European Foreign Policy and the Realities of Subsidiarity

Dostal, Jörg Michael

Veröffentlichungsversion / Published Version
Sammelwerksbeitrag / collection article

European Foreign Policy and the Realities of Subsidiarity

This is an excerpt from *Varieties of European Subsidiarity: A Multidisciplinary Approach*. Get your free download from E-International Relations.

This chapter discusses subsidiarity considerations in the broader theoretical and empirical context of European foreign policy. The argument advanced here integrates the policy conduct of key member states as well as that of the Brussels-based institutions. It is guided by the assessment of Gammelin and Löw (2014, 266–7; author's translation) appropriate for the best part of the post-Cold War period: 'the last word in foreign policy still rests with the nation states' and 'what exactly one should understand by joint foreign policy is only vaguely defined'. A proper understanding of the concept of subsidiarity, therefore, requires some foundation in the European history of international relations (IR) and an awareness of the major administrative changes in the European Union (EU), implementing programmes such as the Common Foreign and Security Policy (CFSP), the European Security and Defence Policy (ESDP), the Common Security and Defence Policy (CSDP) and, most recently, the policy of Permanent Structured Cooperation (PESCO).

Each of these practical steps follow on from the consolidated version of the Treaty on European Union (TEU) establishing 'general provisions of the Union's external action' (Articles 21 and 22 TEU) and 'specific provisions of the Common Foreign and Security Policy' (Articles 23 to 46 TEU). The limits of the subsidiarity concept are apparent in this empirical dimension, despite the further analytical specification suggested in chapter one. To explain convincingly the track record of EU member states in international affairs, the standard realist and liberal approaches to IR must be included. So far, the integration process – and one of its more sophisticated mechanisms – has not been able to overcome the self-interested behaviour of EU member states in an international system showing clear signs of increasing multipolarity.

Europe in International Relations

The international order of the 19th century was dominated by European powers. After the defeat of Napoleonic France in 1815 and before the start of World War I in 1914, the British Empire had become the dominant global actor. Yet, already in the second half of that century this hegemony declined and, gradually, the United States (US) and imperial Germany overtook the lead country in terms of industrial strength. In fact, by the turn of the century, the global order had turned increasingly multipolar with Great Britain now facing serious challenges from other powers such as France, Germany, Italy, Russia and the US, as well as the Austro-Hungarian and Ottoman Empires.

The shift towards multipolarity became even more pronounced as a result of World War I. Britain and France reorganised large sections of Central and South East Europe by creating new nation states. The respective territories were mostly carved out from the geographic space of the dissolved Austro-Hungarian Empire, but included large minority communities later subjected to assimilationist policies in order to 'strengthen' the dominant nationality. This policy intervention was vindicated with reference to US President Woodrow Wilson's concept of national self-determination, even if, in practice, this served as a fig leaf to reorganise the central European state system according to the geostrategic interests of the victorious powers (in particular, France and Great Britain). This helped, more

European Foreign Policy and the Realities of Subsidiarity
Written by Jörg Michael Dostal

specifically, to separate the two major defeated states of World War I and to form a *cordon sanitaire* made up of smaller European states around Weimar Germany and Soviet Russia. Similar foreign policies were implemented in the Middle East, redrawing borders in the Arab world after the dissolution of the Ottoman Empire. Not surprisingly, these divisions gave rise to new territorial disputes, some of which are still relevant today.

The international system as it emerged after the 1919 Treaty of Versailles was very much based on conflict between victorious allied powers and defeated revisionist states. Once this constellation had led to another major conflict between Hitler's Germany and Stalin's Soviet Union (resulting in the military capitulation of fascist Germany and imperial Japan), the international order turned bipolar. Eventually, the US and the Soviet Union emerged as the undisputed leaders of two ideological 'camps', each covering large parts of the European continent.

