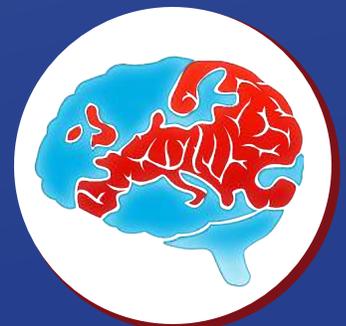


EUROPEAN POLICY REVIEW



EUROPEAN POLICY REVIEW

Volume 1, Number 2

This is the second edition of the *European Policy Review*. The *European Policy Review* was founded in 2014 by the European Student Think Tank. The journal aims to publish academic papers by undergraduate and postgraduate students on topics related to European Union policy. All papers are submitted to an anonymous peer-review process by graduate and doctoral students. The journal is published biannually.

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EDITOR'S NOTE

By **MIEKE MOLTHOF**

The European Student Think Tank is proud to present the second edition of the *European Policy Review*. The *European Policy Review* is a peer-reviewed journal that publishes academic, student-written papers on a wide range of topics related to European Union policy. In line with the objective of the European Student Think Tank to provide a platform for discussion amongst students that share an interest in the EU, this journal seeks to involve students in the central and controversial debates in European politics. This journal therefore not only seeks to bring to the fore students' perspectives on EU policy, but also aims to target a wide young academic readership.

The *European Policy Review* has an international and multi-disciplinary character. The contributors to, and makers of, this journal are students from various countries, with different backgrounds and perspectives. The journal consciously chooses to cover a broad spectrum of topics and to incorporate multiple disciplines, thereby reflecting the numerous angles from which EU policy can be studied and discussed.

A team of qualified editors and peer reviewers has examined all the submitted papers and has made a careful selection on the basis of academic quality and potential contribution to the journal. The editors and peer reviewers have provided the authors of the selected papers with extensive feedback. On the basis of those comments, the authors have been able to revise their paper and produce an improved result.

In this second edition, Martijn Gerritsen writes about renewable energy policy in the EU and analyzes the extent to which the Renewable Energy Directive has been successfully implemented by the European member states. On the basis of this analysis, the paper provides novel insights into the likelihood of achieving the newly established targets of the 2030 Framework for Climate and Energy. Theano Damiana Agaloglou analyses EU-US relations after the end of the Cold War and argues that the United States has continued to be more of a patron than a partner to the EU in the foreign policy field. The paper demonstrates that the EU, especially in international crises, still tends to be dependent on America's political and military weight. Wander Engbers takes a closer look at the role of the Dutch provinces in EU policy-making. By using the Multi-Level Governance framework, the article investigates how the domestic position of the Dutch provinces influences their paradiplomatic strategy in the European policy arena. Marten Kooistra shows how Cold War strategic thinking in France, Germany and the United Kingdom resulted in an Atlantic Europe - a Europe heavily reliant on the United States. The article also considers the implications of contemporary power shifts for Europe's strategic and geopolitical affairs. Manuel Pietzko looks at the role perceptions of the European External Action Service (EEAS) and investigates how the initial expectations of the Commission, Council and Parliament are reflected in the final decision establishing the EEAS. By revealing the various role perceptions held by these actors, the paper helps to understand its current setup. Finally, Dora Hegedus examines the extent to which the European Commission acts as a policy-entrepreneur rather than simply as an agent of member state governments. Instead of providing a general account of how the Commission works, this paper presents a deeper analysis of the

driving factors that gravitate the role of the Commission towards either the intergovernmentalist or the supranationalist end of the 'theoretical scale'.

By publishing the second edition of the *European Policy Review*, we have met our ambition to set forth a relatively new project of the European Student Think Tank. We anticipate many more volumes, and expect that the publishing process will be continually improved with each subsequent edition of the *European Policy Review*. We hope you will enjoy reading this journal, and we warmly welcome your comments and suggestions for future editions.

Acknowledgements

On behalf of the editorial board, I would like to thank all peer reviewers (Jorge Rivera, Maria Lampoudi, Samia Murgham, Dominik Flikweert, Pedro Sousa, Susana Coroado, Lennart Stoy, Hans Vollaart, Pieter Zwaan, Manuel Pietzko and Erik Merkus) for their valuable contribution to the review process of this journal.

RENEWABLE ENERGY POLICY IN THE EUROPEAN UNION

Is there a firm foundation for the EU's 2030 renewable energy targets?

By **MARTIJN GERRITSEN**

Martijn Gerritsen is a second year Liberal Arts & Sciences student at Amsterdam University College. He is majoring in Environmental Economics & Policy and International Relations, with a minor in Environmental Science. He has a special interest in (European) renewable energy policy and global environmental governance.

This paper analyses the successfulness of the implementation of the Renewable Energy Directive 2009/28/EC by the member states of the European Union (EU) through calculating the effectiveness of the implemented policies since 2009 in spurring progress towards the 2020 targets of the Directive. The obtained results are analysed and compared to progress reports published by the member states themselves and by the European Renewable Energy Council (EREC). On the basis of this analysis, it is concluded that the implementation of the Renewable Energy Directive has been particularly successful in raising member state awareness regarding the relevance of investing in renewable energy sources and inducing legal and regulatory changes to facilitate further incorporation of renewable energy sources in the energy system of member states. In order for the Renewable Energy Directive to constitute a firm 'foundation' from which further progress can be made towards the newly established renewable energy target shares outlined in the 2030 Framework for Climate and Energy, the discrepancy between the policy effectiveness of the different EU member states should be diminished.

INTRODUCTION

During the 1970s and 1980s, the focus for renewable energy in the European Union (EU) was on research and technological development (Blok, 2006). In the 1990s, however, the emphasis gradually shifted to the “actual implementation” of renewable energy policies in the EU (p. 251). In 1995, for example, a White Paper¹ was drafted that recognised renewable energy sources as a factor to help achieve the Paper's objectives for improved competitiveness, security of supply, and protection of the environment (Kannellakis et al., 2013). Two years later, “an indicative target of

1 European Commission (1995, December). An Energy Policy for the European Union, COM(95)682.

a 12% share of Renewable Energy Sources (RES) in total final energy consumption by 2010” was agreed upon² (p. 1021). This first target for RES deployment in the European Union formed the basis for two Directives formulating requirements for EU member states concerning the RES share in the electricity and transport sectors: Directive 2011/77/EC, which outlined that the RES share in electricity consumption for the EU-27³ should at least increase to 21% by 2010, each member state being assigned an individual target share; and Directive 2003/30/EC, which set a target share of 5.75% for biofuels in the total use of diesel and petrol transport fuel for all member states (Klessmann et al., 2011). Kannellakis et al. (2013) mention that “[c]ontinued policy support from a large number of member states and the [European] Commission led to significant progress” on renewable energy use in the EU since 1990, but that “the framework established from the first RES directives was proven too loose to help towards the achievement of the 2010 renewable electricity and biofuels targets” (p. 1021). In 2007, the EU, shifting its focus to 2020, decided to set a new, binding RES target share of 20% to strive for during the 2010-2020 period (Council of the European Union, 2007). This target was incorporated in a legislative framework under Directive 2009/28/EC, or the Renewable Energy Directive (RED), which meant to overlook the future deployment of RES in the EU. Almost halfway through the timeframe of this RED, the EU has introduced new RES targets for the 2020-2030 period with the approval of the 2030 *Framework for Climate and Energy* by the European Council on 24 October, 2014 (European Commission, *Energy and climate goals for 2030*, n.d.). With this 2030 Framework, the European Union has committed itself to new objectives concerning the reduction of greenhouse gas (GHG) emissions, the increase in the use of renewable forms of energy, and the enhancement of energy efficiency within its borders.

The defining of overall climate and energy targets within the EU for the 2020-2030 period is an ambitious follow-up of the 2020 goals that were outlined in Directive 2009/28/EC on the promotion of the use of energy from renewable sources. The successful achievement of this Directive’s targets by 2020 is, according to EU estimates, considered to be very likely, while it is also assumed that the adoption of the RED and its corresponding targets and policies will “yield many macroeconomic benefits and contribute to smart and sustainable (‘green’) growth” (European Commission, *Europe 2020 targets: climate change and energy*, n.d.), thereby significantly boosting the competitive and sustainable character of the European energy economy.

What is relevant to be asked in this context, however, is whether the drafting of the 2030 Framework is indeed as solidly founded on successful achievements reported with regard to the RED as the EU would like to believe. To what extent has the member state implementation of Directive 2009/28/EC been effective and, more importantly, to what extent has this implementation of the Directive by the member states genuinely spurred the EU’s progress towards its 2020 climate and energy goals? Only if appropriate empirical evidence can be found for, firstly, the successful implementation of the RED on the member state-level and, secondly, for the assumption that this implementation of the RED by the member states constitutes a solid ‘foundation’ from which further progress can be made towards meeting the climate and energy targets of the EU, can the

2 European Commission (1997, November 26). *Energy for the future: Renewable sources of energy*, White Paper for a Community Strategy and Action Plan, COM(97)599 final.

3 EU-27: European Union with 27 member states included (before accession of Croatia in 2013).

EU's extension of its energy targets to 2030 be explained and justified.

This paper therefore aims to evaluate the effectiveness of the adoption of the RED in driving the EU's progress towards its 2020 targets by critically assessing the implementation of the Directive on the member state-level, as well as by analysing the relative performance of individual member states with regard to achieving their individually set targets for 2020. To this end, the policy effectiveness of individual member states as of 2012 with respect to 2009 will be calculated. These findings will, in turn, be used to evaluate whether there appears to be a relatively solid empirical foundation for the EU's claims to success regarding the implementation of the RED since 2009 and whether it is justifiable for the EU to extend the timeframe and scope of its climate and energy targets on this basis. This paper focuses on the targets set by the EU concerning the overall share of renewable energy sources in member states' gross final energy consumption for 2020 and 2030.

In order to be able to analyse whether sufficient progress has been made by member states until now in terms of meeting the targets set for 2030, it is essential to first fully understand what the 2030 Framework entails exactly, as well as to get a complete insight into the preceding policy measures concerning the deployment of RES as taken by the EU. The following section of this paper will therefore elaborate on the content of the *2030 Framework for Climate and Energy* and the policy context in which it has arisen. Particular attention will be paid to the 2030 Framework's close links with the RED.

NEW AMBITIONS FOR THE EU: THE 2030 FRAMEWORK FOR CLIMATE AND ENERGY AND ITS PRECEDING POLICY FOUNDATIONS

In the *2030 Framework for Climate and Energy*, as it was adopted on 24 October of this year, four main targets were set out for the EU for the period until 2030 (European Commission, *Energy and climate goals for 2030*, n.d.). First of all, "a binding EU target of at least 40% reduction of greenhouse gas emissions by 2030, compared to 1990" (Ibid.) was outlined. Secondly, it was agreed upon that at least 27% of the energy used at the EU level should originate from renewable energy sources (RES) by 2030. This target is also binding in nature. Thirdly, the energy efficiency within the EU should increase by at least 27% – a target that is to be reviewed by 2020, the actual aim for the EU being a 30% increase by 2030. Lastly, a greater move towards the completion of the internal energy market at the EU level is aspired through interconnecting at least 10% of member states' installed electricity production capacity (European Commission, 2015) and through pushing forward important infrastructure projects for the 2020-2030 period.

The targets as described above should be placed in a broader policy context and timeframe, as they have been drafted largely in accordance with the longer term perspectives on GHG emissions reduction, renewable energy production, energy efficiency, and energy system modernization that the EU communicated in 2011 through its *Roadmap for moving to a competitive low carbon economy in 2050* (European Commission, 2013a, p. 3). This Roadmap "sets out key elements that should shape the EU's climate action helping the EU become a competitive low carbon economy by 2050" and that would enable the EU to achieve greenhouse gas emission reductions of 80-95% by 2050 as compared to 1990 levels. These reductions would be in line with estimates

of required emission cuts for the near future made by the Intergovernmental Panel on Climate Change (IPCC), as well as with the most recent international political agreements on climate change in Copenhagen and Cancun (European Commission, 2011a, p. 3).

Based on the responses of stakeholders to the *Green Paper on designing a policy framework for climate and energy targets for the period until 2030* that was published by the Commission in 2013, the resulting policy framework for the 2030 energy targets emphasizes the importance of guaranteeing the competitiveness, affordability, and security of energy supply, as well as of energy resources within the EU (European Commission, 2014, p. 3). These emphases on security of energy supply and competitiveness of the EU energy industries are also clearly reflected in the Commission's *Energy Roadmap 2050*, which was published in combination with the *White Paper on Transport and the Energy Efficiency Plan* in 2011 (European Commission, 2013a, p. 3). In this particular Roadmap, various future scenarios for the EU's energy situation are hypothesised, described, and analysed. Most interesting with regard to the scope of this study is that in the Energy Roadmap, "[t]he share of renewable energy [sources] rises substantially in all scenarios, achieving at least 55% in gross final energy consumption in 2050" and the highest estimated potential share amounting to 97% (European Commission, 2011b, p. 7). Apparently, in all of the possible scenarios to move towards a low carbon economy by 2050, the increased use of RES is an essentiality.

Using these different potential energy pathways outlined in the Energy Roadmap as an indication of the needed changes with respect to the EU's current energy system and goals, the Council of the European Union eventually concluded the following concerning the EU's target for RES in its report on the adoption of the 2030 Framework:

"An EU target of at least 27% is set for the share of renewable energy consumed in the EU in 2030. This target will be binding at EU level. It will be fulfilled through Member States' contributions guided by the need to deliver collectively the EU target without preventing Member States from setting their own more ambitious national targets and supporting them, in line with the state aid guidelines, as well as taking into account their degree of integration in the internal energy market. The integration of rising levels of intermittent renewable energy requires a more interconnected internal energy market and appropriate back up, which should be coordinated as necessary at regional level." (Council of the European Union, 2014, p. 5)

Two components of this conclusion can be directly related to the EU's most recent legal contribution concerning RES that preceded the 2030 Framework – Directive 2009/28/EC on the promotion of the use of energy from renewable resources or, in other words, the Renewable Energy Directive (RED), that was entered into force by the European Parliament and the Council on 23 April 2009. The first aspect that is included in both the 2030 Framework and the RED is a binding target for the share of RES in the total energy consumption at the EU level. The second shared characteristic of both the Framework and the Directive is the liberty that the member states are being granted in deciding on and implementing appropriate measures required for their adherence to the EU target as set in each respective policy format.

These similarities between the 2030 Framework and the RED are the result of the fact that the

2030 policy framework, according to the Commission, “should be based on full implementation of the 20/20/20 targets” (European Commission, 2014, p. 3) that were set in 2009. The so-called 20/20/20 targets refer to the EU’s aspiration to have, by 2020 – as compared to 1990-levels – reduced GHG emissions by 20%, increased the share of RES in the total energy consumption by 20%, and enhanced the efficiency of energy use in the EU by 20%. The adoption of the RED by the EU in 2009 constituted the legal basis deemed necessary by the EU to meet the 20% target for the use of RES within its ‘20/20/20’ climate and energy policy. In addition, it also means to create a policy environment sufficiently conducive to meeting the 20% targets regarding GHG emission reduction and energy efficiency increase. Put in this context, therefore, the RED can be perceived as the leading legal framework on which the aspirations outlined in the 2030 Framework are founded; effective and successful implementation of the RED could – and should – be seen, in this regard, as a prerequisite for the potential success of the 2030 Framework.

The next section of this paper will describe the key targets of and the relevant policy background for the RED. This is done so as to be able to meaningfully evaluate the effectiveness and successfulness of the Directive’s implementation, which will be done in the fourth section of this article.

THE RENEWABLE ENERGY DIRECTIVE: KEY TARGETS AND POLICY BACKGROUND

The Renewable Energy Directive comprises several important points that are worth to be addressed in more detail (Directive 2009/28/EC, 2009). First of all, the Directive states that each member state has to ensure that the share of energy from renewable sources at least equals the mandatory national overall target for the use of energy from RES that has been assigned to this state by the Commission (Article 3.1). This assigned national overall target for RES is binding. At the EU level, a target of a 20% share of RES in the gross final energy consumption for the EU has been included in the Directive (Article 3.1). Secondly, member states are expected to obtain at least 10% of their energy used for transport from renewable sources (Article 3.4). Thirdly, the Directive lays substantial focus on the promotion of the use of biomass for energy and electricity generation, as well as on the use of biofuels and bioliquids, particularly in the transport sectors of the member states (Articles 17, 18, and 19). Fourthly, according to article 16 of the Directive, member states should undertake “appropriate steps to develop transmission and distribution grid infrastructure, intelligent networks, storage facilities and the electricity system,” so as to allow for a more extensive contribution of RES to the overall electricity production within the member state individually and the EU as a whole.

Lastly, member states need to “introduce measures effectively designed to ensure that the share of energy from renewable sources equals or exceeds that shown in the indicative trajectory” for that specific state (Article 3.2). The first way in which this is aimed to achieve is incorporated in article 4 of the Directive. This article puts forward that every member state is obliged to develop a National Renewable Energy Action Plan (NREAP) that outlines the policy measures this state will take to reach its RES targets. Moreover, each member state should duly report on the progress that is being made concerning the use of RES and on the successfulness of its proposed NREAP

every two years after the adoption of the RED (Article 16). Until now, two progress reports – those of 2011 and 2013 – have been issued by the large majority of the member states. Another key point in the Directive that is concerned with the introduction of appropriate measures by the member states is that, under article 7, “[t]wo or more Member States may cooperate on all types of *joint projects* relating to the production of electricity, heating or cooling from renewable energy sources. That cooperation may involve private operators” (emphasis added). Articles 8, 9, and 10 further detail how joint projects could be set up by the member states. Such joint projects comprise, together with *statistical transfers*⁴ – covered under article 6 of the RED – and *joint support schemes*⁵ – focused on in article 11 – the available “cooperation mechanisms by which Member States can join together to develop renewable energy sources” (European Commission, 2011c, p. 12).

The adoption of the Renewable Energy Directive in April 2009 consequently led to the repeal of Directive 2001/77/EC on the promotion of electricity produced from renewable energy sources in the internal electricity market, which entered into force on 27 September 2001, as well as of Directive 2003/30/EC on the promotion of the use of biofuels or other renewable fuels for transport, which entered into force on 8 May 2003 (Directive 2009/28/EC, 2009, p. L140/16). As the RED included several new standards, regulations, and targets concerning both the renewable electricity generation sector and the use of biofuels in transport, the previous two Directives were out-dated once the RED entered into force. The most important aspects of the RED have been largely based on the findings and recommendations that were presented by the Commission of the European Communities in the *Renewable Energy Roadmap 2050*, published in January 2007 (Commission of the European Communities, 2007). The Renewable Energy Roadmap has, essentially, set the precedent for the EU to design and pass policy measures that are founded on longer term perspectives and scenarios on climate and energy measures; the earlier discussed Roadmaps drafted in 2011 – the Energy Roadmap and the *Roadmap for moving to a competitive low carbon economy in 2050* – have, namely, also highly influenced the policy decisions made for establishing the 2030 Framework.

THE RENEWABLE ENERGY DIRECTIVE: ASSESSING ITS EFFECTIVENESS IN SPURRING RES DEPLOYMENT

As was already put forward in the second part of this paper, the RED can, to a large extent, be seen to embody the policy framework on which the new 2030 Framework is based. From this observation, one may assume that the potential success of the 2030 Framework mainly depends

4 Statistical transfers involve the ‘selling’ of amounts of renewable energy by a state with a surplus to another state with a renewable energy production deficit. The amount of renewable energy transferred may be added to the receiving member state’s renewable energy production, whilst it shall be subtracted from the renewable energy production from the exporting member state (European Commission, 2011c, p. 12).

5 One speaks of joint support schemes when two or more member states “agree to harmonize all or part of their support schemes for developing renewable energy, to clearly integrate the energy into the single market, and share out the production” (European Commission, 2011c, p. 12).

on the extent to which the RED is effectively and successfully implemented and can act as a solid ‘foundation’ for the potential achievement of the newer and more ambitious energy targets for 2030. In order to determine whether the RED does indeed constitute such a convincing foundation, an analysis of the member state implementation of the RED and the effectiveness of this implementation with regard to the relative achievement of the set national overall RES targets for 2020 will be performed.

Analysing implementation success of the RED

1. Policy Effectiveness Indicator

The main challenge in this regard is, however, defining how to measure the effectiveness of policy implementation by member states. All member states will, namely, have to adhere to different targets and will make use of a varying range of policy instruments to achieve these targets, complicating the performing of cross-country analyses and comparisons. Academic studies have employed various methods to measure the successfulness of the implementation of the RED. The European Commission, for instance, has looked at the degree to which administrative barriers were removed by individual member states, to what extent the electricity grid of the member state was improved and extended, and whether the support schemes used by the member state were designed in a cost-effective, market-oriented manner (European Commission, 2013c). A study performed by ECOFYS, has, alternatively, assessed the effectiveness of policies implemented by the member state and the administrative burden for implementing RES policies as present within the member state (Peters et al., 2012). A more theoretical stance with regard to the success of implementation of EU law and policy is presented by Knill and Liefferink (2007). They distinguish between assessing implementation successfulness on the basis of policy output – whether the implemented policies lead to the achieving of the goals or targets set – and on the basis of policy outcome – the extent to which the policies implemented have desired consequences. They also differentiate between a ‘top-down’ approach to policy implementation and a ‘bottom-up’ approach. A ‘top-down’ approach would imply that “implementation success is judged on the basis of a comparison between the intended and actually achieved outcome” (p. 152), whilst a ‘bottom-up’ approach to policy implementation judges success “by the extent to which the perceived outcomes correspond with the preferences of the actors involved in the implementation process” (p. 153).

Although the actual successfulness of the implementation of the RED would be best evaluated by taking both a ‘top-down’ and a ‘bottom-up’ approach, the quantification of policy effectiveness is most easily done by taking a ‘top-down’ approach to the policy outputs realised. This is why, in order to be able to perform a valid cross-country analysis and comparison of the effectiveness of the policy implementation of the member states, a universal indicator that can quantify this policy output effectiveness needs to be used. An example of such an indicator is the *Policy Effectiveness Indicator (PEI)* as introduced by Held et al. (2010) in their study on the performance of renewable energy support policies. Klessmann et al. (2011) have used this same indicator in their

evaluation of RES deployment for several specific sectors in the EU⁶. For this particular study, the PEI will, therefore, be used to quantify the effectiveness of the policies that the individual member states have implemented to reach the mandatory national overall RES target that they were assigned by the EU following the adoption of the RED in 2009⁷. Calculations of the policy effectiveness will be made using data on the share of RES in the gross final energy consumption of the years 2009, 2012 and 2013 that were extracted from the Eurostat database (2015a). The formula for calculating the policy effectiveness is the following:

$$E = (B-A) / C$$

E = policy effectiveness of member state in the year *n* (with respect to 2009)

B = share of RES in gross final energy consumption of member state in year *n*

A = share of RES in gross final energy consumption of member state in 2009

C = 'target deficit' (i.e. difference between the RES target share for 2020 and the share of RES in gross final energy consumption of member state in 2009)

An exemplary visual representation of the calculation of the PEI is given in figure 1. For this study, however, different kinds of factors have been taken into account. A and B refer to the share of renewable energy in the gross final energy consumption of that member state in two different years, with A denoting the share of RES in 2009, the year in which the RED was adopted, and B referring to the share of RES in 2012, the year of which the most recent data are available for all member states. C comprises the 'target deficit' or, in simpler terms, the difference between the 2020 'target share' and the 2009 share of RES in the gross final energy consumption of the member state. E would, for this paper's analysis, then refer to the eventual policy effectiveness of a particular member state as of 2012, with respect to 2009, the 'starting' year of this member state's policy implementation.

