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# **Panel 7F External Legitimacy of EU Foreign Policy: Issues, Options and Implications I**

# ***EU Foreign Policy, External Legitimacy and Geo-Politics:***

# ***The Strategic Illusion of Others[[1]](#footnote-1)***

# **Ben Tonra**

# **UCD Dublin School of Politics and International Relations (SPIRe)**

# **University College Dublin**

# Ben.tonra@ucd.ie

Much scholarly and public commentary has bemoaned the lack of a 'strategic' approach on the part of the EU. This commentary has suggested, for example, that the Russian government's geopolitical moves have revealed a weak European response and the absence of effective strategic thinking. This has been mirrored in wider critiques of the Union’s neighbourhood policy in both North Africa and Eastern Europe. This paper proposes a deconstruction of this external argument which appears to link the Union's external legitimacy with its capacity to pursue a state-centric, state-realist conception of action. Reducing our conceptualization of the Union in this way, effectively to that of the EU as a weak or incompetent state, fails to capture the potential of the Union's ontology and its added value as an international actor. In a state-centric, state-realist conception of 'strategic culture' and 'strategic action' the Union is inevitably a loser. The paper will conclude with a call for a more open and adroit conception of strategy through which the Union can be seen by third countries as contributing on the basis of its own comparative strengths and capacity to a new geopolitical order.

Introduction

It is certainly true to say that the European Union suffers from existential insecurity. It is difficult to think of another international actor so beset by analyses of its own nature and status within the international system. Operating in a liminal space between states and international governmental organisations, the Union’s ‘sui generis’ character has been an issue of profound fascination for scholars and one of deep-seated anxiety on the part of many EU and national foreign policy makers. Scholars have developed a thesaurus of concepts trying to capture the external profile of the Union and thereby a better understanding and/or explanation of its role in the international system. These have included descriptions of a European foreign policy ‘system’, ‘network’, ‘milieu’, and ‘republic’ (Hill 1996; Keukeleire and MacNaughtan 2008; White 2004; Bátora and Hocking 2009; Jørgensen 1997). It has also set up ongoing debates surrounding the Union’s ‘presence’ and ‘actorness’ within the international system ((Sjøstedt 1977; Hill 1990). For policy makers, the issue is even more acute as the Union has extended and deepened its range of ‘external action’ to develop a Common Foreign and Security Policy (CFSP) and associated Common Security and Defence Policy (CSDP) and there are even contemporary suggestions to create a ‘European army’. This has, in turn, raised expectations among international partners and presented European policy makers with the challenge of making good on multiple rhetorical claims of the Union as an international actor. How does an entity like the European Union, within the realm of a foreign, security and defence policy governed by self-consciously sovereign actors, even begin to build a structure to represent ‘itself’ and the interests and values of its member states on the international stage? Thereafter, how does such an actor place itself within a geo-political milieu and address the questions of space, borders, neighbours, strategy and interests that thereby result? Perhaps the even more consequential question is; how can such effort be legitimated towards its own citizens and towards its international partners such that it is seen as a credible, effective and coherent international actor with a legitimate geo-political role and ambition?

This paper focuses on this latter issue of legitimisation and specifically the ways in which the Union’s external legitimacy is constructed, how it is perceived by the Union’s international partners and how those perceptions, in turn, feed back into the Union’s capacity as a geo-political actor. The Union’s challenges in this respect are significant. As Mälksoo puts it, the Union “…seems to suffer from a case of status anxiety as a security actor…still struggling to live up to the ideal-type state (2016: 1-2). This is an important consideration as it is the bar against which the Union often sets itself, and that against which third parties often appear to measure it. As a non-sovereign actor with sovereign constituent states, the Union cannot be legitimated by the ‘simple’ act of sovereign recognition by third parties. Instead, it has the harder task of building up its own credibility and capacity as an actor so as to secure recognition as a valued international partner. In part, this may be formally achieved through the acquisition of bespoke legal status within multilateral organisations (e.g. recognition at the UN, see Smith K.E. 2013) and bilaterally in the development of a ‘diplomatic’ infrastructure through the European External Action Service (EAS) and its associated EU Delegations. Far more important, however, is the informal recognition of third parties, seeing the Union as an effective and valued international actor.

