The European Union and Global Governance

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The European Union and Global Governance

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10.1 Introduction

The European Union (EU)[1] constitutes a curious element in the context of global governance: more than an international organization, but less than a state (Wallace 1983); frequently driven by crisis and yet continuously expanding and deepening; increasingly criticized by its own governments but with apparently great appeal for many beyond its borders (as the 2014 Maidan protests in Kiev demonstrated). One of the many riddles of European integration has been the relationship the EU has developed with the rest of the world, be it third countries, other regions, or institutions of global governance. On the one hand, the EU has long perceived itself as a champion of multilateralism, as leading the world in trade and foreign direct investments, as deeply involved in the development of important global regimes such as climate change, as the world's biggest donor of development aid and, as some have argued, can be seen as a 'normative power' in its external relations (Manners 2002). On the other hand, the EU's foreign policy is severely constrained by the need for consensus among all member states, is hampered by material and practical limitations, is often regarded as a 'fortress' seeking to shut out immigrants, and lacks the capacity to confront global powers in the realm of traditional security.

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[1] The European Union, established through the 1992 Maastricht Treaty, constituted a continuation of the integration process that started with the creation of the European Coal and Steel Community, set up in 1952, and of the European Economic Community, set up in 1955. Both of these organizations were merged in 1965 into the European Communities, which in turn was later called the European Community. For stylistic reasons, but also because of the historical continuity that persisted despite these name changes, this chapter applies the term 'European Union' to the organization throughout this evolution from the 1950s onwards.

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Such contradictions make the EU an interesting case when exploring different regional perspectives on global governance. An EU perspective on global governance is more than, and arguably very different from, a European perspective more generally. The EU and Europe are often being used interchangeably, yet it is important to recognize that the focus in this chapter is not so much on the European continent as a geographical region, but rather on the European Union as a regional organization bringing together a collectivity of states *as well as* a set of unique institutions.

The development of this institutional structure over the past sixty years has added a high degree of intergovernmental coordination across the board of policy sectors and has provided an independent organizational perspective arising from the 'actorness' of these common EU institutions (Smith 2008, p. 3). It has also fundamentally transformed the conditions for politics on the European continent, both within and among the states. It is also this transformation of the political culture in Europe, under the influence of a deeply invasive integration process, that also contributes to a distinctive perspective on global developments, and the EU's place within these.

This chapter seeks to illuminate the background to these developments and to explore the implications that this may have in terms of the role the European Union can play in the world. It starts with a more detailed analysis of the political-cultural transformation that Europe has undergone over the past few decades, looking at three different levels: first, the shift that has taken place in interstate relations in Europe; second, the changing nature of statehood and domestic political life in the EU member states; and third, the particularity of EU external relations. Based on the foundation of this analysis, the chapter then looks at the relationship between the EU and the structures and actors of global governance in greater depth, including an examination of the conceptual place that the EU has sought for itself internationally. A final section explores three possible ways of looking at the EU's relationship with the rest of the world. These scenarios are designated as 'experimental laboratory', 'gated community', and 'cultural museum' in order to emphasize, in an exaggerated fashion, specific aspects in the relationship between European integration and global governance.

10.2 The Political Culture of an Integrated Europe

10.2.1 *The Transformation of Interstate Relations in the European Union*

In order to better understand the EU's perspective on global governance, a useful first step is to look at its internal workings and to identify a number of defining features as these have evolved historically. One essential aspect of European integration has been its legal dimension, the fact not only that

cooperation between the states in Europe is based on a treaty, ~~but also~~ that the original treaties have created institutions that themselves are generating law, rules, and norms on a daily basis. The EU's institutional structure does not only set up coordinating mechanisms and secretariats, but comprises legislative institutions—the European Parliament and Council of the EU acting together as the bicameral legislature—whose decisions become binding law with direct effect on its states, businesses, and individual citizens in the EU.

The Court of Justice of the EU, whose judges rule independently of the member states, is a body whose rulings have reinterpreted and greatly expanded the reach of the founding treaties and of secondary legislation. Principles such as the supremacy of EU law over national laws and the direct effects of EU legislation even without transposition in the member states have been key ~~moments in~~ this process of judicial law-making (Stone Sweet and Sandholtz 1997). The origins of the European Union in developing its own human rights regime lies in the willingness and the capacity of the Court to expand these boundaries, thereby turning the European Union into more than merely a bloc of states.

The effect of law-making in the European Union has been the accumulation of a vast body of Union law, the so-called *aquis communitaire*, which now provides a dense normative environment within which political decision-making in Europe is embedded. 'Integration through law' (Cappeletti et al. 1988), as this phenomenon has been called in one of the seminal works on the subject, is something that sets the EU apart from regional organizations elsewhere that may otherwise have similar institutional features. This is not to say that states have become powerless—in fact, they remain the key actors in this process—but rather that the exercise of state power in Europe is circumscribed by ~~the structure of laws~~ in which political activity is now embedded.

This nature of the European Union as a space in which laws, rules, and norms are being produced and are expanding on a continuous basis rests mainly on two 'pillars': first, the independent power of supranational institutions and, second, a 'culture of compromise' in the bargaining among states. With regards to the first of these 'pillars', as the previous discussion already implied, there is the presence of a set of independent institutions that are empowered to take decisions autonomously, and who can, and do, take decisions that might go against the preferences of one or several of the member states from time to time.

