

The Lisbon Treaty and the Potential of the HR-VP

Jolyon Howorth

Thank you for that kind/generous introduction and for the invitation to address this esteemed Institute, which I take as a great honour. Ireland certainly kept us all on tenterhooks over ratification of the Treaty and I realise the debate in this country was... shall we say ...a little confused? I fear that my talk may add to that confusion by focusing on the extent to which the record of implementation of Lisbon so far has had pretty much the opposite effect from that which was intended. But whoever said life was simple?

I have been asked to talk about the new institutional arrangements introduced via the Lisbon Treaty for enhancement of CFSP/CSDP. But before I get there, let me just preview the core message of this talk, with which I shall conclude in about 20 minutes. That message is this: either the EU takes full advantage of the instruments, institutions and procedures brought in by Lisbon with a view to enhancing, coordinating and projecting its collective voice on the international stage... either it becomes a strategic actor in the emerging multi-polar world... ... Or, the EU as a unique historical experiment in regional integration will fail – and European citizens may find themselves, in the 22nd century, as global migrants in search of low-paid jobs in the booming economies of Asia and Latin-America.

Having got that little thought off my chest, let me say a few words about Lisbon.

Throughout the decade-long process of Treaty review most commentators were agreed that the key institutional innovation of what eventually became Lisbon would be the introduction of the double-hatted post of High Representative for Foreign Affairs and Security Policy and Vice-President of the Commission (HR-VP). Why? There are three main reasons.

The first was political: the need for ever greater coordination and integration of the foreign and security policies of the EU's 27 member states. The second was operational: the need for synergies, on the ground, between the main thrusts of CFSP/CSDP: trade, development aid, humanitarian assistance and crisis management. The third was institutional: the growing recognition by member states that effective international action on the part of the EU required the existence, in Brussels, of centralized decision-shaping agencies.

In the aftermath of the Cold War, as the world became more complex and less stable, it did not take a rocket-scientist to see that if the EU as a whole was to exercise influence in an emerging multi-polar world, it could only be through the formulation and implementation of a common approach to the major issues of international relations. Throughout the 1990s, we witnessed a constant process of "Brusselsisation": the birth of the Council Secretariat as the necessary corollary to the Single Market; the creation of the

original post of High Representative as the inevitable consequence of CFSP itself; the creation of the Political and Security Committee as the logical successor to the inefficient, peripatetic and politically inadequate Political Committee.

As CFSP and especially ESDP came into operational existence in the new century the logic of Brusselsisation became ever more compelling. The Lisbon Treaty is replete with further moves in the general direction of Rond Point Schuman: Presidency of the Council, Solidarity Clause, Mutual Assistance Clause, European Defence Agency, permanent structured cooperation – and above all the post of HR-VP together with the European External Action Service. However, Brusselsisation is not synonymous with executive unity. Nor does it signify a corresponding reduction in the global activities of national foreign ministries. Everybody knew that Lisbon would be the start, rather than the end, of a process of political horse-trading and institutional jostling in which the job profiles, the procedures, the mechanisms and the personnel of these new positions would be hammered out in highly competitive mode between a host of individuals and agencies.

What *was* expected was that the Treaty would simplify and help render more effective the implementation of CFSP/CSDP. Some are already beginning to fear that it might actually have made matters even more complicated.

The Record to date

It is hardly a secret that things have got off to a very bad start. The procedures adopted for making appointments to the two top jobs were typically EUBuesque – in other words deplorable. Instead of attempting to identify the most appropriate (i.e. the most qualified) person(s) for the job(s), arcane criteria such as citizenship of a small state or a large state, a Northern state or a Southern state, right- or left-wing political affiliation, and even gender were brought into the equation. Since the Presidency of the Commission had already gone to José Manuel Barroso (a right-of-centre male from a small Southern state), EU “logic” dictated that one of the two remaining top jobs had to go to a left-of-centre politician from a large Northern state – if possible a woman. In the event, it was media management concerns on the part of Gordon Brown that prevailed. Brown had long hoped that he could deliver the Presidency of the Council appointment for Tony Blair. How he had failed to realise until far too late in the day that Blair had virtually no backers anywhere else in the EU is a mystery. Brown’s next pitch was to try to secure for Britain the post of Commissioner for the Internal Market. But he had left it too late. Sarkozy had already bagged that job for Michel Barnier. In desperation, and with the connivance of fellow “big state” leaders Merkel and Sarkozy, Brown agreed to find somebody for the HR-VP job. But all his “serious” candidates – David Miliband, Geoff Hoon and even Peter Mandelson – proved to be either uninterested or unacceptable to Paris and/or Berlin. On the eve of the “appointments summit” in November, it seemed that the UK would leave with empty hands – a political disaster for the beleaguered Brown. It was Barroso who emerged as “king (or rather “queen”) maker”. Didn’t Catherine Ashton meet all the criteria – a left-of-centre female from a large Northern state? Brilliant! The fact that Lady Ashton was totally unknown to 99.% of British people (and to 100% of European people), that she had zero foreign policy experience,