The purpose of this paper therefore is to interrogate the Union’s external legitimacy as a geo-political actor, to identify its constituent elements and to challenge assumptions related to the Union’s capacity to perform as a ‘strategic’ actor which currently serve only to diminish the Union, undermine its capabilities and destabilise what is potentially its transformatory capacity in the international system of states. To do so, the paper will proceed as follows: first it will consider the nature of legitimacy as regards the Union’s foreign, security and defence capacity. It will, in particular argue that the Union’s external legitimacy is composed of both input and output elements and that the latter of these, building on Clark (2003), is composed of a legitimacy of authority, legitimacy of order and a legitimacy of action – the latter of which can be linked to conceptions of geo-political ‘strategic action’. From there the paper will seek to deconstruct ideas of ‘strategic culture’ and ‘strategic action’ to argue that their pursuit by the Union has served in fact to diminish the Union in the eyes of third parties, to misdiagnose weaknesses in the Union’s foreign policy and to pursue a largely fruitless strategy of neo-Westphalian institution-building. The paper will conclude with an argument for embracing the Union’s liminality, building upon its existing capacity and thereby potentially reshaping the dialogue with third parties, such that they perceive the Union’s added value to the international system and its distinctive geo-political role.

Legitimacy and EU Foreign Policy

Legitimacy is understood to encompass the general acceptance by a given population of a stipulated political order. At a minimum this requires passive acquiescence. At a maximum it entails the active and positive engagement of that population in the management, reproduction and development of that political order. It does not necessarily, at least in theoretical terms, have to assume a democratic form of government. However this is the starting assumption of most analyses in looking at contemporary political systems. According to Risse, therefore, ‘In democratic systems, a social order is legitimate, because the rulers are accountable to their citizens who can participate in rule-making through representation and can punish the rulers by voting them out of office’ (Risse 2006). This legitimacy is understood to have two aspects; philosophical/normative and sociological/empirical (Stoddard 2015). The approach adopted here prioritises a sociological or empirical understanding of legitimacy and the extent to which the European Union is deemed to be legitimate (i.e. a belief or faith in the rightness of EU governance), prior to asking any normative questions as to its moral or ethical standing as a system of governance.

The foreign policy of the European Union faces an ongoing challenge of legitimacy at two levels; internal and external. When we seek to apply legitimacy to foreign policy we have to consider these two faces; that which is deemed to be legitimate by the community on whose behalf the foreign policy is being executed (internal legitimacy) and that which is deemed to be legitimate by the wider global commons; a community of states and peoples (external legitimacy). In considering the internal legitimacy of the European political project as a whole, Fritz Scharpf has further developed a critical distinction between output and input legitimacy (1997, 1999).[[2]](#footnote-2) In foreign policy terms, considerations of output legitimacy – or permissive consensus – have long predominated; that is to say the legitimacy of EU foreign policy has been grounded in the extent to which these policies have delivered on widely-sought goals (peace, security, prosperity, etc.) and the Union’s associated capacity to deliver policy results (Risse 2006: 185). This was all the more salient if one were to accept that the community whose approbation was being sought was that of a community of EU governments rather than the broader European population(s) (Scharpf 2009).

In recent years scholarly attention has shifted somewhat to assess in greater detail the input legitimacy of EU foreign policy (Sjursen 2011; Lindgren and Persson 2010). Here attention is devoted to the ‘participatory quality of the decision-making process’ (Risse 2006). To what extent, if at all, are European ministers – acting unanimously – held accountable to national parliaments (Caballero-Bourdot 2011; Huff 2015; Lord 2011; Auel and Christiansen 2015; Raube 2014)? To what extent, if at all, are EU-level policy makers held accountable before European parliamentarians (Raube 2012; Herranz-Surralles 2014; Rosén 2015; Riddervold and Rosén 2015; Van Hecke and Wolfs 2015)? As policy making in this field has been increasingly constructed and pursued through new and shared policy making structures in Brussels, to what extent is that corpus of policy making and its implementation then subject to the control of those in whose name it is being executed? Here again it may be asked to whom is such a policy properly accountable; member state governments or European Union citizens as a whole?