6 In their study's appendix, Klessmann et al. (2011) have extensively described how the PEI works, on what factors it is based, and what the indicator's strengths and shortcomings are. Please refer to their work for a more in-depth analysis of the calculation measure utilised in this study.

7 Under the RED, there are three main sectors for which the increased incorporation of RES is of particular importance. These are the generation of electricity (RES-E), the use of energy in transport (RES-T), and the use of energy in terms of heating and cooling (RES-H&C). The scope of this paper does, however, not allow for an extensive analysis of each of these RES sectors. There is, in addition, not enough data to be found on each of the three sectors for performing a sound analysis and comparison. For serving the purposes of this paper, therefore, only the member states' overall RES share in their gross final energy consumption will be looked at. Data on the share of renewable energy in gross final energy consumption for each member state were extracted from the Eurostat database, hereafter referred to as Eurostat, 2015a: http://ec.europa.eu/eurostat/statistics-explained/index.php/Energy_from_renewable_sources#Further_Eurostat_information.

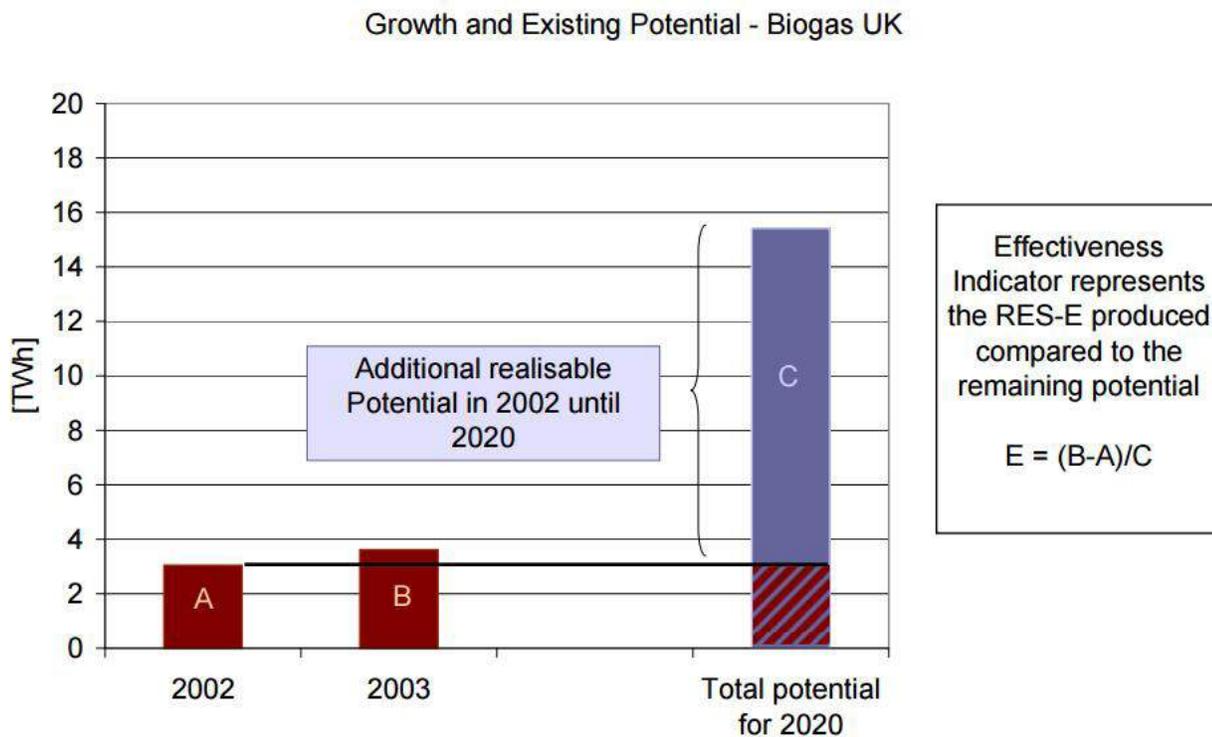


Figure 1: Example indicating how the *Policy Effectiveness Indicator* was used by Held et al. (2010, p. 6); in this case referring to the growth and existing potential for biogas in the UK in 2003.

2. Policy effectiveness scores of individual member states and the EU

In this study, shares of RES in the total final energy consumption in the years 2012 and 2013 for each member state have been compared to these member states' corresponding 2020 target shares for RES as mentioned in the RED⁸. An overview of these respective RES share and target values is given in table 1; figure 2 provides a visual representation of said values. Using the formula described in the previous section and above-mentioned values, the policy effectiveness scores for 2012 and 2013 were calculated for each member state. The resulting scores, including average scores for the 2012-2013 period, are given in table 2. A visual representation of these scores is provided by figure 3.

⁸ Of the current 28 member states, Croatia has not been included in the analysis. This is because the country only entered the EU in 2013, which is beyond this study's timeframe.

Country	2012 (%)	2013 (%)	Target 2020 (%)
Austria	32.1	32.6	34.0
Belgium	7.4	7.9	13.0
Bulgaria	16.0	19.0	16.0
Czech Republic	11.4	12.4	13.0
Cyprus	6.8	8.1	13.0
Denmark	25.6	27.2	30.0
Estonia	25.8	25.6	25.0
Finland	34.5	36.8	38.0
France	13.6	14.2	23.0
Germany	12.1	12.4	18.0
Greece	13.4	15.0	18.0
Hungary	9.5	9.8	13.0
Ireland	7.3	7.8	16.0
Italy	15.4	16.7	17.0
Latvia	35.8	37.1	40.0
Lithuania	21.7	23.0	23.0
Luxembourg	3.1	3.6	11.0
Malta	2.7	3.8	10.0
Netherlands	4.5	4.5	14.0
Poland	10.9	11.3	15.0
Portugal	25.0	25.7	31.0
Romania	22.8	23.9	24.0
Slovenia	20.2	21.5	25.0
Slovakia	10.4	9.8	14.0
Spain	14.3	15.4	20.0
Sweden	51.1	52.1	50.0
United Kingdom	4.2	5.1	15.0
EU-28	14.3	15.0	20.0

Table 1: Share of renewable energy sources in total final energy consumption of EU-28⁹ and individual member states in the years 2012 and 2013, as well as target share for 2020 for each member state decided on in the Renewable Energy Directive in 2009.

⁹ EU-28: European Union with 28 member states included (after accession of Croatia in 2013).

Country	2012	2013	Average 2012-2013
Austria	0.49	0.62	0.55
Belgium	0.28	0.35	0.31
Bulgaria	1.00	1.79	1.39
Czech Republic	0.64	0.87	0.76
Cyprus	0.16	0.34	0.25
Denmark	0.56	0.72	0.64
Estonia	1.40	1.30	1.35
Finland	0.46	0.82	0.64
France	0.12	0.18	0.15
Germany	0.27	0.31	0.29
Greece	0.52	0.68	0.60
Hungary	0.30	0.36	0.33
Ireland	0.20	0.25	0.22
Italy	0.80	0.96	0.88
Latvia	0.26	0.49	0.38
Lituania	0.57	1.00	0.78
Luxembourg	0.02	0.09	0.06
Malta	0.26	0.37	0.31
Netherlands	0.04	0.04	0.04
Poland	0.35	0.41	0.38
Portugal	0.09	0.20	0.14
Romania	0.08	0.92	0.50
Slovenia	0.20	0.42	0.31
Slovakia	0.23	0.11	0.17
Spain	0.19	0.34	0.26
Sweden	1.61	2.17	1.89
United Kingdom	0.10	0.18	0.14
EU-28	0.30	0.38	0.34

Table 2: Policy effectiveness scores for the EU-28 and individual member states for the years 2012 and 2013, and the average policy effectiveness score for the period of 2012-2013.

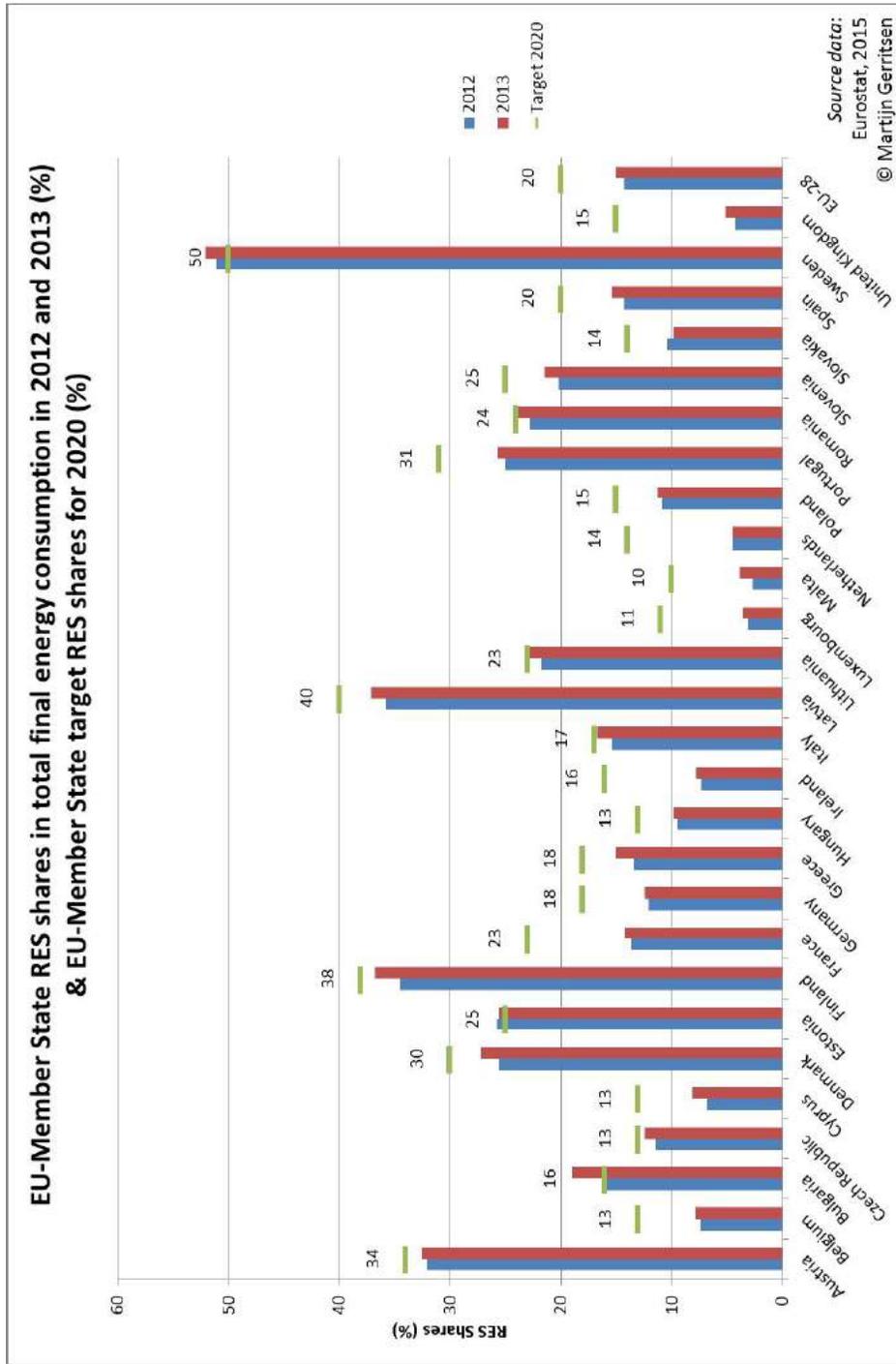


Figure 2: The share of RES in the total final energy consumption of EU member states in the years 2012 and 2013. Each member state's RES target share for 2020 is indicated by the horizontal green lines with corresponding percentage values.

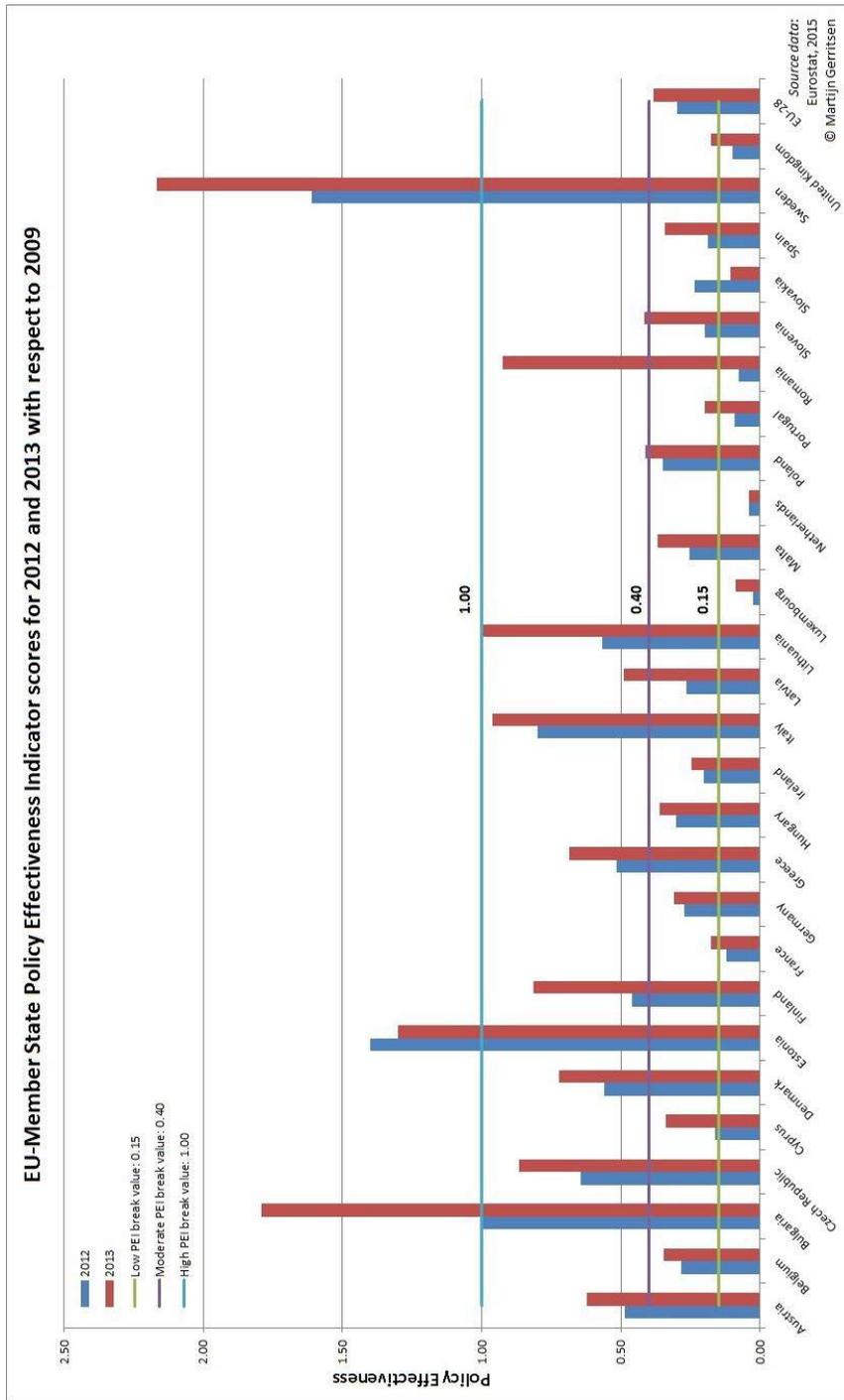


Figure 3: The policy effectiveness scores for each of the individual member states for the years 2012 and 2013 as compared to 2009. The higher this score is for a member state, the more effective its implemented policies have been in progressing towards its individual binding national target share for RES in its final gross energy consumption. Note that a score with a value higher than 1 indicates that the corresponding member state had already achieved its RES target share for 2020 in 2012 or 2013. The three horizontal lines represent the break values that have been used to classify the member states in terms of their relative policy effectiveness (0.15, 0.40, and 1.00).

On the basis of the calculated scores for 2012, the EU member states can be divided into four main groups concerning the effectiveness of the policies they have implemented to make progress toward their individual binding RES target share. The break values that have been used for this classification – 0.15, 0.40, and 1.00 – are also indicated in figure 3.

The first group consists of the member states with weak policy effectiveness (i.e. the lowest scores: <0.15) – these include Portugal, Luxembourg, the Netherlands, France, the United Kingdom, and Romania. In order to meet their target share of RES by 2020, these member states will have to make substantial improvements to their policy frameworks. Portugal and Luxembourg especially lag behind in this regard.

The second group of member states (with scores in the range of 0.15-0.4), consisting of Belgium, Cyprus, Germany, Hungary, Ireland, Latvia, Malta, Poland, Slovakia, Slovenia, and Spain, has implemented a moderately strong policy framework to meet the various target shares. Progress towards the 2020 targets has been more convincing for this group of member states than for the first group, but a lot of work still needs to be done in the remaining timeframe so as to be able to meet the target shares accordingly.

Austria, the Czech Republic, Denmark, Finland, Greece, Italy, and Lithuania all belong to the third group of member states (with a score range of 0.4-1.0), comprising those states that have put in place a strong set of policies to adhere to their national binding targets. These member states may be considered to be on the right track in meeting their desired shares of RES timely, correctly, and effectively – although it must be said that there is no room for complacency.

The last group (scores >1.0), made up of Bulgaria, Estonia, and Sweden, clearly represents those member states with the strongest implemented policy frameworks; they had, eight years before the ‘deadline’, already exceeded their national binding target shares. Sweden clearly leads the way in progressing towards the 2020 goals of the EU.

According to the distinction that was made for evaluating the relative effectiveness of adopted policy frameworks, the EU as a whole belongs to the moderately performing actors, which would mean that considerable progress still remains to be made in order to reach the overall EU target of 20% by 2020. This result is also reflected in the fact that a considerable majority of the member states studied (17 out of 27) still belongs to the two least-performing groups based on 2012 data. As of 2012, its overall RES share was 14.1%, which means an additional increase of 6% is needed to attain the desired share of 20% by 2020 (Eurostat, 2015a).

Looking at the policy effectiveness scores of the ‘weak’ group of member states for the year 2013, it is interesting to note that France, Portugal and the United Kingdom all receive a score that corresponds with ‘moderately strong’ implemented policies, instead of with ‘weak’ implementation in 2012. Especially Portugal has, based on the two calculated PEI scores, significantly improved – its 2013 score has more than doubled compared to 2012 (0.20 versus 0.09, respectively). The UK’s score also improved by 75%: 0.10 for 2012 and 0.18 in 2013. The most striking changes when comparing 2012 and 2013 PEI scores are constituted by Romania and Slovakia. The former’s 2012 score, 0.08, rose to 0.92 in 2013, as it had then almost reached its RES target share of 24% for 2020. With this, Romania belongs to the ‘strong’ policy implementing member states in 2013. The latter member state’s PEI score has, contrarily, more than halved between 2012 and 2013. This can be ascribed to the decrease in its RES share during said period: from 10.4 to 9.8%.

From the member states that belong to the ‘moderately strong’ policy implementation group as

based on their PEI scores for 2012, only Latvia, Poland, and Slovenia can be classified as ‘strong’ policy implementers in 2013. The other eight members of the group have only limitedly made progress toward their RES target share for 2020 between 2012 and 2013 and are therefore still ‘moderately strong’ performers.

The third group classification that has been made based on 2012 scores – containing those member states that have effectively put in place ‘strong’ RES policies – have all seen their PEI scores increase between 2012 and 2013. Worth noting is that from these member states, however, only Lithuania’s score has increased to 1.0, indicating that it has already fully achieved its 2020 target share in 2013 (23%). In addition, both Italy and the Czech Republic have significantly amplified their effectiveness scores to values close to 1.0: 0.96 and 0.87, respectively.

When analysing the fourth and last classification group, it can be seen that, on the one hand, the PEI scores for Sweden and Bulgaria have risen substantially, whilst, on the other hand, the score for Estonia has gone down in 2013 as compared to 2012. Bulgaria’s progression particularly stands out, as its PEI score increased by almost 79% (from 1.00 to 1.79, respectively). Due to a 1%-increase in RES share for Sweden between 2012 and 2013, its PEI score has become significantly higher as well (from 1.61 in 2012 to 2.17 in 2013). Contradictorily, Estonia features a slight decrease in terms of PEI scores over the period studied (1.40 to 1.30). This decline is, however, only small and – when looking at the 0.2% percentage value decrease of the member state’s RES shares – almost negligible.

The EU as a whole still belongs to the ‘moderately strong’ group in terms of policy effectiveness in 2013, even though its PEI score rose with almost 30% between 2012 and 2013 (from 0.30 to 0.38). In addition, a smaller number of member states belongs to the two worst-performing groups compared to 2012: 13 out of 27 had implemented ‘weak’ or ‘moderately strong’ policies in 2013. This means that four countries have made significant progress towards their respective RES target shares for 2020. As of 2013, the EU needed to increase its RES share with an additional 5% in order to achieve its overall target set in the RED.

3. Analysis and comparison of policy effectiveness results for member states

Analysing the results of the performed calculations gives rise to a number of interesting observations. First of all, based on the policy effectiveness performance of 2012, there appears to be a considerably large group of member states – a sizeable majority of 17 out of 27 countries studied – that is still underperforming and should review and reconsider their policy framework for the remaining time period until 2020. Six of these member states will, if urgent policy framework adjustments are not applied, not reach their individually binding targets for RES shares, assuming that this is the case for the member states in the lowest policy effectiveness category. There is, however, also a considerably large group of ‘moderate’ performers within the EU. These member states will, if they can manage to sustain the effectiveness of existing policies and incorporate new effective measures, be able to reach the mandatory target that they were set. Most interestingly, there is a highly selective group of ‘outperformers’, consisting of only three member states: Sweden, Estonia, and Bulgaria. In general, there seems to be a fairly large dichotomy between the ‘outperformers’ and the other member states within the EU when it comes to effective implemen-

tation of the RED; the effectiveness scores of the member states in the highest group are more than five times as high as compared to the EU's overall effectiveness score.