and had never been elected to anything, was less important in this process than the fact that Brown could claim a minor triumph and that Barroso would wind up with a colleague as Vice President of the Commission who, to put it mildly, would cause him no sleepless nights. Thus was the appointment sealed – and nobody was more surprised than Catherine Ashton herself! This is not how the EU should go about filling the most important appointments in its remit.

It was the *signal* conveyed by these appointments which was received with such bewilderment around the world. That signal – from the heads of state and government of the EU’s twenty-seven member states – amounted to a message that the Union *per se* would not be setting any agendas or taking any major initiatives on the world stage. There would be no new telephone number for Henry Kissinger. The German press even invented a word for the phenomenon, *Selbstverzwergung*, indicating the determination to remain a dwarf. EU foreign and security policy, the message read, would stay firmly in the hands of the member states (meaning, for all practical purposes, Germany, France and the UK).

“Euro-realists” from both academia and the commentariat had a field day explaining to those who had hoped for more high-profile appointees that no single individual – however technically qualified or politically astute – could possibly have made any difference to the EU’s position on the world stage since “no amount of institutional tinkering can circumvent the need for national governments to agree in order that policies be adopted”. This argument is only partially true. Of course, the adoption of foreign policy preferences requires agreement among the member states. But that agreement can be considerably facilitated by having in post, in Brussels, individuals of genuine stature, with a deep knowledge of the issues, possessed of strategic vision, who are able clearly to formulate the available options, and persuasively to indicate a way forward.

Two weeks ago Barroso ignored the Lisbon procedures altogether by announcing the appointment, as EU ambassador to the USA, of his former *chef de cabinet* Joao Vela de Almeida – apparently without even consulting Lady Ashton, the nominal head of the still embryonic External Action Service to which the ambassador will report. With egos like these battling for turf, the chances of harmonizing the EU’s foreign and security policy seem slim indeed. Another miscreant was José Luis Rodríguez Zapatero, who in a brazen demonstration of political showmanship launched the Spanish Presidency of the EU with even greater razzamatazz than is normally the case with these events. Most observers could be forgiven for having been under the impression that the rotating Presidency was the main victim of Lisbon. Not so. While the rotating Presidency of the European Council has been replaced by the permanent President of the Council (Herman von Rumpoy) and while the rotating Presidency of the Foreign Affairs Council has been abolished in favour of a permanent representative of the HR-VP (probably Robert Cooper) – the *other* Council formations will continue to rotate. Logically, this *should have led* Spain (the first member state to experience this form of presidential demotion) to adopt a very low profile for the inauguration. But Zapatero (like Brown) is also desperate for electorally precious high-profile international cudors – such as might derive

from hosting the annual EU-US summit with the world's only political superstar, Barack Obama. Hence the rather farcical January meeting in Madrid at which the Spanish presidency was launched with huge fanfare – in the presence not only of the President of the Commission but also of the new President of the Council. Catherine Ashton was not invited. How many Presidents does it take to run the EU?