As noted above, there is an extensive literature on the defects of the EU’s input legitimacy as regards foreign policy. There is particular focus therein on the worsening of that democratic deficit through processes of Busselsization and/or Europeanisation (Allen 1998, Tonra 2001, Wong 2012), and prescriptions for its amelioration (O’Brennan, and Raunio 2007; Sjursen 2011). There is vigorous discussion too on the aforementioned issue as to whether input legitimacy is to be best pursued on the basis of accountability to and through national governments (intergovernmental input legitimacy) or directly to and through European citizens (supranational input legitimacy) (Wagner 2005). Resolution of these deficits are commonly posited through several avenues – each of which is designed to better ground EU foreign, security and defence policies in democratic consent and control. The first and most obvious is a strengthening of the aforementioned parliamentary accountability, whether at the national or European level. The second is through the more active engagement of stakeholders in policy planning and execution (Buchs 2008). This has the added value too of improving the quality of policy, with such stakeholders providing not just improved public accountability but also access to expert knowledge. A third element is through the strengthening of a European public space of debate and deliberation such that it contributes to the creation of agreed narratives surrounding the Union’s place and role in the world (Youngs 2004, Nitoiu 2013; Risse and Grabowski 2008; Tonra 2011).

A key question here, of course, is also how such input legitimacy is contextualised by a rising tide of geo-politics? Differentiated perceptions surrounding geopolitical priorties have been a longstanding European pre-occupation. Central and Eastern European member states have had very different perceptions of 'Europe's' geopolitical realties than have southern and Mediterranean member states. Such differentiation was for many years successfully marshalled within the European Neighbourhood Programme (ENP) in a one-size-fits-all geopolitical bazaar (DeBardeleben 2007), but that framework withered in the Arab Spring (Dannreuther 2015). With the increased salience of geopolitics, a critical unit of analysis problem is thus reinforced; can the 'Union' qua 'Union' successfully represent itself as an effective geopolitical actor in the eyes of its citizens and member states, or is the Union reduced to a status of a clearing-house for distinct national perceptions of geopolitics and thereby assessed in terms of its effectiveness in marshalling/balancing that plurality?

Less attention has traditionally been accorded to the external legitimacy of EU foreign, security and defence policies and its relevance to geopolitics. Certainly, legitimacy here is important. It affords the Union both the formal locus standi of international action as well as contributing to its international credibility. Assessing external legitimacy, however, is more challenging in as much as there is no definitive arbiter of legitimacy in either philosophical or empirical terms. Different geographical communities possess their own models and understandings of their own state’s legitimacy – over both time and space. These multiple legitimacies (the divine right of kings, republicanism, democracy, authoritarianism, communism etc.) entail contestation and these contestations largely define the turning points of history (Clark 2007). In the absence of any definitive means to mediate between these differences, international actors are left with multiple of options of submission, cooperation, and coercion and conflict (Stoddard 2015: 556).

It is useful too, to distinguish between external input legitimacy and external output legitimacy. External input legitimacy may be said to relate to the participatory quality of decision making with international partners. In our example, this might be said to relate to the perceived capacity of EU policy actors to listen to partners and to take account of their views in policy development and negotiations. It might also entail active engagement with IGOs and international NGOs and a visible and practical commitment to a rules based multilateral order which is reflective and respectful of different interests, values and legitimacies. Geopolitics can also be critical here. In respect of Ukraine and Russia's invasion, occupation and annexation of parts thereof, an ongoing criticism has been the Union's geopolitical naiveté. The Union, so the argument goes, failed a key test of external input legitimacy by taking inadequate account of Russian geopolitical fears/ambitions and Ukrainian geopolitical tensions, thereby opening the pass to a critical juncture of miscalculation and Russian adventurism. This has had the additional impact of shattering well established European norms and even formal treaty-based agreements on the inviolability of post-Cold war borders.