Part of the reason why these institutions have a degree of independence from the member states lies in the sources of their legitimacy. The members of the European Parliament, for example, draw their democratic legitimacy from the direct elections to which they owe their seat in the chamber. There clearly are limits to the independence of these institutions, which mainly have to do

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with appointment procedures, political allegiances, informal arrangements, and the realities of political and economic power in the EU. Supranational institutions cannot be independent of everyone all of the time—even if that were technically possible, it would limit their political effectiveness and ultimately endanger their legitimacy. But by being independent, or being seen to be independent most of the time, supranational institutions play an essential role in maintaining and deepening the nature of the EU as a rule-bound polity in which the member states' freedom of manoeuvre is checked by the presence of a legal framework.

The second 'pillar' on which the political culture of this polity rests is the way in which states relate to one another. While EU decision-making involves supranational institutions, national governments remain key players in this process, even if it is contested whether they still dominate decision-making as they certainly did in the first few decades of the integration process. While the academic debate about the respective merits of intergovernmentalist, functionalist, and post-functionalist approaches to understanding the EU continues (Bickerton et al. 2015; Schimmelfennig 2014; Marks and Hooghe 2009), the point here is not about the relative influence of states in EU decision-making, but rather about the nature of the interaction between ~~states~~ in that process.

The hub of such interaction is the Council of the EU, which brings together national ministers in a variety of sector-specific configurations. However, beyond being a meeting place for national ministers, the Council has also developed over time into a full-blown institution in its own right. Decisions in the ministerial councils are prepared in a plethora of working groups and task forces, only to then be channeled to the political level through a couple of top-level committees of national ambassadors. Indeed, the vast majority of decisions are 'pre-cooked' here, in these ambassadorial committees, and merely rubber-stamped by the ministers (Christiansen 2001a).

Most of the decisions at all levels in the Council structure are formally taken by a qualified majority, a particular voting mechanism in the EU which recognizes the population size of member states and requires a supermajority of these weighted votes for decisions to be taken. This practice of 'Qualified Majority Voting' (QMV) has progressively replaced the requirement for unanimity, and hence the possibility of national vetoes, in most areas of decision-making, even though a number of important areas such as foreign and security policy or taxation continue to require unanimity.

It has been this fundamental shift in the nature of the way the Council makes its decisions that has made the vast rise in the volume of EU decision-making over the last few decades possible. However, the arrival of QMV has not led to a situation in which member states outvote each other on a regular basis. Perhaps counter-intuitively, the vast majority of Council decisions are

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still taken by consensus, despite the formal possibility for 'winner-takes-all' voting to achieve a result (Best and Settembri 2008; Heisenberg 2005). States still bargain in search of their preferred outcome, but they do so with a willingness to compromise in order to ensure that in the end they have a say in the outcome rather than ending up being outvoted.

What might until now sound like a rather technical discussion of decision-making procedures within the EU's institutions has nevertheless wide-ranging repercussions for the way in which states in Europe relate to each other, and also on how they perceive themselves. The daily practice of Council decision-making in the shadow of QMV means that states have accepted as a matter of normal routine that there are limits to their power, that they need to give up aspects of their national interest in the search for a compromise, and that decisions that they have no final control over become binding law to which they will have to submit. As a result, there has been the growth of a 'culture of compromise' in the interaction among states—and this is indeed a culture in the way it has become an accepted and a legitimate part of interstate relations in Europe, and not the occasional and exceptional outcome of coercive pressure being applied. National administrations know and expect that there will need to be compromises even before entering negotiations, and this culture permeates all levels of government involved in EU decision-making, from ministerial officials to heads of state and government (Lewis 2000).

Recognizing the emergence of such a culture of compromise among the member states ~~does not mean that they are not~~ still powerful actors in this system, and that they have a wide range of resources to bring to bear in order to influence the outcome of negotiations. State interests remain crucial to understanding the outcomes of EU decision-making, and the uneven distribution of power among the states remains a key factor in such explanations. The refugee crisis that came to a head in 2015/16 demonstrated, among other things, that in such circumstances states rather than supranational institutions wield decisive power. However, the argument about the culture of compromise is merely that EU member states, including the larger and more powerful ones, have lost the capacity to act unilaterally, or to single-handedly prevent the Union from taking certain actions or decisions.

10.2.2 *The Transformation of States in the EU*

The emergence of this culture of compromise has not only led to a shift in the nature of interstate relations, as described above, but has also transformed political life within states. In what is frequently referred to as a post-Westphalian system, the EU has effected what can be seen as an end to sovereignty-centred politics (Caporaso 1996; Pentland 2000)). Indeed, it can be argued that in the EU, in contrast to other parts of the world, the principle

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of sovereignty has ceased to define political ~~life~~ in Europe (Christiansen 1994). As before, this is not to ~~say~~ that states are ~~not~~ still powerful actors in this system, ~~n~~or that they are dominant in structuring political life within their jurisdictions. However, in terms of the definition of the *principle*—rather than the *practice*—of state sovereignty, it is not possible any more to accept that 'there is one ultimate and legitimate source of authority within the state, and none beyond it'(Mayall 1990, p. 19). In the EU, developments have enshrined precisely the opposite: that there are multiple sources of legitimate authority at different levels of governance (Hooghe and Marks 2001; Piattoni 2009). States have accepted that there is regular and far-reaching interference from the 'outside' in their 'domestic' affairs, be it from the supranational institutions, other member states, or operators within the single market.

