influence of externalities. Although Europe's suppliers may have been quite reliable in the past there is no guarantee that they will be so in the future: Changes in office, a shift of national interests, or simply the ambition to use resources as a political lever may cut off the EU's member states from sufficient energy supplies. Additionally, global flows of energy are, to a limited but evident degree, prone to piracy, terrorism, and natural disasters. As we are debating energy from a risk perspective the problem lays not so much with the actual insecurity but more so in a perceived uncertainty of what may happen to energy resources on their way to the customers. But the risks on security of supply are not terminated at the EU's outer borders. Aging and insufficient infrastructures, different national policies, and other factors can impede the distribution of energy within the Union as well.

So the "transnationalization of security problems" (Weiss 2004: 6) quite obviously touches the field of energy, primarily with regard to foreign supplies and secondly on the internal level. Although the EU/EC bodies had identified some of the risks to energy security since the beginning of European integration (Amtsblatt 1957: 574), the member states in particular were not willing to join forces for a common energy policy. So besides environmental measures and a still emerging internal energy market there have been no substantial steps towards community action with regard to supply security, at least not before the year 2006. Since then there has not only been a shared risk perception but also the common understanding that the issue of energy security has to be addressed by unitary means, "aiming at effective Community policy, coherence between Member States, and consistency between actions in different policy areas …" (Council of the European Union 2006: 13). Diverse energy policies of the EU members notwithstanding, most obviously in the distinct composition of national energy mixes and specific bilateral relations with foreign suppliers, there is the widespread awareness today that almost all European countries are confronted with import dependency and that energy security is an interrelated problem. Not only can political tensions, e.g. between Russia and Ukraine, and subsequent interruptions of energy flows, affect the supply situation in neighboring states. Even more than that, as a consequence of the deliberate, growing interconnection, energy shortages, blackouts, and other events are not restricted to just one country but can extend all over Europe. The electrical outage in 2006, which originated in northern Germany and made its way to Austria, Belgium, France,

Italy, and Spain is just one example thereof. Hence, energy security can no longer be seen as a national problem. Its scope is at least a European one.

After several callow attempts, the Commission recently published its 2nd Strategic energy Review (European Commission 2008b), which was already approved by the European Council and finally takes up the ideas of prevention and precaution. Thus, it proposes an arsenal of measures, such as diversification, the exploitation of domestic resources, and "adequate crisis mechanisms" (Council of the European Union 2009: 9). As sketched out above, this double-strategy of prevention and precaution aims at the reduction of risk probability (e.g. alternative supply routes) and the limitation of damages (e.g. strategic stocks) in case that some unintended consequences, e.g. the interruption of one of the key pipelines to Europe, might happen nonetheless. So at the first glance the EU actually behaves like a risk community: Based on a shared risk assessment, common measures for prevention and precaution are set up. All progress on these matters aside, the comprehensive European energy policy so far remains a paper tiger. Even though the Commission is lobbying for a common approach on energy security, including internal and external measures, and the member states' general consent, there is still a lack of political substance. But the proof of the pudding is in the eating, not in writing down the recipe. Hence, with all the concessions of the European Council, and especially when the Lisbon treaty – which for the first time in EU history includes a distinct chapter on energy – is in effect, the EU will have all the necessary competences for energy risk governance. It is now up to each member state to decide whether they are serious about the risk community or do prefer a national endeavor.

5. The EU as a risk community?

The proposed paper argued that the production of risks represents a central characteristic of the process of modernization. Related to that, risk governance is a key aspect for political activity. The nation-state has established itself as the institutional framework in which these unintended and undesired side effects of modernity were dealt with. With the emergence of new and the aggravation of old risks this institutional arrangement has reached its limits. In Europe, therefore, the EU plays an ever-increasing role as a political framework in which risks are defined and options to address them are developed. Against this background the risk community is at first a theoretical concept to establish a new way of thinking and describing European integration. As such, it seems to be fruitful for the analysis of different policy fields that the EU is dealing with. The two preliminary case studies outlined how this approach can be applied to scientific research. Other studies employing a similar analytical framework were already conducted (e.g. Bauer/Bauer/Baumann 2008).

But the concept of a risk community does not only help gain a better understanding of "why" and "how" the EU establishes common policies on a variety of risks, over and above it may evolve as a new leitmotiv for the recently stagnant process of integration in general, as it holds the potential for a new narrative of Europe. While public opinion polls on the one hand show a decreasing public consent for the process of integration in general, there is at the same time a widespread accord that more and more issues can only be addressed effectively by the EU as a whole, not by individual states. So if people see a need for European risk governance, the risk community might be the right answer to this demand.

6. Literature

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