For its part, external output legitimacy is grounded in the effectiveness, credibility, coherence and success of foreign policy in the eyes of partners and other international actors and here too geopolitics plays a role. The perceptions of third-party states are of central importance. Their reading of the European Union might well determine the extent to which they are open to acceptance or rejection of EU policy preferences (Stoddard 2015). Clark (2003) suggests that the external output legitimacy of an international actor is established through a legitimacy of authority and a legitimacy of order. The legitimacy of authority is grounded in the capacity of an international actor to secure compliance to its preferences. Such compliance is grounded in a fusion of power with legitimate social purpose (Clark 2003: 89). In the case of the EU this can be most visibly illustrated in the compliance of applicant states – and those with their own membership aspiration – with the Union’s *acquis*. This is a limited pool of legitimate authority and while it served the Union very well in successive rounds of enlargement it has been visibly absent in the Union’s subsequent development of its neighbourhood policy, weakened as it has been argued to be, by a failure to encompass its own and its neighbours' geopolitical realities (Börzel and Van Hüllen 2014; Melo 2014; Noutcheva 2015).

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| Internal Output Legitimacy | Delivery of policy outputs; peace, security, prosperity | Effective, coherent and credible foreign policy action(s) |
| Internal Input Legitimacy | Democratic accountability | Parliamentary accountability   * National (intergovernmental) * EP (supranational)   Stakeholder engagement  European Public Space |
| External Input Legitimacy | Participatory quality of decision making with international partners | Policy listening and engagement with third parties |
| External Output Legitimacy | Extent to which third parties are open to acceptance or rejection of EU policy preferences | Legitimacy of Authority  Legitimacy of Order  Legitimacy of Action |

The legitimacy of order rests on much softer foundations. In the absence of a clear global hierarchy or overarching authority or system of governance, legitimacy rests on the general acceptance of common but evolving – sometimes even contested – international norms. It should be noted that such contestation can extend to the very nature of the international system itself such that state may be viewed, and view itself, not simply as a revisionist state (in opposition to status quo states) but even a revolutionary one. For the EU, its external output legitimacy is contingent on norms and values shared by both its constituent member states and others within the international system. Such norms, however, are not universally shared and are subject to contestation from other international actors. Such actors may have very different understandings of, or ambitions for, the dominant set of international norms. The geo-political ‘turn’ in security and international relations has certainly problematized the Union’s legitimacy of order. The external perception of the Union as a child of globalisation, multilateralism and cosmopolitan norms serves to diminish it in the eyes of external stakeholders as they survey (and exploit) a shift towards protectionism, unilateralism and nationalist populism. The Union can be presented in such quarters as being the legacy residue of a near bygone era - or in more sympathetic terms, as a critical bulwark against a rising and aggressive international tide.

It is suggested here that we might add a third constituent of external output legitimacy; a legitimacy of action. Both authority and order may be said to be constituted at least in part by action – the instantiation and re-instantiation of norms through policy performance. Diplomatic and foreign policy action creates both facts on the ground as well as precedents, which, absent a global referee, serve to constitute legitimate authority and perhaps even contribute to legitimate order. In ideal circumstances, such iterative actions may have the effect of enhancing global justice and global stability, should they succeed in creating consensual even binding understandings of legitimate action and authority/order between international actors (Clark 2007:16).