In Western Europe, the post-World War II order produced unprecedented efforts to establish a system of closer cooperation among key government actors in economic affairs and security matters. While initially triggered by US economic assistance (in the form of the European Recovery Programme (ERP) or 'Marshall Plan'), European integration in its early phase took the form of legal documents negotiated as the 1951 Treaty of Paris, establishing the Coal and Steel Community (ECSC), and the 1957 Treaty of Rome, creating the European Economic Community (EEC). Yet, at the time, not all major integration projects were successful. Most importantly, from the angle of subsidiarity, the drive towards the European Political Community and the European Defence Community (EDC) was stopped by respective votes in the French national assembly. An unusual coalition of right-leaning Gaullists concerned about national sovereignty and left-leaning Communists with pro-Russian sentiment presented an insurmountable hurdle in the domestic ratification process.

With the United Kingdom (UK) joining the EEC in 1973 and the end of the Cold War in 1989, the scene was set for further integration steps and a real power transfer to EU institutions. The signing of the Treaty on European Union (the 1992 Maastricht Treaty) marked a new window of opportunity for accelerated integration, kept open by the subsidiarity principle, now explicitly stated in the legal text. Through successive treaty reforms, EU enlargement to Central and East European states could go hand in hand with the deepening of political integration. The latter necessarily included provisions for the future development of the CFSP. Nevertheless, more than two decades later, the results of the efforts to develop a genuine European foreign policy must be considered disappointing.

European Foreign Policy After the Cold War

Formal subsidiarity mechanisms do not matter in the CFSP. This is a direct legacy of the failed EDC which instead gave rise to the North Atlantic Treaty Organisation (NATO) as the major instrument of transatlantic military cooperation. Moreover, the Hague summit in 1969 could only agree on an intergovernmental version of European Political Cooperation (EPC). The coordination of foreign policy measures among individual member states was preferred to any real transfer of competence, and, thus, sovereignty.

This situation did not change with the Single European Act (SEA) of 1986, despite linking up supranational EC elements with the intergovernmental EPC in one unified document (Allen 2012, 643). Later, the Maastricht Treaty introduced a three-pillar structure. The first Community pillar covered mainly economic, social and environmental policies and limited aspects of foreign policy, such as development cooperation and humanitarian aid, while the entire second pillar was dedicated to the CFSP. Most importantly (as was the case with a third pillar on Justice and Home Affairs), the latter had to follow intergovernmental decision-making procedures based on the principle of unanimity.

At best, with the CFSP informal subsidiarity concerns did enter through the backdoor. The 1997 Amsterdam treaty created the post of a 'High Representative' (HR) and facilitated two years later the appointment of Javier Solana, a former NATO Secretary General. Over the next decade he managed to refocus CFSP in the new format of the ESDP. His suggested policy reforms did also touch on the emerging EU-NATO relationship, even if most member states (except the five neutral states of Austria, Finland, Ireland, Malta and Sweden) still saw the Atlantic alliance as the primary source of military security.

European Foreign Policy and the Realities of Subsidiarity
Written by Jörg Michael Dostal

In 2009, with the entry into force of the Lisbon treaty, ESDP was changed to CSDP, replacing the general term 'European' with the more specific 'common'. Thus, alluding to the fact that security and defense matters might, as other policy areas discussed in this volume, justify a centralised EU competence. What is more, the CSDP entailed a strengthening of the role of the HR, who now acted simultaneously for the EU Foreign Affairs Council and the European Commission as one of its Vice-Presidents. More recently, joint EU-NATO summits also reconfirmed the desire for a better task division between the executive arms of the two organisations. There is no questioning of the fact that this type of structured cooperation 'constitutes an integral pillar of the EU's work aimed at strengthening European security and defence' and that 'a stronger EU and a stronger NATO are mutually reinforcing' (EEAS 2017).

To detect subsidiarity concerns in the EU efforts towards a common foreign policy, one needs to distinguish smoke and mirrors from what is substantially important. The frequent renaming of policy initiatives and the creation of new narratives is not helpful, as indicated by the current shift from CSDP to PESCO. As it stands, the HR continues to represent the original CFSP with action capacity very much dependent on a unanimous vote in the Council. Article 18 (2) TEU notes that the 'High Representative shall conduct the Union's common foreign and security policy', while Articles 21 to 46 TEU outline the institutions and practices of the CSDP (but only Article 42 (6) and Article 46 TEU mention PESCO explicitly). Therefore, the CFSP continues to be an overarching paradigm, whereas the CSDP constitutes the actual effort that puts forward EU policy instruments. Accordingly, in the formulation of Article 42 (1) TEU, CSDP is 'an integral part of the CFSP' (EEAS 2016).