For further analysis of the resulting data, a distinction will be made between four groups of member states on the basis of their commonly acknowledged shared characteristics or shared attitude towards the environment: the six 'traditional' member states that have founded the EU in its current form – Belgium, France, Germany, Italy, Luxembourg, and the Netherlands; the 'new' member states, having joined the EU after the enlargement of 2004 – Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia; the traditionally more environmentally progressive member states, or the 'pioneers' – to which the Nordic countries Denmark, Finland, and Sweden are often perceived to belong (Knill et al., 2012); and the 'Mediterranean' member states – Greece, Portugal, and Spain – that are commonly thought of as underperforming when the environment is considered (La Spina & Sciortino, 1993)¹⁰.

Following this group division, Austria, Cyprus, Ireland, Malta, and the United Kingdom are not included. Although technically Cyprus and Malta belong to the 'new' member states, given the fact that they acceded to the EU in 2004, they will for this study's analysis be added to the 'Mediterranean' group based on their geographical location. Ireland and the United Kingdom will be included in the 'traditional' member state group, based on their relatively long membership to the EU – both became a member in 1973 – as well as on their geographical location – their location overlaps most with the member states in the 'traditional' group, except for Italy. Austria has been added to the 'Nordic' member state group for this analysis. This was done because it entered the EU simultaneously with Finland and Sweden (1995), both of which belong to said group while the RES energy balance of Austria also strongly resembles that of Finland and Sweden: the share of hydro power and solid biomass in the total renewable energy production of all three countries is particularly large (Eurostat, 2015a)¹¹.

For each of these four groups of member states, general trends will be elaborated upon as far as they can be deduced from this study's analysis. The average PEI scores for 2012 and 2013 of all member states (see table 2) will be used as input for this analysis rather than solely the 2012 or 2013 values, as this will allow large yearly deviations – such as is the case for Romania, for example – to be corrected for to a certain degree. Table 3 provides an overview of the member state classification used in this analysis, with corresponding performance classification for 2012, 2013, and the 2012-2013 period for each individual member state in the four groups.

Following this trend analysis, a more detailed overview will be given of the policy framework put in place by one or two of the member states for each group, as based on information extracted from the NREAP and the latest progress reports that they delivered in 2010 and 2013, respectively. For each of these countries, a more in-depth coverage of their ambitions and progress toward these ambitions will be given by looking at the policy analyses carried out by the European Renewable Energy Council (EREC) in its *EU Industry Roadmap* (2011) for RES in the EU.

10 Cited from: Knill, C. & Liefferink, D. (2007). *Environmental Politics in the European Union*. Manchester University Press. Ch. 7 (Implementation Effectiveness of EU Environmental Policy) and ch. 8 ("Strategies to Improve Implementation Effectiveness: 'New' Environmental Policy Instruments as a Panacea?"), pp. 145-78.

11 Refer to figure 4 in section 3.3 of this part of the article (p. 24) for a visual overview of the EU member states' national energy mixes.

Group classification	Member state	Year of entry	Performance 2012	Performance 2013	Average perf. 2012-2013
<i>Traditional</i>	Belgium	1958	Moderately strong	Moderately strong	Moderately strong
	France	1985	Weak	Moderately strong	Moderately strong
	Germany	1958	Moderately strong	Moderately strong	Moderately strong
	Italy	1958	Strong	Strong	Strong
	Luxembourg	1985	Weak	Weak	Weak
	Netherlands	1985	Weak	Weak	Weak
	<i>Ireland</i>	1973	Moderately strong	Moderately strong	Moderately strong
	<i>United Kingdom</i>	1973	Weak	Moderately strong	Weak
	<i>New</i>	Bulgaria	2007	Very strong	Very strong
Czech Republic		2004	Strong	Strong	Strong
Estonia		2004	Very strong	Very strong	Very strong
Hungary		2004	Moderately strong	Moderately strong	Moderately strong
Latvia		2004	Moderately strong	Strong	Moderately strong
Lithuania		2004	Strong	Strong	Strong
Poland		2004	Moderately strong	Strong	Moderately strong
Romania		2007	Weak	Strong	Strong
Slovakia		2004	Moderately strong	Weak	Moderately strong
Slovenia		2004	Moderately strong	Strong	Moderately strong
<i>Nordic</i>		Denmark	1973	Strong	Strong
	Finland	1995	Strong	Strong	Strong
	Sweden	1995	Very strong	Very strong	Very strong
	Austria	1995	Strong	Strong	Strong
<i>Mediterranean</i>	Greece	1981	Strong	Strong	Strong
	Portugal	1986	Weak	Moderately strong	Weak
	Spain	1986	Moderately strong	Moderately strong	Moderately strong
	<i>Cyprus</i>	2004	Moderately strong	Moderately strong	Moderately strong

Group classification	Member state	Year of entry	Performance 2012	Performance 2013	Average perf. 2012-2013
	<i>Malta</i>	<i>2004</i>	Moderately strong	Moderately strong	Moderately strong

Performance classification	PEI score
Weak	< 0.15
Moderately strong	0.15-0.40
Strong	0.40-1.00
Very strong	>1.00

Table 3: List of member states that belong to the ‘traditional’, ‘new’, ‘Nordic’ or ‘Mediterranean’ classification groups. Member states that are italicised do not belong to the group naturally, but have been included in the concerned group for this particular analysis. The last three columns of the table outline the performance groups to which each member state belongs based on the PEI scores for 2012, 2013, and the average scores for the period of 2012 to 2013.

3.1 ‘Traditional’ member states

Based on the results obtained, all of the ‘traditional’ members of the EU except for Italy belong to the two least-performing groups when it comes to the effectiveness of policies implemented to reach the RED’s targets. Whilst Belgium, France, Germany and Ireland belong to the higher-scoring member states within the moderately performing group, Luxembourg, the Netherlands, and the United Kingdom are amongst the worst-performing member states. These three member states in particular have to substantially improve their policy networks so as to find the right track to achieving their RES target shares by 2020.

This general impression is supported by the findings of the EREC in its Roadmap. For Luxembourg, it is said that “[i]n order to reach the indicated targets in the NREAP, national renewable energy production will have to increase substantially over the next 10 years – by a factor 3 compared to 2005 figures” (EREC, 2011, p. 70). However, it remains doubtful whether its targets are likely to be met, as the RES deployment in the period 2005-2009 only increased by a factor of 1.3 (Ibid.). The Netherlands’ target share for RES in the gross final energy consumption in 2020 is 14% (Dutch Ministry of Economic Affairs, 2013, p. 4). Based on the Dutch progress report of 2013, the Netherlands has failed to meet its indicative target share of 4.7%, its actual share being 4.5% in 2012. Although this is only a relatively small gap, the current situation is problematic because of the fact that “the Netherlands expect[ed] to be above their indicative trajectory throughout the period and slightly exceed their 2020 target,” whilst the Dutch Renewable Energy Council is now “uncertain as to whether the 14% target will be reached with current measures in place” (EREC, 2011, p. 73). According to the EREC, the main reason for this doubt is the lack of stability and certainty for companies and investors within a longer timeframe. In order to tackle this, the Dutch government has announced to further increase the financial support for the SDE+ scheme (Promotion of Sustainable Energy Production Scheme Plus) and to prolong the Green Deal approach, which is targeted towards “removing bottlenecks (in legislation and regulations

for example), making good and objective information available and establishing effective partnerships” (Kingdom of the Netherlands, 2013, p. 5). In addition, it is interesting to note that the Netherlands focuses primarily on fostering sustainable innovation through granting financial resources; this approach, however, has not been as effective as it could have been due to the fact that the Dutch government has not been consistent in the granting of these financial means, thereby inhibiting a favourable investment environment for RES. Moreover, the EREC Roadmap states that both Luxembourg and the Netherlands are likely to resolve their potential RES target deficits by engaging in cooperation mechanisms with other member states.

3.2 ‘New’ member states

Within the second classification group of member states, consisting of those that only became members after the 2004 enlargement of the EU, an intriguing development can be identified. From the resulting calculations it follows, namely, that a fair number of the ‘newer’ member states have managed to make substantial progress towards their respective target shares. Particularly remarkable is the performance of Bulgaria, given the fact it only joined the EU in 2007, and that of Estonia, the only member state whose policy effectiveness approaches Sweden’s. Both had, in 2012, already exceeded their national binding target shares. Moreover, the Czech Republic, Lithuania, and Romania belong to the ‘strongly effective’ group of member states, their policy effectiveness already far exceeding one of the best-performing ‘traditional’ member states, Germany. According to the EREC Roadmap, Lithuania attempted to achieve its 23% target share through, most predominantly, the implementation of a feed-in tariff system, which was already in place in 2011, and through actively upgrading its electricity grid and grid management, “so as to allow an increasing amount of renewable energy onto the grid” (EREC, 2011, p. 68). This grid upgrade started in 2011 and was granted financial support through EU structural funds (Ibid.). By 2013, Lithuania has already attained the target share of RES set for 2020.

For Bulgaria, the binding target share of RES for 2020 was set at 16%, which it already exceeded in 2012 by 0.4% (Republic of Bulgaria, 2013, p. 5). The EREC indicates that the successful progress made by Bulgaria is predominantly caused by its effective implementation of a feed-in tariff system that is set for each year. The main challenge for Bulgaria, as outlined by the EREC in 2011, was to enhance the clarity and enforcement of regulations in especially the electricity and biofuel sectors, as well as significantly extending and improving the grid. As described in the progress report published by Bulgaria in 2013, many regulatory and administrative measures were taken to improve the body of regulations in these sectors. This improvement could have been the main reason for Bulgaria’s relatively fast progress towards its RES target share, and the surpassing of this target with a striking 3% by 2013. Furthermore, it is interesting to note that Romania had almost reached its 2020 target share by 2013. Based on the last available data for 2013, one might expect this member state to considerably surpass its target share in the coming years.

The observed tendency of generally well-performing ‘new’ member states can be explained in various ways. First of all, it could be the case that the high requirements for joining the EU had pushed the potential member states to undertake convincing action and already put in place policy measures to reach a baseline concerning the incorporation of RES in their national energy

market. If this is the case, these new member states will have likely profited from the momentum that was created for RES domestically in the period during which obtaining EU membership was anticipated. In its NREAP, Bulgaria explicitly stated that one of its “priority objectives” is to bring the country’s social, political, and economic life into line with the European norms and standards, thereby stressing that its national energy policy is “in conformity with the objectives of the new energy policy for Europe” (Republic of Bulgaria, 2011, p. 9).

A second reason for the better performance of these member states in comparison to, for example, the ‘traditional’ member states of the EU, could be that they have had more opportunities to learn from the policies that other EU member states had already implemented before the RED was adopted. This greater insight in potentially more and less successful policy measures could have helped their comparatively fast progress.

Another reason for the observed better progress of newer member states to their RES target shares could be the fact that the EU has assisted these members to a greater extent than others in financial and advisory terms. It could also be argued that the EU has set target shares for RES that might have been too low for these member states’ RES potential, so as to compensate for the relative lack of regulatory and administrative structure that is characteristic to the EU. This claim, however, is difficult to provide evidence for as of now – this could be more feasible in retrospect.

3.3 ‘Nordic’ member states

The third group of member states as distinguished earlier comprises the environmentally progressive – or Nordic – member states within the EU. Traditionally, Denmark, Finland and Sweden belong to this group of member states; Austria has been included in this group as well for this study’s analysis. Regarding the policy effectiveness score results, Sweden topped the list of all member states, having exceeded its own target – which was set to 50%, 1% higher than the initial target set by the Commission – by 1% in 2012 and by 2% in 2013 (Kingdom of Sweden, 2010, p.3; Kingdom of Sweden, 2013, p. 4). Austria, Denmark, and Finland belong to the group with a ‘strong’ implementation of the RED, suggesting that they will, if they sustain their policy effectiveness, reach their national target shares by 2020. This will, however, only be the case if they considerably enhance their policy frameworks, as there is a need for “new support and incentive mechanisms” in the current situation (EREC, 2011, p. 45). The EREC is also highly critical of Sweden’s approach to increase its share of RES in the gross final energy consumption. It claims, namely, that “the level of ambition of the Swedish NREAP is very low”, stating that the trend needed to achieve the 2020 target share is even below the trend in rising RES shares that can be seen since 1996 (EREC, 2011, p. 96). In order to meet its RES target share, Sweden has mostly relied on the policy measures that were already put in place. The most important measures it has taken are financial in nature, referring to changes in environmental taxes (e.g. the carbon tax) or investment aid for the promotion of the use of different types of RES (e.g. for solar photovoltaic cells connected to the grid) (Kingdom of Sweden, 2013, p. 9-12). In addition, Sweden has implemented a number of regulatory measures to be able to comply with the new standards set within the biofuel and bioliquid sector (Ibid.).

There appears to be a disparity between the effectiveness of policies implemented by the Nordic

member states as based on the results obtained from this study and based on the findings and conclusions of the EREC Roadmap. The 'Nordic' member states seem to have a large potential for increasing their RES shares, judging by the relatively high targets set by the EU compared to other member states. This potential, however, seems not to be optimally used by Denmark, Finland and Sweden, as can be deduced from the EREC Roadmap. From this, one could argue that the EU might have set RES target shares that are actually too low for these member states; achieving the targets might not constitute such difficulties, potentially leaving room for complacency in this regard.

Another possible explanation for the relatively high policy effectiveness performance of the 'Nordic' member states compared to for example the 'traditional' or 'Mediterranean' member states might be linked to their geographical and climatic characteristics and the specific types of renewable energy sources that are most efficient with regard to these conditions. The physical geography of Austria, Finland and Sweden – predominantly mountainous land with large annual flows of melting water – enables an extensive deployment of hydropower (see figure 4 for an indicative comparison of national energy mixes), which constitutes a rather stable source of renewable energy in comparison to more intermittent renewable energy sources such as wind or solar power. Egré and Milewski (2002) state that “[i]n regions where hydropower is very abundant, it satisfies both base and peak loads” (p. 1226). This might imply that the 'Nordic' member states that are able to generate a substantial share of their total final energy consumption using hydropower can relatively easily provide themselves with both a base and peak load renewable power source – their energy mix can be said to be more balanced and flexible. Relatedly, this may also enable these 'Nordic' countries to install a greater share of intermittent renewable energy sources in their national energy mix than countries that have less favourable geographical and climatic conditions for hydropower deployment, many of which belong to the 'traditional' or 'Mediterranean' classification groups. The discrepancy in terms of suitability for hydropower generation based on geographical and climatic conditions is especially pronounced between the 'Nordic' and 'Mediterranean' member states, as “water scarcity has [since the 1970s] provoked a decrease in hydropower production in Southern Europe” (Lehner et al., 2005)¹², whilst, on the other hand, “an increase in generation is expected” for Northern Europe (Hamududu & Killingtveit, 2012)¹³. According to Lehner et al. (2005), Mediterranean countries will face a 20% to 50% decrease in hydropower production, which strongly contrasts with the projected 15% to 30% increase for Nordic countries. This could mean that the 'Nordic' member states will have an increasingly better position over time to incorporate a growing share of intermittent renewable energy sources on a national level than the 'Mediterranean' countries, thereby potentially reinforcing the already existing differences. The high policy effectiveness of the 'Nordic' member states in comparison to others studied might therefore to a large degree be explained by taking into account member states' geographical and climatic characteristics.

12 Cited from: Gaudard, L., & Romerio, F. (2014). The future of hydropower in Europe: Interconnecting climate, markets and policies. *Environmental Science & Policy*, 37, 172-181.

13 Ibid.

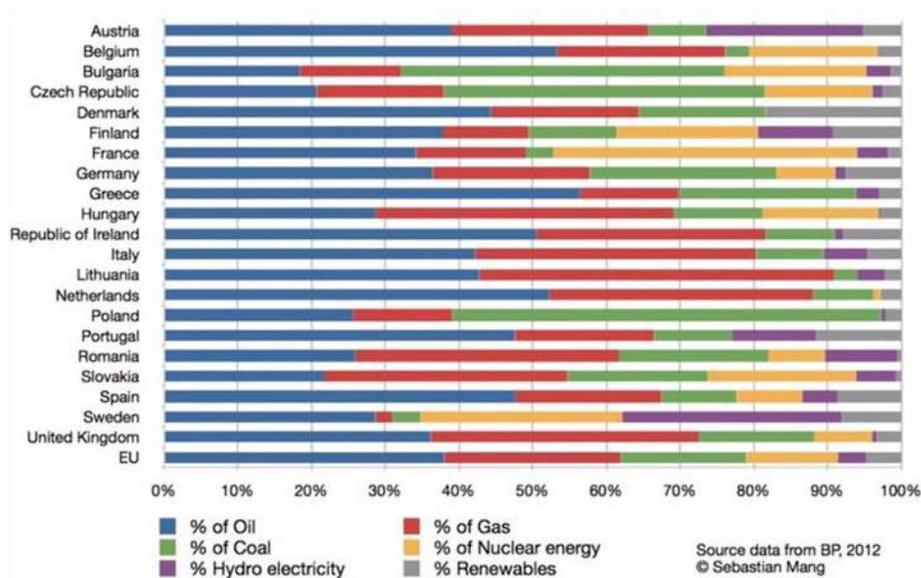


Figure 4: The energy mixes of the different EU member states in 2011 (Mang, 2013). Striking is that Austria, Finland and Sweden feature particularly high shares of hydroelectricity.

3.4 ‘Mediterranean’ member states

The fourth and last classification group of member states – consisting of the ‘Mediterranean’ member states Cyprus, Greece, Italy, Malta, Portugal, and Spain – brings forward two other interesting observations. First of all, the majority of these member states belong to the least-performing groups; Portugal’s policy effectiveness is of a particularly low level according to this study’s results. Although Portugal has already achieved quite a substantial share of RES in its total energy consumption as of 2013 (25.7%), this share has only very limitedly increased since the adoption of the RED in 2009, when its share of RES was 24.5% (Eurostat, 2015a). In addition, Cyprus has been referred to the Court of Justice by the Commission in March 2013 for failing to transpose the RED, indicating its disturbed progress towards the RES target shares set by the Commission (European Commission, 2013b). It had, in 2012, only reached half the value of the intended target share for 2020 of 13% (Eurostat, 2015a).

The second main observation regarding the obtained results is that Greece and Italy seem to perform fairly well concerning policy effectiveness, as they both belong to the moderately-performing group of member states. As outlined in its second progress report published in 2013, Italy had in 2012 achieved a RES share of 13.5% (p. 4); this is only 3.5% short of its 2020 target (Eurostat, 2015a). Given the fact that Italy’s RES share has increased from 9.3% in 2009 to approximately 13.0% in 2012, the still required increase to meet its mandatory national target share seems to be achievable. According to the EREC Roadmap, there still is a substantial gap between regulations as outlined in its NREAP and the actual practical relevance of these rules and regula-

tions (p. 64). This is most likely the reason for the large number of regulatory measures that the Italian government has undertaken to meet its RES target share, which was carefully summed up in the second progress report (Republic of Italy, 2013, p. 8-24). Furthermore, the EREC mentioned that Italy's grid connection should be subject to significant improvement in the coming years, as it "currently [is] incapable of supporting the many requests for the connection of RES, especially in isolated areas where it would be possible to exploit RES" (EREC, 2011, p. 64). To this end, the Italian government has implemented many new financial measures, too, so as to provide incentives for the restructuring and extension of its electricity grid.

From the above results and observed trends, one could say that, in general, regarding the effectiveness of the policies implemented in light of the RED since 2009, Greece and Italy form the exception within the group of southern member states. However, Spain and Cyprus have also performed considerably better regarding policy effectiveness than other member states such as the Netherlands and the United Kingdom, which are often perceived as "environmental leaders" within the academic literature (Knill et al., 2012, p.37)¹⁴. The commonly heard assumption that the Southern member states are "environmental laggards" (Ibid.) is, in this particular case, not completely valid. Therefore, the results of this study could, to a certain extent, be seen as empirical evidence for the absence of a so-called 'Mediterranean syndrome' concerning environmental matters that was introduced by La Spina and Sciortino in 1993. This finding is in line with various other academic studies that have presented empirical evidence for the argument that there is no 'Mediterranean syndrome' to be seen (see for example Knill & Liefferink, 2007; Börzel, 1998; Börzel, 2000; Hartlapp & Leiber, 2010).

Evaluating implementation success of RED on EU-level

Now that the obtained results from the policy effectiveness calculation for all member states of the EU since the adoption of the RED in 2009 have been evaluated and analysed, the overall implementation success of the RED can be commented on. According to the distinction that was made for evaluating the relative effectiveness of adopted policy frameworks of individual member states, the EU as a whole belongs to the moderately performing actors, which would mean that considerable progress still remains to be made in order to reach the overall EU target of 20% by 2020. This result is also reflected in the fact that, based on average policy effectiveness performance for the 2012-2013 period, a considerable majority of the member states (16 out of 27) still belongs to the two least-performing groups, with a limited number of member states substantially outperforming the others, and, thereby, raising the overall EU RES share.

As of 2012, this overall RES share was 14.3%, which means an additional increase of 6% is needed to attain the desired share of 20% by 2020 (Eurostat, 2015a). By 2013, this share had increased with 0.7% to 15.0%. Figure 5 shows that the RES share in the gross final energy consumption of the EU as a whole has risen from 8.3% in 2004 to 15.0% in 2013. The EU has, evidently, seen more

14 The study performed by Knill et al. (2007) gives a comprehensive and inclusive overview of the academic literature on the concepts of "environmental leaders/pioneers" and "environmental followers/laggards". The conventional understanding of environmental leaders is referred to in this particular study.

than a 6% increase in the share of RES in a period of 8 years. Essentially, this trend should be replicated for the period of 2013-2020. Looking back in time, this should not be impossible. However, the effectiveness of the policies that will be implemented in this specific timeframe will have to be increased significantly; as stated in the *Europe 2020 Targets* for climate and energy presented by the Commission, “there is no room for complacency” (p. 3). This is especially relevant because the increase in the RES share of the EU as a whole was approximately 3% in the period after the RED was implemented (i.e. 2009-2013), while it showed an increase of approximately 2.5% over the three-year period before the RED was implemented (i.e. 2006-2009). This seems to suggest that, although the RED has certainly aided in raising awareness amongst the member states of the significance of investing in RES for the future and in inducing significant changes in the legal and regulatory frameworks relevant to RES for almost all member states, it has not brought about a landmark change in the RES deployment on the EU-level as a whole. The adoption and implementation of the RED has, in general, been successful in reaching the targets of the indicative trajectory; a greater increase in the effectiveness of policies implemented by the member states is, however, needed for the coming period to ensure that the 2020 RES target share of the EU as a whole will actually be reached.