In the case of the EU, the legitimacy of action is all the more germane. The Union lacks the formal mutual recognition of sovereignty and must therefore rely much more heavily on the informal recognition of third parties in the construction of its external legitimacy. The Union, by and large, is reluctant to use coercive measures, especially military force, in pursuit of its values and interests. This is a function of both its own institutional foreign policy structures - which require unanimous consent among the member states – as well as its own consensus-driven diplomatic culture. With the exception of trade and international economic cooperation, therefore, the Union is largely absent a legitimacy of authority. In its stead, the Union has explicitly relied upon a legitimacy of order in which the Union professes its commitment to a set of universal norms and values and rhetorically pursues their fulfilment across the full spectrum of its international actions. Such has been the Union’s self-ascribed profile in this role that scholars have differentiated the Union from other international actors and argued that its unique profile has created for it a position as ‘normative power’, a ‘difference engine’, or as an ‘ethical power’ (Manners 2002; Manners and Whitman 2003; Aggestam 2008). While this has been repeatedly challenged – most especially in the realms of international political economy and development - the fact remains that the Union presents itself and is characterised by others – as being exceptionally committed to the fulfilment of ideational milieu goals.

Within the above, however, the Union is especially vulnerable to counter claims that what it does fails to map onto what it says it will do. For a nation state, such a charge is less than fatal. A nation state’s external legitimacy is firmly grounded in mutual sovereign recognition such that the legitimacy of authority and of order are well understood and acknowledged- the patterns therein are clear. For the European Union however, such a charge can be debilitating. It must rely to a greater relative degree on the legitimacy of its action so that it can (re)create/instantiate/constitute that legitimacy of order and authority.

In an evolving geopolitical order, however, how does such legitimacy of action potentially fare? Here the Union is again visibly struggling. The new EU Global Strategy goes some distance in privileging the local neighbourhood of states as a prioritised area of policy focus. At the same time, however, it may be argued that in that very same strategy, the Union is resiling from directive action, relying now instead on a ‘principled pragmatism’ and a foreign policy approach rooted in the ‘resilience’ of itself and its neighbours (Global Strategy 2016). This potentially then undermines EU claims at differentiation as an international actor, limiting its actions in both scope and ambition so as to accommodate a more focused and precise impact on local actors.

Legitimacy and Strategic Behaviour

Having made a case for the potential role and significance of legitimacy of action in establishing the external legitimacy of the European Union and how geopolitics potentially problematizes that, we need now to assess how such a legitimacy can be formed and pursued. It underscores the reality that for the Union, third party perceptions of it as an actor are important. Within those perceptions it appears to be the case that ‘strategic’ behaviour is deemed to be significant (Chaban and Holland 2014). For third countries, and most especially those rising powers which seek to recalibrate their position in a geopolitical international system, a clear strategic approach is seen as critical to their own success and it is argued that that they themselves are pursuing well-defined, long-term strategic goals (Kang, 2007; Ayres and Mohan, 2009; Brainard and Martinez-Diaz, 2009; Zagorski, 2009). The priority given to strategic behaviour by these unitary states appears to cast a shadow across the credibility of the Union as an impactful geopolitical actor in their eyes.

The Union’s relationships with many of these states are formally structured on the EU side as ‘strategic partnerships’ (Howarth 2016) but expectations of the Union as a strategic partner appear not to be bearing fruit. Chinese ambitions, for example, that the Union would be an effective partner in creating a more balanced global multilateralism appear to have been disappointed (Zhonping 2008) and the Union is now said to be seen as ‘little more than a trade and investment partner’, while India dismisses EU pretensions to be a significant actor, seeing it as ‘too weak and not unified enough to develop a coherent strategy […] and as primarily “just a follower” of US security policy’. (Howarth 2016). Interestingly, however, that role of a trade and investment partner can evidently generate a significant sense of strategic threat, in as much as part of the declared logic for Russian revanchism in Eastern Europe was their perception of EU trade policy as part of a coherent EU strategy designed to thwart Russian regional interests, creating ‘a zero-sum relation(ship) with Russia and intensifying Moscow’s own security dilemma’ (Diesen 2015). Ironically of course, the Union professed itself unaware of these deep geopolitical strategic logics in its own trade policy and as a result stood accused of a Euro-centrism that simply never took adequate account of Russian interests (Lehne 2014) and/or failed to think through the implications of its actions, leaving ‘political and psychological confusion among the Ukrainian people’ (Getmanchuk 2014) in its wake. In sum, the Union’s geopolitical relations with these and other emerging powers reveals ‘a narrative of multiple asymmetries, complex and often contradictory triangulations, (and a) lack of clear strategic objective’ (Howarth 2016). How then might the Union address this?