Nobody could object to the appointment to these two top EU jobs of candidates lacking personal charisma – as long as they are appropriately qualified. In the case of Hermann van Rompuy, many commentators assumed that the designation of this particular individual effectively seals the job description for this particular post. As long as the Brussels rumour-mill had continued to tout Tony Blair for the Presidency job, there was speculation that, in such an event, this position (the Presidency of the Council) would become more important than that of HR-VP – with the heavy-hitting former UK prime minister defining the position as one of policy initiative and international grand-standing. With van Rompuy, the commentariat rapidly agreed, the Presidency post would become a glorified chairmanship. This is unclear. Van Rompuy himself may appear mild-mannered and diffident (his performance to date has been anything but stellar), but his dynamic *chef de cabinet*, the senior Belgian ambassador Frans van Daele, apparently has other ideas. He has announced that the European Council will henceforth enjoy “policy initiative”, and he has suggested that the meetings of all 27 heads of state and government should become monthly rather than trimestrial. What this implies is that the “Blair scenario” may well take place after all – even with van Rompuy in post – and that the HR-VP will become a mere facilitating and implementing position. Whatever! All this is yet further evidence of large egos pulling out all the stops to generate personal empires at the expense both of their rivals and of the EU as a whole. Superegos fiddling while Brussels burns! Bad start!

In the case of Catherine Ashton, the record to date has, been underwhelming. First, there was her decision to reject a number of highly specialised foreign and security policy advisers for her private office (*cabinet*) in favour of the transfer, lock, stock and barrel, of most staff from her previous office as Trade Commissioner. Given her lack of expertise in foreign and security policy, this decision revealed an unhealthy mix of both lack of self confidence and lack of judgment. Second, an all too hastily prepared (and poorly executed) initial hearing (2 December) before the European Parliament, was followed by a slightly improved confirmation hearing before the same body (11 January) at both of which events it became clear that she had a huge amount to learn. Then came the Haiti earthquake when she courted controversy by spending the weekend with her young family in London rather than either manning the office in Brussels or flying to Haiti (as Hillary Clinton had done). It cut little ice with her critics when she responded by saying (reasonably enough) that since she is neither a doctor nor a fireman her presence in Haiti would probably have been superfluous. The damage had already been done and her office then expended masses of energy in damage limitation, fending off increasingly petty journalistic jibes. The French press in particular refused to pull their punches, engaging in increasingly negative briefing against the new HR-VP and, in the process, considerably undermined both the post-holder and the post.

And then this past week, Ashton made another ill-judged diary decision, jetting off to Moscow and Kiev to celebrate the election of Victor Yanukovitch as President of Ukraine (a trip that seems more appropriate for the Commissioner for Enlargement, Stefan Füle) rather than attending the first meeting under the new Lisbon rules of the Council of Defence Ministers in Palma de Majorca. Quite apart from the fact that this decision broke brutally with Javier Solana's practice of regarding these meetings as a sacrosanct diary priority (he never missed a single one), it meant that, for discussion of the crucially important issue of relations between CSDP and NATO, the limelight was stolen by Anders Fogh Rasmussen – in the absence of any coordinated EU response.

A terrible start indeed. But, things simply cannot continue in this way – otherwise the EU will simply fade gracelessly into a deepening twilight.

Grand Strategy for a Global Grand Bargain

Like it or not, the European Union, in the wake of Lisbon, has become an international actor. It faces two major external challenges. The first is to develop strategic vision for a potentially tumultuous emerging multi-polar world. The European Council's December 2008 "Report on the Implementation of the European Security Strategy" recognized that, over the last five years, the threats facing the EU had become "increasingly complex", that "we must be ready to shape events [by] becoming more strategic in our thinking". The second challenge is to help nudge the other global actors towards a multilateral global grand bargain. Such a bargain will be the necessary outcome of the transition from a US-dominated post-1945 liberal world order, towards a new twenty-first century order accommodating the rising powers and sensitive to the needs of the global South. Without such a comprehensive and cooperative bargain, the emerging multi-polar world will be rife with tensions and highly conflict-prone.

In order to play a constructive role in forging that grand bargain, the EU must begin to think strategically. To date, its actions in the wider world – both CFSP and especially ESDP – have been reactive, ad hoc and tactical. This has to change. Henceforth, the Union must be clear about its common values and interests. It must be clear about its medium to long-term global objectives. And it must be clear about the means required to achieve those objectives. At present, there is no clarity on any of that.