From the subsidiarity angle, PESCO can be interpreted as a specific format of CSDP in which member states make contractual commitments to participate in a set of narrowly defined, joint projects. Indeed, PESCO is a subsidiary activity compared to the more general member state engagement through NATO membership or CFSP participation. In this context, it is noteworthy that Denmark and Malta have opted out of PESCO, while the remaining 26 EU member states have joined at least one of the ongoing 47 projects. By allowing for a high degree of flexibility, the intention is to 'reinforce the EU's strategic autonomy to act alone when necessary and with partners whenever possible' (EEAS 2018, 5).

It is too early to tell whether subsidiarity thinking together with bureaucratic organisational change will gradually narrow the expectations-capability gap in European foreign affairs. The experiences made with the European External Action Service (EEAS) give no reason for optimism. Among other things, the idea of an EU Minister for Foreign Affairs had been rejected by the Dutch and French referenda on the constitutional treaty, but in 2011 still paved the way for the EU diplomatic service with around 5000 employees. While the limited reforms of the Lisbon Treaty fell back on the term 'High Representative', they could not prevent ongoing turf battles between national foreign offices and the emerging EEAS. Crucially, the institutional ambiguity of the EU's top foreign policy role has not been resolved. In the words of Fabbrini (2015, 42):

The Lisbon treaty left unanswered the question of whether the HR should be a policy entrepreneur promoting a common foreign policy position, thus reframing the interests of the member states in a more integrated perspective, or a mere policy coordinator of the ministers of foreign affairs who make up the council. The institutional solution has not resolved the puzzle of who speaks on behalf of the Union in international relations, given also the important role that the president of the European Council, the president of the Commission and the Trade Commissioner are allowed or expected to play in the external relations of the Union.

In fact, if one opts for more personalised versions of subsidiarity, a further complication arises from subsequent HR appointments (Catherine Ashton, Federica Mogherini, Josep Borrell) and their relative political standing in comparison to Javier Solana. More importantly, intergovernmentalism, defined as the autonomy of the more powerful member states to frame their own policies, remains in place. National foreign policy actions can go ahead despite a lack of agreement at EU level. Therefore, the conceptual problems of consistency and coherence, addressed by formal subsidiarity in other policy areas, continue in the context of European foreign policy (Edwards 2011, 47–8). Strictly speaking, member states have maintained their responsibility to formulate and conduct a national foreign policy excluding any far-reaching EU ambition to accommodate 28 different geopolitical positions for the sake of global governance (Allen 2012, 650–4).

European Foreign Policy and the Realities of Subsidiarity
Written by Jörg Michael Dostal

Subsidiarity and Theories of International Relations

As has been highlighted in chapter one, subsidiarity refers to the positive interaction between two institutions with one being able to support the other in cases of need. The roots of the concept in Catholic thought suggest an appropriate division of labour between individual households and state agencies. More specifically, higher level authorities should recognise the autonomy of lower-level entities and only take on tasks that cannot be delivered at the subsidiary level. As has been pointed out before, the idea of subsidiarity has been recognised in formal EU treaties and features prominently in the analysis of multi-level governance as well as that of federal political systems. Such densely institutionalised frameworks show a tendency to favour *downward subsidiarity* whereby political power is exercised at the lowest possible level that is able to fulfil a certain political purpose. Yet, if lower units of political authority cannot deliver desirable outcomes, there is a need for *upward subsidiarity.* In other words, there is no categorical rejection of centralisation, and the relocation of power can be a legitimate act depending on circumstances. Consequently, subsidiarity remains a contested concept when exploring the normative and functional reasons to justify the allocation of political authority.