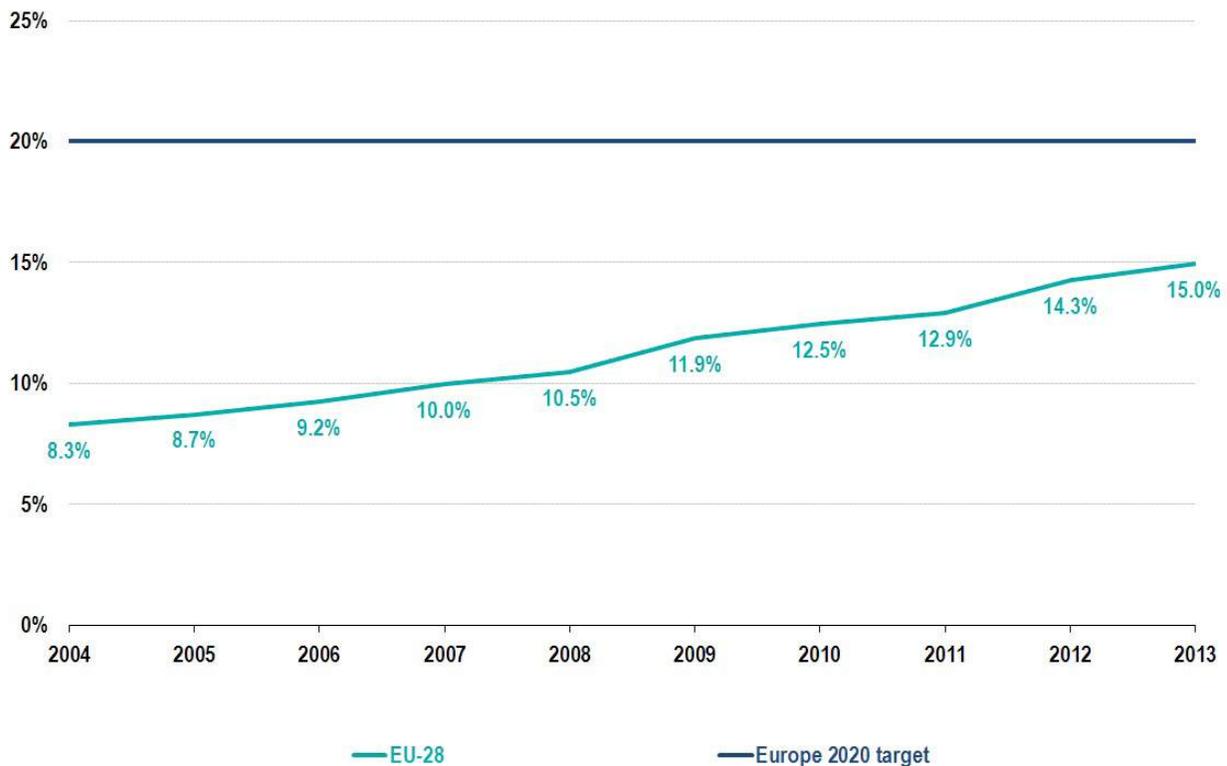


Figure 5: Development of the share of RES in the EU as a whole (EU-28) in the period of 2004-2013 (Eurostat, 2015b).

CONCLUSION

This paper meant to assess whether the Renewable Energy Directive that was adopted by the EU in 2009 has been successfully implemented by the EU member states and whether it can, consequently, be perceived to constitute the solid ‘foundation’ for the EU that is required for effectively achieving the goals set out in the *2030 Framework on Climate and Energy* that was adopted by the EU in October 2014. For assessing the implementation success of the RED, the effectiveness of policies implemented by the member states since 2009 was calculated using the Policy Effectiveness Indicator introduced by Held et al. (2010). The results obtained were analysed and put into broader context by referring to the National Renewable Energy Action Plans (NREAPs) and second progress reports that were communicated to the Commission by the individual member states.

From this analysis and comparison, it can be concluded that the implementation of the RED has served as a solid ‘foundation’ for the 2030 Framework in the sense that it has raised member state awareness regarding the significance of investing in RES and that it has induced changes in the legal and regulatory frameworks that are relevant to the further incorporation of RES in the individual member states’ gross final energy consumption. In order for the RED to serve as a fully effective ‘foundation’ for the 2030 Framework, however, the effectiveness of the policies that are and will be implemented by the member states will have to increase significantly. As of now, the EU is on track for progressing toward its RES target share of 20% by 2020. The value of the current RES share of the EU as a whole is, however, greatly dependent on the extent to which the small number of member states with a high policy effectiveness can compensate for the less successful implementation of the RED by the larger number of member states with a lower policy effectiveness. Key to successfully achieving the RES targets outlined in the 2030 Framework is, therefore, to diminish the discrepancy in policy effectiveness of the different member states of the EU.

Further research should, in this regard, aim to shed light on the ways in which the policy effectiveness of member states can be improved, as well as to identify certain policy areas that should be specifically targeted for increasing effectiveness. Questions as such have not been addressed in this paper. Another limitation of this study is that it has only focused on the overall RES shares of individual member states; future research should also address the specificities of policy effectiveness for the various sectors within renewable energy, including electricity generation, transport, and heating and cooling. In addition to this, more research is to be conducted into the explanations for the particularly high performance of ‘new’ and ‘Nordic’ member states in terms of policy effectiveness. The explanations provided in this paper’s analysis currently lack convincing empirical support – the suggested explanations should, in this case, rather be interpreted as areas for future inquiry. Moreover, in order to fully understand the differences in terms of policy effectiveness between years 2012 and 2013 not only within member states, but also across member states and their classification groups, a more in-depth analysis of national policy frameworks needs to be conducted. Although the findings of this study may serve as directories, such an analysis lies beyond the scope of this study.

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THE ROLE OF THE UNITED STATES IN EU FOREIGN POLICY

Patron or Partner?

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The end of the Cold War had dramatic changes for the international system and inter alia affected the nature of the transatlantic partnership. This paper demonstrates that the United States has continued to be more of a patron than a partner to the EU, especially in international crises - which tend to require a rapid and robust response. The assessment of the American role is based on two factors that have been key to the nature of the transatlantic relationship. On the one hand, the preponderance of American power tends to allow the US to ignore the voice and actions of the EU. On the other hand, the EU's weakness in producing a common voice and forceful action have made it difficult for the Union to serve as a credible partner to the US. Even though the role of the US in EU foreign policy has varied over the years, the continuous power gap has ensured that the nature of the relationship has remained largely the same.

INTRODUCTION

During the Cold War the cooperation between Europe and the United States was marked by their will to prevent the expansionism of the Soviet Union. European governments offered solidarity to their superpower patron in order to guarantee security in the old continent (Shapiro & Witney, 2009). The threat for a potential penetration of Moscow in Western Europe was no longer existent after the fall of the Berlin Wall which signaled the end of the Cold War. In the new era after the demise of the Soviet Union, the US remained the sole superpower in the international arena, in both military and political terms. The new unipolar structure of the world, accompanied by a widening gap between American and European power, had dramatic changes and inter alia affected the nature of the transatlantic partnership. By exploring the nature of the post-Cold War relationship between the US and the EU, this paper will demonstrate that the US has continued to be more of a patron than a partner to the EU, especially when it comes to international security.

In order to understand the role of the US, the two terms 'patron' and 'partner' have to be defined. The English word 'patron' comes directly from the well-known Latin root *pater* meaning 'father' (American Heritage Dictionary, 2001, p. 1328). Metaphorically, this refers to a relationship of state dependency in the area of security (Marks, 2011, p. 114). In other words, patron states are regarded as being able to influence dependent states, while foreign policy choices of the latter remain relatively limited. Nevertheless, it is important to mention that both states can benefit by this relationship. Within this context, dependent states are politically and militarily supported by the patron state. On the other hand, the term 'partner' refers to a joint shape of a relationship, where equal rights are respected and tasks are divided. In that regard, the possibility of a joint development of the relationship is enhanced (Schmidt, 2010, p. 3).

POWER RELATIONS

The role of the US in EU foreign policy in the post-Cold War period has varied per US administration. Yet, particularly in crises, the US has generally acted more as a patron than a partner to the EU. As noted by Hyde-Price (2006), "Crises often serve to lay bare the stark realities of power relations which can otherwise remain obscure during more placid times" (p. 227).

The assessment of the US role is based on two factors that have been key to the nature of the transatlantic relationship. On the one hand, the preponderance of American power has allowed the US in many cases to ignore the foreign policy wishes and concerns of the EU. On the other hand, due to its own weaknesses, it has been difficult for the EU to serve as a credible partner to the US. The EU's lack of political weight and military capabilities has frequently resulted in an inability to act in situations that require a rapid and robust response. Additionally, the lack of unity amongst the European member states has blocked many attempts of the Union to speak with one voice on the world stage. As a result of these inherent weaknesses, the EU tends to be dependent on the US and often has little choice but to acquiesce to Washington's foreign policy line.

THE CLINTON ADMINISTRATION

Under the Clinton administration, Washington acted as a patron of Brussels in the most important international crisis, namely the Balkan ethnic conflicts in the 90's after the breakdown of Yugoslavia. The crisis in the Balkans showed Europe's inability to play a major role internationally. Although the European Union had started to make its own steps with the creation of the Common Foreign and Security Policy (CFSP), it failed to produce an effective response to prevent the genocide in Bosnia. The crisis of the Balkans notably depicted that an important condition for European unity in foreign policy is American prodding (Peterson, 2003). In the case of Yugoslavia, the American administration had indicated that it presumed its European allies to act (Forster & Wallace, 2000). Nevertheless, Europe could do little to stop the genocide alone and broker peace without Washington's support (Hitchcock, 2004). Even though the West European governments took the lead in managing the latest stages of transition in the Balkans and thus obtaining a junior partner status in the region, they proved unable to provide a solution to the crisis

in Bosnia (Abramowitz, 2011). Against the background of Europe's failure to produce a unified response, the US had to step in and took the lead in NATO's military campaign in 1994. America's patronage is also reflected in the Dayton peace accords, which were brokered "by the US with EU diplomats literally locked out of the negotiating rooms" (Peterson, 2003, p. 92). All in all, as Peterson and Pollack (2003, p. 12) observed, the overall picture of Europe is that it failed to take united action, unless it was pushed by the US hegemon.

During the administration of Bill Clinton the US did not look unfavourably towards the EU's ambition to develop a CFSP. However, not only the tragedy in Bosnia but also the crisis in Kosovo in 1999 highlighted the disagreement between Europe and the US "over the role of the UN, when the European allies, led by France, had prioritised its importance" (Tzogopoulos, 2012, p. 52). Moreover, the handling of the war in Serbia and Kosovo mirrored the harsh transatlantic military disproportion (Kagan, 2003). In Kosovo the honour of Europeans was humiliated as in a region as near as the Balkans, Europe's "ability to deploy force" was but a "meager fraction" of America's (Kagan, 2003, p. 47). Thus, from the American perspective, the European allies did not offer a lot to the war and their worry for "legal issues" thwarted the war's operations prosecution (Kagan, 2003, p. 51). Also, Europe's reliance on American military power made Americans the principal players of international diplomacy before, during, and after the war (Kagan, 2003, p. 47). This was underlined when the American NATO Commando ignored European calls to stop the bombings in order to give Milosevic an opportunity to resolve the crisis. The Balkan crisis showed that "multilateral action could not succeed without a significant element of American unilateralism, an American willingness to use its overwhelming power to dominate both war and diplomacy when weaker allies hesitated" (Kagan, 2003, p. 52).

Although the nature of the patronage under the Clinton Administration was different from the one during the Cold War, it still remained the main element underpinning transatlantic relations. This does not mean that cooperation between the US and Europe had not been fostered through other initiatives such as the New Transatlantic Agenda (NTA) of 1995 (Smith, 2004). Yet, those kinds of initiatives had not been sufficient for the EU to cooperate as an equal partner with the US internationally, especially in dealing with war situations and foreign policy crises.

THE BUSH ADMINISTRATION

Taking into account that the Union had failed to play a significant role under relatively favourable circumstances during the Clinton administration, it had even more limited chances for a successful international policy in the era of Clinton's successor, George W. Bush. In the first nine months Bush was in power he showed strong signs of unilateralism. Disregarding European concerns, Washington chose to ignore the Kyoto Protocol, the International Criminal Court (ICC) and the ABM Treaty in order to develop its own National Missile Defence (Peterson & Pollack, 2003).

In the immediate aftermath of the terrorist attacks on the World Trade Center (WTC) and the Pentagon, the Union expressed its solidarity and contributed to the war against Afghanistan under US leadership. When NATO's article 5 was called upon, it was clear that this attack or any additional one would be understood as a confrontation against all members of NATO. However, the expressions of European solidarity with the United States temporarily hid different views on

the best approach to combat terrorism. As the war in Afghanistan evolved, many Europeans became opposed to its escalation (Ibid.). Yet, the Bush administration seemed determined to take all necessary steps to combat terrorism, without much reference to international law and the opinion of its European allies. The US appeared simply too powerful to pay attention to multilateralism. The post 9/11 US defense expenditure per year was two and a half times higher in comparison to that of the 15 EU member states, and Europe's military involvement in the war was comparatively small (Peterson & Pollack, 2003). All in all, "the Afghan war was anything but a NATO operation" (Howorth, 2003, p. 20). In the view of Donald Rumsfeld the international coalition against terrorism was a "shifting alliance" that would be "opportunistic" and "temporary" (Peterson & Pollack, 2003, p. 9). It might therefore not be surprising that the US was prepared to abandon traditional allies in the EU in its war on terror (Ibid.).

What was questioned during the Bush administration, especially after the Afghanistan war, was whether the possibility of the US and the EU becoming strategic partners would no longer exist (Peterson & Pollack, 2003). The US seemed decided to contest the war on terrorism "via an all-military doctrine" (Peterson & Pollack, 2003, p. 8). The doctrine opposed Europe's traditional reliance on civilian power diplomacy (Ibid.). The US further fanned the flames when, nine months later, Bush delivered a speech presenting Iraq as a major threat to the Middle East and the world and calling on the UN "to marshal its forces against this rogue state" (Hitchcock, 2004, p. 469). Many Europeans saw this US gesture as a strategic bid to win UN approval for a unilateral and preemptive attack to remove Saddam Hussein from power (Hitchcock, 2004). The ensuing crisis in transatlantic relations generated a fruitful debate as to the different perspectives of the US and the EU. The thesis of Robert Kagan (2003) has constituted a significant intellectual work in that regard. By arguing that Americans are from Mars and Europeans from Venus he explains that Europe is reaching a post-historical paradise of peace and relative prosperity -what Immanuel Kant's has called 'perpetual peace' - while the US exercises power in an anarchic Hobbesian world, where international laws and rules are of no reliability (Kagan, 2003).

Just like during the Balkan crisis, there was not only a transatlantic divide, but also a rift within the EU itself. That is to say that Europe was fragmented in its response to the Iraq war. Donald Rumsfeld at that time divided Europe into "New" and "Old" (Shawcross, 2004, p. 126). EU countries such as Belgium, Finland, France, Germany, Greece and Sweden clearly expressed their disagreement with the US strategy (Economist, 2003). By contrast, countries such as Britain, Spain, Italy, and the new member states of the Union including Poland, and Czech Republic stood by the US. In the case of Iraq the US was arguably a patron only of a part of Europe and not of the whole Union. Many states of the "New Europe" mainly supported the invasion in order to invest in further cooperation with Washington and to guarantee its future support for issues of their interest. The Iraq war is therefore unquestionably the most important example highlighting US patronage over the so-called "New Europe" in the post 9/11 era. Yet, even though Old Europe did not let itself get patronized by the US, it would also be misplaced to speak of a partnership. The Bush administration appeared intent to go to war against Iraq irrespective of what other countries thought. Its predominant power position allowed the US to pay little attention to European concerns (Hyde-Price, 2006). The lack of unity amongst European member states made it extra difficult for the Union to stand up to the US, and thereby even easier for Washington to unilaterally determine the foreign policy course.

Although a discussion about transatlantic relations after the terrorist attacks should have Iraq as its fundamental point of reference, other themes and areas should not be ignored. Issues such as Iran's nuclear programme, relations with Russia and the Arab-Israeli conflict did not lead to serious disagreements between Europe and the US. Nevertheless, Brussels was not able to play a major political role without US patronage. In the case of the Arab-Israeli conflict for example, Europe did not manage to successfully pursue its own agenda for the creation of a Palestinian state because of continuous US opposition to the matter (Shapiro & Witney, 2009). In the final account, the main reason why Washington was arguably reserved to defy Europe was not related to its political gravity but to its economic wealth. As Joseph Nye (2002) observes, "on questions of trade and influence within the World Trade Organization, Europe is the equal of the United States" (p. 30). However, even though the weight of the Union's economy might have tempered US dominance, its economic wealth was not sufficient to produce an efficient foreign policy. Due to a lack of political clout, the EU has generally had little choice but to abide by Washington's leadership: "Europe has never been able to conduct any initiative to its term" (Aoun, 2003, p. 297)

Under the second term of the Bush Administration, the relationship between the EU and the US slightly improved. The entanglement of the US in Iraq and its remarkable failure to translate its military victory into a political one has largely affected its strategy in the second term of the Bush Administration (Joffe, 2006). This second term was rather different to the first four years Bush was in office. Although Washington did not abandon its unilateral priorities, it did not decide to expand its preemptive strategy by invading Iran and North Korea. By contrast, it rather followed a mild policy in the international arena, being already actively involved in Afghanistan and Iraq. This led to more favourable conditions for a greater EU role in transatlantic foreign policy matters. Although America's role as a patron could hardly be challenged, Washington encouraged a greater role for Europe in 'soft' security issues in order to relieve America of some of its international responsibilities. In the case of the Balkans for instance, the US supported a major role for the EU in attempting to guarantee the post-Kosovo war stability in the region (Peterson, 2003). The European Union Rule of Law Mission in Kosovo (EULEX) is a characteristic example. The US also reacted positively to the mediation of former French President Nicolas Sarkozy, who pushed for a ceasefire after South Ossetia's invasion by Russia in August 2008 (Bush, 2010). Many in Washington also came to accept and support the EU-3 diplomatic efforts in Iran. Nevertheless, the EU's role in international security remained largely limited to issues of 'soft' security.

THE OBAMA ADMINISTRATION

In the Obama years transatlantic relations have continued to be warm. The main difference during the first term of the charismatic leader is that the US has shifted its attention towards the Asia-Pacific region and did not largely focus on the transatlantic partnership (Howorth, 2003). Moreover, noting that since the collapse of Lehman Brothers the world financial crisis has been the main issue on the transatlantic agenda, cooperation between Washington and Brussels on foreign affairs has not been a priority in comparison to previous years.

During the first serious foreign policy crisis of the Obama administration following the so-called Arab Spring, the US president did invest in cooperation with Europe in relation to bombarding

Libya (St John, 2012). Yet, the EU remained rather passive and indecisive. Libya is a typical case in which Europe largely failed to speak with one voice. Once again, a lack of political consensus in the EU concerning the intervention in Libya became apparent. This can be explained by the different stances adopted by member states. France and the United Kingdom took up a diplomatic leadership role in the Security Council and supported the military campaign. Italy later joined the former two member states. Germany, on the other hand, significantly abstained from voting on Resolution 1973. Elaborating on the matter, Varvelli (2014) explains that “different domestic and foreign policy considerations have dominated the European states’ calculations over Libya” (p. 2). France’s policy can be explained by the weight of its own Maghreb community. The United Kingdom’s policy has placed emphasis on the transatlantic alliance and its concerns over North African regional stability. In Germany, domestic politics and concerns over the Spring 2011 state elections led the country to undertake an anti-intervention stance. Italy did not want to jeopardize its privileged relationship with Qaddafi and to cause a political crisis within the right-wing government – with the “Northern League” party which was opposed to military intervention. In the end, the Libya operation was essentially a Franco-British mission with significant American military support.

There are also unresolved issues which might further challenge the nature of the transatlantic partnership and bring back to the forefront questions about patronage. The future of the conflict in Syria, a potential extended military response against the Islamic State and negotiations on the Iranian nuclear programme will be of high significance for the nature of US-EU relations. Lessons of the two decades after the end of the Cold War, as this article briefly outlines, suggest that it is Washington who will define the course of the transatlantic partnership - being still able to provide leadership at a time when the project of European integration itself is at stake. In the words of Robert Kagan, the US certainly prefers to act together with allies, but “if it were literally true that [it] could not act unilaterally, we wouldn’t be having a grand transatlantic debate over American unilateralism” (Kagan, 2003, p. 39).

Current developments suggest that the EU finds it hard to undertake significant initiatives without the support of the US. Although the Ukrainian crisis has theoretically offered the opportunity to Europe to undertake responsibilities within NATO, the mission has proven to be impossible. The main problem for the EU is that it lacks the US political weight as well as the military capabilities to act globally. Apart from the political dimension of Europe’s difficulty in responding to the US encouragement to act more decisively, economic parameters have to be taken into account. In spite of theoretical commitments by NATO members to spend 2 percent or more on defense, only the US, the UK and Greece meet the pledge according to 2013 official preliminary data (Tzogopoulos, 2014). As long as the European economic crisis continues, this situation seems unlikely to alter much.

CONCLUSION

Summing up, since the end of the Cold War, the US has acted more as a patron than a partner to the EU in the foreign policy field. Under the Clinton administration, Europe was not able to provide a solution to the crisis in Bosnia without US leadership. Additionally, the wars in Serbia

and Kosovo demonstrated the military supremacy of the US. In the era of Clinton's successor, George W. Bush, US patronage remained the main element underpinning transatlantic relations. The Iraq war is undoubtedly the most important example underlining US patronage, even if that was among a part of Europe, the so-called "New-Europe" and not the whole Union. In the second term of the Bush administration, however, the US followed a milder policy and was willing to work multilaterally. Yet, despite these more favourable conditions, the EU largely failed to deliver when it came to international security. In the Obama years, Washington shifted its attention to the Asia-Pacific region and the transatlantic relationship became less relevant in the eyes of the US. This feeling has been catalysed by the ongoing economic crisis in the eurozone. Even though Obama encouraged Europe to play a greater role in the field of international security, the intervention in Libya demonstrated the EU's inability to be a significant actor. Unresolved issues, such as the rise of the Islamic State, might further highlight the patronage role of the US. President Barack Obama's preparedness to offer more room to the EU - even within the NATO context - has not resulted in a new assessment of the nature of the transatlantic relationship. The main difference of the years of Obama from those of previous US presidents in the post-Cold War era is that Washington is currently prepared to co-operate with Europe on a different basis. Nevertheless, the result remains the same. Since the fall of the Berlin Wall, the US has continued to be a patron. This happens either because it advocates for this type of relationship or because the other side - Europe - seems unable to meet the conditions of a partnership. All in all, the EU still lacks the US political weight as well as the US military capabilities to be able to bear equal responsibility. The role for the EU remains largely limited to issues of 'soft' security. Yet, in the eyes of the US, it is simply not sufficient for the EU to hold on to a civilian approach. It appears that the EU is not yet the security actor which the Americans can take seriously enough to partner with when faced with an international crisis.