EU decisions and policies deeply impact on national economies, administrations, and societies, be it through the legislative activity referred to above or softer modes of governance relying solely on coordination, policy-learning, peer review, or other such mechanisms. This includes the full range of political life in the member states, from routine questions of socio-economic regulation to highly sensitive issues touching on what states traditionally regard as the core of their powers. The way in which the management of the eurozone crisis has imposed huge, unpopular burdens on both donor and creditor countries is a case in point—increasingly, states in the EU/eurozone have to confront the apparent loss of control over how they are being governed, as a result of their deep integration into the institutional and economic structures created by the integration process.

One part of this process is supranational, and was discussed in section 10.2.1: the creation of European laws, the role of the common institutions, and the nature of EU decision-making. Another part of this process is internal to the states, namely the way in which markets and societies have been opened to influences from abroad. This has facilitated manifold changes within states, leading to the transformation of domestic institutions, policies, and politics—a process generally recognized as 'Europeanisation' (Cowles et al. 2001).

The dynamics involved in such processes of Europeanization are not only the direct result of EU laws and regulations, but also the indirect effects of a single market, with a single currency, inducing competitive pressures not only on firms and workers, but also on state administrations (Graziano and Vink 2006). Regulatory competition inside the EU's single market means that state authorities, be it at the national, regional, or local level, need to respond to the preferences of citizens within their territory, and are also required to anticipate the competitive pressures arising within this single market (Sun and Pelkmans 1995). With barriers to trade removed entirely, firms have much greater freedom to relocate, and are paying greater attention in their investment

decisions to the national, regional, and local regulatory frameworks. As a consequence, a wide range of stakeholders—ministries, agencies, parliaments, political parties, organized interests, trade unions, advocacy groups, non-governmental organizations, and social movements—have adapted their strategies to a pan-European process of decision-making, whether this involves direct participation in the EU's institutional machinery, or the lobbying of policymakers, or simply information exchanges about the implications of EU laws, open markets, and regulatory competition.

States, or rather the actors operating at the various levels of governance within their jurisdictions, therefore need to consider the wider picture beyond their own borders in order to attract new investment, and to avoid losing operators active within their territory. Market forces have thus played a substantial role in the way states have lost a considerable amount of control over the governance of their territories, and contributed to the transformation of national economies and societies.

This loss of control, and the inability of states to effectively represent their citizens, is also behind the transformation of European *nation* states into *member* states, and as such raises serious questions about the implications that this has for democratic governance (Bickerton 2012). While the democratization of EU decision-making has progressed significantly, national democracy has been eroded in this process, something that the limited involvement of national parliaments has not done much to reverse (Raunio 2011). The transformation of states in the European Union is a powerful illustration of the basic dilemma between polity size, system effectiveness, and citizen participation (Dahl 1994). European integration has assisted states in being more effective internally and externally, but has rendered them less able to be responsive to citizens' preferences.

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Following this discussion, it needs to be recognized that the EU's perspective on global governance has developed in the context of the EU not being a state, and the nature of statehood among its member states having been transformed. As such, the EU remains an aberration in a world of states where the principle of sovereignty remains an essential building block. Nevertheless, the EU has developed considerable actorness (Groenleer and van Schaik 2007) and also been given legal personality in engaging with the rest of the world. The EU plays a direct role in many international fora (like climate change negotiations), has a seat in international institutions (such as the WTO), and its leaders are present at important multilateral meetings (like the G7). Even if it is

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not a major power in the traditional sense, the EU is a key player in a range of global governance issues (Jørgensen 2013).

At the same time, its influence in international security is limited to non-traditional security issues, and even here it frequently finds itself in competition with its own member states, in particular the larger countries that possess unique assets and structural power derived from their permanent seats in the UN Security Council to play a separate global role. In this context, the EU has difficulty to be accepted as a security actor in its own neighbourhood and is virtually absent from security issues elsewhere.

As a result, there is considerable tension between the capacity and influence the EU has in areas such as global trade and climate change, and its limitations to be taken seriously in the field of hard security—a tension that gives the EU a particular role in, and perspective on, global governance. Key aspects of this perspective are the support for multilateralism and international institutions; the development of legally binding international agreements and a robust system of international law; the assistance provided, directly and indirectly, in the context of the formation of regional institutions in other parts of the world (Jetschke and Murray 2012); and an the emphasis on partnership with third countries rather than on rivalry, competition, and potential conflict. In section 10.3.1, we will briefly examine each of these points in order to identify the motivation behind, and the projection of, these elements of an EU perspective on global governance.

10.3.1 *The Development of the European Union's Global Role*

Even though the main effect of the integration process, as ~~outline~~ above, has been a change in Europe itself, it has nevertheless had an impact externally as well. In part, this has been a consequence of market integration—the creation of a customs union required a common external tariff, which in turn meant that trade policy would need to become an exclusive competence of the Union. Furthermore, the early stages of the process of integration in Europe coincided with the process of decolonization, with many new states in Africa, Asia, and the Caribbean (ACP) achieving independence from the former colonial powers in Western Europe. In many cases this resulted in the negotiation of preferential trade deals with the EU, requiring a common European response. These took the form of a series of agreements that set up formal development cooperation between the EU and the so-called ACP states (Dimier 2006).