There are three main reasons why a strategic approach is imperative. First, the EU suffers from serious long-term disadvantages: demographic decline, energy dependency, territorial exiguity, scarce natural resources, colonial baggage and the absence of a unitary political centre. Developing a strategic approach will be very difficult. But without it, the EU will have no chance of influencing the course of the 21st century. It will become increasingly marginalised in world affairs. Second, such an approach is even more necessary because *all* the other major players are being highly strategic in their own approach to the evolving global system. *They* are playing chess. The EU is playing ping pong. Third, in the post-Cold War world, the EU can no longer simply rely on the US to provide a security guarantee. President Obama, in Strasbourg last spring and Hillary Clinton in Paris a couple of weeks ago, implored the EU to assume

its responsibilities on the global stage and become a true strategic partner for the US. Europe's future attractiveness to Washington will be a function of its ability to bring something substantial to the transatlantic table.

But developing strategic vision is not an end in itself. It must be applied to the great challenges thrown up by the coming transition to a new global order. Power transitions, historically, have usually involved violent overthrow of the existing order by the rising power(s). There are good reasons to believe that such an outcome can be avoided in the 21st century. For the first time in human history, the post-1945 world has benefited from global institutions, increasingly effective multilateralism, a growing corpus of international law and complex interdependence – leading to what Giovanni Grevi has termed “inter-polarity” (the combination of interdependence and multipolarity). In all that, the EU is a leading player and has much to contribute. Moreover, the 20th century has demonstrated the myth of militarism. Military power in its traditional sense has been shown to have extremely limited political *usefulness*. Failed states have become more dangerous than powerful ones, soft power the necessary companion to hard power, human rights the mirror image of states rights, humanitarian intervention the new normative underpinning of international crisis management. Again, the EU has much to contribute in these areas.

In this brave new emerging world, what are the available scenarios? It is unlikely – though not impossible – that global actors will revert to the zero-sum jostling, the military power-balancing of the old Westphalian system. All players recognise the advantages of cooperation over conflict in a world where climate change, environmental degradation, migratory flows, regional instabilities and commercial and investment interdependence have significantly reduced the scope – and even the meaning – of national sovereignty.

The choice, then, boils down to two scenarios. Either the rising powers will be persuaded, as some American liberals believe is possible, to embrace the existing international liberal order essentially in its current form. Or the major players will agree to devise – collectively and cooperatively – a new global order which better manages and harmonises the multiplicity of preferences, the diversity of cultural realities and governance systems, the asymmetries and imbalances which still persist between East and West, North and South, rising and declining powers, rich and poor. Robert Hutchings has termed such an agreement a “global grand bargain”.

Those who believe in Europe as a “normative power” will be tempted to make common cause with US liberals in holding out for a Western-anchored global order posing as the champion of “universal values”. It is unlikely that such an approach will prevail. In the past twelve months alone, we have witnessed the humiliation of the deregulated market system, growing pressures for meaningful reform of the Bretton Woods institutions, the dominance of the G-20 over the increasingly irrelevant G-8, the imperative of global cooperation over climate change, the return of Russia as a strategic actor, and above all the omni-presence of China as a power-broker. In a post-colonial world, the very concept of universal values is problematic. The EU should avoid trying

to project itself as a normative model. The “brand EU” is not for export. Other actors may wish to emulate it, but that must be their choice. Rather, what the EU should seek as a basic strategic objective is a world of cultural and political diversity in which, nevertheless, stability, security, prosperity, development, environmental sustainability, solidarity and self-determination are considered in holistic terms as key elements of global interdependence.

The global grand bargain will involve a series of trade-offs, some bilateral, some multilateral, between the rising and the declining powers. These trade-offs will be necessary in all major policy areas – governance, security, finance, trade, agriculture, energy, climate, development, proliferation, cultural exchanges and intellectual property. This will not involve selling off the family silver or succumbing to foreclosure on the estate. It will involve bartering some elements of that silver in order to create an even larger and more all-embracing global domain.

In that process, the EU will need to be crystal clear about its deepest values and interests and about its strategic bottom line. Such strategic clarity is essential if we are to arrive at a global grand bargain. The EU has many assets in this process. The price of failure will be marginalisation and perhaps even a return to the jungle – a jungle in which European assets will count for very little.