In the internal dimension of the CFSP and the external EU-NATO relationship, the subsidiarity concept can be applied in various downward and upward directions. Yet, the intergovernmental nature of European foreign policy remains firmly in place. The Lisbon treaty in Article 24 (1) TFEU demands unanimity in the field of the CFSP, 'except where the Treaties provide otherwise'. The potential use of qualified majority voting on foreign policy issues is further constrained by Article 31 (2) TFEU, in so far as it gives member states a veto 'for vital and stated reasons of national policy'.

Firstly, in terms of upwards subsidiarity, European defence could be deferred to NATO, accepting the primacy of the latter, while certain NATO tasks might still be devolved to individual member states voluntarily offering a set of supplementary activities. The European Parliament, for example, claims that CSDP concerns the ability to 'handle crisis outside the Union where the US does not want to intervene', further suggesting a task division between CSDP's 'soft defence outside European territory' and NATO's 'hard defence within European territory' (DG for External Policies 2017, 10-6). If pushed to the extreme, this could imply 'to merge CSDP into NATO, to take over, step by step, command of the major agencies in NATO, and to allow the US to focus on the areas of the world that are of the most strategic importance to Washington' (DG for External Policies 2017, 32).

Secondly, in terms of downward subsidiarity, PESCO includes EU member states voluntarily agreeing to participate in several of its 47 shared defence projects. It is seen as a new way to achieve 'strategic autonomy' on part of the Union by filling its capability gaps with the help of quantitative spending targets. Yet, only a few of the projects appear of political significance and are viable without participation of the 'four frontrunners' France, Germany, Italy and Spain (Blockmans and Macchiarini Crosson 2019, 23). In the first PESCO wave, cooperative efforts concentrated on 'military mobility', 'logistics hubs' and 'training mission competence centres' attracting 24, 13 and 13 countries, respectively (Council of the EU 2018). Against this background, strategic autonomy might be a misnomer for what has been described as a form of differentiated integration. Moreover, critics may interpret these activities as an effort to drive EU militarisation further. The frequent complaints about Germany's lack of readiness 'to commit to tough military operations' supports this line of reasoning (DG for External Policies 2017, 24).

Beyond these two examples, subsidiarity has also been invoked with reference to global governance arrangements. The United Nations (UN), as the international organisation tasked with conflict resolution, can delegate responsibility for peace-keeping missions to regional organisations drawing on their capabilities to add to its own effectiveness (Peou 1998, 440). Accordingly, Article 42 (1) TFEU mentions the 'principles of the United Nations Charter' and outlines in Article 43 potential EU tasks within this framework.

Setting formal preconditions aside, the question remains how the EU should organise its own foreign policy activities to achieve institutional coordination across multiple levels of governance. In the post-Lisbon constellation, the terminology of 'subsidiarity' and 'coherence' has often been used with similar intentions – to counteract the fragmented and divided setup of EU external relations. This broadly defined policy area is full of challenges as it includes exclusive (common commercial policy) and shared competences (area of freedom, security and justice) as

European Foreign Policy and the Realities of Subsidiarity

Written by Jörg Michael Dostal

well as *sui generis* powers (CFSP) and parallel responsibilities (development cooperation and humanitarian aid). One of the resulting ambiguities has been captured by Hertog and Stroß (2013, 383–4):

In the areas of development cooperation and humanitarian aid, the Union shall have competence to carry out activities and conduct a *common policy*; however, the exercise of that competency *shall not result in Member States being prevented* from exercising theirs.

Arguably, a rather unspecified notion of upward and downward subsidiarity serves the interests of the most powerful EU member states well, keeping different CFSP manifestations outside the scope of the community method. The uncoordinated and spontaneous nature of subsidiarity in European foreign policy is a deliberate choice. It follows on from the principles of intergovernmentalism that avoids the jurisdiction of the European Court of Justice and side-lines other supranational institutions.

Liberalism

Setting the version of subsidiarity identified above into the context of IR theory helps to understand the limitations of the general concept. The liberal approach suggests that inter-state tensions under conditions of anarchy can be managed in a peaceful and mutually beneficial manner. Its proponents believe that a more cooperative international system can be built in a step-by-step process based on the construction of international organisations. Relevant actors in this process include states and their governments as well as members of civil society working below and above the state level. Once institutionalised, this process is expected to produce shared norms and values such as subsidiarity that can strengthen cooperation and mutual trust in a virtuous cycle.