The EU thus inherited a global role by managing the trade policy and development cooperation of its member states. However, this—initially limited—focus soon gave way to a recognition that external economic relations also require a degree of diplomatic engagement with the rest of the

world. In the 1970s, the wars in the Middle East and in Vietnam, the Arab oil embargo, and the breakdown of the Bretton Woods system all impacted Western Europe heavily, while at the same time demonstrating that the European states only stood a chance of influencing global events if they acted collectively. This resulted in an effort at foreign policy coordination among the member states, aimed at developing and projecting a common position on issues such as the Middle East peace process or the Helsinki accords with the Soviet Union.

Member states were from the outset keen to see such coordination of foreign policy as being conducted outside the common institutional framework, and even sought to develop an alternative institutional infrastructure for such coordination. Over time, however, this distinction became ever more difficult to sustain, and gradually the Union itself acquired the competences and institutions to coordinate foreign policy, and later on the power to develop foreign, security, and defence policies in cooperation with the member states. By the mid-2010s, the EU possesses an 'External Action Service' consisting of a diplomatic HQ in Brussels and some 200 'delegations' across the world, a 'High Representative for Foreign Policy' acting as a quasi-foreign minister, a military staff to coordinate a growing number of (civil-) military missions around the world, a European Defence Agency to coordinate defence procurement, and a number of other agencies to support the creation and conduct of the EU's Common Foreign and Security Policy (CFSP).

While the institutional development of the EU's foreign policy machinery over a relatively short period is rather remarkable, there has also been much criticism of the limited effectiveness of CFSP, and the lack of coherence between the EU's diplomatic role, its external economic relations, and the external implications of other key policies such as development policy, environmental policy, or internal security (Carbone 2008). The problems the EU has, in particular, with the coherence of its external relations—the coexistence of a common European external action and of individual national foreign policies—complicates the identification of an EU perspective on global governance that is being attempted here (Bretherton and Vogler 2005; Christiansen 2001b).

There is neither the space nor the need in this chapter to conduct an exhaustive analysis of EU foreign policy–making—indeed there is a significant body of literature devoted to that subject. What is important to note is that the EU has indeed developed an aspiration to play an active role in international politics and to influence the evolution of global governance regimes (Keukeleire and Delreux 2014). In the same vein, it is increasingly expected of the EU to have a position on international issues, and to act on these—an expectation that comes both from citizens in the member states and from outside Europe.

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One long-lasting criticism of the EU's foreign policy has been that it has purposefully given rise to (too) high expectations, without having either the resources or the political will among national governments to actually be able to deliver on these expectations. The 'expectations-capabilities gap' resulting from this mismatch is damaging to the credibility of the Union (Hill 1993). While institutional developments during the past two decades have addressed somewhat the lack of diplomatic resources at the European level, the issue of (lacking) political will remains a perennial problem for a more effective CFSP. Individual member states are loath to give up their claim to conduct independent foreign policies, challenging and occasionally contradicting common positions agreed in the context of CFSP—a common position that has in any case been agreed unanimously—and thus *not* through QMV.

These limitations notwithstanding, the fact is that the EU now has a track record of some forty years of coordinating national foreign policies and developing its own distinct approach to international relations. This means that it is legitimate to look for, and to talk about, a European Union perspective on global governance. Section 10.3.2 will discuss some of the key points in this perspective, derived both from this *explicit* foreign policy of the EU as identified in its discourses and external actions, as well as from the preferences for global governance that are *implicit* in its political culture, as discussed above.

10.3.2 *The EU Perspective on Global Governance*

The key positions the EU pursues in the context of global governance—support for multilateralism, non-violent conflict resolution, promotion of international law, and regional institution-building—have already been highlighted. This section elaborates further on the origin of, the rationale behind, and the actual practice of these positions.

The EU's embrace of multilateralism is long-standing and has been implicit in much of its external relations, with the above-mentioned EU–ACP development cooperation as one prominent early example. Since the reforms agreed in the Nice Treaty in 2000, the EU espouses international cooperation and support for the UN as formal aims, and the 2003 European Security Strategy declares that the EU pursues 'effective multilateralism' with the UN at its core (European Council 2003, p. 9). 'Effective' here stands for the preference for formal and legally binding commitments being agreed upon in multilateral fora.

This support for effective multilateralism is found in numerous official documents, speeches, and agreements published by the EU. Some authors have even explored whether or not the EU's support for multilateralism ought to be seen as having the status of a formal doctrine of foreign policy (Lazarou et al. 2010, p. 13), but while this may be debatable in legal terms,

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there is no doubt that it provides a strong and constant reference point for EU external action. This commitment to multilateralism is seen both in support for global institutions such as the UN, but also for regional institutions in other continents. With respect to the latter, the strong relationship between the EU and the Southeast Asian region is a case in point. The Association of Southeast Asian Nations (ASEAN)—despite being fundamentally different from the EU with regard to political culture, basic principles, and overarching objectives—has developed similar institutional features and policy goals, and has done so with significant 'regional integration support' from the EU (Jetschke and Murray 2012). The two organizations have also come together under the broader umbrella of the Asia–Europe Meeting (ASEM) which provides for regular summit meetings and has institutionalized political, economic, and societal exchanges between the two continents (Yeo 2013).