In order to meet the expectations of these external partners, the Union has been encouraged to be more like them, engaging in strategic behaviours grounded in a stronger strategic culture (Haglund 2013). In terms of external legitimisation this would contribute both to the legitimate order pursued by the Union and strengthen the potential of the Union’s legitimate authority. It is the Union’s weakness of strategic behaviour, deriving from a broader context of strategic culture (Gray 1999) that is identified as significant issue for the EU (Norheim-Martinsen 2013).

For its part, strategic culture can be understood as a comprehensive set of assumptions, norms, values and patterns of behaviour held by decision-makers in respect of the potential use of military force in pursuit of policy goals, up to and including the use of war (Klein, 1991; Duffield, 1999; Biava, Drent and Herd 2011). Of course, in such a context, the EU is immediately deficient as it does not engage in territorial defence and its security policy is delimited almost entirely to peace support or crisis management operations. The EU may be said to represent a post Westphalian security community, lacking an adversarial ‘other’ and pursuing an ambitious set of both regional and global milieu goals (Sperling 2009). The Union also tends to focus on non-traditional aspects of security, while efforts on the part of the Union and its sympathisers to foreground the Union’s ‘soft’, ‘normative’ power can be characterised as being peripheral and conferring of limited, secondary global influence (Hyde-Price 2006).

This irrelevance of normative power and the lack of a substantive military capacity are said to be the ‘Achilles heel of coercive diplomacy in the EU’ (Matlary 2006) as well as the critical lacunae in the development of an EU strategic culture. Indeed, the Union’s very ontology may be working against it; ‘Until the EU develops as a supranational federal state, rather than an arena for intergovernmental bargaining, it cannot forge a strategic culture – the state being the sine qua non of strategic actor status’ (Biava, Drent and Herd 2011:1230). Thus, the development of a strategic culture and any consequent strategic behaviour through action which might bolster the Union’s geopolitical legitimacy appears at first glance to be impossible. For its part, as noted by Gray (1999:50) ‘strategic culture should be approached as a shaping context for behaviour and itself as a constituent of that behaviour.’

In turn, the requirements for strategic action encompass 1) an overall strategic design and ambition, 2) the material capacity to achieve those ambitions and 3) the political will (and ideational capacity) to pursue those ambitions (Matlary 2006). Critically, within the realm of material and ideational capacity, the ability to deploy military force as part of a coercive strategy force is widely seen as a *sine qua non* of strategic action (Johnston, 1995; Hyde-Price, 2004; Matlary 2006). With the publication first of the European Security Strategy in 2003, its implementation report in 2008 and the most recent European Global Strategy in 2016, the Union has set about creating an overall strategic design and ambition – a ‘grand strategy’, entailing ‘the calculated relationship between means and large ends’ (Gaddis 2009).

Over the same period, but commencing earlier, the Union has also engaged in the development of the material capacity in military terms to achieve those ambitions and the associated structures to manage that capacity. This has entailed the creation of institutional structures and decision making processes (Military Committee, Military Staff Committee, European Defence Agency, EU Battlegroups, Political and Security Committee etc.) which are designed to allow for deepened cooperation between member states’ military forces (planning and operational) and their contribution to dedicated security missions and operations overseas; both civilian/military and exclusively military. This process has also been accompanied by the further development and institutionalisation of EU foreign policy making structures; the consolidation of the role of the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission (HRVP), the creation of the European External Action Service (EAS), and the creation of a treaty base for even greater consolidation and integration of member state military forces in Permanent Structured Cooperation. The latter being designed to facilitate a sub set of member states wishing to undertake ‘the most demanding missions’ in the fields of security and defence.