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ROLE PERCEPTIONS OF THE EUROPEAN EXTERNAL ACTION SERVICE

Expectations of the Commission, the Council and the Parliament during its setup

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This paper is based on the author's master's thesis.

The European External Action Service (EEAS) is the new quasi-EU foreign ministry established by the Treaty of Lisbon. It may be the next big player in Europe's external relations, depending on the will of all actors involved to enable the EEAS with the necessary means. Especially the European institutions played a major part in this instance, as they bargained over the setup of the new Service. Their expectations towards the behavior of the EEAS in international relations, or external role perceptions, matter to a special degree. The European institutions represent quite different ideas with regard to the new Service. While the Commission tried to tie it as close as possible to the supranational sphere and to keep the most important foreign policy fields under the control of the College of Commissioners, the Council wanted to attach the Action Service to the member states and the intergovernmental sphere. The European Parliament as the third major actor gained access to the negotiations not until it threatened to block the financial and staff regulations regarding the Service. It made far-reaching demands on the setup of the EEAS. The Parliament envisaged the 'foreign ministry' as an institution, equal to those named in art. 13 TEU with close connections to the Commission and extensive responsibilities in the Union's foreign policy. In the end, the decision establishing the EEAS illustrates a compromise between all players' preferences.

INTRODUCTION

It has been a long way until Catherine Ashton, the Union's High Representative for Foreign Affairs and Security Policy, was able to state that after an "intense and challenging new phase in building the EU's role in foreign policy" the creation of the European External Action Service

(EEAS) “was an important milestone in strengthening the EU’s institutional capacity” (Ashton, 2011, p. 1). After the Treaty of Lisbon entered into force, it took some time and several turf wars on the horizontal and vertical axis until the EEAS had been set up.

Spencer (2012, p. 125) describes the EEAS as “by design a sui generis form of policy-making with a sui generis policy chief and a sui generis diplomatic service.” It comprises personnel from the European Commission, the Council as well as seconded member state officials and it treats various foreign policy aspects in its Brussels’ headquarter as well as in the now so-called Union delegations around the world. That is why the EEAS may be the next big actor in Europe’s foreign policy. Hence, it is important to have a focus on the work of and the expectations towards the External Action Service. One possibility to achieve this is the constructivist role theory. On the one hand, this theory is able to describe different actors’ strategies (European Commission, Council / member states, European Parliament) in a specific policy field with comparable parameters (constitution of the EEAS) (Kirste & Maull, 1996) and, on the other hand, it can describe potential conflicts within a collective actor (van Sell, Brief, & Schuler, 1981). Therefore, the essence of this paper relies on the vast literature on (International Relations’) role theory¹.

As there are no comparable role theory studies on the EEAS, this paper will take a first step by dealing solely with the external role perceptions towards the Service until its setup. To achieve this task, first there will be a description of role theory as the theoretical framework (2). Secondly, there will be an analysis of the role expectations described in the Treaty of Lisbon (3). Afterwards, the expectations of the European Commission, Council of Ministers / member states, and the European Parliament (EP) will be examined (4). Finally, it will be reassessed which role expectations found their way into the Council Decision establishing the EEAS (5). The recurring analytical theme in this study will be a division into *legal status*, *scope* and *administration* as these items are part of every actor’s concept of the EEAS. In doing so, it will be possible to see which perceptions were applied as ‘official’ expectations and which stayed with the particular actors.

THEORETICAL FRAMEWORK

The aim of this paper is not to establish hypotheses of laws of causation as positivist contributions would do, but rather to describe, typologize, and capture meanings in a social constructivist manner. In order to achieve this task, role theory has been chosen as the theoretical framework. Due to the heterogeneity of this field of study there needs to be a clear definition of the utilized terms and a general introduction into the used theory, before role perceptions can be developed. The theoretical starting point of this thesis is the article of Juncos and Pomorska (2010) who applied role theory to the Council Secretariat as an institution within the European Union. For the paper at hand, this is a very interesting approach, as most existing literature on the EU’s roles concentrates either on the member states or the Union as a whole. Even if the study of Juncos and

¹ See among many others: Biddle (1986), Breuning (2011), Elgström and Smith (2006), Harnisch, Frank, and Maull (2011), Holsti (1970), Le Prestre (1997), Maull (i.a. 1990, 2000), Walker (i.a. 1979, 1987), Wendt (1999), Wish (1980).

Pomorska does not fit perfectly with respect to topic and methodology², it shows that there is the possibility to apply role theory to sub-organizational institutions in a meaningful way.

As it was said before, there are many different methods and definitions in role theory literature, that may complement but that may also exclude each other, which is why four central terms used in this paper shall be illustrated: these are ego and alter part, role, role expectation and role conception. As indicated before, roles are comprised of an ego and an alter part. The *ego part* is defined as the self-conceptualization of an organization's purpose respectively its own role conception (Harnisch, 2011, p. 7), whereas the *alter part* is described as the behavioral expectations of others (Nabers, 2011, p. 78). *Roles* as such are, on the one hand, seen as social positions expressed through norms and expectations (here the calibration of the EEAS between all other EU institutions). On the other hand, roles are seen as expectations that provide appropriate behavior (how shall the EEAS act towards the other EU institutions and third actors) (Nabers, 2011, p. 75). But what are *role expectations*? As Harnisch (2011, p. 8) states, they comprise an actor's internal view with regard to which role is appropriate, as well as behavioral demands by others. Over time, every actor faces more expectations by third parties, especially with growing responsibilities on the international stage (Harnisch, 2012). Such role expectations have to be distinguished from *role conceptions*. They "refer to an actor's perception of his or her position vis-à-vis others [...] and the perception of the role expectations of others" (Harnisch, 2011, p. 8). In other words, it includes the self-perception of the actor and the expectation of the actor's behavior by others (Frank, 2011). For this paper, only the second part - the *external role perceptions* by other EU institutions - will be examined.

ROLE CONCEPTIONS OF THE EXTERNAL ACTION SERVICE IN THE TREATY OF LISBON

"The most important resource of the HR will be the EEAS. It is only vaguely outlined in the Treaty of Lisbon. Catherine Ashton has been assigned to develop a decision paper based on a document of the European Council until springtime [2010, M.P.]" (Dembinski, 2010, p. 12, translated by the author).

As the Lisbon Treaty specifies neither legal status nor scope or administrative terms of the new service, there has been much room to maneuver for all actors involved to articulate their preferences (Müller-Brandeck-Bocquet & Rüger, 2011). It has been Catherine Ashton's task to coordinate all interests so that everyone would be able to agree to one compromise. Her ambitions for her first major "litmus test" (Rüger, 2011, p. 221) were indeed high. Ashton wanted to make the EEAS the "pride of Europe and the envy of the rest of the world" (Ashton, 2009) what would be a "once-in-a-generation opportunity" (Ashton, 2010). On that account, she tried to provide a "lean and efficient Service that assures best value for money, staffed by the best and brightest

2 The authors examine the internal role perceptions mainly on the basis of 46 semi-structured interviews amongst Council Secretariat officials.

from across the European Union” (Cross, 2011, p. 460). As defined by the treaties, the proposal required the consent of the European Commission, the Council and the member states. In addition, Ashton had to deal with the European Parliament, which had a quasi-veto power, as it had to consent to two related regulations. So, before the External Action Service was able to start working on 1 December 2010 the High Representative had to do a lot of persuading (Howorth, 2011). How these preferences of the actors and the outcome of the compromise can be translated into role perceptions and how this affects the European External Action Service, will be discussed in the following parts.

The Treaty of Lisbon does not give a detailed description of the Action Service. Article 27(3) of the Treaty on European Union (TEU) provides only a broad idea of the new service that “shall be established by a decision of the Council [...] on a proposal from the High Representative”. Unfortunately, the treaties do not specify the *legal status*, *scope* and *administration* of the new Service, which is why Ashton needed to further develop this initial concept of the quasi-EU foreign ministry. The role conception of the Treaty of Lisbon can be described as an *assisting foreign policy service*. Assigned features are to support the High Representative in her tasks in coordination with member states’ diplomatic Services with the help of officials from various foreign policy departments.

ROLE CONCEPTIONS OF THE EUROPEAN INSTITUTIONS AND THE MEMBER STATES

After Catherine Ashton took over the negotiations to establish the EEAS from the rotating presidency, she included the Council, the member states and the European Commission, but left out the European Parliament. This led to harsh criticism by Members of the Parliament (MEPs) (Helwig, 2013), who also threatened to veto the financial (European Parliament and Council of the European Union, 2010a) and staff regulations (European Parliament and Council of the European Union, 2010b) for the EEAS in order to gain a foothold in the bargaining process. Hence, Lady Ashton introduced the so-called ‘quadrilogue’ in which HR Special Advisor Christoffersen, Commission and member states officials, the Spanish Presidency, and some Members of Parliament (Helwig, 2013, p. 243) tried to reach an agreement between April and July 2010 (Erkelens & Blockmans, 2012). At the end of the negotiations a clear difference to the conception of the Treaty of Lisbon came to light, which will be shown in part 5. The task of this part of the paper is to analyze the positions of the different institutions that led to the Council Decision.

The European Commission

The European Commission, whose delegation was led by its President José Manuel Barroso, played an important role during the negotiations³. The Commission’s main goals with regard

3 A glance on how Commission President Barroso influenced the shape of the EEAS can be exemplified by

to the Service's *legal status* were first to prevent a transfer of its own foreign policy competences to the EEAS (Furness, 2013) and second to extend the community method to be able to build a stronger EU diplomacy (Lieb, 2013). In other words, the Commission tried to avoid that the new Service would be governed by the intergovernmental domain while seeking to tie the EEAS to the supranational institutions as closely as possible.

Regarding the scope, the Commission made clear that it would aim to keep key foreign policy sectors within its own domain. Among others, the policy areas of trade, humanitarian affairs, enlargement, climate action, energy, and fisheries were attached to the European Commission (Furness, 2013). With this step, Barroso tried to ensure that only a limited number of Commission officials would leave for the Action Service and that important DGs would stay within its traditional environment (Rüger, 2011). He did this in order to “insulate the units from the pull of the EEAS” (Erkelens & Blockmans, 2012, p. 250) and to safeguard his own prerogatives. The setup of the EEAS experienced further weakening when he transferred the European Neighborhood Policy (ENP) to DG enlargement (Erkelens & Blockmans, 2012). Due to its control over the Action Service's budget the Commission also ensured long-term influence over the *administration* of EEAS matters (Furness, 2013).

Summarizing, one can say “the Commission prevented the extensive withdrawal of former foreign policy responsibilities. It created [...] facts and utilized its procedural and institutional advantage during the development of consultation templates” (Lieb & Kremer, 2010, p. 201, translated by the author). Therefore, the analysis of the Commission's role perception of the European External Action Service shows that the Service is perceived as a *limited supranational bureau*. According to this vision, the EEAS should be closely attached to and administratively controlled by the Commission, which enforces its supranational character. Also, its influence in foreign policy should not come at the expense of the Commission's competences in external affairs. In general, the Action Service should be an extension of the Commission's foreign policy ambitions. As will be shown in the following paragraph, the role conceptions of the Council respectively the member states differ decisively.

Member states and the Council of the European Union

“The decision to create the EEAS revealed the reluctance of EU member states to empower the Commission as their representative in international affairs” (Furness, 2013, p. 111)⁴. When it came to the *legal status*, member states wanted to maintain their control over CFSP (Common Foreign and Security Policy) issues and the Action Service in general. Although the Commission's

these documents: Political Guidelines for the next Commission, 03.09.09; Mission letter from Barroso to Andris Piebalgs, Štefan Füle, and Kristalina Georgieva, 27.11.09 and 27.01.10; Information Note from the President, Commissioners Group, SEC(2010) 475 final, 22.04.10.

4 The work of the Council can be tracked i.a. through these documents: Progress report from the Presidency to the European Council, 19./20.06.08, doc. 10650/08; Presidency Report to the European Council on the European External Action Service, 23.10.09, doc. 14930/09; European Council Presidency Conclusions, 10./11.12.09, EUCO 6/09.

DG Relex had particular foreign policy experience, they favored a new service rather than one affiliated to the Commission (Furness, 2013). They were categorically clear that the supranational institutions should not get any hold of CFSP and CSDP through the backdoor (Wientzeck, 2013). The member states also demanded that at least one third of the EEAS staff would originate from national diplomatic services (Reynaert, 2012). Furthermore, the member states wanted the European Neighbourhood Policy to be situated within the External Action Service (Lieb & Kremer, 2010). In case this competence is transferred from the Commission to the EEAS, it would widen the Service's scope. With respect to the *administrative* terms, the Council took the view that there should be a Secretary-General to represent the HR if he/she is not able to attend meetings. However, no politically accountable deputies should be installed (Reynaert, 2012) and especially CFSP issues should be handled solely by the Council.

The position described above has been the common ground the member states were able to agree upon in the Council and which was bargained by the Secretariat-General of the Council during the 'quadrilogue'. But, especially the big member states also had their own plans for the new Service. "The central dilemma for the British, French and German governments during the EEAS negotiations was to balance their interests in a strong diplomatic role for the EU with their desire to maintain their own bilateral relationship networks" (Furness, 2013, p. 111). They wanted to empower the High Representative and the Action Service, but also tried to limit its independence by tying it to the Council (Furness, 2013). In the upcoming paragraphs the position of some EU countries will be outlined in order to get an idea of their diverging notions.

France has always been interested in increasing the EU's strength on the international stage while keeping its sovereignty. Therefore, it was highly supportive of the Action Service, although France imagined a Europeanization *à la française* in order to maintain its position of power (Pertusot, 2013). *Great Britain* was much more aloof towards the Action Service. British politicians did not want to give up any little bit of sovereignty to the EEAS and insisted on a settlement that all 28 member states could agree upon (Burke, 2013). In the end, this meant that everyone had to comply with the British position. The last major player, *Germany*, fostered the establishment of the External Action Service especially during the negotiations regarding the European Convention, but lost its interest when the economic crisis emerged. Generally, Germany views the Service more as a competing than a complementary structure (Möller & Rappold, 2013). The small and medium member states see the EEAS as a possible multiplier of their own influence (Wientzeck, 2013). Nevertheless, they are also afraid the bigger member states may set the European foreign policy agenda for everyone, which is why they all wanted to maintain their national sovereignty (Smith, 2013). As all member states had to consent to the Council's position, it represents only the lowest common denominator.

On the basis of the description of the Council's and the member states' positions the conclusion can be drawn that they promoted two role conceptions for the EEAS: on the one hand the EEAS should be (1) a *limited intergovernmental service* and, on the other hand, (2) a *multiplier of member states' interests*. A limited intergovernmental service means an intergovernmental decision-making structure, close to the Council, with limited power in the CFSP and which takes over supranational competences from the European Commission. Therefore, the Action Service is pictured as the Union's foreign policy manager with no interference of the Commission. As a multiplier of member states' interests, the European External Action Service has the task to give

either all countries in general or particular interests of some countries more importance in negotiations on the international level. Summarizing, this means that the EEAS serves as a defender of national interests in EU foreign policy.

The European Parliament

The views of the member states are almost completely opposed to those represented by the European Parliament. During the negotiations that led to the setup of the European External Action Service, the European Parliament has been the most surprising actor⁵. Not only because it has been the publicly most visible actor, but first and foremost because it was not supposed to be integrated into the negotiation process in the first place. When Catherine Ashton did not include any MEPs in her EEAS advisory group (Raube, 2012) and published her proposal without parliamentary input, the EP announced its veto regarding the financial and staff regulations, which were essential to the Action Service's establishment. Just due to this threat, the Parliament was able to attend the negotiation process; therefore it interpreted the setup of the EEAS as a virtual co-decision procedure (Helwig, 2013).

The EP "referred regularly to the EEAS as an 'institution'" (Erkelens & Blockmans, 2012, p. 262). This tended against the idea of the Treaty of Lisbon, as it would mean a considerable upgrade of the Service's status. During the negotiations, the European Parliament formulated two main objectives: (1) enhance the supranational sphere in EU foreign policy and (2) strengthen parliamentary control over the EEAS (Erkelens & Blockmans, 2012).

As the European External Action Service would be an important player in EU foreign policy, the Parliament urged the Commission to pull its full weight during the negotiation process (Erkelens & Blockmans, 2012). Furthermore, it "disagreed with almost everything in the working document of Catherine Ashton, and showed strong determination to use its powers to change the proposal" (Reynaert, 2012, p. 221). Regarding the *legal status* of the Service, the Parliament suggested it should be close or even integrated into the Commission to ensure full transparency (Helwig, 2013) and its personnel should mainly be recruited on the basis of merits with a clear consideration of gender aspects as well as geographical representativity (Raube, 2012). In addition, at least one half of EEAS officials should be former Commission staff. With respect to the External Action Service's scope, the Parliament demanded that all "bi-lateral desks [and sections dealing with] multinational relations, crisis resolution, development, environment and integration of external aspects of other Community policies" (Erkelens & Blockmans, 2012, p. 264) should be transferred to the EEAS. In doing so, the Parliament wanted to ensure coherence across several foreign policy areas. Furthermore, the MEPs urged to include human rights divisions into

5 The Parliament published several reports and notions throughout the process. The most important were: European Parliament Resolution on the Annual Report from the Council to the European Parliament on the Main Aspects and Basic Choices of CFSP P6_TA(2005)0132; European Parliament Resolution on the Institutional Aspects of the European External Action Service, P6_TA(2005)0205; Report on the Institutional Aspects of Setting Up the External Action Service, A7-0041/2009; Proposal for the Establishment of the EEAS, Working Document (20 April 2010).

the EEAS headquarter and into the Union delegations (Raube, 2012). In *administrative* terms, there should be politically accountable deputies for the High Representative and a Policy Coordination Board consisting of Lady Ashton and the Commissioners for Development, Humanitarian Aid, and Neighborhood (Raube, 2012). The enhanced control of the European Parliament was to be reached through various features. “The EP requested the HR/VP to commit herself to inform relevant EP committees about her intentions to appoint people to senior posts in the EEAS”⁶ (Erkelens & Blockmans, 2012, p. 273). Other important aspects for the European Parliament were to have access to sensitive foreign policy information (Erkelens & Blockmans, 2012) and to tie the EEAS to the Parliament’s scrutiny by applying political and budgetary accountability (Raube, 2012). It also wanted to ensure full responsibility for the programming of budgetary instruments and of all external assistance instruments (Reynaert, 2012).

Altogether this means that the Parliament’s role conception of the EEAS is one of a *supranational foreign policy institution*. With its clear supranational roots combined with a strong affiliation to the European Commission, the Action Service shall pool all foreign policy competences under one roof. This also ensures parliamentary control rights over the Union’s external policies. Its obvious purpose towards social and human rights determines its second role conception: *normative vindicator*. In the eyes of the Parliament, the European External Action Service shall enforce the normative power of the Union on the international stage.

The diverging conceptions of the Commission, the Council / member states, and the Parliament met one another during the “quadrilogue”, whose outcome will be subject of the following part.

ROLE CONCEPTIONS DEFINED BY THE COUNCIL DECISION

On 26 July 2010 the Council took the “Decision establishing the organization and functioning of the European External Action Service”. In the course of this part, the focus of the analysis will again rest on the legal status, scope, and administration of the European External Action Service, in order to guarantee comparability.

The External Action Service is a body *sui generis* located between the Commission and the Council, which defines its *legal status*. Its autonomous character is determined in article 1, whereby the term “body” is not further defined. The Action Service, therefore, is not on the same level as the institutions named in article 13 TEU. The connection of the Service with the Commission and the Council is impairing its autonomy – which is rather a functional than an organizational one (Blockmans & Hillion, 2013). Its personnel is composed of staff from the General Secretariat of the Council, the European Commission and the diplomatic services of the member states (art. 6(2) EEAS Decision), from where at least one third of the officials shall originate (art. 6(9) EEAS Decision). When recruiting officials for the Service, the HR has to keep in mind that he/she has to choose based on merit as well as on an “adequate geographical and gender balance, and a meaningful presence of nationals from all Member States” (art. 6(8) EEAS Decision).

As it was mentioned before, the scope of the new Service has been widened compared to the

6 The abbreviation HR/VP stands for High Representative/Vice President and refers to its “double-hatted” function between Council (High Representative) and Commission (Vice President).

Treaty of Lisbon. Next to assisting the High Representative, the EEAS shall assist:

“the President of the European Council, the President of the Commission, and the Commission” (art. 2(2) EEAS Decision) and “support [...] the diplomatic services of the Member States, as well as [...] the General Secretariat of the Council and the services of the Commission [...]” (art. 3(1) EEAS Decision).

In general, the Commission’s DG Relex and the foreign policy units of the General Secretariat of the Council were predominantly relocated to the EEAS. Furthermore, several crisis management bodies⁷ and external assistance instruments⁸ from the Commission and the General Secretariat of the Council were transferred to the EEAS. Regarding the external action, the High Representative and the Action Service are responsible for ensuring its unity, consistency, and effectiveness. This can be seen as a clear mandate to operate autonomously in order to achieve the mentioned tasks. But even after the setup of the Action Service, the Commission has the final say, as it decides over the application of the external funds (art. 9(5) EEAS Decision). Therefore, it retains the better bargaining position in critical situations (Lang & Lippert, 2011), which limits the Service’s scope considerably.

With respect to the *administration* of the Service, its budget has been integrated into the general budget of the Union (Reynaert, 2012) and is completely controlled by the European Parliament (Lieb & Kremer, 2010). The Commission preserved the power to consolidate and amend the budget (art. 8(4) EEAS Decision). As there is no formal deputisation procedure laid down in the Treaty of Lisbon, a complex system of representation has been set up⁹. The HR drafted a declaration on Political Accountability towards the Parliament which provides for two Deputy Secretary-Generals, one for political and one for inter-institutional affairs. There will also be a Director-General for budget and administration as the EP urged for during the negotiations (Blockmans & Hillion, 2013). All of the former posts are not politically accountable, unlike the requests of the European Parliament. But the Parliament has been granted far-reaching access to classified documents, and it achieved the right to conduct internal interrogations with high executives of the Service (Lieb & Kremer, 2010). At the same time, the Parliament has been able to include structures that shall supervise the human rights situation as well as the implementation of the respective Union policies (Raube, 2012). In addition, the new *Union Delegations* shall support, if necessary, the member states in their diplomatic relations with third states (art. 5(3) EEAS Decision).