In terms of its origins, it can be argued that the foundation for the support of an institutionalized, formal-legal, and non-violent approach to global governance is clearly found in the EU's own history and identity, as multilateralism can be seen to be in the EU's DNA (Jørgensen 2009). As a non-state polity active in world politics, the EU may have a tendency to mould its external world in its own image. Others have argued that it is more of an instrumental, even an opportunistic move: it is more convenient for the EU to deal with other organizations than with individual states. This is seen to benefit an EU that is likely to be better resourced and better organized than other international institutions, but is no match for major powers in the context of traditional power politics. Indeed, some have argued that the EU's espousal of multilateralism ought to be seen as the antithesis to the unilateralism exhibited by the US during George W. Bush's administration.

If in theory the EU's support for multilateralism is plausible and logical, it nevertheless is often problematic in practice. At the global level, in interaction with the UN, the EU's version of multilateralism is being confronted with a very different kind: these 'intersecting multilateralisms' bring together the supranational, post-sovereign nature of the EU with the intergovernmentalism inherent in the UN (Laatikainen and Smith 2006). In some ways, the two can even be regarded as opposites, with the UN committed to the protection of the sovereignty of its member states, and the EU actually diminishing the sovereignty of its members.

This dissonance is not merely a theoretical or philosophical problem, but has practical implications: since the Lisbon Treaty, the EU has a legal personality and thus the capacity to join international organizations as a member. However, in doing so it is often running into opposition, be it from the EU's own member states wanting to preserve their independent role, or from non-European states objecting to a European double and thus overrepresentation in international institutions. In the UN's General Assembly, other

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nations made their support for EU membership dependent on 'their' regional organizations also being given membership status—something that is problematic given the limited actorness of such organizations (Jørgensen 2009).

Another obvious difference between the EU and UN concerns geographical reach, and thus the potential clash between regional and global visions of multilateralism. The EU's role on the European continent, and its support for regional organizations elsewhere, are potentially at odds with the UN's preference for globally inclusive arrangements. One example of such difficulties is in trade policy: the difficulties of achieving progress for global trade liberalization in the context of the WTO's Doha Round are also to be found in the growing tendency for bilateral, regional, and interregional free trade agreements—a trend of which the EU has ~~been a leading protagonist~~ in recent years.

This brief review of the practical issues and limitations arising when the EU meets global institutions demonstrates that 'intersecting multilateralisms' are far from unproblematic, yet it does not mean that the EU's commitment to multilateralism is not genuine. An example here is the support by the EU and its member states to the International Criminal Court (ICC), arguably a kind of transposition of the kind of supranational enforcement mechanism that is internal to the EU. The EU was a strong supporter of ratification of the ICC Convention, not only among its own member states but also vis-à-vis third countries. It encapsulates well the EU's search for binding agreements, a rule-bound international environment, and strong enforcement mechanisms (Kissack 2013).

Another such example is the EU's leadership in global climate change negotiations, and its strong advocacy of a system of binding commitments regarding the limits to greenhouse gas emissions and targets for maximum global temperature increases, first in the context of the Kyoto Protocol and in the subsequent search for a follow-up agreement (Laatikainen and Jørgensen 2013). Here, as in the case of the ICC, the EU was positioned differently from major global powers such as the United States, Russia, China, or India—none of whom accepted the concept of binding targets.

10.3.3 *A Multilateral Player in a Multipolar World?*

The experience of forming global governance regimes in areas such as trade, climate change, or international criminal law has demonstrated that the EU does have the capacity to project a unified position. As a consequence, it will often be regarded as a single (if not unified) actor rather than a region in which a number of states cooperate with each other. As such it does get mentioned as a potential pole within an evolving system of multipolarity—a reconfiguration

of global order after the US–Soviet bipolarity of the Cold War and the US unipolarity of the post-Cold War era.

There is indeed a growing sense among observers that we are witnessing the establishment of a multipolar international order in which a number of global powers confront each other. An important aspect of this perspective is that the distribution of power differs across different dimensions, with, say, economic power being distributed differently from military power. In this conception, global governance is not being conducted by and through multilateral institutions, but rather through a 'concert' of major powers working through fora such as the G7 or the G20.

While the perspective of multipolarity remains contested, and is at odds with the parallel rise of a 'new multilateralism' after the Cold War, it is a frequent reference point, also with regard to the EU's position in this global order (Jørgensen 2013). Observers have noted strong normative undertones in the literature, linking the view that a multipolar world is emerging to a prescription of what action this ought to require from the EU (Jørgensen 2013). One frequently advanced view here is that it implies a Europe that is in decline, either because other powers (China, the BRICS) or regions (Asia) are rising, or because the EU as such is not fit for great power politics.

One European response to this perceived trend has been the development of a series of 'strategic partnerships' with ten states that are significant globally and for the EU. Such strategic partnerships involve mutual recognition of the importance of the partners for each other, regular summit meetings, a range of formal dialogues and, in some cases, the negotiations of bilateral trade or investment agreements (Reiterer 2013). However, the EU's policy of designating strategic partners has been criticized for a number of reasons. Critics have alleged that it lacks overall strategic vision and that the actual benefit of such partnerships is questionable (Renard 2011). Furthermore, it can be seen as a departure from, if not a contradiction to, the EU's long-standing commitment to an inclusive and effective multilateralism.