At the same time, these structures and processes – almost mirroring the associated defence and security structures of the member states themselves – have not generated the long-sought credibility and geopolitical relevance they may have been designed to deliver. The Union’s ‘coherence and reliability’ as a security and defence actor remains problematic, most especially when divorced from US capacity and engagement (Cornish and Edwards 2005). This has been further underlined by the profile of the Union’s CFSP and CSDP actions over the course of 35 missions and operations. In their review of EU security culture and the actions deriving therefrom, Schmidt and Zyla (2013) highlight the comparability of the Union with other multilateral actors such as the UN and its distinctiveness from even its own member states. The Union’s legitimating actions may be seen to be less about solving security crises than about strengthening the normative case underpinning a world view promoting effective multilateralism, challenging traditional conceptions of security and promoting a distinctive view of security governance (Wagnsson, Sperling and Hanllenberg 2009). None of this, of course necessarily lends itself to favourable review by self-interested Westphalian actors nor does it naturally secure the Union a place at the geopolitical table.

This brings us to the third criterion identified as being necessary to the pursuit of strategic action, namely the political will (and ideational capacity) to pursue those ambitions. The ontological realities of the Union come to the fore here. In the absence of a sovereign hierarchy and with the continuing heterogeneity of national interests and values, the level of overall political cohesion is necessarily variable and especially vulnerable to external shocks which unsettle well established policy pathways. The multilevel character of the Union therefore imposes particular constraints on the acquisition and strength of political will directed to the resolution of particular foreign security and defence challenges. On the ideational side too, it is argued that while the structures and institutions necessary for sharing beliefs and for learning best practices and thereby creating a common ideational foundation exist, they have not succeeded through a mix of contestation, free riding, instrumentalisation and limited added-value (Haine 2011)

Conclusions

Taken together then, what is the judgement on the Union’s capacity for strategic action in a geopolitical context? The assessments are not good for those ambitious for the Union’s role in world. One scholar has determined that far from being an emerging global superpower, synthesising and directing the capacity of over two dozen European states, the Union is, at best, to be considered a ‘small power’ (Toje 2011). This results from a combination of its strategic dependence, its limited military capacity and its dedication to international law. This ‘suitable and sober’ categorisation captures both its system-changing ambitions and its limited practical capacity for strategic action. Others are more critical, characterising the Union’s actions as being those of ‘…a weak and young institution trying to build its legitimacy inside and outside’ and underlining the hard reality that ‘…there was never a European strategic culture, only chimerical security beliefs’ and these are grounded in broad milieu goals, unsuited to an effective strategic actor (Haine 2011).

This suggests that the Union’s perceived deficiencies as a strategic actor do indeed have a negative impact on its external output legitimacy. Partners and scholars define the Union in terms of its incapacity, especially in ineffectively welding military force and other coercive measures (legitimacy of authority) but also in terms of its capacity to pursue milieu goals which are deemed either to be ineffectual (absent legitimate authority) or understood to be rhetorical rather than real (absent legitimate order). How might this then be addressed?

The first option – and the one that we see increasingly in vogue, is to double-down on an agenda of militarisation. The HRVP signalled – even before the formal publication of the European Global Strategy – that the area where she saw greatest potential to advance the Union’s global position was in the security and defence realm (Mogherini 2016). Since then - and especially as a means to counter the European malaise following Brexit, the political troposphere has been heavy with proposals for swift movement on deeper security and defence integration. A dedicated EU military headquarters, a multiannual European defence research fund - even a European army – have all been mooted. Scholars, too have insisted that for the Union to pursue a substantive strategic agenda it must become a ‘power’ with the associated military accoutrements, capacity and will to wield force (Biscop 2009) and to secure its place as a defined geopolitical actor.

The question remains, however, as to whether or not this is the most fruitful ground on which to root the Union’s attractiveness to third countries as an effective international partner, bringing real added value to address outstanding security concerns. The suggestion arising from the analysis above is that it is not. The Union has real and abiding limitations in pursuing strategic action predicated on the use of military force. Such limitations go beyond simple political will but are grounded at the intersection of sovereignty, capacity and democratic control. This does not however imply that the Union cannot apply itself to strategic action in pursuit of external legitimacy, simply that it must do so in a manner which is consistent with its own ontological realties and which – potentially – may challenge traditional understandings of strategic action.