However, early liberal efforts to produce a cooperative international system between the two World Wars, especially the League of Nations, failed to live up to proclaimed expectations. This was due to the existence of double standards on the part of supporters of international cooperation. For example, the concept of 'national self-determination' – closely related to the idea of subsidiarity – was advocated by Anglo-American liberals when it suited their own political interests but rejected in all other cases. Thus, US President Woodrow Wilson supported national self-determination in Central and Eastern Europe, yet ignored similar demands by Arab, Indian and Korean nationalists in their part of the world. In short, there was no tendency toward increased cooperation at state or civil society level during the interwar period and in the League of Nations system. In fact, its very foundation in the idea of collective security broke down prior to World War II.

After World War II, liberalism became less influential in international affairs. For example, the UN, as the successor organisation of the League of Nations, was based on a mixed approach. The hierarchy of power – a realist element – was represented by granting the status of permanent membership in its Security Council to victorious powers (China, France, Great Britain, the US, and the Soviet Union). Other states were given representation in the UN General Assembly according to the 'one state-one vote' principle. Crucially, the Security Council is more powerful, since its ten non-permanent members (with short-term access to the five permanent members on a rotating basis) do not enjoy any veto power. It can adopt binding resolutions if at least 9 of 15 votes are provided and no permanent member issues a veto. By contrast, the UN Assembly can only adapt non-binding resolutions and, therefore, is limited to a consultative role.

Since the mid-1980s, neo-liberal theorists have reformed their analysis of international relations. While they maintain the original liberal thesis about the ability of international cooperation to trigger value change in security relations, there is a new starting point. Not too different from realist thinkers, the self-interest of states in cooperative behaviour has the purpose to realise absolute gains as opposed to relative (individual state) gains. The liberal approach stresses that absolute gains are unattainable for individual states, if they focus exclusively on their own short-term interests. However, cooperative behaviour might improve the position of all participating states, especially if cooperation takes place across different issue areas, allowing states to engage in bargaining that compensates losses in one field by gains in others. Indeed, such inter-state bargaining might result in the formation of 'international regimes' through formal international organisations that include formal or informal norms of behaviour (such as subsidiarity) to collectively improve the security and prosperity of member states.

European Foreign Policy and the Realities of Subsidiarity

Written by Jörg Michael Dostal

Liberal and neo-liberal approaches aim to explain the upward and downward processes as previously identified in the specific case of the EU. More generally, they expect these to occur in the interaction between the state and civil society. The upward move is the consequence of foreign policy preferences formed via competitive domestic politics, and then used as the decisive terms of reference for a country's foreign policy at the international level (Brummer and Oppermann 2014, 39). At the same time, domestic interest aggregation in favour or against certain foreign policy decisions is only half of the story. There is also the downward move, explained in neo-liberalism by 'asymmetric interdependencies' between states. As in realist accounts, there is a recognition of the fact that states might be influenced in their foreign policy choices by other powerful states.

Realism

In comparison to liberal approaches, realism has a more serious problem with subsidiarity. For its protagonists, states are the main actors in an anarchical international system. There exists no higher authority, such as a world government, or a global governance mechanism in the form of subsidiarity to control the conduct of individual states. Each state must turn to self-help to guarantee its security vis-à-vis other states. For example, individual states can strengthen their capabilities by growing the economy and having more money for military expenditure. As state executives conduct their business independent from each other, and sometimes in secrecy, neighbouring states might feel obliged to 'retaliate' by strengthening their own armed forces.

While there is an element of balancing – as in global governance accounts of subsidiarity presented in chapter 13 – here it is a reactive, horizontal effort to perceived threats from competing states. Attempts to address a 'security dilemma', therefore, often lead to local, regional and global arms races (Jervis 1978). The efforts of states to increase their own security result in perceptions of a related loss elsewhere. The relative gains in the security of state A result in the relative loss of security for state B.