The critique of the EU's policy of developing strategic partnerships with a select number of key states exposes weaknesses as well as strengths. It can be seen as a typically European response to the shift towards multipolarity—an attempt to play big power politics with limited means and inadequate tools. The Ukraine crisis is seen by many as an example of these limitations, and in fact has been seen as a 'failure' of the EU: despite a strategic partnership with Russia dating back to 2003, and a Partnership and Cooperation agreement signed already in 1997. In fact, the EU was unable to exert the kind of influence on Russia that would have prevented the annexation of the Crimea and Russian interference in Eastern Ukraine (*Der Spiegel* 2014). And while the EU's High Representative was deeply involved in subsequent diplomacy to seek a peaceful resolution to the conflict, developments confirm the realist

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and state-centric view that the Minsk II agreement was negotiated by the leaders of France and Germany, rather than by representatives of the EU.

This experience appears to support the 'declinist' view that sees Europe marginalized among the global powers dominating the global political system—a view largely derived from a realist view of international relations (Jørgensen 2013). From this perspective, global power lies not with the regimes and institutions of global governance, but rather with a small number of powerful states. In this context, the EU's global power is seen to be on the wane, because of its declining share of military expenditure, because of economic stagnation, and/or because of its demographic challenges. While these are long-standing issues in Europe, the more recent impact of the sovereign debt crisis and the disarray it has exhibited in its response to the refugee crisis in 2015/16 has further eroded the EU's reputation and raised critical voices.

This view presupposes a conception of hard power that is at odds with the EU's foundations and capabilities. In contrast to the realist view, scholars have argued for some time that the EU's external impact is best seen in terms of a 'soft', 'civilian', or 'normative' power (Manners 2002; Whitman 2002; Orbie 2006)—as mentioned earlier in this section. However, beyond the contested nature of the EU and the particular attributes of its power, it also raises questions about the wider world that the EU finds itself in. It can be interpreted as meaning that, in specific contexts in which hard power is seen as a prerequisite for influence, the EU's role is marginal, leaving the EU awkwardly positioned as an advocate of multilateralism in a multipolar world. Others have pointed out that the EU has in any case undergone something of a 'militarisation' of its security policy (Stavridis 2001), and that the debate should therefore move beyond the notion of a 'Civilian Power Europe' (Smith 2005).

10.3.4 *Conclusion*

This review of the EU's perspective on, and involvement in, global governance has identified three key aspects: first, that the EU has a long-standing commitment to multilateralism, support for international institutions, and legally binding agreements, reflecting some of its foundational principles; second, that its interaction with the key multilateral institutions of global governance is nevertheless problematic, partly because of principled differences between the EU's supranationalism and the intergovernmentalism underlying most international institutions, and partly because of a lack of consistency in the EU's approach to such interaction; and, third, the EU's commitment to effective multilateralism is increasingly at odds with the re-emergence of great power politics in a multipolar world.

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None of these trends is conclusive in a phase of global politics in which the parameters of the international order are in transition, and in which both multilateral and multipolar aspects of the system are evolving (Jørgensen 2013). However, seeking to shape the international order under these circumstances poses particular challenges for the EU. Part of the EU's ambition can be seen as an attempt to promote reforms of multilateral institutions, and thereby to remake the liberal international order in its own, post-sovereign image. In that sense, the EU is not a status quo power, despite the contribution that it and its member states have made to the liberal international order (Chen 2015). Indeed, in its logical conclusion, the EU can be seen to be in opposition to, rather than supportive of, the principles and institutions underpinning the Westphalian state system.

At the same time, however, these very same multilateral institutions are in danger of being eclipsed by a resurgence of great power politics, a focus on hard security, and a return to balancing of power as a mechanism of maintaining global order. Such a departure from the status quo of the post-Cold War liberal order is in direct contrast with the direction in which the EU may want to move, and poses fundamental problems for the effectiveness of the EU's ambitions to shape the international system.

The EU may have neither the will nor the means to radically alter the nature of international relations, nor would it be likely to succeed in such a project for the foreseeable future. Confronted with a world, and in particular a neighbourhood, that is increasingly hostile to the underlying principles and assumptions of the EU's foreign policy, the prospects of a 'Normative Power Europe' have receded in the face of growing instability, the emergence of multipolarity, and a stronger emphasis on hard power.

As the EU's prospects of shaping the global order face these growing obstacles, the more immediate question is whether it will be able to insulate itself from these dynamics—whether the EU can maintain, protect, and promote the particular political culture of a post-sovereign political polity within an increasingly antagonistic world. In order to address this question, the final section of this chapter looks at a number of scenarios to explore different conceptions of the possible relationship between an integrated Europe and the evolving global order.

10.4 Whither the EU's Role in Global Governance: Three Scenarios

If the above observation that the EU's political culture and the development of global governance are out of sync and that there is little prospect that these will align with one another in the foreseeable future, how will the relationship

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between the EU and global governance pan out in the future? What role is there for a post-sovereign polity in a world of sovereign states? This section offers three different hypothetical accounts of the way in which such a coexistence can be imagined. These are metaphorically labelled as 'experimental laboratory', 'gated community', and 'cultural museum', respectively, and are meant as ideal types to emphasize distinctive aspects of this relationship between the EU and the rest of the world.

10.4.1 *The EU as an Experimental Laboratory*

In this scenario, the EU does manage to maintain its particular model of political organization, with a high degree of political, economic, and administrative integration at the elite level and limited societal integration. This integration path will continue to rely on the search for, and application of, innovative solutions to challenges of public policy–making. The EU's particular kind of supranational decision-making can be seen as a form of 'experimentalist governance' (Sabel and Zeitlin 2008), a polity in which the negotiated and non-hierarchical nature of policymaking, the changing number of participants, and the relative openness of the decision-making process have all required the invention of new tools and procedures.