In conclusion, the ‘quadrilogue’s’ compromise and, therefore, the role conceptions represented

7 These include the Crisis Management and Planning Directorate (CMPD), Civilian Planning and Conduct Capability (CPCC), EU Military Staff (EUMS), and EU Situation Centre (SitCen) (Lieb, 2011, p. 2).

8 The Development Cooperation Instrument (DCI), European Development Fund (EDF), European Instrument for Democracy and Human Rights (EIDHR), European Neighborhood and Partnership Instrument (ENPI), Instrument for Cooperation with Industrialized Countries (ICI), Instrument for Nuclear Safety Cooperation (NSCI), and the Instrument for Stability, regarding the assistance provided for in Article 4 of Regulation (EC) No 1717/2006 (IfS) are now under the authority of the EEAS (art. 9(2) EEAS decision).

9 For a detailed overview see Blockmans and Hillion (2013).

by it, constitute a compilation of the participants' conceptions. According to the EEAS Decision, the Action Service is a *limited sui generis body* in EU foreign relations. This role conception illustrates the ties the Service has with the Commission and the Council. The former has been able to retain substantial parts of its foreign policy competences, whereas the latter preserved its CFSP responsibilities – so, the EEAS is limited in both directions. Moreover, the European External Action Service shall be a *multiplier of member states' interests* as has been described in part 4.2. At last, the new Service shall take the role of a *normative vindicator*, expressed through its tasks in the area of human rights. All in all, one can draw the conclusion that the External Action Service is supposed to fulfill the wishes of all actors at once.

CONCLUSION

It has been the aim of this paper to develop the external role conceptions of the EU's institutions towards the European External Action Service during the phase of its setup. The *Commission* pictured the External Action Service as a limited supranational bureau. This is characterized by strict separation from the Council and a close affiliation to the Commission, by which it is administratively controlled. It should be governed by the Community method and thus be situated within the supranational domain. The *Council of the European Union* took a more or less contradictory position. It viewed the Action Service as a limited intergovernmental service, which takes over wide-ranging responsibilities of the supranational pillar and ties it closer to the reach of the member states. The second role conception is that of a multiplier of member states' interests on the international stage. When fulfilling these tasks, the new Service cannot act autonomously but only on instructions received from the Council. Of the three actors under observation, the *European Parliament* favored the strongest version of the Action Service. It pictured a supranational foreign policy institution that is attached to the European Commission, from which it takes over most foreign policy tasks. Furthermore, the EEAS shall be a normative vindicator, enforcing the normative power of the Union on the international stage.

These demands led to the EEAS Decision that established the European External Action Service. It shall be a limited *sui generis* body, which is tied to both the intergovernmental and the supranational sphere. Hereby, the Commission kept lots of its foreign policy instruments and the Council maintained its supremacy over the CFSP. Furthermore, the Action Service shall be a multiplier of member states' interests as well as a normative vindicator. It seems as if the EEAS is supposed to fulfill all the wishes breathed by the European institutions. Just like with the High Representative, this constellation takes the new Service into a trying situation constituting further problem areas in its everyday work.

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THE DUTCH PROVINCES IN BRUSSELS

Paradiplomacy from a unitary state

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This paper takes a closer look at the Dutch provinces and how their domestic position influences their way of profiling themselves in the European policy arena by using the Multi-Level Governance (MLG) theory. While Sub-National Authorities (SNAs) of some federal states have formal competences to represent themselves at the European Union (EU) level — e.g. a seat in the Council — SNAs in unified states are often formally limited to national competences. This paper will examine how the Dutch provinces, with a relatively hierarchical Type I position nationally, make themselves heard in the cross-cutting Type II policy arena of Brussels. It is argued that the domestic governance position of the Dutch provinces results in a selective influence-seeking strategy. Due to the hierarchical design of the Dutch domestic governance system, the paradiplomatic endeavours of the Dutch provinces are largely limited to task-specific issues in which they have nationally assigned competences.

INTRODUCTION

This paper takes a closer look at the Dutch provinces and how their domestic position influences their way of profiling themselves in the European policy arena by using the Multi-Level Governance (MLG) theory. While the provinces once used to be the most important political bodies of the Netherlands, their competences have been declining since the late 16th century. In 1579 the ‘Union of the United Provinces’ was signed, marking the beginning of a power transition from the provinces to a central level (De Vries, 2004, p. 302). The institutional slide towards centralisation continued under the French occupation, and by the time the constitution of 1848 was introduced the Netherlands officially became a *decentralised unitary state*, with the central government being politically supreme (Hulst, 2005, p. 100).

In the Multi-Level Governance (MLG) theory, Sub-National Authorities (SNAs) are regarded not solely as domestically oriented entities but also as actors in supranational policy processes. According to MLG there are two designs in how the various governmental levels are organised, either hierarchical (Type I) or cross-cutting (Type II). The participation of SNAs in the supranational policy arena is commonly based on their constitutional position (design) within the home

state. While SNAs of some federal states have formal competences to represent themselves at the European Union (EU) level — e.g. a seat in the Council — SNAs in unified states are often formally limited to national competences. This paper will examine how the Dutch provinces, with a relatively hierarchical Type I position nationally, make themselves heard in the cross-cutting Type II policy arena of Brussels. The following research question will be used: *How does the domestic position of the Dutch provinces influence their way of profiling themselves in the European policy arena?* It is argued that the domestic position of the Dutch provinces results in a selective influence-seeking strategy. Due to the hierarchical design of the Dutch domestic governance system, the paradiplomatic endeavours of the Dutch provinces are largely limited to task-specific issues in which they have nationally assigned competences. The key focus is on attempts of substantial influence-seeking in shared issues, not on the singular, lobby efforts for financial (subsidy) gains.

The paper is structured as follows: first, the theoretical framework of MLG and related concepts will be introduced and explained. Second, the methodological framework will be laid out. Third, it will be explained in what type of governance structures the Dutch provinces operate, both domestically and in Brussels. Fourth, following the MLG typology, the influence-seeking strategies of the Dutch provinces will be analysed. Finally, in the conclusion the main findings of this research will be summed up.

This article contributes to the existing literature in two respects. Empirically, the article sheds light on the internationally rather unknown Dutch provinces and their paradiplomatic endeavours in Brussels. While the more visible Dutch municipalities have received attention in international literature (for example Rooij, 2002), the provinces have not been much discussed. Theoretically, on the basis of a MLG framework, the article examines how sub-national authorities from a unitary state profile themselves in the European arena in relation to their domestic competences governance design. This is researched by an empirical analysis of the provinces' primary lobby strategies in Brussels. With the ongoing process of decentralisation in the Netherlands, the provinces experience an increase in executive responsibilities of EU policies while their decision-making competences on the European level remain formally confined to a domestic portfolio (Mastenbroek, Zwaan, & Liefferink, 2013). It is therefore of interest to research the apparent diverging competences of the provinces and their fit within the European policy arena.

THEORETICAL FRAMEWORK

In order to address the research question, the MLG model will be used as a theoretical framework for classifying the position of the Dutch provinces in the national and supranational policy arena. This will be supplemented by the concepts of paradiplomacy and the 'Brussels bypass'.

Multi-Level Governance

By combining several theories on domestic and international politics, scholars Marks and Hooghe developed a theory specifically designed to analyse the governance of the EU, known as Multi-Level Governance (MLG). The first application of MLG was explored in a study on

structural policies of the EU. For these policies, SNAs are included in the (supranational) policy process as distinct stakeholders, creating a multi-layered process. While the structural policies of the EU have remained one of the key research areas for MLG, the concept of multiple (intersecting) institutional layers has evolved into a broad and multi-applicable idea of the simultaneous involvement of various institutional levels (Bache & Flinders, 2004).

The principal idea of MLG, a cross-cutting interconnectedness between the various institutional levels, is depicted in figure 1. This theory posits that the EU can neither be categorised as a domestic entity nor as an international organisation. This is due to the variety of institutional levels, as can be seen in theories such as intergovernmentalism (Moravcsik & Katzenstein, 1998) or neofunctionalism (Haas, 1958). This ontological position cannot be accounted for by traditional political science tools. MLG therefore convergences several political science theories to broaden the scope of analysis, in order to be able to explain the EU as a *sui generis* system (Bache & Flinders, 2004, p. 1-2).

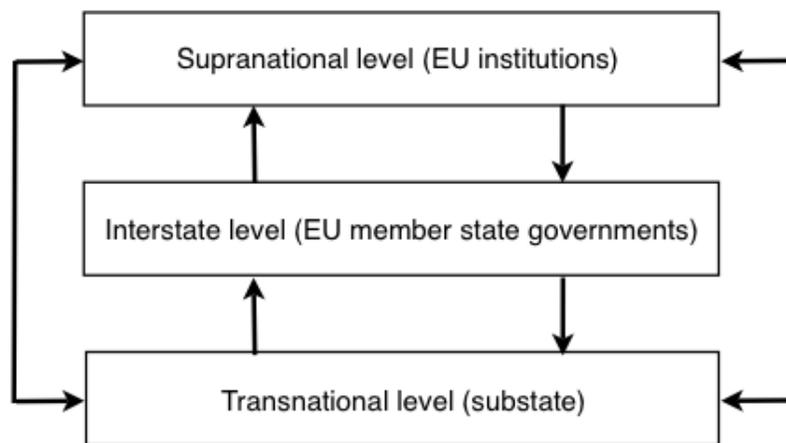


Figure 1: MLG diagram (University of Portsmouth, 2013)

As the terminology already suggests, MLG is based on a governance model whereby multiple policy levels are active at/on the same time or issue. The different active levels in the same policy network create, as Marks formulates, “a system of continuous negotiation among nested governments at several territorial tiers” (1993, p. 392). The theory’s novelty is assigning a new and specific role for the SNAs in the wider policy network, linking them directly to the supranational level, instead of tunnelling them through a national policy arena. This leads to a situation of “formal authority [that] has been dispersed from central states both up to supranational institutions and down to regional and local governments” (Marks & Hooghe, 2005, p. 15).

The theory distinguishes between two types of structures with multiple layers of institutional bodies, displayed in figure 2, which form the primary theoretical tool of this article. The first type is most likely to be found in conventional nation-states, with a tiered distribution of governmental levels in the shape of a pyramid whereby the smaller but higher institutional level dominates

the ones below. This results in a rigid structure whereby there is a clear distribution of the policy-making and executive competences (Conzelmann, 2009).

Type I	Type II
General-purpose jurisdictions	Task-specific jurisdictions
Non-intersecting memberships	Intersecting memberships
Jurisdictions at a limited number of levels	No limits to the number of jurisdictional levels
System-wide architecture	Flexible design

Figure 2: Types of Multi-Level Governance (Marks & Hooghe, 2005, p.17)

Type II is an alternative vision of multi-level governance in which the design is not based on a pyramid of nested jurisdictions but on a flexible jurisdictional system. This type of governance is characterised by task-specific jurisdictions. The jurisdictions are assigned on a functional basis instead of in a constitutional or territorial way. Instead of separate local, regional, national, and international orders, there is direct cross-cutting collaboration between the levels. Issue-specific competence distribution is frequently applied in the European Union. Although the policy creation might be at the supranational level, the executive responsibilities are assigned to a sub-national level based on portfolio (Hooghe & Marks, 2001a). The EU combines Type I and Type II governance, as it is both intergovernmental - maintaining the strict supranational-national-sub-national design - and supranational - assigning or derogating particular territorial jurisdictions cross-cutting the domestic design (Ibid.). The issue-specific allocation of executive competences is of particular relevance for the provinces of this research.

Paradiplomacy and the Brussels bypass

Participation of Sub-National Authorities in the international arena, parallel to the national state, is also known as paradiplomacy. Participation by SNAs in an international policy arena can occur in various forms, from narrow collaborations with foreign regional neighbours to full scale membership of international organisations (Tatham & Thau, 2014). André Lecours makes the distinction between three cumulative layers of paradiplomacy: a narrow economic approach (attracting foreign investment or subsidies); a more extensive approach focusing on cooperation (with foreign counterparts on a broad array of subjects); and a third layer which involves the pursuit of political goals distinct from the central government (2008, p. 2-4).

The work of Tatham applies this concept of paradiplomacy to the multi-layered structure of the EU. It focusses on representational offices, located in Brussels, of various SNAs (Tatham & Thau, 2014). Specifically, the interaction between regional representations (operating in the second or third layer) and the central government is subjected to analysis. When regional and national interests are different from each other, one of two situations might arise: either the region bypasses

the national state, which is referred to as the ‘Brussels bypass’, or it cooperates with the national state (Tatham, 2013, p.64-65). Although Tatham examines a plurality of determinants to explain cooperative and bypassing paradiplomacy, the MLG typology is not taken into account explicitly.

When the work of Tatham (2013) is combined with the Multi-Level Governance framework, it can be expected that SNAs with a type I domestic governance design tend to cooperate with, rather than bypass, the central government. A limited policy portfolio due to a domestic Type I design limits the influence seeking strategy of SNAs on the supranational level. The provinces are keen to profile themselves on bounded issues that correlate to their nationally assigned policy competences, because it is precisely on these issues that they have the expertise. It can therefore be expected that their paradiplomatic activities tend not to be in conflict with the diplomatic strategy of the central government.

METHODOLOGICAL FRAMEWORK

As this article is based on a term paper, certain limitations were imposed on the scope and time period of the research. Taking account of the limitations, it was chosen to conduct a literature research based case-study, supplemented by an interview with a key stakeholder (the coordinator at the House of Dutch provinces) to elaborate on the precise role distribution in this paradiplomatic post. The academic works on MLG are used to construct a theoretical framework to conceptualise the domestic and European policy arena as distinct MLG types. The work on paradiplomacy and ‘Brussels bypass’ is used to conceptualise the international endeavours of the Dutch provinces in Brussels. The provinces themselves are analysed on the basis of (Dutch) policy and academic literature describing their domestic position and strategy in Brussels. This is supported by information documents of the provinces themselves and an interview with House of the Dutch Provinces (HDP) coordinator Rob van Eijkeren.

The Dutch SNAs are chosen as an interesting case-study due to the current domestic process of decentralisation, which increases their responsibilities, in combination with their organised paradiplomatic endeavours in Brussels. As the domestic structure gives them limited to no competence in international relations, they offer an interesting case of a split between strong executive competences and low decision-making power in relation to the Union’s policies.

THE POSITION OF THE DUTCH PROVINCES IN THE NETHERLANDS

The Netherlands¹ is structured around three governmental levels with non-intersecting memberships of one central government, 12 provinces and 393 municipalities. The jurisdictions of the different layers are symmetrically distributed in a nested manner, related to the territory and policy portfolio. For example, the policy competence on housing is assigned to the municipality;

1 Although the Kingdom of The Netherlands consists of multiple countries (European and Caribbean) the focus of this paper is confined to the continental Netherlands as member state of the union and its 12 provinces.

regional policies on infrastructure are assigned to the province; and the central government is occupied with the execution of the criminal law system and international affairs (ProDemos, 2012).

The central government holds the final responsibility over all these competences and designs the judicial framework in which the lower levels can operate. The lower institutional levels have — not necessarily nested — jurisdiction in their own territories, but these competences are always bounded by national legislation (Ibid.). With the central government holding legal dominance and political primacy, and the municipalities having a direct relation with their citizens, the provinces have the lowest citizen visibility and are perceived to be of little importance in the Dutch institutional system (Kiers, 2014). Due to the level-based determination of jurisdictions and competences, in combination with the non-intersecting membership structure in which the provinces function, the domestic institutional design can be largely characterized as Type I of the MLG conceptualisations (Marks & Hooghe, 2005). The provinces therefore have certain policy issues in their portfolio due to their institutional level of governance (following the domestic design), and not per se due to the nature of a (new) policy issue (Hooghe & Marks, 2001b).

Correlated with the domestic dominance, the central government has the constitutional monopoly on foreign affairs and defence. It therefore represents the Netherlands in the international arena, signs treaties, and participates in international organisations such as the European Union (ProDemos, 2012, p.56). This means that all European issues are *a priori* for the national ministry of foreign affairs and the prime minister (Harmsen, 1999). Unlike for example the German *Länder*, the local governments are therefore not officially involved in European affairs (Tatham, 2013).

Provinces

The twelve provinces have competences in seven primary policy areas, in which they develop policies in dialogue with the national government and municipalities. These policy areas range from governmental control over the municipalities, to town and country planning, to water control (ProDemos, 2012). The provinces receive their democratic mandate by direct elections every four years, which leads to a representation at the central level, *Eerste Kamer*, as well. During the last decades however, the turnout for these elections has been on the decline, leading to a general qualification of *second order elections* (Thomassen, 2000, p. 24-25).

The Dutch provinces differ from one another in their geographical and demographic nature: from coastal to landlocked; and from highly urbanised to rural. This creates a heterogeneity between policy focal points and expertise among the provinces, reflected as well in the nature of networks with international counterparts and vertical forms of cooperation such as city-province networks. Cooperation of the provinces on EU legislation therefore has to be divided in policies concerning several or all of the provinces — for example air quality — and geographically-related issues such as harbour control (Interview, Van Eijkeren, 16-05-2014). These are issues whereby the EU operates a functional distribution of policy ownership, not per se related to the institutional level but to the characteristic of the issue itself, which is a system analogous with Type II of the MLG theory (Hooghe & Marks, 2001b).

With the current trend of decentralisation in the Netherlands, the provinces receive greater

competences and responsibilities in the policy fields of infrastructure, nature and environment, and in regional economic policy (Mastenbroek, Zwaan, & Liefferink, 2013). In these policy fields, EU legislation plays a large role, both in the legal framework and in policy developments. This creates a certain superficial split between executive competences for the provinces but limited co-decision-making competences, as it is the central government who is participating in the EU policy-making process (Ibid.). The misalignment between provincial and European policy arenas might further lead to lack of legitimacy and ownership of the provinces who execute the Union's policies (Ibid.). Due to the domestic consensus on role division, jurisdiction and expertise, the provinces are frequently consulted by the domestic government for EU policies falling under the executive power of provinces. Although the representations of provinces and central government agree on $\pm 90\%$ of these topics, they apply an 'agree to disagree' attitude in this relation (Interview, Eijkeren, 16-05-2014).

REPRESENTATION OF THE DUTCH PROVINCES IN BRUSSELS

In order to increase their direct influence on European policies, the Dutch provinces have developed three different forms of cooperation. These are representation in Brussels (*paradiplomacy*); a national consultation cooperation body (*liaising*); and cooperation with regional bodies from other member states. This list is restricted to the endeavours of the Dutch provinces in their attempts to assert direct influence at the supranational level. The following chapter examines how the provinces pursue a direct supranational strategy and how they cooperate with their domestic government in this endeavour.

Interprovinciaal Overleg (IPO)

The twelve provinces are organised in a platform in order to formulate and promote joint interests at both the national and the European level in the *Interprovinciaal Overleg (IPO)*. This platform plays on the one hand an informing and policy-shaping role at the domestic level and functions on the other hand as a knowledge exchange forum for its members (website IPO, 2014). The members of the Governing and Executive Board of the IPO are representatives from the Provincial Councils, and the IPO itself has a staff of 60 for its own functioning (Interprovinciaal Overleg, 2004).

In the European arena the IPO fulfils three functions: to provide information on EU policy to its members (the provinces); to maintain contacts with the EU institutions; and to participate in several (non-EU) European collaborations with other SNAs (Ibid., p.10). It fulfils these European functions from the House of the Dutch Provinces, the shared *paradiplomatic* post in Brussels of the Dutch provinces and the IPO. Here, the coordinator of the IPO maintains all the 'High Level' contacts, for example with the (Dutch) Permanent Representation (Interview, Van Eijkeren, 16-05-2014).

House of the Dutch Provinces

In 1989 the first Dutch province opened an office in Brussels, but the provinces unified their representation in 2000. To increase their position and unify their efforts, they founded the House of the Dutch Provinces (HDP) together with the IPO. The HDP is organised in four offices, related to their geographical region: *Samenwerkingsverband Noord-Nederland*, *Oost-Nederland*, *Regio Randstad* and *Zuid-Nederland*. The board of the HDP consists of 12 governors, one per province, and is headed by a Royal Commissioner of one of the provinces (Website HDP, 2014a).

The HDP's main role is "representing the joint interests of the provinces by looking ahead, liaising, and informing" (Ibid., 2014a). With domestic legal equality, the heterogeneity between the provinces originates in their demographic and geographical characteristics. For example, the Eastern provinces of *Gelderland* and *Overijssel* have a long history of working together with bordering German *Länder* on agricultural issues, while the *Regio Randstad* has more metropolitan interests comparable to Paris, London, etc. (Abdallah, 2008). Within the regions, interests can be further broken down per province and per city, both of which are represented by the regional office employees on specific subjects or strategies, and which are completely separated from the HDP (Delaere, 2014).

It is important to note that apart from the IPO employees at the HDP, the other employees are seconded by their respective province, spending approximately one third of their time on general projects (Abdallah, 2008). The other two-third of their time is dedicated to 'provincial' representation consisting of reporting back in the Netherlands (every Monday) and receiving official visits (Interview, Van Eijkeren, 16-05-2014). While common interests can arise *ad hoc*, the HDP identifies four structural priority dossiers on which the HDP will focus for the upcoming year. These subjects are chosen on the provincial agendas and in reaction to the working program of the European Commission (House of the Dutch Provinces, 2014b).

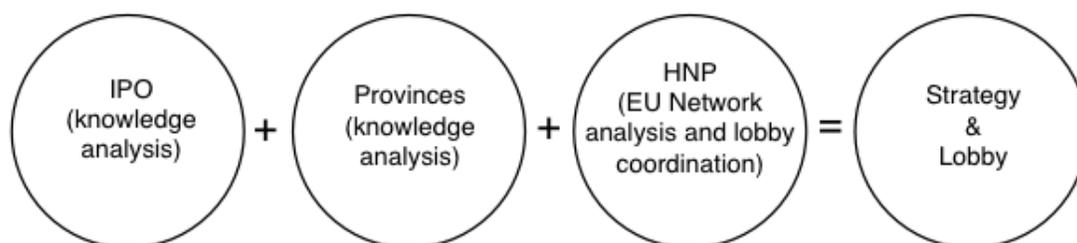


Figure 3: Common issue consolidation Dutch Provinces (Huis van de Nederlandse Provincies, 2014b, p.5)

Figure 3 shows the EU agenda-setting process of the Dutch provinces, which includes three parties (the provinces themselves; the central government; and the IPO representing the Brussels outpost) on different managerial levels. The figure shows a stringent relation between the provinces and the national government. While the input from the national (The Hague) and the supranational (Brussels) level is derived from a network analysis, the provinces are characterised by their input of expertise (Interview, Van Eijkeren, 16-05-2014). This pattern, which emphasizes

the expertise of the provinces, is repeated in the following stages of strategy execution in the European policy arena.