An alternative option for states to strengthen their security is to engage in inter-state bargaining to form alliances against perceived threats. The international system might be characterised by unilateralism (an individual hegemonic state), bilateralism (competition between two main powers), or multilateralism (three or more powerful states). With weaker states entering formal alliances with a strong state, or quietly following the demands of a hegemon, their behaviour might resemble subsidiary arrangements in the international system. For realists, however, 'bandwagoning' would be a much more appropriate strategic term.

Again, if weaker states aim to build counter-alliances against a hegemonic power, they might engage in 'external balancing' by forming new alliances to strengthen their relative position in the international system. In practice, then, weaker states might advance a combination of internal balancing (the mobilisation of a larger share of domestic resources for security purposes) and external balancing (the forming of inter-state alliances against a hegemon). Even if such arrangements are codified in international law, the dominant anarchy of the international system implies that no state can have absolute confidence in the long-term stability of formal commitments.

Under conditions of bi- or multipolarity, some realists also identify balancing efforts. Any unilateral aggressive action will trigger countermoves on behalf of other great powers. The recovery of Russia as a major power, the rise of China, and the formation of alliances without the US – the Shanghai Cooperation Organisation (SCO) – indeed point to the re-emergence of multipolarity. Conversely, if US unilateralism prevails, the superpower 'will be tempted to impose its will on the world through ambitious wars and interventions' (Adams 2013, 42-3). Most importantly, all versions of realism remain highly sceptical of the role of international and regional organisations as well as that of non-state actors. Soft mechanisms such as subsidiarity are unlikely to constrain the behaviour of states and to impose limits on the role of anarchy in IR.

IR theories and the EU

Most EU scholars have advanced theories that combine liberal and realist arguments. At the liberal end, neo-functionalism suggests that increasing complexity and interdependence of advanced industrial societies enforces delegation of regulatory authority to supranational institutions. International organisations are empowered to exercise

European Foreign Policy and the Realities of Subsidiarity
Written by Jörg Michael Dostal

authority beyond the nation state. This argument, initially advanced in the early post-war period for the case of the European Coal and Steel Community (ECSC), suggested that the logic of delegation to supranational bodies would gradually 'spill over' from one field of policy making to another. Thus, the upward move of authority over a sector of the economy vital for the ability of states to fight war would not be an endpoint. Instead, it sets in motion a logic of shifting loyalty towards neutral policy experts, holding superior knowledge on specific issues, and less exposed to the constraints of bargaining at the domestic level (Haas 1958).

At the realist end, liberal intergovernmentalism argues that nation states will pursue their own interests and delegate authority to supranational bodies only after extensive inter-state bargaining. Major states and their most powerful domestic constituencies are the principal actors, ultimately driving state behaviour. Rather than small states and weak constituencies, they determine the content and substance of history-making decisions and, subsequently, the outcomes of integration policy (Moravcsik 1998). The member states continue to be the ultimate power holders. The delegation of EU authority, for example via subsidiarity mechanisms, is not seen as a factual one-way street as in neo-functionalist accounts. If powerful domestic actors located in strong member states desire to do so, respective competences could be withdrawn through treaty reform.

Finally, a variation of this argument can be advanced by arguing that inter-state bargaining at the level of the EU was facilitated by the persistence of external threats. The Soviet Union during the Cold War or the US as the global hegemon strongly encouraged the internal re-balancing efforts in Western Europe. Accordingly, once these external constraints are gone, realists might expect a crumbling of EU institutional structures. Liberals, by contrast, trust in the resilience and persistence of norms given their central role in the integration process over time. Liberals, for example, might interpret codified subsidiarity mechanisms as evidence for mutual learning, allowing EU institutions to survive under new circumstances of multipolarity.

The Realities of EU Foreign Policy

In sum, the IR-inspired debate of subsidiarity highlights certain features of the EU's track record in foreign policy. Its underlying assumptions fit many aspects of the CFSP, CSDP and PESCO; especially, when different levels of EU policy making interact with the external institutional environment of NATO or the UN. There is also a clear potential of extension to other regional organisations, such as the Organisation for Security and Cooperation in Europe (OSCE) and the African Union (AU). In all these cases, the required international sharing of capabilities raises immediate questions about the internal organisation of cooperation and the distribution of competences among EU member states.