There are many facets to experimentalist governance at all stages in the policymaking process, including mechanisms such as framework laws setting out general goals and guidelines, the use of peer review, benchmarking and scoreboards in the Open Method of Coordination (OMC), the decentralized implementation of policies, the cooperation of actors across multiple territorial levels, and deliberative nature of 'committee governance'. The emergence of 'flexible' or 'differentiated integration', the possibility for individual states or regions to selectively opt in or out of specific European policies, and the Union's 'fuzzy borders' resulting from this flexibility are also examples of such innovative and experimentalist governance, setting the EU apart from traditional policymaking within states.

Experimentalist governance is the EU's way of addressing the needs of highly interdependent economies without recourse to the hierarchical nature of public policy–making that is familiar from the traditional Weberian administration within the nation state. Beyond administration, this also concerns the new shape of politics, and more specifically the legitimation of political decision-making that has developed in the context of the EU. Much has been written about a putative 'democratic deficit' of the EU, and new question marks about the legitimacy of EU policymaking have been raised in relation to the crisis management of the eurozone crisis (Crum 2013). Nevertheless, the EU has demonstrated much willingness to experiment and innovate in the search for greater democratic legitimacy for

supranational policymaking, not least in the shape of a directly elected regional parliament with full legislative, budgetary, and executive oversight powers. Despite its many shortcomings, in the global context the European Parliament remains a remarkable attempt to democratize authoritative decision-making above the level of the nation state.

There is no realistic prospect of the EU's political culture being exported wholesale to the global level, for reasons discussed earlier (see section 10.2). However, the experimentation with novel and innovative forms of govern-ance can nevertheless be useful for other regions as well as for global regimes. The way in which ASEAN is attempting to achieve an economic community through methods similar to the EU's OMC, the institutional development of the African Union, including the creation of a pan-African parliament, judicial system, and crisis management capacities, and the similarities in the regulatory regimes of the EU and the WTO demonstrate that innovative policymaking practices are not confined to the EU. Indeed, such practices can and do operate elsewhere, under very different political, cultural, and legal circumstances.

This observation supports the argument that the EU, even if falling short of shaping global norms, can nevertheless serve as a kind of laboratory in which new ideas and innovative practices for policymaking can be explored. Even if the EU's political culture is fundamentally different from that of other parts of the world, and from the nature of global governance, it still has developed extensive experience in addressing the regulatory and legitimacy challenges of transnational governance. The ~~result~~ is a host of 'test results' produced in the EU's 'laboratory' that are available as a point of reference for policymakers in other regional and international institutions addressing similar governmental challenges.

10.4.2 *The EU as One of the World's Gated Communities*

This scenario is focused ~~more~~ on the material wealth that is concentrated in the European Union, and the way in which this is being protected from the rest of the world. The EU's member states are among the richest in the world, despite the sense of economic decline and rising social problems in the EU, not least in the aftermath of the eurozone crisis. The crisis has exposed political tensions, economic divergence, and social inequality within the EU, but has also further deepened the economic governance within the Union. Stimulus packages at the national level were critical in overcoming the initial financial crisis in 2008/2009, and in 2014, the European Commission launched a large-scale investment programme, the 'Investment Plan for Europe', with the aim of reinvigorating the European economy.

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Even though there are, in the wake of the crisis and after years of austerity, severe problems with high unemployment, cuts in social benefits, and lay-offs in the civil service in the member states most directly affected by the crisis, the European welfare state model has largely survived this assault. In the same vein, the political systems of the EU and of its member states have demonstrated that they could absorb the popular reaction to the management of the crisis—in several countries, incumbent governments lost elections and new political parties or movements have gained in strength, and in some cases achieved electoral success.

The relative wealth and stability of the European Union is in stark contrast to the situation in its neighbourhood. Reference has already been made earlier to the 'arc of instability' surrounding the EU to its East and South. One consequence of these developments is the increase in refugees and asylum seekers to the European Union. While the EU still struggles to develop an effective, workable, and legitimate response to the challenge posed by the rise of irregular migration, the human tragedy of migrants from Africa and the Middle East is played out on a daily basis in the Mediterranean where for many years thousands perish in their attempts to migrate to Europe. The crisis came to a head in 2015 when more than a million refugees fleeing the wars in Syria, Iraq, and Afghanistan migrated to Central and Northern Europe in search of asylum. European responses to this wave of migration have been mixed, from the welcoming attitude of German chancellor Merkel to the predominantly hostile reaction by most governments in the transit countries along the 'Balkan route'. The lasting image of this crisis has been the erection fences, festooned with barbed wire, along the various national borders with the aim of keeping refugees out.

From this perspective, the EU appears as a wealthy community that is trying to close itself off from the rest of the world, and in particular from the poverty and instability of its own neighbourhood. Significant resources are being devoted to making borders more secure, and EU agencies such as FRONTEX (the 'European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union') and EASO (the 'European Asylum Support Office') have been created in order to better coordinate member states' responses to immigration, and these have been strengthened in the context of the refugee crisis. Migration is increasingly securitized in policymaking, and, politically, many member states have seen a rise in movements seeking to limit or even reverse the number of refugees and asylum seekers being granted a safe haven in the EU.