Miscellaneous representation

While the House of the Dutch Provinces represents all the national provinces together, the provinces are active in intra-national and international alliances as well. The intra-national alliances are collaborations of the provinces with municipalities or cities such as *BrabantStad* or *Parkstad Limburg*. With their focus on financial resources, they differ from the HDP in strategy. As the HDP focusses on seeking policy influence, the intra-national alliances focus primarily on subsidy-seeking and therefore pose no competition. The provinces also work together with SNAs from other member states, both within the EU framework in the Committee of the Regions (CoR) and in international councils such as the Council of European Municipalities and Regions (CEMR). With a shared strategy, the provinces use these organs to find support and partners to enhance their influence (Interview, Van Eijkeren, 16-05-2014).

ROADS TO BRUSSELS, GETTING THE VOICE HEARD

On January 31st, 2014, the House of the Dutch Provinces presented the working plan for 2014 which identified four key subjects on which the Dutch provinces would work together (Energy and Climate; Physical and Societal Living Environment; Regional Economy and Innovation; and Air Quality). These subjects were chosen on the relevance for the provinces in their domestic setting. As EU policy consists of many dimensions (*facetten* in Dutch), there are only a limited amount of issues applicable to the provinces. In response to this, the provinces limit their endeavours to issues falling under their domestic competence, a strategy which they call '*facetbeleid*' (Interview, Van Eijkeren, 16-05-2014).

As mentioned earlier, the European policy arena is to a large extent characterised by Type II properties. With the task-specific jurisdictions, intersecting memberships and functional (issue-related) design of policy, the provinces are irregularly affected by what is decided in the supranational policy arena (Conzelmann, 2009). Well aware of their national and international competences, they limit their Brussels endeavours to the policies in which they have domestic competence. With task-specific jurisdictions, a system of intersecting memberships has developed on these issues, creating convergence between national and regional bodies in the European policy arena (Interview, Van Eijkeren, 16-05-2014). The following chapter describes the endeavours through various channels, in particular through or in cooperation with the national government, and focal points by which the Dutch provinces seek influence.

EU institutions

The Dutch provinces are not represented in the formal decision councils like the German *Länder*

or Belgian regions. This leaves the Committee of the Regions (CoR) as the only official, *constitutional* representation of the Dutch provinces in EU association. Other means of influence are either through the national government — a two-stepped influence — or in collaboration with the Commission. This section will first explain the relation of the HDP with the Committee of the Regions (CoR) and the Commission before discussing the route through the national government.

The CoR is the advisory body of SNA representatives from all member states of the EU. The domestic competences of these SNAs vary greatly. Because of the internal heterogeneity and advisory role of the body in the EU carousel, it is generally classified as a rather weak EU body. (McCarthy, 1997). Regardless of the academic debate on the value of the CoR, this body does serve as an important channel of influence for the provinces. The HDP plays a central and coordinating role in this body, with the chair of the IPO serving as the Head of the Dutch Delegation in the CoR (Mastenbroek et al., 2013).

The influence-seeking strategy of the CoR is either by reacting to proposed legislation or by presenting a position paper for legislation in the making. Since the Commission is most receptive for changes during the creation of policies, the latter channel is preferred for influence-seeking. Both forms of papers are prepared by so called portfolio holders, by which the holder has a steering role in the general CoR position (Kiers, 2014). The Dutch SNAs therefore strive for, and have obtained, a substantial number of portfolios based on their expertise on certain aspects (Interview, Van Eijkeren, 16-05-2014).

A more *ad hoc* opportunity of influence-seeking is applied when the Commission appeals to the Dutch provinces for their particular expertise. With limited knowledge or human research on particular (technical) issues, the Commission can seek advice on these matters, also known as ‘comitology’. In these cases representatives of the provinces are incorporated in the Commission’s working groups, creating the opportunity for direct influence on policy in the making (Mastenbroek et al., 2013). The HDP plays a coordinating role in the relations between the Commission and the provinces (Interview, Van Eijkeren, 16-05-2014). The HDP tries to promote the presence of the Dutch provinces on the basis of their expertise. Aware of their more powerful peers from federal states, the Dutch provinces have been able to ‘prove’ themselves valuable on the base of their “expertise, quality and effectiveness” (Ibid.).

Using the national government

Since Dutch SNAs are officially represented through the national government, this is the provinces’ primary formal channel for interacting with Brussels. To cope with the earlier mentioned ‘split’ between executive and decision-making powers, the provinces are working together intensively with the government. This comes to expression both in their relation with the national ministries and in their relation with the Dutch Permanent Representation in Brussels (Kiers, 2014).

The process of forming a communal opinion with the central government is highly institutionalised. There are three committees in the Netherlands in which the ministries of foreign and internal affairs, the *Interprovinciaal Overleg* and the comparable organisation of the municipalities

come together.² These bodies either react to proposals by the Commission, or work together to form a common position for future council meetings (Mastenbroek et al., 2013). The Permanent Representation obtains its framework both from the central government, already influenced by the provinces, and through a direct link with the HDP Coordinator. This contact also serves both as an extra channel of influence, and as another ‘antenna’ for policy developments on which the HDP can react (Interview, Van Eijkeren, 16-05-2014). The relationship between the Dutch provinces and central government on EU policies is perceived as equal, cooperative and effective. Particularly due to the direct link between the Dutch Permanent Representation and the HDP, the provinces can use this influential channel for EU policies regarding the nationally assigned competences (Ibid.).

Cooperation with international peers

There are two organisations of European local and regional authorities of which the first, the CoR, has already been discussed extensively. While the CoR forms an official body of the EU, the second organisation — the Council of European Municipalities and Regions (CEMR) — has no formal role in the EU decision-making process. Instead, it serves as an important channel for the determination of a common position among European SNAs, not limited to the EU policy arena (Mastenbroek et al., 2013).

By formulating common positions — by presenting position papers — this Council forms an interest group to increase the presence of SNAs in the supranational policy arena. The Dutch members — provincial and municipal — assign great importance to the CEMR. Even though they lack a constitutional position within the EU framework, the Commission and EP see the CEMR as an important representational body (Mastenbroek et al., 2013). In their endeavours to influence EU policy, the IPO and HDP have two main motivations to be active in the CEMR. The first is to increase their reputation as an expertise-powerhouse, actively seeking relevant portfolios and thereby positioning them in a leading role in these fields comparable to the strategy in the CoR. These position papers — presented during the policy creation phase — are influential and enhance the reputation of the Dutch provinces as adequate experts for the Commission. With a reputation of expertise, this increases the opportunity to participate in and influence the policy creation phase through *comitology* (Ibid.).

The CEMR furthermore serves as a pool for potential partners on specific policy fields. Because it is structured like a forum, the members of CEMR can easily exchange information among each other, which makes it easy to form alliances on certain topics. These alliances can then be used in either national, European or informal lobby attempts, making the CEMR a valuable network to increase influence in the EU policy arena (Interview, Van Eijkeren, 16-05-2014).

² The committees are: Beoordeling Nieuwe Commissievoorstellen (BNC), Europees Overleg Binnenlands Bestuur (EOBB), and Interbestuurlijke Dossierteams (IBD).

CONCLUSION

Inspired by articles on regional authorities which are bypassing their national state, this paper examined how the Dutch provinces can be classified according to the MLG typology and whether the particular governance system in which they operate domestically influences their profiling strategy in Brussels. As once powerful institutions, the provinces could use the EU structure as an opportunity to enhance their domestic position and re-establish themselves as international actors. To see how they have used this opportunity, this paper focussed on the question: *How does the domestic position of the Dutch provinces influence their way of profiling themselves in the European policy arena?*

In order to answer the research question, a number of issues had to be explored: the MLG debate on the position of SNAs, the Dutch institutional system, and the endeavours of the Dutch provinces to profile themselves in the EU policy arena. This resulted in a twofold conclusion, on the one side describing the strategy of the Dutch SNAs; and secondly, providing an explorative theoretical explanation of the MLG typology as variable for paradiplomatic strategies.

During the theoretical research it became clear that the domestic position of SNAs affects their international presence: the more competences SNAs have in their home country, the more likely they are to pursue paradiplomacy - as illustrated by the case of the German *Länder*. This means that the national position of the Dutch provinces has to be taken into account when looking at their international endeavours. Their domestic system has been identified as a predominantly hierarchical, MLG Type I structure with level-based jurisdictions and a clear and nested system of memberships of the institutional bodies.

The EU arena in which the policies are created displays characteristics of a cross-cutting, MLG Type II structure, whereby a functional allocation based on the nature of the policy is sometimes different to the domestic institutional order, although this is different per member state. In the case of the Netherlands, this leads to an apparent discrepancy between the domestic Type I and European Type II structure in which the provinces operate. While there is a clear division of executive and decision-making competences on the domestic level, some policy fields in the European arena affect the Dutch regional bodies directly. Since these SNAs have little to no official decision-making powers on the European level, they had to develop different strategies to influence policies at this level.

The exploration of how the provinces are influencing EU policies showed that their strategy can be broken up in two routes. The first is by the joint paradiplomatic endeavours in Brussels of all the Dutch provinces. From the diplomatic outpost of the HDP they can coordinate a common position in the CoR, CEMR and with the Permanent Representation, EP and Commission. The first two organisations have the opportunity to create EU-wide common positions, increasing the possible impact of any lobby attempts. On issues where a limited number of Dutch provinces are affected, thus without a common agenda, the individual provinces make use of the network and forum of the HDP and CEMR. The latter therefore offers a particular international forum for the provinces in which they can move relatively freely and exert influence independently.

The second main strategy of the Dutch provinces is by cooperating with the central government. Through this channel the provinces obtain a direct route to the Council(s), the principal decision-making body of the EU. The effective cooperation between the central and regional gov-

ernments can be partly explained by the Type I structure of the Netherlands. The provinces are endorsed with a nested number of policies, and it is on precisely these issues that they have the expertise and carry the responsibility. These aspects are acknowledged by the central government, which is sometimes missing the necessary expertise on 'sub-national policy issues'. Collaborating is therefore a win-win situation for both of the two levels.

Coming back to the research question, the analysis of the endeavours of the Dutch provinces made primarily clear that they largely confine their paradiplomatic efforts in Brussels to their specific policy primacy. They do not seem to sidestep the national government, because of the domestically dominant Type I structure that limits their influence-seeking strategy in the cross-cutting Type II policy arena of the EU. The provinces profile themselves on bounded issues, correlating to their nationally assigned policy competences. They try to assert influence on EU policies through liaison bodies with other (international) SNAs where they can apply their expertise. These strategies, however, do not seem to conflict with the diplomatic strategies of the central government. It can therefore be concluded that while the Dutch provinces are pursuing paradiplomacy on the European level, this does not entail a 'Brussels bypass'. Metaphorically, the provinces in Brussels are on a leash held firmly by the national government. Although the provinces pull the leash sometimes, it is the national government who is ultimately in control.

With only one case, it should be acknowledged that this argumentation requires further comparative research in order to be generalised. However, the Dutch SNAs provide an interesting test case for further research on how governmental bodies operating in both a Type I and Type II governance structure can combine these two designs.

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FROM ATLANTIC EUROPE TO EUROPEAN EUROPE

Balancing and networking in Cold War and contemporary Europe

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This article shows how strategic thinking in the early Cold War-era France, Germany and The United Kingdom resulted in a continent that in strategic terms became dominated by its Atlantic ally, the United States. Furthermore, it describes how this 'Atlantic Europe' triumphed over attempts to establish a 'European Europe'. Today, more than two decades after the end of the Cold War we seem to be moving into a new Cold War-esque situation. This gives Europe the opportunity (if not the responsibility) to become a strategic power in and of itself, instead of relying heavily on the United States. In doing so, a truly European Europe would be established.

INTRODUCTION

We tend to take our history for granted. We accept that history has played out as it has, which is a very natural response. However, because we cannot change the past, we sometimes view history as if it could not have been very different. After the fall of Nazi Germany, the two large allied forces turned on each other and divided the once powerful and independent European continent. Because this is such an important part of our political history, we forget that it could have been completely different. This paper aims to explain how Western Europe could have become its own major power, but instead chose to align itself with the United States. Europe became Atlantic, instead of solely European. In doing so, this article introduces two concepts, that of the Atlantic Europe and the European Europe. The latter refers to Western Europe being dominated by its relationship with its Atlantic ally, the United States. The former refers to a counterfactual Europe, which could have evolved into a unified great power, independent from the United States. The current trend of Russian aggression, in combination with the prospect of an American pivot towards Asia, gives this counterfactual practical relevance.

First, this paper will describe how three key European states experienced the institutionalisation of American hegemony in Europe. Second, it examines whether these states had any other good alternatives to their compliance with this hegemonic power. Then, this paper argues that these European states could have opted to counterbalance against the United States and outlines the necessary actions for such a world to arise. By doing so, we can better appreciate the dynamic and results of strategic decisions. Finally, this paper reflects on Atlantic and Euro-centric strategic power in Europe in the current Cold War renaissance.

UNITED KINGDOM: FRIENDS WITH NUCLEAR BENEFITS

The decline of European power in world affairs had become painfully clear with the Suez Crisis of 1956. After the nationalization of the Suez Canal, French, British and Israeli forces attacked Egypt in unison. This unintentionally put the United States in a very awkward position. The United States feared that if it were to allow the British and French to continue their colonial policies, new independent countries in Africa and Asia would switch sides to the Soviet Union (Warner, 1991). In addition to this, the Americans could not easily condemn the invasion of Hungary by Warsaw Pact forces while allowing the British and French to invade Egypt (Nixon in Pillar, 2014). So, in order to decry communist aggression, the United States had to halt the invasion of Egypt as well, and it did. Under threat of serious financial sanctions by the Americans, and a subsequent oil boycott from Saudi Arabia (with support from the United States), the British (followed by the French) decided to cease fire (Ellis, 2013; Love, 1969).

The Suez Crisis made it painfully clear that the US had become dominant over the British and French. As Christopher Layne put it clearly, “Forced into humiliating retreat from the Suez Canal by US economic coercion, Britain (...) abandoned its claim to great power status and opted instead to maintain influence with Washington through the Anglo-American ‘special relationship’” (Layne, 2006, p. 97). This special relationship, as David Reynolds points out, is not a friendship beginning in 1956. Lord Robert Ciel highlighted the importance of the Anglo-American relationship when he, in 1917, stated that if the Americans were to accept the British view of international relations over the ‘Continental’ view, the British perspective would become dominant. The special relationship started out as a diplomatic ploy to wield American power for British ends (Reynolds, 1985-6). The Suez Crisis did not mark the beginning of the relationship, but a new order in the relationship. Now, for the first time, the British accepted that they had lost control over the Americans and that they would be controlled by Washington from now on. In this sense, the notion that the British were Greece to America’s Rome had become true in more than one meaning. Not only did the British provide the foundation, they also became part of their pupil’s empire (Macmillan in Reynolds, 1985-6).

FRANCE: GRANDEUR OR MINEUR

For France, the Suez Crisis was only one of many humiliating defeats of the war and post-war period. The French had been occupied by their neighbour during the Second World War, and had

subsequently been ignored by the British, Americans and Russians in their Yalta meetings. After the war, the French lost many of their colonies and experienced a hard fought war in Indochina. The accumulated degradation of French grandeur had reached a tipping point in 1958 with the war over French Algeria. That year, the Fourth French Republic fell due to the national government's inability to cope with revolts in Algiers, and the invasion of Corsica by French Algerian troops. The civil government had lost control over the army, which was seriously discussing landing paratroops in Paris and performing a coup d'état (Crozier & Mansell, 1960). In a (successful) attempt to avert an all out civil war, parliament elected General De Gaulle¹ as prime minister and asked him to form a new government. The new government was able to regain control over the army, and introduced a new constitution that overhauled the political system and established the Fifth French Republic of which De Gaulle would be elected president later that year (BBC News, 1958).

De Gaulle wanted to regain the French grandeur and to show that France was still relevant on the world stage. As a nationalist, he refused to let either NATO or the European Community overshadow French independence. He abandoned European plans for a common defence and foreign policy and detached France from the integrated NATO military structure (Layne, 2006). To re-establish French importance, he created the *force de frappe*, the French nuclear force which made sure that France was protected against aggressors without relying on American goodwill. Even though De Gaulle could, by most standards, be considered a nationalist, he saw the importance of European cooperation for the future of France. He formed one half of the Franco-German tandem, a friendship between former enemies in the heartland of the continent (Layne, 2006). Whereas the British had surrendered their former power status to the American hegemony, Gaullist France refused to become a satellite state.

This is key in understanding how the French and the British ended up in completely different extremes while dealing with similar problems of national security: They aligned themselves very differently. The reason for this is twofold. First, the French did not have the option to fall back on a special relationship as the British could with the United States. As a result, the French had to either rely on their own strength to remain powerful, or give up on their Gaullist dreams. Second, the British had two advantages over the French in their defence against Russian aggression. Any invasion by the Warsaw Pact with conventional forces would presumably start in Germany before heading westbound (Rasmussen, 1978). Whereas the United Kingdom is separated from Germany by the low countries and the Channel, France lies directly adjacent to Germany. This means that the British would have more opportunities to stall Warsaw Pact forces than the French would. However, it is the unconventional force that proves to be of utmost importance. The Americans provided the British, but not the French, with nuclear weapons. In doing so, the British could rely on themselves to hit the red button, while the French had to rely on the Americans to do so. It is not hard to understand that someone like De Gaulle would not accept such strategic dependence.

1 As general, De Gaulle liberated France in 1944 and subsequently led the provisional government from 1944 to 1946.

GERMANY: ANOTHER SPECIAL RELATIONSHIP

What De Gaulle had become for France, Konrad Adenauer had become for the Deutsche Bundesrepublik, a strong leader that reminded the world that Germany was still relevant². It was when Germany and France were moving towards each other to form their own kind of 'special relationship', that the Germans were confronted with the United States which were not keen on challenges to their hegemonic position.

As said, De Gaulle had both nationalistic and European ambitions. Part of his European ambitions was to build a strong, independent, continental bloc, centred around a Franco-German axis. The 1963 Franco-German Élysée Treaty, which formed the very basis of this ambition, was seen as a dangerous development by the Americans. By creating their own power bloc, the continental Europeans were basically counterbalancing the American-led NATO bloc (Layne, 2006). The Americans tried to keep a firm grip on the continent by trying to get the UK to join the common market. This plan failed because De Gaulle concluded that the British were an American Trojan horse in Europe (Trachtenberg, 1999). The fear of losing the continent to a French-German bloc, independent of NATO and with its own nuclear force urged President Kennedy to take action. The United States made it very clear that the Germans could not have cake and eat it too. Either the Germans chose for the Americans, and accepted American leadership, or they would choose partnership with France and lose American protection. To make this consideration more mathematical, foreign secretary Rusk stated eloquently that the French only had 50 nuclear warheads versus America's 5,000 (Trachtenberg, 1999). However, one can agree with the Gaullist view that nuclear deterrence is not so much about the sheer number of bombs, but rather about the credibility that these bombs would be used as a deterrent (Gallois, 1963). So, to further persuade the Germans to abandon the French, the Americans undermined Adenauer's position at home and did so with success. The Atlanticists in Bonn forced very fundamental alterations in the Franco-German Élysée Treaty, and Adenauer was succeeded by the more pro-Atlantic Ludwig Erhard later that year (Trachtenberg, 1999).

The United States secured its hegemonic status by strong-arming the British into the junior position of the special relationship and by breaking up the European bloc via Germany. France itself stayed defiant, but alone.

ANY OTHER WAY?

The question now is whether these diminished powers had the opportunity to take a radical different direction? Or, in other words, could we envision a history in which these three countries could end up with a European Europe instead of an Atlantic one, while still acting within the logic of their own national interest?

This article argues that this would not be possible as long as these countries acted individually. This argument will be supported by outlining how the chain of events that led to the Atlantic Eu-

² Author Charles Williams even went so far as to title his biography on the Chancellor 'Adenauer: Father of the New Germany'.

rope was entirely logical within their individual national interests. However, it will also demonstrate how Europe could have become European if the three countries had acted as a bloc, instead of as individual countries.

The British could not ignore their failure during the Suez Crisis and had to rethink their position in the world. By continuing the special relationship with their Atlantic neighbours, the British could still play a significant role as second-in-command. Breaking away from the US would mean that the UK would become a lonely semi-power, caught between the two superpowers.

With respect to France, it is difficult to criticise De Gaulle's intentions because his search for security and relevance through nuclear deterrence is nothing less than logical and the same as American and British ambitions (Gallois, 1963). The French ambition to create a European strategic bloc was also understandable. By sharing the tandem with Germany, France would be co-directing half of the continent, a much larger share than it could have done alone. Seeking independence from the United States was also fairly logical, since the French could not simply rely on the Americans alone (and even if they could, it would be another humiliation to go from world power to protectorate).

Adenauer's effort to become the other side of the tandem was also sensible. There could be no way for the Germans to be a relevant force in Europe without the aid of another state. Everyone on the continent was still suspicious of the central European powerhouse, trying to be a relevant power would presumably spook the entire northern hemisphere. Also, by having the possibility to choose between the French and the Americans, the Germans had a possibility to play two forces against one another in order to get the best out of each option. The fact that Germany eventually chose for the United States is not only fair, but mostly due to domestic electoral politics (Trachtenberg, 1999).

JUMPING OFF THE BANDWAGON TOGETHER

As mentioned earlier, the argument extends beyond the individual logic of national interest. Yes, each individual state did what it had to do to achieve its goals (mostly national security and relevance on the world stage). Furthermore, each state was too weak to be able to counterbalance the United States and the Soviet Union. However, together, they could have. By acting as a bloc, and operating in accordance with one another, the three countries could have kept the United States out of European politics. Three different choices should have been made differently.

First, the British should have considered not becoming America's *secondant* but seeking power by alignment with other European powers. In the Anglo-American relation, Britain is in the back seat. In the European Community Britain could have been in the front seat with the French and the Germans. This seems like an un-British place to be, seeing that the British often associate themselves with the Americans and more often than not complain about the European Union. But this also has to do with the second point: De Gaulle should have offered the British the chance to choose between the back seat of the American car, or the front seat of the European vehicle. Alas, De Gaulle, afraid of the Anglo-Americans infiltrating Europe, vetoed the British out of the continent (BBC, 1967). Third, and most complicated, electoral politics within Germany itself had to result in a win for Adenauer and the pro-Europeans, instead of for Erhard and the pro-Atlan-

tics, as to result in the successful establishment of the French-German Élysée Treaty.

These adjustments are by no standard insignificant. However, they serve as profoundly interesting tweaks within counterfactual argumentation. In other words, imagine the results of these counterfactual alterations. Europe would have become a third world power, both counterbalancing the United States and the Soviet Union. The political direction Europe would have moved in would be extremely hard to predict, but it would be clear that the Cold War would have looked very different.