At the same time, the UN suffers from a lack of authority in various dimensions of international security too. Formally, the EU has accepted UN jurisdiction, but still cannot prevent member states from acting alone or taking advantage of unclear UN resolutions (as in the case of Libya) (Ganser 2017). There are, therefore, instances where regional actors are a stumbling block to an emerging global security system. While the subsidiarity perspective allows useful case-by-case observations on the EU's foreign policy role, it must accept the limitations imposed by the nature of the international system and the behavioural constraints of states elaborated in the two standard IR theories.

The realist approach, for example, explains the sporadic and fragmented use of subsidiarity mechanisms in European foreign affairs after the Cold War. Historically, the most powerful member states – France, Germany, and the UK (as well as the aspiring powers of Italy, Poland, and Spain) – have made quite different geopolitical investments, and their individual interest calculations stand firmly in the way of common EU agency. Arguably, EU countries share wider security concerns for the European continent, but abstract joint interests have not translated into consistent and coherent foreign policies. Rather, member states continue to compete in fields such as intelligence, military procurement and external relations and, frequently, choose to work against each other. From a realist point of view, the balancing idea explains the persistence of intergovernmentalism and inter-state bargaining in the long run. Similarly, further steps towards institutionalisation – the office of the HR and the EEAS – are met with deep scepticism. Their action capacity can always be traced back to the policy positions taken by the most powerful member states.

European Foreign Policy and the Realities of Subsidiarity

Written by Jörg Michael Dostal

The liberal approach, by contrast, appreciates EU joint efforts in the area of foreign policy. At the European level, common institutions and their policy deliberations help to socialise foreign policy actors to accept formal or informal subsidiarity norms, ultimately paving the way for better policy making. In fact, smaller member states might favour procedural solutions to gain some input into EU foreign policy, thus addressing their specific dilemma in international politics. In addition, the creation of a common regime allows – on the output side – the sharing of absolute gains among all participants rather than mere relative gains that derive from inter-state competition.

Take, in this context, the classic liberal promise to achieve a more effective (or *better*) use of national resources through joint military spending. All member states would benefit from the sharing of military technology, instead of focussing exclusively on national capabilities and inter-state competition. Unfortunately, this argument ignores the theoretical ambiguity of subsidiarity and the factual persistence of networks of mutual obligation between arms producers and national policy makers. Weapons procurement and expenditure is notoriously difficult to control and moving such a system upwards to the EU level could potentially make things worse (or *less effective*). Indeed, such a result will be just as likely, if the mere duplication of traditional network structures occurs. Most certainly, member states with an already developed military-industrial complex are hesitant to share freely their knowledge and expertise, acutely aware of their domestic tax expenditures. Eventually, the aura of common policies and the appeal of subsidiarity mechanisms might overcome the resistance of national publics, vindicate higher military spending, and facilitate military sales to non-EU states. Then, however, liberal good intentions would have resulted in rather 'realist' outcomes.

Conclusion

This chapter identified a significant disconnect between the EU's proclaimed foreign policy aspiration as manifested in diverse institutional arrangements and the actual behaviour of key member states. The cases of Libya, Iraq and Syria show the consequences of traditional power politics in Europe closely aligned with US foreign policy and embedded in transatlantic networks rather than joint EU efforts. As security and stability within EU borders and surrounding regions has also declined, the detrimental external roles of France and the UK have been widely criticised. In fact, in an act of practical subsidiarity, the UK House of Commons was able to refuse a direct military intervention in Syria due to high levels of domestic civil society mobilisation. Yet, further self-criticism in this matter from Brussels has been noted only by its absence. This episode fits the general assessment of subsidiarity advanced here as a sporadic and fragmented mechanism severely constrained by the workings of the international system.