Prior to the crisis, a nascent immigration policy for highly skilled workers had been developing in the EU, with proposals for a 'Blue Card' to facilitate the selective entry of such workers under certain conditions agreed upon in 2009. The implementation of this directive has been slow, however, and the

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uptake very limited—it does not appear to be a policy that has fundamentally changed the nature of the EU as a closed labour market.

This lack of openness of the European Union towards immigrants is in stark contrast with the EU's dependence on foreign trade: the EU as a whole runs significant annual trade surpluses with the rest of the world, meaning that it relies for its wealth on consumers and businesses in other countries purchasing its goods and services. Part of this picture is also that agricultural production in the EU has been historically heavily protected, with EU farmers receiving income substitution and export subsidies to improve their competitive position vis-à-vis producers elsewhere.

From a global perspective, this state of affairs sets the EU apart as something akin to a gated community—a relatively wealthy population seeking to keep migrants out in order to protect a rather privileged lifestyle, and thus perpetuating geographical divisions and significant inequalities between different parts of the world. It is not a vision of global governance as people coming together as citizens of the world, and the creation of institutions that would facilitate the growth of such a global community, either economically or politically.

10.4.3 *The EU as a Museum of Cultural Heritage*

The third and final scenario also starts from the image of the EU as a closed-off space, but in this case not in order to protect material interests, but rather to preserve a particular way of life. Indeed, this preservation of a European lifestyle is focused specifically on post-material values, recognizing the choices that have been made in the EU in favour of certain social and environmental standards. It sees the EU as a kind of protected zone in a world that is increasingly characterized by neoliberal policymaking, allowing markets to gain significant influence over lifestyles.

In this perspective the EU has had its fair share of neoliberal policymaking within the single market, but has also managed to protect consumer interests and promote broader values such as gender equality, workers' rights, minority rights, environmental standards, animal rights, and the protection of personal data.

The EU, as an export economy that is inextricably linked to the global markets, invariably has to comprise on some of its traditional values in recognition of the competitive pressures that it faces from abroad. The integration process has also increased competition inside the Single Market, raising fears that social and environmental standards could be under threat due to a 'race to the bottom'. However, these concerns have given way to a recognition that the EU has a role in maintaining certain minimum standards and in fact expending the rights of its citizens.

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Thus, there has been much criticism from industry about 'over-regulation' in the single market, with legislation such as the Working Time Directive or Health and Safety at Work being criticized for adding to the cost of production in Europe. However, these and numerous other provisions provide a level of workers' rights in the EU that goes much beyond what is standard outside of Europe. In the same vein, the EU has been at the forefront of restricting or banning the cultivation of genetically modified foodstuffs at a time when these have been permitted in most countries around the world.

In a broader sense, in the EU, individual rights have been expanded through a succession of case law from the European Court of Justice, the adoption of the Fundamental Rights Charter, and the membership of all EU countries in the European Court of Human Rights. This high level of judicial rights protection in the EU does not mean that there are no abuses of human rights, but merely that in a formal sense there is access to legal recourse within multiple jurisdictions.

The EU of course has had a long-standing agenda to promote these 'core values' of human and civil rights, sustainable development, and the rule of law in its relations with third countries, and in the context of global regimes. However, as discussed above, the attempts face increasing challenges in the context of a world in which Europe's power to shape global norms is diminishing, and in which the concept of 'universal' (Western) values is increasingly questioned in different parts of the globe. Instead, the EU's main role in the future might be more defensive, seeking to ensure that its core values are at least being protected within its own territory. The EU thus mutates into a space in which a certain way of life is being protected—a kind of global museum for a political culture centred on individual and universal rights whose time had come in the twentieth century, and then gone again in the twenty-first.

10.5 Conclusions

Each of these three scenarios accentuates particular traits of the European Union and exaggerates their significance in a possible future evolution. All three scenarios have in common that they foreshadow a more limited global role for the EU, in the face of growing challenges arising from a state-centric, multipolar global order. And all three view the EU as a kind of outpost within a turbulent world, albeit with a different emphasis given to the way it interacts normatively with the rest of the world.

Needless to say, these scenarios are not only hypothetical, but also utopian (or dystopian, as the case may be), reflecting an underlying scepticism about the EU's capacity to maintain its already limited impact on global governance.

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At the same time, they also reflect an underlying optimism (if that's what it is) of the EU being able to maintain its distinctive political culture and continuing its existence as a post-sovereign polity in a Westphalian system of states—an optimism that may be misplaced in view of the spectre of fragmentation of the EU: successive debates surrounding Greece leaving the eurozone, the reintroduction of border controls in the Schengen Area, the ~~popular vote in the UK in favour of leaving the EU,~~ and the rise of populist, right-wing, and nationalist political parties in many member states. By the mid-2010s, in the face of numerous crises, popular discontent, and a growing unwillingness of governments to cooperate at the European level, the EU treaty's objective of an 'ever-closer union' was becoming an increasingly remote idea, and the reverse—disintegration—was being talked about as a real possibility.

If the EU manages to weather this 'perfect storm' of multiple and existential crises and remains on its traditional trajectory, then its very presence in the international system will continue to challenge a multipolar world order. At the same time, multipolarity will also continue to challenge an EU that is ill-equipped to become itself a 'pole' in such a system. Hence the EU's future perspective on global governance is bound to be characterized less by proactive promotion of EU norms and values, and more by the mutual coexistence of different normative spheres.

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