CONTEMPORARY POWER SHIFTS

This exercise in abstract counterfactuals has very practical and contemporary applications. In the case of this article, it helps us understand how Europe relates to the United States, and its very own potential in strategic matters. Today, at the start of a new Cold War-esque period, this understanding is all the more relevant.

For the past few years, The United States had made its intentions clear to pivot towards Asia, with the added result of a diminished focus on Europe (Clinton, 2011). Though the Ukrainian Crisis has slowed down this movement, it is unsure whether or not the trend will be reversed. The growth of Asia, the proximity of Latin America and outright drama in the Middle East seem to be much more interesting to the United States than Europe seems (Moisi, 2013). In addition to this, Washington has complained many times that its NATO allies failed to commit the necessary capital to the alliance (Shanker, 2011). If such frustrations persist, it could result in the United States pulling out of Europe in an attempt to pressure them in taking their defence in their own hands.

NATO maintains a 2% rule, stating that each member state ought to spend 2% of their budget on defence (Hasik, 2014). In the period 1990-1994, the European NATO members spend an average of 2.5% of their GDP on defence. In the second half of that same decade, it declined to 2.1%, still at par with the agreed 2% rule. Between 2011 and 2013, the average for European countries decreased to 1.6% (NATO, 2014).

However, it seems that Europe is finally changing this trend. A 2015 rapport by the Stockholm International Peace Research Institute noted that a large number of European countries did indeed increase their defence spending. However, only Poland and Lithuania (with defence spending increases of 20% and 50% respectively) will be able to meet the 2% benchmark. Most other European countries that in fact do increase their spending only do so with a few per cent, hardly enough to reach the 2% minimum (Perlo-Freeman & Wezeman, 2015).

But as Russian and American attitudes and actions change, so do those of the three European countries. Both the Ukrainian Crisis and the Asian Pivot leave Europe with the responsibility to protect itself for the first time in decades. The question that faces us now is whether the French, Germans and British are willing and able to do so. In what follows, the article explores the current and future trends in the international assertiveness of these three countries.

First, the United Kingdom: As Ko Colijn, head of the Clingendael Institute in The Hague, has recently noted, the British are at risk of becoming even less relevant in the coming decades (Colijn, 2015). The British rely too much on their special relationship with the United States and are paving the way for a Brexit: a British departure from the European Union. Sadly, this is just

where the Americans need the British to be in order to be useful for Washington. As De Gaulle noted half a decade ago, the British would be an American Trojan Horse in Brussels. If the Trojan Horse were to leave Brussels, it would be much less valuable for the Americans. President Barack Obama stressed this very same aspect of the American-British relationship in June 2015, when he noted that “one of the great values of having the United Kingdom in the European Union is its leadership and strength on a whole host of global challenges. And so we very much are looking forward to the United Kingdom staying a part of the European Union” (Obama, 2015). This very diplomatic sounding remark was all the more noteworthy as it was part of a press conference that had absolutely nothing to do with the British membership of the European Union or even the European Union in general. It is a testimony of the sometimes paradoxical nature of politics: only by choosing for Europe, Britain can choose for the Atlantic.

Second, there is the case of France. Although usually portrayed as being a half of the Franco-German tandem that drives the European Union, France has been losing relevance quickly. France suffered from the euro crisis, its economy is stagnating and it has serious problems with keeping its budget in check according to EU guidelines (Pabst, 2014; Steinhauser, Dalton, & Fidler, 2014). On a political level, two trends damage the impact of France in Europe. The first being the unpopularity of the current president, Francois Hollande. The second being the popularity of the anti-European *Front National*.

A case for French power still can be made. Virtually all European countries have suffered hardship during the euro crisis and unpopular leaders who struggle with anti-European populists are common throughout the continent. In the meantime, France is more militarily active than other nations are, with Libya, Mali, the Central African Republic and Ivory Coast being good examples (Bender, 2015). But these factors do not make France a powerful actor within Europe itself, chiefly because of how well neighbouring Germany is doing in comparison. And however strong France may be in Africa, it hardly translates into more influence on the European continent.

Germany has become quite the opposite of France. It has a fairly strong economy, a leader with a very high approval rating, and it lacks a strong populist and anti-European movement as embodied by the *Front National* in France³. Whereas it was the weakest of the major European powers half a century ago, it is now the most powerful, and in many ways the leader of Europe (Mishra, 2014). However, many have pointed out that Germany, being self-conscious about its past, is reluctant to accept a true leadership role on the continent. It has limited its hegemony to more economic affairs, in particular maintaining fiscal responsibility in the eurozone (Bulmer & Paterson, 2013).

The role of Germany in the Western reaction to the Ukraine crisis has been very interesting and rather peculiar. On the one hand, Berlin is taking the leadership position with regard to the Western front against Russia (Speck, 2015). On the other hand, Germany has a more balanced view regarding sanctions than other nations have. Berlin insists on negotiations as a method of de-escalation (Pond & Kundnani, 2015). Meanwhile, Speck points out that the German approach does not include a ‘military dimension’, which has very serious implications for the diplomatic

³ The German eurosceptic party *Alternative für Deutschland* is a minor party. It failed to gain a seat in the Bundestag and it came in fifth in the 2014 European Elections. The *Front National* came in first in that same election in France.

stance that Germany can afford to take against Russia (Speck, 2015). In other words, it is doubtful whether any diplomatic revolve would be very durable without any kind of credible military back-up, especially when dealing with a military aggressive opponent like Russia.

CONCLUSION

This article has attempted to point out how the Atlantic nature of power in post-war Europe was not a given, but is the result of very careful deliberations and strategic planning of all major powers involved. It also tried to make a counterfactual argument to show how Europe would be a major power in and of itself, similar to the United States and Russia if the European powers at the time decided to stick together, instead of letting themselves be played against one another. The value of this is that it shows the relationship between Atlantic and Euro-centric strategic thinking in Europe by the major powers. This is all the more important now the United States aims to pivot out of Europe and into Asia, while Russian aggression is endangering peace and stability on the European continent.

Today, Germany, again, is the powerbroker and kingmaker of Europe. Five decades ago, it aligned itself with the United States, rather than France, and in effect created an Atlantic Europe, instead of a European Europe. Today, it stands in front of a similar crossroad. By fully accepting leadership and standing up to Russia, it can (possibly) unify European strategic power. If it feels too reluctant it will pass the buck of standing up to Russia to Poland, which is perhaps the strongest anti-Russian force in the European Union (Nougayrède, 2015). By doing so, it maintains all economic power in Germany, but leaves all the European strategic and geopolitical affairs in limbo. This will not result in an Atlantic or a European Europe, it will only make the continent weaker and less in control over its own future. Then, the Atlantic Europe, weak but with a bodyguard, is still better than an un-European Europe, which would be: weak, with no one to stand up for it.

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POLICY-ENTREPRENEUR OR SIMPLY AGENT OF MEMBER STATES?

An analysis of the driving factors influencing the working of the European Commission

By **DORA HEGEDUS**

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This article aims at investigating the driving factors that gravitate the working of the Commission towards either the intergovernmentalist or the supranationalist end of the 'theoretical scale'. The first, agency-centred section will examine the person of the President and the influence of prominent Commissioners. The second, structure-centred section will investigate the effects of the 2004 enlargement and the 'treaty guardian' role of the institution. It is hypothesised that the Commission is generally designed to be a supranational policy-entrepreneur despite the 'one Commissioner per member state' principle determining its composition after the 2004 enlargement. However, its increased size and ideological homogeneity on the one hand and the unwillingness or inability of prominent officials on the other hand, impose significant limits on the competency of the Commission. After analysing the empirical examples, it will be manifested that certain personal traits are more suitable for leading the Commission as a policy-entrepreneur than others. Concerning the structural part of the argument, it will be demonstrated that the policy-initiating power of the Commission is increasingly limited by the size and ideologically uniform character of the institution.

INTRODUCTION

The Commission is the executive body of the European Union (EU) and in the academic literature it is usually referred to as the engine of integration (Panzano, Hermanin & Corona 2012). It is composed of appointed Commissioners with no popular mandate and with an impartial stance towards their nation's interests (Nugent, 1995). Can "faceless international bureaucrats, unelected and without power of purse or sword, really influence the decisions of powerful nation-states" (Moravcsik 1999, p. 267)? It was a question formulated by an intergovernmentalist: Andrew Moravcsik, who believes in the general ineffectiveness of supranational entrepreneurs (Moravcsik 1999). While, on the other hand, the supranationalist school - the theoretical

counterpart of intergovernmentalism - attributes much more influential powers to international decision-makers. Supranationalist thinkers claim that the College of Commissioners provides political guidance, which should be defended by the organisation's officials (Hooghe, 2012). It is assumed that none of these theoretical frameworks can provide a completely accurate picture of the Commission's working because of the proliferous factors shaping the actions of this political body. Consequently, the main focus of this essay will be different from providing an overall analysis of the general functioning of the Commission. Instead the extent to what particular agency and structural influences might gravitate the working of the Commission towards either the intergovernmentalist or the supranationalist end of the scale will be analysed. The first, agency-centred section of the essay will examine the person of the President and the influence of particular Commissioners. While the second, structure-centred section will investigate the effects of the 2004 enlargement and the 'treaty guardian' role of the institution. It is hypothesised that the Commission is generally designed to be a supranational policy-entrepreneur despite the 'one Commissioner per member state' principle determining its composition after the 2004 enlargement. However, its increased size and ideological homogeneity on the one hand; and the unwillingness or inability of prominent officials on the other hand, impose significant limits on the competency of the Commission.

AGENCY

The President

The Commission differs from the single administrative-executive machine coordinated primarily by its President, which can be found in nation states. However, the opportunity to attend the intergovernmental European Council and to participate in other EU sub-units grants the Commission President considerable potential to frame policy proposals (Lord, 2002). In this section the person of Delors and Barroso will be compared with respect to whether they were able to lead member states in unintended or even unwanted directions, without provoking a counter-coalition of governments (Ibid.). It is proposed that Delors operated the Commission as a real supranational policy-entrepreneur, which partially could be attributed to his negotiating and political-manoeuving skills. However, it should not be ignored that with the end of the 'Empty Chair Crisis' and the 70's oil price boom a general pro-European climate became dominant in the continent, in which it was easier to bargain for integrationalist ideas. In contrast, with Euro-scepticism rising on the horizon as a result of the financial crisis, for Barroso it was substantially harder to sell 'further integration' - especially if it included deeper fiscal coordination on sensitive areas, primarily considered to be member state competences (e.g. taxation). Nevertheless, due to Barroso's neo-liberal pragmatism, sometimes even those plans became rejected that were initially advocated by a firm coalition of member states. Therefore, Barroso's reluctance to function as a policy-entrepreneur cannot be solely explained by circumstantial factors.

One of the most important policies connected to the Delors Commission(s) was the European Monetary Union (EMU). Intergovernmentalist critiques argue that Delors identified only existing patterns of preferences. They support their argument with the fact that the EMU was

essentially dictated by the German Bundesbank (Hix & Hoyland, 2010). Furthermore, the establishment of the European Central Bank (ECB) Governing Council also strengthened the powers of nation states. Nevertheless, accusing Delors of being an agent of states is an exaggeration. There might have been existing preferences for establishing the EMU, but it was Delors who set up an expert committee under his leadership by means of which he essentially shaped both the policy specificities and the preferences of states (Ibid.). The Delors Committee maximised the influence of expert opinion of business lobbies and other third-party participants in the process of drafting a set of recommendations, which led to the formulation of a White Paper that established itself as a dominant, indispensable conceptual framework of the EMU (Lord, 2002). Some resistance against certain aspects (e.g.: the fixed timetable for the implementation of the EMU) was manifested even in strong member states. Nonetheless, in the lack of any alternative frameworks based on expert opinions, the above mentioned 1985 White Paper became the only document perceived as legitimate to guide the creation of the EMU.

Concerning the EMU's wider geopolitical implications, Delors constructed a political package that could be deployed in a hurry to meet French claims demanding that the powers of a larger Germany should be multilateralised, in response to the German Unification (Lord, 2002). In this light, granting privileges to the Bundesbank and the setup of the ECB Governing Council were compromises initiated by Delors in order to shape the German and French standpoints and in order to make Kohl (the German Chancellor) and Mitterrand (the French President) accept the EMU plans.

While under Delors the Commission was put in the foreground and could operate as a real policy-entrepreneur, the institution acquired a much more reserved role under Barroso owing to his anti-regulation pragmatism and the outbreak of the financial crisis. Only those policies that were either half-heartedly or widely supported by member states, were openly advocated by the Commission. For instance, the proposal on the European Systemic Risk Board (ESRB) aiming at alleviating the symptoms of the eurozone crisis was neither a more supranational nor a legally-binding plan, which could effectively regulate member states. Non-compliance with the ESRB recommendations required member states only to give reasons for their decision under a so-called 'ask and explain' mechanism (Hodson, 2013, p. 304). Another more innovative proposal, the establishment of an EU-level financial transaction tax, was first initiated by member states. Through a resolution in March 2010, they called on the Commission to consider the pros and cons of such an arrangement (Hodson, 2013). In fact Barroso belonged to the early supporters of the transaction tax and he flagged for its implementation with signs of policy-entrepreneurship. He even stated that enacting the tax is "a question of fairness; and "it is time for the financial sector to make a contribution back to society" (Chaffin, 2011). Nevertheless, another comment of his revealed that this support was not unconditional as he was rather reluctant to bear immediate economic sacrifices. Barroso's pragmatism came to the surface when he stated that: "this scheme would be workable only in the context of a global agreement that did not harm European competitiveness" (Hodson, 2013, p. 308).

As a conclusion it can be stated that the person of the President has a substantial effect on whether the Commission will act as a policy-entrepreneur or an agent of the member states. However, circumstantial factors cannot be completely decoupled from analysing the potentials of the President as they can impose significant limits on his/her actions.

The Commissioners

A similar thesis can be formulated in connection with individual Commissioners. However, it should be noted that in case a Commissioner refuses to act as a policy-entrepreneur it does not necessarily mean that he/she is acting in compliance with member state interests. Non-entrepreneurship can also boost the supranational character of the Commission, as in this case strong state-preferences are rejected and policies in line with the ideological affiliation of Commissioner(s) are pursued. It could be observed precisely when despite the German and French plea for an EU-level regulation of hedge funds, Charlie McCreevy -the centre-rightist, highly pro-free-market Commissioner for Internal Market and Services- repeatedly expressed hostility towards constraining these industries (Buckley & Howarth, 2010). It was under his successor, Michel Barnier -who was more inclined to the left compared to his predecessor- when pro-regulatory policies could emerge again (Hodson, 2013).

In addition, Commissioners can act as high-profile policy-entrepreneurs during international conferences too. The report produced by Working Group X of the Convention, which prepared the Constitutional Treaty Intergovernmental Conference (IGC), had long-lasting effects especially in the area of freedom, security and justice (AFSJ) (Kaunert, 2010). The Lisbon Treaty, in accordance with the report of Working Group X, elevated the 'AFSJ' to become an objective with the same status as the Internal Market. Commissioner Antonio Vitorino, who was assigned by the Commission, attended every meeting of the Working Group, so he could acquire a good grasp of the on-going negotiations. In addition, his political figure was well and widely-known in the Convention, which made him a perfect policy-entrepreneur. These advantages provided significant opportunities for Vitorino to push the Commission's arguments, both during the official debate and more informally during the discussions with the individual working group members (Ibid.). Thus, the Lisbon Treaty reform of the AFSJ was indirectly, but at the same time significantly shaped by the Commission. Consequently, it can be stated that strong Commissioners can effectively enhance the supranational character of the Commission either by being an effective policy-entrepreneur pushing the Commission's integrative interests upon states or by being a non-entrepreneur rejecting the pleas of member-states. Thus, on the contrary to Moravcsik's statement, supranational entrepreneurs are not inherently ineffective.

STRUCTURE

Enlargement

The EP and the Council are claimed to be the main intergovernmentalist bodies of the EU, which are dominated by nation states as their basic organisational unit. Nevertheless, after the 2004 enlargement structural changes pushed the 'one Commissioner per member state' rule¹ to the fore-

¹ Since 1 November 2004, the College of Commissioners has consisted of one delegate per member state. The 'one Commissioner per member state' rule encourages governments and the appointed candidates to assume that the task of Commissioners is to represent their own member state (Novak; 2015; Grant, 2013).

ground. Thus one might rightfully start doubting if this over-sized, ideologically homogenous, state-based new Commission is really capable of being a supranational policy-bargaining body or whether the institution is inherently incapable of playing such role. Guy Verhofstadt, leader of the Alliance of Liberals and Democrats in Europe (ALDE), also urged reforms in an article published in 2014: “The Commission must acknowledge the many calls for reform. If we are honest about it, there’s no need for 28 policy portfolios for communities if the aim is to focus on where the EU can bring added value on the big things” (Verhofstadt, 2014). It is assumed that the Commission became a less zealous initiator not because of the ‘one Commissioner per member state’ rule, but indirectly due to its increased size and political homogeneity.

A new survey of the re-structured Commission documented that although nationality is not without importance, it is still not an overwhelmingly important basis for networking and high-profile decision-making (Egeberg, 2012). Another survey showed that top Commission officials favour deeper European integration regardless of their national background (Ibid.). Furthermore, as Prodi acquired a markedly more multinational character for cabinets (Nugent, 2010) his reform agenda counter-balanced the nation-based organisation of the Commission at the College level. Cabinets –previously referred to as the ‘French or the German cabinet’- may no longer be important links between national capitals and the apex of the Commission. Now there must be three nationalities in any cabinet (Egeberg, 2012). Consequently, despite the changes, the Commission did not substantially lose its supranational structural and organisational character, nor did it become a simple agent of states.

However, as a consequence of the 2004 enlargement, the Commission had to face problems springing from different sources. Peterson’s statement perfectly identifies these hardships: “The College is obviously a too big collection of strangers that is too large to have many meaningful political debates; yet, the College is also too small, lacking representatives of important political forces, particularly those in large member states, such as the German Christian Democrats or French Socialists” (Peterson, 2008, p. 765). In other words, the sheer size of the Commission and the fact that large member states cannot delegate two candidates anymore –making the institution ideologically dominated by centre-right politicians- prevent the Commission from being an innovative policy-entrepreneur. In this light, it might not be the incapability of Barroso that blocked the shift towards EU level re-regulation during the financial crisis, but the dominant ideological affiliation of the Commission that prevented such ideas from infiltrating into the decision-making process. To sum up, it can be stated that being supranationalist is not directly proportional to being an innovative policy-entrepreneur. As it was manifested, despite the fact that the Commission preserved its relative supranational organisational characteristic on the operational level, the institution lost its innovative policy-initiating power.

The treaty guardian

While the literature on the Commission focuses predominantly on its ability to use agenda-setting powers (Schmidt, 2000) -which has been discussed in some previous paragraphs- the Commission must also guarantee that the treaties and EU legislation are respected (Nugent, 2010). It is surmised that the Commission, both by referring to EU treaties and by cooperating with the

European Court of Justice (ECJ), can effectively exploit its supervisory powers to pursue further European integration - even if some member states are not in favour of it. Therefore, this paragraph will present empirical evidence to support the claim according to which the Commission is designed to be a policy-entrepreneur.

Schmidt has shown that the Commission, by using its competencies as the guardian of the 'single, internal free-market principle' and the 'competition law', may manipulate decision-making processes in the Council and may alter the preferences of some member states (Schmidt, 2000, p. 38). He attempted to prove his hypothesis through two empirical case studies: the liberation of airport ground-handling services and the abolition of electricity monopolies. Concerning the first example, seven countries (Spain, Ireland, Greece, Italy, Luxembourg, Germany and Austria) opposed the original proposal of the Commission. However, it is possible to direct immediately binding decisions based on the 'free-market article' (Article 90.3) against member states or monopolies (Schmidt, 2005, p. 68). Essentially, the Commission defined airport ground-services as an area not yet adhering to the single market goals, and judged it could initiate investigations in reluctant countries. Once the targeted countries agreed with the Commission proposal, they wanted to assure that their firms find the same conditions in all other member states (Schmidt, 2000). Consequently, they became essential advocators of further integration, altering their initial position.

In the second case study (the abolition of electricity-provider monopolies), the Commission threatened to impose high costs on those member states that opposed to adopt Commission proposals in the Council (Schmidt, 2000). The institution handed the cases to the ECJ, which compelled even the highly reluctant France to co-operate (Ibid.), as states are keen to avoid punitive ECJ rulings. However, it should be noted that the Commission uses this practice less often, for it does not wish to upset or politically embarrass states (Nugent, 2010).

In conclusion it can be stated that the Commission has a far-reaching supranational, policy-entrepreneur influence on member states by pursuing its role as the guardian of EU treaties. However, it is worth mentioning that these types of initiatives cannot go beyond broad treaty-borders, which are still outlined and agreed by member states. Furthermore, as over the years there has been an exhaustion of virgin policy domains under the aegis of the single market principle, the amount of such innovative proposals has also declined (Ponzano, Hermanini & Corona, 2012).

CONCLUSION

As a final conclusion, it can be claimed that the initial hypothesis was proven to be right as the Commission indeed has structurally granted powers to act as an effective supranational policy-entrepreneur, although certain characteristics of leading EU politicians and structural alterations prevented the institution in many ways from operating under the aegis of innovative supranationalism. As it was manifested throughout the examples, specific personal traits of President Delors and Commissioner Antonio Vitorino were more suitable for leading the Commission as a policy-entrepreneur. While during the presidency of Barroso, the Commission refrained from far-reaching initiatives both as a result of Barroso's pragmatism and the general Euro-scepticism invoked by the financial crisis. Concerning the structural part of the argument, it was manifested

that the Commission was transformed from a small ideologically heterogeneous group of politicians with extended institutional independence, to a massive, ideologically uniform and rather inefficient group. Though, as a counter argument, it could be stated that the Commission retained substantive powers through its right to supervise treaty-implementation.

The initial assumption according to which “none of the grand theories can provide an ultimately correct picture of the characteristics of the Commission” was also supported by the empirical data presented in this text. Furthermore, such complexities arose when the Commission could function as a supranational body not as a result of being a policy-entrepreneur, but as a consequence of deliberately refusing to implement innovative ideas of a firm member state coalition. This was manifested in the example of non-entrepreneurship whereby Commissioner McCreevy could pursue his plans in line with his own ideological affiliation. At the same time, the example of advocating the European financial transaction tax showed that the Commission could initially represent itself as an active policy-entrepreneur despite the fact that it was rather reacting to already existing, strong member state claims. Thus, the Commission can act independently in a supranational manner without being a policy-entrepreneur and it can also present ideas in a quasi-innovative way in reaction to the demands of member states.

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