The latter constitutes a worrying challenge to the EU's geopolitical future afflicted by the contested nature of US relations with rising powers such as Russia and China. Under conditions of increasing multipolarity, the various guises of EU foreign policy revert to another format of state power. The subsidiarity mechanisms identified in this chapter are neither consistently applied nor widespread enough to fulfil the liberal hope of Europe speaking with one voice. If member states continue to pursue different aims in ever more complex institutional arrangements, the EU's promise to offer protection in a world of rising insecurity might be misleading. Thus, given the realities of subsidiarity in European foreign affairs, low expectations are least likely to generate disappointment.

References

Adams, K. R. (2013). 'Structural Realism: The Imperialism of Great Power'. In Sterling-Folker, J. (ed.)*Making Sense of International Relations Theory*, 2nd edition, 21–46. Boulder, CO: Lynne Rienner.

Allen, D. (2012). 'The Common Foreign and Security Policy'. In Jones, E., Menon, A. and S. Weatherhill (eds)*The Oxford Handbook of the European Union*, 643–58. Oxford: Oxford University Press.

Blockmans, S. and D. Macchiarini Crosson (2019). 'Differentiated Integration within PESCO – Clusters and Convergence in EU Defence'. *CEPS Research Report* 2019/04, December.

Brummer, K. and K. Oppermann (2014). *Außenpolitikanalyse*. Munich: Oldenbourg Verlag.

European Foreign Policy and the Realities of Subsidiarity
Written by Jörg Michael Dostal

Council of the European Union (2018). 'Council Decision of 6 March 2018 establishing the List of Projects to be developed under PESCO'. Available at: http://www.consilium.europa.eu/media/33065/st06393-en18-council-decision-pesco_press.pdf

Directorate General (DG) for External Policies (2017). 'Permanent Structured Cooperation: National Perspectives and State of Play'. Available at: http://www.europarl.europa.eu/RegData/etudes/STUD/2017/603842/EXPO_STU(2017)603842_EN.pdf

Edwards, G. (2011). 'The Pattern of the EU's Global Activity'. In Hill, C. and M. Smith (eds)*International Relations and the European Union*, 2nd edition, 44-72. Oxford: Oxford University Press.

European External Action Service (EEAS) (2016). 'Military and Civilian Missions and Operations', 3 May. Available at: https://eeas.europa.eu/headquarters/headquarters-homepage_en/430/Military%20and%20civilian%20missions%20and%20operations

European External Action Service (EEAS)(2017). 'EU-NATO Cooperation Factsheet', 18 October. Available at: https://eeas.europa.eu/sites/eeas/files/eu-nato_cooperation_factsheet_18-10-2017_0.pdf

European External Action Service (EEAS)(2018). 'Permanent Structured Cooperation (PESCO) – Factsheet', 28 June. Available at: https://eeas.europa.eu/sites/eeas/files/pesco_factsheet_2018-09-29.pdf

Fabbrini, S. (2015). *Which European Union? Europe After the Euro-Crisis.* Cambridge: Cambridge University Press.

Gammelin, C. and R. Löw (2014). *Europas Drahtzieher: Wer in Brüssel wirklich regiert*. Berlin: Econ.

Ganser, D. (2017). *Illegale Kriege. Wie die NATO-Länder die UNO sabotieren. Eine Chronik von Kuba bis Syrien* . Zürich: Orell Füssli.

Haas, E. B. (1958). *The Uniting of Europe: Political, Social and Economic Forces, 1950–1957.* Stanford, CA: Stanford University Press.

Hertog, L. den and S. Stroß (2013). 'Coherence in EU External Relations: Concepts and Legal Rooting of an Ambiguous Term'. *European Foreign Affairs Review* 18(3): 373–88.

Jervis, R.A. (1978). 'Cooperation under the Security Dilemma', *World Politics* 30(2): 167–214.

Moravcsik, A. (1998). *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht.* Ithaca, NY: Cornell University Press.

Peou, S. (1998). 'The Subsidiarity Model of Global Governance in the UN-ASEAN Context'. *Global Governance* 4(4): 439–59.

About the author:

Jörg Michael Dostal is Associate Professor in the Graduate School of Public Administration, Seoul National University, South Korea. He is also Senior Research Fellow at the Centre for Syrian Studies, University of St Andrews.