A more open and adroit conception of strategic culture and strategic action may be the key. A strategic culture defined as the assumptions, norms, values and patterns of behaviour that underpin a ‘process by which ends are related to means, intentions to capabilities, objectives to resources’ (Gaddis 2015; viii) might bear fruit, without assuming a core role for military force. This kind of post Westphalian strategic culture might potentially play to the Union’s strengths in hard economic power and soft security power – the latter constructed on a truly integrated civilian-military capacity for peace keeping and peace building (Sweeney 2013).

Such a security culture opens the path towards strategic behaviours and action that potentially give real purchase to the idea of a ‘comprehensive approach’ reaffirmed and expanded in the 2016 EU Global Strategy. It does however also suggest that the Union needs to work in a different way, to turn its face against the mirage of high intensity military deployments and to focus instead on a new strategic model. Such a model would encompass the development of a fully integrated ‘civilian-military’ capacity based on unified command and planning structures and deployable standing resources. Such standing resources would encompass a broad menu of personnel (inter alia; administrative/technical, legal, judicial, penal, police, gendarmerie and military) able to call on the full menu of EU external policy capacities (emergency relief, humanitarian aid, disaster response and peacekeeping/peacebuilding). For its part, the Union and its member states would then have to develop processes capable of both rapid deployment and short to medium-run strategic planning – encompassing a clear delineation of EU interests and values. This would ultimately feed into broader EU foreign policy development, integrating these security/crisis response mechanisms with longer term strategy in trade and economic, human rights, environmental and other policy fields.

The challenges of the above are not to be underestimated. They require imaginative thinking and dynamic action which goes against the grain of deeply rooted Westphalian assumptions on power, strategy and agency. They also require a commitment of political will that has to date been in short supply. This approach does however, have one overriding advantage in that it works with the grain of the Union’s ontology rather than trying to reshape it. Moreover, it offers a menu of opportunity with the potential to re-establish the Union’s *bona fides* as an international actor bringing real added value to the resolution of serious security strategies.

It does also require, however, a more sophisticated engagement in geo-politics than has been heretofore represented by the Union. As noted above, the Union’s external legitimacy has been substantively undermined with the rise of geopolitics. Whether in legitimacy of authority, order or action, the assumptions underpinning geopolitics are not sympathetic to the Union’s role in the international system. This gives rise to the obvious analytical conclusion that the Union must adapt itself to these new realities and mould itself to the parameters of strategic action deployed by a unitary and self-possessed foreign policy actor. However, as suggested earlier, the Union’s very nature as actor and its history to date is inimical to such a transformation and it is far from clear whether even a narrative or rhetorical shift in that direction would carry any weight in the eyes of external stakeholders. Critically too, there is no indication that domestic European electorates or governments are prepared to entertain the kind of political and constitutional revolution necessary to such an eventuality.

Thus two further options exist: The first is that the Union slides into increasing irrelevancy. Much as with the last dinosaurs, the Union will then be seen and understood as relic of a bygone age while new and rising geopolitical powers vie for dominance in this new era. The second is that the Union will continue to see itself as a transformational power and will represent itself more effectively as such by playing a geopolitical game with the cards with which it has been dealt. This will entail the development of stronger and more integrated policy tools dedicated to tailored and specific policy outcomes. It will also mean that the Union’s legitimacy of authority, order and action can be successfully situated within an evolving global geopolitical order.

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1. This paper derives from ongoing research collaborations and discussions through the ERASMUS+ Jean Monnet ANTERO Network on teaching, education and research in EU foreign policy. [↑](#footnote-ref-1)
2. Schmidt (2013) has usefully extended this conversation to discuss ‘throughput’ legitimacy; an analysis of the quality of practices within the ‘black box’ of governance, related to “efficacy, accountability, transparency,

   inclusiveness and openness to interest consultation.” Due to the unique executive-centred nature of foreign policy and the weakness of governance at the inter-state level, this paper does not (yet) include this aspect of legitimacy within its analysis. [↑](#footnote-ref-2)